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| <b>Annual PHA Plan</b><br><i>(Standard PHAs and Troubled PHAs)</i> | U.S. Department of Housing and Urban Development<br>Office of Public and Indian Housing | OMB No. 2577-0226<br>Expires: 02/29/2016 |
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**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families.

**Applicability.** Form HUD-50075-ST is to be completed annually by **STANDARD PHAs or TROUBLED PHAs**. PHAs that meet the definition of a High Performer PHA, Small PHA, HCV-Only PHA or Qualified PHA do not need to submit this form.

**Definitions.**

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both of the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, or at risk of being designated as troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceeds 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined, and is not PHAS or SEMAP troubled.

| A.  | PHA Information.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| A.1 | <p>PHA Name: <b>Southern Nevada Regional Housing Authority (SNRHA)</b> PHA Code: <b>NV018</b><br/>           PHA Type: <input checked="" type="checkbox"/> Standard PHA <input type="checkbox"/> Troubled PHA<br/>           PHA Plan for Fiscal Year Beginning: (MM/YYYY): <b>10/2016</b><br/>           PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)<br/>           Number of Public Housing (PH) Units <b>2755</b> Number of Housing Choice Vouchers (HCVs) <b>11,013</b> Total Combined Units/Vouchers <b>13,768</b><br/>           PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p>Availability of Information.</p> <p><b><u>SUMMARY OF RESIDENT/STAFF/PUBLIC CONSULTATION AND INPUT</u></b></p> <p>The involvement of the residents, staff, and the general public is an important part of the planning process. Since many aspects of the Authority's operations have a direct effect on both, it is important to involve all stakeholders in strategic planning processes. Meetings with the Resident Advisory Board (RAB) were held to review the plan and solicit input. A complete list of attendees at each meeting is available upon request.</p> <p>The final draft was placed on public display beginning 04/27/2016 coinciding with the first advertisement of the Public Hearing. A copy of the PHA Plan and associated documents were/are available to view a copy on our website <a href="http://www.snrha.org">www.snrha.org</a>, Welcome Page, scroll down to Agency Plans section and click on "click here for all Agency Plans" and scroll down to the pdf icon for this plan.</p> <p>The Plan and Addendums will also be available at all Public Housing Community Offices as well as in the main lobby areas of SNRHA Administrative Offices located at:</p> <ul style="list-style-type: none"> <li>- Howard Cannon Center at 340 North 11<sup>th</sup> Street, Las Vegas, NV 89101.</li> <li>- W. F. Cotrell Admin Building at 5390 East Flamingo Rd., Las Vegas, NV 89122.</li> <li>- Housing Programs at 380 North Maryland Pkwy., Las Vegas, NV 89101.</li> </ul> <p>The comment period ended with a Public Hearing held at the Howard Cannon Center Board Chambers located at 340 North 11<sup>th</sup> Street, Las Vegas, NV 89101 on June 13, 2016 at 5:30pm. The written comments either received in writing prior to the Public Hearing or received at the Public Hearing are included under <b>Attachment – B6</b></p> |

| <input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a Joint PHA Plan and complete table below) <b>Not Applicable</b> |          |                             |                                 |                              |     |
|------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------|---------------------------------|------------------------------|-----|
| Participating PHAs                                                                                                                       | PHA Code | Program(s) in the Consortia | Program(s) not in the Consortia | No. of Units in Each Program |     |
|                                                                                                                                          |          |                             |                                 | PH                           | HCV |
| Lead PHA:                                                                                                                                |          |                             |                                 |                              |     |
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**B. Annual Plan Elements**

**B.1 Revision of PHA Plan Elements.**

(a) Have the following PHA Plan elements been revised by the PHA?

Y N

- Statement of Housing Needs and Strategy for Addressing Housing Needs
- Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.
- Financial Resources.
- Rent Determination.
- Operation and Management.
- Grievance Procedures.
- Homeownership Programs.
- Community Service and Self-Sufficiency Programs.
- Safety and Crime Prevention.
- Pet Policy.
- Asset Management.
- Substantial Deviation.
- Significant Amendment/Modification

(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):

**Statement of Housing Needs and Strategy for Addressing Housing Needs:** All Statistical Data has been updated, however, at this time the Strategy for Addressing Housing Needs remains the same. **See Attachment B1a**

**Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions:** AMP number was updated to reflect the correct AMP number for Vera Johnson B. All Revisions to the ACOP and Administrative Plan are included in attachment. **See Attachment B1b**

**Financial Resources:** All statistical Data has been updated, however, the Financial Resources remain the same. **See Attachment B1c**

**Rent Determination:** Adjustments were made to the Payment Standards and SNRHA Minimum Rent was clarified to include an explanation of the minimum rent hardship exception. **See Attachment B1d**

**Operation and Management:** All Statistical Data has been updated, updates made as shown. **See Attachment B1e**

**Grievance Procedures:** No Changes Have been made to the existing Grievance Procedures. **See Attachment B1e**

**Homeownership Programs:** Correction to AMP number has been made in the existing Homeownership Policies. **See Attachment B1f**

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| <p><b>B.1</b><br/>(Cont.)</p>       | <p><b><u>Community Service and Self-Sufficiency Programs:</u></b> All Statistical and Provider Data has been updated. <b>See Attachment B1g</b></p> <p><b><u>Safety and Crime Prevention:</u></b> No changes have been made to the current Safety and Crime Prevention Policies. <b>See Attachment B1g</b></p> <p><b><u>Pet Policy:</u></b> No changes have been made to the current Pet Policy. <b>See Attachment B1g</b></p> <p><b><u>Asset Management:</u></b> No Changes have been made to the current Asset Management Plan. <b>See Attachment B1g</b></p> <p><b><u>Substantial Deviation:</u></b> No changes have been made to the Substantial Deviation criteria. <b>See Attachment B1h</b></p> <p><b><u>Significant Amendment/Modification:</u></b> No changes have been made to the Significant Amendment/Modification criteria. <b>See Attachment B1h</b></p> <p>(c) The PHA must submit its Deconcentration Policy for Field Office review. <b>See Attachment B1b</b></p>             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| <p><b>B.2</b></p>                   | <p><b>New Activities.</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <table border="0"> <tr> <td>Y</td> <td>N</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Hope VI or Choice Neighborhoods.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Mixed Finance Modernization or Development.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Demolition and/or Disposition.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Designated Housing for Elderly and/or Disabled Families.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Conversion of Public Housing to Tenant-Based Assistance.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Conversion of Public Housing to Project-Based Assistance under RAD.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Occupancy by Over-Income Families.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Occupancy by Police Officers.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Non-Smoking Policies.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Project-Based Vouchers.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td>Units with Approved Vacancies for Modernization.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</td> </tr> </table> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project based units and general locations, and describe how project basing would be consistent with the PHA Plan.</p> <p><b><u>Hope VI or Choice Neighborhoods:</u></b> SNRHA is planning to apply for Hope VI Revitalization or CNI grant in the Plan year. <b>See Attachment B2a</b></p> <p><b><u>Mixed Finance Modernization or Development:</u></b> Please refer to Demolition and/or Disposition for proposed SNRHA Mixed Finance or Development Plans. <b>See Attachment B2b</b></p> <p><b><u>Demolition and/or Disposition:</u></b> As a result of the Authority's extensive redevelopment activities, several of the Authority's family developments are included as considerations for demolition and/or disposition. <b>See Attachment B2b</b></p> <p><b><u>Designated Housing for Elderly and/or Disabled Families:</u></b> Currently, Harry Levy Gardens (NV208), James Down Towers (NV2-12), Espinoza Terrace (NV13-02), Lubertha Johnson (NV18-21), Rose Gardens (NV18-20), and Arthur Sartini Plaza (NV2-21) are covered under an existing Allocation Plan as designated for the elderly only. SNRHA may consider pursuing this designation for Arthur Sartini Annex (a portion of AMP402, consisting of 39 units) and Schaffer Heights (a portion of AMP404, consisting of 75 units). <b>See Attachment B2c</b></p> <p><b><u>Conversion of Public Housing to Tenant-Based Assistance:</u></b> There have been no changes to this plan for the upcoming fiscal year. <b>See Attachment B2d</b></p> <p><b><u>Conversion of Public Housing to Project-Based Assistance under RAD:</u></b> The SNRHA continues with its efforts to convert more public housing assistance under the RAD Program. <b>See Attachment B2d</b></p> | Y                                                                                                                      | N |  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Hope VI or Choice Neighborhoods. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Mixed Finance Modernization or Development. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Demolition and/or Disposition. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Designated Housing for Elderly and/or Disabled Families. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Conversion of Public Housing to Tenant-Based Assistance. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Conversion of Public Housing to Project-Based Assistance under RAD. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Occupancy by Over-Income Families. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Occupancy by Police Officers. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Non-Smoking Policies. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Project-Based Vouchers. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Units with Approved Vacancies for Modernization. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants). |
| Y                                   | N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                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                                                                                                                                                       | Project-Based Vouchers.                                                                                                |   |  |                                     |                          |                                  |                                     |                          |                                             |                                     |                          |                                |                                     |                          |                                                          |                          |                                     |                                                          |                                     |                          |                                                                     |                          |                                     |                                    |                          |                                     |                               |                                     |                          |                       |                          |                                     |                         |                                     |                          |                                                  |                          |                                     |                                                                                                                        |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Units with Approved Vacancies for Modernization.                                                                       |   |  |                                     |                          |                                  |                                     |                          |                                             |                                     |                          |                                |                                     |                          |                                                          |                          |                                     |                                                          |                                     |                          |                                                                     |                          |                                     |                                    |                          |                                     |                               |                                     |                          |                       |                          |                                     |                         |                                     |                          |                                                  |                          |                                     |                                                                                                                        |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants). |   |  |                                     |                          |                                  |                                     |                          |                                             |                                     |                          |                                |                                     |                          |                                                          |                          |                                     |                                                          |                                     |                          |                                                                     |                          |                                     |                                    |                          |                                     |                               |                                     |                          |                       |                          |                                     |                         |                                     |                          |                                                  |                          |                                     |                                                                                                                        |

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>B.2</b><br/>(Cont.)</p> | <p><b><u>Occupancy by Over-Income Families:</u></b> There have been no changes to this Policy. At this time SNRHA does not admit families who are over income at time of initial lease up. <b>See Attachment B2e</b></p> <p><b><u>Occupancy by Police Officers:</u></b> There have been no changes to this Policy. <b>See Attachment B2e</b></p> <p><b><u>Non-Smoking Policies:</u></b> Language has been added to the Policy giving SNRHA the ability to designate additional properties as Non-Smoking. <b>See Attachment B2e</b></p> <p><b><u>Project-Based Vouchers:</u></b> No changes have been made to this Policy. <b>See Attachment B2e</b></p> <p><b><u>Units with Approved Vacancies for Modernization:</u></b> Statuses have been updated, but no new units have been added to the list. <b>See Attachment B2f</b></p> <p><b><u>Other Capital Grant Programs:</u></b> SNRHA is aware of these available grants but is not planning to apply at this time. We will be considering in the near future.</p> |
| <p><b>B.3</b></p>             | <p><b>Civil Rights Certification.</b><br/>Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.<br/><b>See Attachment B3</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>B.4</b></p>             | <p><b>Most Recent Fiscal Year Audit.</b></p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N<br/><input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:<br/><b>See Attachment B4</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>B.5</b></p>             | <p><b>Progress Report.</b></p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.<br/><b>See Attachment B5</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>B.6</b></p>             | <p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) provide comments to the PHA Plan?</p> <p>Y N<br/><input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(c) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.<br/><b>See Attachment B6</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>B.7</b></p>             | <p><b>Certification by State or Local Officials.</b></p> <p><a href="#">Form HUD 50077-SL</a>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.<br/><b>See Attachment B7</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>B.8</b></p>             | <p><b>Troubled PHA.</b></p> <p>(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?</p> <p>Y N N/A<br/><input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>C.</b>  | <b>Statement of Capital Improvements.</b> Required for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>C.1</b> | <p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan (HUD-50075.2) and the date that it was approved by HUD.</p> <p>Even though the new Capital Fund Rule effective November 25, 2013 decouples de Capital Fund forms from the larger PHA Plan submission; the SNRHA will complete and submit <b>the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i></b>, form HUD-50075.1, for each current and open CFP grant as part of their Agency Plan Annual Plan process. <b>See Attachment C</b></p> <p><b>HUD Form-50075.2 last approved by HUD on 12/22/2015.</b></p> |

# Instructions for Preparation of Form HUD-50075-ST Annual PHA Plan for Standard and Troubled PHAs

## A. PHA Information. All PHAs must complete this section.

- A.1** Include the full **PHA Name**, **PHA Code**, **PHA Type**, **PHA Fiscal Year Beginning** (MM/YYYY), **PHA Inventory**, **Number of Public Housing Units and or Housing Choice Vouchers (HCVs)**, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan. ([24 CFR §903.23\(4\)\(e\)](#))

**PHA Consortia:** Check box if submitting a Joint PHA Plan and complete the table. ([24 CFR §943.128\(a\)](#))

## B. Annual Plan. All PHAs must complete this section.

### B.1 Revision of PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.” ([24 CFR §903.7](#))

**Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income), (ii) elderly families and families with disabilities, and (iii) households of various races and ethnic groups residing in the jurisdiction or on the waiting list based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. ([24 CFR §903.7\(a\)\(1\)](#)) Provide a description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. ([24 CFR §903.7\(a\)\(2\)\(ii\)](#))

**Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** PHAs must submit a Deconcentration Policy for Field Office review. For additional guidance on what a PHA must do to deconcentrate poverty in its development and comply with fair housing requirements, see [24 CFR 903.2](#). ([24 CFR §903.23\(b\)](#)) Describe the PHA’s admissions policy for deconcentration of poverty and income mixing of lower-income families in public housing. The Deconcentration Policy must describe the PHA’s policy for bringing higher income tenants into lower income developments and lower income tenants into higher income developments. The deconcentration requirements apply to general occupancy and family public housing developments. Refer to 24 CFR §903.2(b)(2) for developments not subject to deconcentration of poverty and income mixing requirements. ([24 CFR §903.7\(b\)](#)) Describe the PHA’s procedures for maintain waiting lists for admission to public housing and address any site-based waiting lists. ([24 CFR §903.7\(b\)](#)). A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV. ([24 CFR §903.7\(b\)](#)) Describe the unit assignment policies for public housing. ([24 CFR §903.7\(b\)](#))

**Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA’s anticipated resources, such as PHA operating, capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. ([24 CFR §903.7\(c\)](#))

**Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units, including applicable public housing flat rents, minimum rents, voucher family rent contributions, and payment standard policies. ([24 CFR §903.7\(d\)](#))

**Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance and management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA. ([24 CFR §903.7\(e\)](#))

**Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants. ([24 CFR §903.7\(f\)](#))

**Homeownership Programs.** A description of any Section 5h, Section 32, Section 8y, or HOPE I public housing or Housing Choice Voucher (HCV) homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval. ([24 CFR §903.7\(k\)](#))

**Community Service and Self Sufficiency Programs.** Describe how the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. ([24 CFR §903.7\(l\)](#)) A description of: **1)** Any programs relating to services and amenities provided or offered to assisted families; and **2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS. ([24 CFR §903.7\(l\)](#))

**Safety and Crime Prevention.** Describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must provide development-by-development or jurisdiction wide-basis: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities. (24 CFR §903.7(m)) A description of: **1)** Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; **2)** Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and **3)** Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families. (24 CFR §903.7(m)(5))

**Pet Policy.** Describe the PHA's policies and requirements pertaining to the ownership of pets in public housing. (24 CFR §903.7(n))

**Asset Management.** State how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory. (24 CFR §903.7(q))

**Substantial Deviation.** PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan. (24 CFR §903.7(r)(2)(i))

**Significant Amendment/Modification.** PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan. Should the PHA fail to define 'significant amendment/modification', HUD will consider the following to be 'significant amendments or modifications': a) changes to rent or admissions policies or organization of the waiting list; b) additions of non-emergency CFP work items (items not included in the current CFP Annual Statement or CFP 5-Year Action Plan) or change in use of replacement reserve funds under the Capital Fund; or c) any change with regard to demolition or disposition, designation, homeownership programs or conversion activities. See guidance on HUD's website at: [Notice PIH 1999-51](#). (24 CFR §903.7(r)(2)(ii))

If any boxes are marked "yes", describe the revision(s) to those element(s) in the space provided.

**B.2 New Activities.** If the PHA intends to undertake any new activities related to these elements in the current Fiscal Year, mark "yes" for those elements, and describe the activities to be undertaken in the space provided. If the PHA does not plan to undertake these activities, mark "no."

**Hope VI or Choice Neighborhoods.** **1)** A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Choice Neighborhoods; and **2)** A timetable for the submission of applications or proposals. The application and approval process for Hope VI or Choice Neighborhoods is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>. (Notice PIH 2010-30)

**Mixed Finance Modernization or Development.** **1)** A description of any housing (including project number (if known) and unit count) for which the PHA will apply for Mixed Finance Modernization or Development; and **2)** A timetable for the submission of applications or proposals. The application and approval process for Mixed Finance Modernization or Development is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>. (Notice PIH 2010-30)

**Demolition and/or Disposition.** Describe any public housing projects owned by the PHA and subject to ACCs (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed as described in the PHA's last Annual and/or 5-Year PHA Plan submission. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: [http://www.hud.gov/offices/pih/centers/sac/demo\\_dispo/index.cfm](http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm). (24 CFR §903.7(h))

**Designated Housing for Elderly and Disabled Families.** Describe any public housing projects owned, assisted or operated by the PHA (or portions thereof), in the upcoming fiscal year, that the PHA has continually operated as, has designated, or will apply for designation for occupancy by elderly and/or disabled families only. Include the following information: **1)** development name and number; **2)** designation type; **3)** application status; **4)** date the designation was approved, submitted, or planned for submission, and; **5)** the number of units affected. **Note:** The application and approval process for such designations is separate from the PHA Plan process, and PHA Plan approval does not constitute HUD approval of any designation. (24 CFR §903.7(i)(C))

**Conversion of Public Housing.** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA is required to convert or plans to voluntarily convert to tenant-based assistance; **2)** An analysis of the projects or buildings required to be converted; and **3)** A statement of the amount of assistance received to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>. (24 CFR §903.7(j))

**Conversion of Public Housing.** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA plans to voluntarily convert to project-based assistance under RAD. See additional guidance on HUD's website at: [Notice PIH 2012-32](#)

**Occupancy by Over-Income Families.** A PHA that owns or operates fewer than two hundred fifty (250) public housing units, may lease a unit in a public housing development to an over-income family (a family whose annual income exceeds the limit for a low income family at the time of initial occupancy), if all the following conditions are satisfied: (1) There are no eligible low income families on the PHA waiting list or applying for public housing assistance when the unit is leased to an over-income family; (2) The PHA has publicized availability of the unit for rental to eligible low income families, including publishing public notice of such availability in a newspaper of general circulation in the jurisdiction at least thirty days before offering the unit to an over-income family; (3) The over-income family rents the unit on a month-to-month basis for a rent that is not less than the PHA's cost to operate the unit; (4) The lease to the over-income family provides that the family agrees to vacate the unit when needed for rental to an eligible family; and (5) The PHA gives the over-income family at least thirty days notice to vacate the unit when the unit is needed for rental to an eligible family. The PHA may incorporate information on occupancy by over-income families into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. See additional guidance on HUD's website at: [Notice PIH 2011-7](#). (24 CFR 960.503) (24 CFR 903.7(b))

**Occupancy by Police Officers.** The PHA may allow police officers who would not otherwise be eligible for occupancy in public housing, to reside in a public housing dwelling unit. The PHA must include the number and location of the units to be occupied by police officers, and the terms and conditions of their tenancies; and a statement that such occupancy is needed to increase security for public housing residents. A “police officer” means a person determined by the PHA to be, during the period of residence of that person in public housing, employed on a full-time basis as a duly licensed professional police officer by a Federal, State or local government or by any agency of these governments. An officer of an accredited police force of a housing agency may qualify. The PHA may incorporate information on occupancy by police officers into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. See additional guidance on HUD’s website at: [Notice PIH 2011-7. \(24 CFR 960.505\)](#) (24 CFR 903.7(b))

**Non-Smoking Policies.** The PHA may implement non-smoking policies in its public housing program and incorporate this into its PHA Plan statement of operation and management and the rules and standards that will apply to its projects. See additional guidance on HUD’s website at: [Notice PIH 2009-21. \(24 CFR §903.7\(e\)\)](#)

**Project-Based Vouchers.** Describe any plans to use Housing Choice Vouchers (HCVs) for new project-based vouchers, which must comply with PBV goals, civil rights requirements, Housing Quality Standards (HQS) and deconcentration standards, as stated in 983.57(b)(1) and set forth in the PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. If using project-based vouchers, provide the projected number of project-based units and general locations, and describe how project-basing would be consistent with the PHA Plan. [\(24 CFR §903.7\(b\)\)](#)

**Units with Approved Vacancies for Modernization.** The PHA must include a statement related to units with approved vacancies that are undergoing modernization in accordance with [24 CFR §990.145\(a\)\(1\)](#).

**Other Capital Grant Programs** (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

For all activities that the PHA plans to undertake in the current Fiscal Year, provide a description of the activity in the space provided.

**B.3 Civil Rights Certification.** Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulation*, must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction’s initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. [\(24 CFR §903.7\(o\)\)](#)

**B.4 Most Recent Fiscal Year Audit.** If the results of the most recent fiscal year audit for the PHA included any findings, mark “yes” and describe those findings in the space provided. [\(24 CFR §903.7\(p\)\)](#)

**B.5 Progress Report.** For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year PHA Plan. [\(24 CFR §903.7\(r\)\(1\)\)](#)

**B.6 Resident Advisory Board (RAB) comments.** If the RAB provided comments to the annual plan, mark “yes,” submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA’s decision made on these recommendations. [\(24 CFR §903.13\(c\)\)](#), [24 CFR §903.19](#)

**B.7 Certification by State or Local Officials.** Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. [\(24 CFR §903.15\)](#). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

**B.8 Troubled PHA.** If the PHA is designated troubled, and has a current MOA, improvement plan, or recovery plan in place, mark “yes,” and describe that plan. If the PHA is troubled, but does not have any of these items, mark “no.” If the PHA is not troubled, mark “N/A.” [\(24 CFR §903.9\)](#)

**C. Statement of Capital Improvements.** PHAs that receive funding from the Capital Fund Program (CFP) must complete this section. [\(24 CFR 903.7 \(g\)\)](#)

**C.1 Capital Improvements.** In order to comply with this requirement, the PHA must reference the most recent HUD approved Capital Fund 5 Year Action Plan. PHAs can reference the form by including the following language in Section C. 8.0 of the PHA Plan Template: “See HUD Form- 50075.2 approved by HUD on XX/XX/XXXX.”

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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year and Annual PHA Plan.

Public reporting burden for this information collection is estimated to average 9.2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Privacy Act Notice.** The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.



**B 1 a**

**Statement of Housing Needs and Strategy for Addressing Housing Needs**

**A. Housing Needs of Families in the Jurisdiction by Family Type**

| Housing Needs of Families in the Jurisdiction<br>by Family Type |         |               |        |         |               |      |          |
|-----------------------------------------------------------------|---------|---------------|--------|---------|---------------|------|----------|
| Family Type                                                     | Overall | Affordability | Supply | Quality | Accessibility | Size | Location |
| Income <= 30% of AMI                                            | 13,290  | 5             | 5      | 4       | 3             | 3    | 4        |
| Income >30% but <=50% of AMI                                    | 11,503  | 5             | 5      | 4       | 3             | 3    | 4        |
| Income >50% but <80% of AMI                                     | 16,433  | 5             | 4      | 3       | 3             | 3    | 3        |
| Elderly                                                         | 11,322  | 5             | 5      | 4       | 5             | 3    | 4        |
| Families with Disabilities                                      | 7,543   | 5             | 5      | 4       | 5             | 3    | 4        |
| White                                                           | 17,745  | 4             | 4      | 3       | 2             | 2    | 3        |
| Black                                                           | 6,214   | 4             | 4      | 3       | 2             | 2    | 3        |
| Hispanic                                                        | 9,976   | 4             | 4      | 3       | 2             | 2    | 3        |
| Race/Ethnicity                                                  |         |               |        |         |               |      |          |

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

- Consolidated Plan of the Jurisdiction/s. Indicate year: 2006-2010
- U.S. Census data: the Comprehensive Housing Affordability Strategy (“CHAS”) dataset

**B. Housing Needs of Families on the Public Housing and Section 8 Tenant- Based Assistance Waiting Lists**

State the housing needs of the families on the PHA’s waiting list/s. Complete one table for each type of PHA-wide waiting list administered by the PHA. PHA may provide separate tables for site-based or sub-jurisdictional public housing waiting list at their option.

| Section 8                              | # of families | % of total families | Annual Turnover |
|----------------------------------------|---------------|---------------------|-----------------|
| Waiting list total                     | 801           |                     |                 |
| Extremely low income <=30% AMI         | 153           | 19.1%               |                 |
| Very low income (>30% but <=50% AMI)   | 52            | 6.4%                |                 |
| Low income (>50% but <80% AMI)         | 8             | 1%                  |                 |
| Families with children (<=17)          | 359           | 44.8%               |                 |
| Elderly families (62+)                 | 107           | 13.3%               |                 |
| Families with Disabilities             | 62            | 7.7%                |                 |
| White                                  | 170           | 21.4%               |                 |
| Black                                  | 599           | 74.7%               |                 |
| Asian                                  | 43            | .04%                |                 |
| American Indian/Alaskan Native         | 8             | 1%                  |                 |
| Native Hawaiian/Other Pacific Islander | 6             | .07%                |                 |
| Hispanic or Latino                     | 100           | 12.5%               |                 |

**Statement of Housing Needs and Strategy for Addressing Housing Needs**

SSNRHA has closed the waiting list for the past 90 months. SNRHA plans to open the waiting list for Non-Elderly Disabled target funding population only.

| <b>Public Housing</b>                     |               |                     |                 |
|-------------------------------------------|---------------|---------------------|-----------------|
|                                           | # of families | % of total families | Annual Turnover |
| Waiting list total                        | 8467          |                     |                 |
| Extremely low income <=30% AMI            | 8141          | 96.1%               |                 |
| Very low income (>30% but <=50% AMI)      | 286           | 3.4%                |                 |
| Low income (>50% but <80% AMI)            | 40            | .05%                |                 |
| Families with children                    | 5075          | 59.9%               |                 |
| Elderly families                          | 398           | 4.7%                |                 |
| Families with Disabilities                | 1846          | 21.8%               |                 |
| White                                     | 2527          | 29.8%               |                 |
| Black                                     | 4879          | 57.6%               |                 |
| Asian                                     | 146           | 1.7%                |                 |
| American Indian/Alaskan Native            | 148           | 1.7%                |                 |
| Native Hawaiian/Other Pacific Islander    | 108           | 1.3%                |                 |
| Hispanic or Latino                        | 1453          | 17.2%               |                 |
| <b>PHA</b>                                |               |                     |                 |
| Characteristics by Bedroom Size (PH Only) |               |                     |                 |
| 0 BR                                      | 0             | 0%                  |                 |
| 1BR                                       | 2894          | 34.2%               |                 |
| 2 BR                                      | 2629          | 31.1%               |                 |
| 3 BR                                      | 2382          | 28.1%               |                 |
| 4 BR                                      | 562           | 6.6%                |                 |
| 5 BR                                      | 0             | 0.0%                |                 |

The SNRHA Public Housing wait list is **currently** closed.

| <b>Designated Housing</b>            |               |                     |                 |
|--------------------------------------|---------------|---------------------|-----------------|
|                                      | # of families | % of total families | Annual Turnover |
| Waiting list total                   | 1709          |                     |                 |
| Extremely low income <=30% AMI       | 1610          | 94.2%               |                 |
| Very low income (>30% but <=50% AMI) | 87            | 5.1%                |                 |
| Low income (>50% but <80% AMI)       | 4             | 0.2%                |                 |
| Families with children               | 0             | 0                   |                 |
| Elderly families                     | 966           | 56.5%               |                 |

**Statement of Housing Needs and Strategy for Addressing Housing Needs**

|                                           |      |       |  |
|-------------------------------------------|------|-------|--|
| Families with Disabilities                | 776  | 45.4% |  |
| White                                     | 730  | 42.7% |  |
| Black                                     | 671  | 39.3% |  |
| Asian                                     | 97   | 5.7%  |  |
| American Indian/Alaskan Native            | 30   | 1.8%  |  |
| Native Hawaiian/Other Pacific Islander    | 22   | 1.3%  |  |
| Hispanic                                  | 264  | 15.4% |  |
| <b>PHA</b>                                |      |       |  |
| Characteristics by Bedroom Size (PH Only) |      |       |  |
| 1BR                                       | 1532 | 89.5% |  |
| 2 BR                                      | 180  | 10.5% |  |
| 3 BR                                      | 0    | 0.0%  |  |
| 4 BR                                      | 0    | 0.0%  |  |
| 5 BR                                      | 0    | 0.0%  |  |

The SNRHA Designated wait list is currently closed.

Attached are the Executive Summary of Preliminary Costs forms HUD-52828 from the March 2013 Physical Needs Assessment (PNA) conducted by The Nelrod Company.

Modernization, Replacement Housing and other developments funds will be utilized to implement plan revisions. The PNA report will be reviewed and updated at least every five years.

The entire PNA report prepared by The Nelrod Company is available upon request.

**Physical Needs Assessment  
Capital Fund Financing Program/  
Operating Fund Financing Program**

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

**OMB Approval No.  
(exp.)  
HUD-52828**

**PNA Summary**

Public Reporting Burden for this collection of information is estimated to average 16 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Response to this collection of information is mandatory to obtain a benefit. The information requested does not lend itself to confidentiality. HUD may not conduct or sponsor, and an applicant is not required to respond to a collection of information unless it displays a currently valid OMB control number.

|                                       |                    |
|---------------------------------------|--------------------|
| HAName<br>Southern Nevada Regional HA | HA Number<br>NV018 |
|---------------------------------------|--------------------|

| Development / AMP Name  | Development / AMP Number | Immediate Need          | Years 1-5               | Years 6-10              | Years 11-15             | Years 16-20             | Total                    | Per Unit            |
|-------------------------|--------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|--------------------------|---------------------|
| Affordable Housing      | Affordable Housing       | \$ 7,265,282.66         | \$ 5,015,084.52         | \$ 10,246,684.85        | \$ 8,289,124.36         | \$ 11,563,903.45        | \$ 42,380,079.85         | \$ 56,356.49        |
| Aida Brents Gardens     | NV018002301              | \$ -                    | \$ 181,133.55           | \$ 322,804.05           | \$ 248,344.30           | \$ 316,581.70           | \$ 1,068,863.60          | \$ 44,535.98        |
| Archie Grant Park       | NV018002302              | \$ 241,580.27           | \$ 692,216.63           | \$ 1,037,112.36         | \$ 829,896.82           | \$ 1,902,787.78         | \$ 4,703,593.86          | \$ 37,628.75        |
| Arthur D. Sartini Plaza | NV018002303              | \$ 13,344.09            | \$ 1,806,735.91         | \$ 1,570,518.87         | \$ 1,629,368.96         | \$ 2,473,243.72         | \$ 7,493,211.54          | \$ 28,931.32        |
| Ernie Cragin Terrace    | NV018002304              | \$ -                    | \$ 27,602.28            | \$ 202,630.14           | \$ 999,798.56           | \$ 326,399.92           | \$ 1,556,430.91          | \$ 38,910.77        |
| Harry Levy Gardens      | NV018002306              | \$ -                    | \$ 43,487.09            | \$ 636,148.07           | \$ 1,181,210.80         | \$ 1,630,432.70         | \$ 3,491,278.65          | \$ 23,275.19        |
| James Down Towers       | NV018002307              | \$ -                    | \$ 3,345,065.23         | \$ 339,947.40           | \$ 1,313,972.04         | \$ 927,127.40           | \$ 5,926,112.07          | \$ 29,630.56        |
| Marble Manor            | NV018002308              | \$ -                    | \$ 5,587,559.48         | \$ 4,620,714.78         | \$ 2,498,093.63         | \$ 2,261,287.01         | \$ 14,967,654.89         | \$ 63,692.15        |
| Sherman Gardens Annex   | NV018002309              | \$ 1,625,099.06         | \$ 2,340,503.87         | \$ 4,968,664.23         | \$ 3,053,219.84         | \$ 1,610,198.01         | \$ 13,597,685.02         | \$ 78,147.62        |
| Scattered Sites / MROP  | NV018002311              | \$ -                    | \$ 2,209,858.56         | \$ 3,435,313.93         | \$ 2,278,794.05         | \$ 2,244,779.06         | \$ 10,168,745.60         | \$ 62,770.03        |
| Sherman Gardens         | NV018002312              | \$ -                    | \$ 1,815,946.51         | \$ 1,569,133.15         | \$ 3,654,417.15         | \$ 1,761,775.91         | \$ 8,801,272.72          | \$ 62,866.23        |
| Vera Johnson Manor A    | NV018002313              | \$ 217,300.00           | \$ 3,966,386.30         | \$ 154,533.10           | \$ 652,543.29           | \$ 2,688,448.56         | \$ 7,679,211.25          | \$ 109,703.02       |
| Vera Johnson Manor B    | NV018002314              | \$ 886,816.05           | \$ 2,502,055.34         | \$ 1,403,349.29         | \$ 2,753,996.40         | \$ 4,392,496.84         | \$ 11,938,713.92         | \$ 106,595.66       |
| Rose Garden Sr Citizen  | NV018007001              | \$ 3,108,000.00         | \$ 5,801,516.37         | \$ 776,067.95           | \$ 847,466.84           | \$ 1,109,020.65         | \$ 11,642,071.81         | \$ 97,017.27        |
| Art Espinoza Terrace    | NV018013002              | \$ 67,281.49            | \$ 1,436,103.85         | \$ 692,658.09           | \$ 1,419,417.15         | \$ 2,233,176.62         | \$ 5,848,637.20          | \$ 58,486.37        |
| Hampton Court Apts      | NV018013005              | \$ 105,355.91           | \$ 916,809.46           | \$ 873,892.42           | \$ 1,882,940.49         | \$ 1,618,093.93         | \$ 5,397,092.21          | \$ 53,970.92        |
| Hullum Homes            | NV018013007              | \$ 213,103.71           | \$ 1,197,979.50         | \$ 937,132.60           | \$ 284,111.17           | \$ 1,372,481.67         | \$ 4,004,808.66          | \$ 67,878.11        |
| Biegger Estates         | NV018013008              | \$ 230,142.90           | \$ 2,960,597.00         | \$ 1,463,289.85         | \$ 2,659,497.99         | \$ 1,846,119.85         | \$ 9,159,647.60          | \$ 76,971.83        |
| Schaffer Heights        | NV018013009              | \$ 10,122.94            | \$ 972,771.18           | \$ 732,625.71           | \$ 645,142.43           | \$ 1,706,851.80         | \$ 4,067,514.05          | \$ 54,233.52        |
| Jones Gardens           | NV018013010              | \$ 195,792.10           | \$ 2,205,774.10         | \$ 1,741,013.01         | \$ 1,418,231.20         | \$ 1,478,119.41         | \$ 7,038,929.82          | \$ 78,210.33        |
| Scattered Sites         | NV018013016              | \$ 291,850.02           | \$ 3,543,212.58         | \$ 2,493,180.78         | \$ 2,576,865.98         | \$ 1,948,150.13         | \$ 10,853,259.49         | \$ 83,486.61        |
| John W. Simmons Manor   | NV018013020              | \$ 1,119.89             | \$ 1,176,988.89         | \$ 951,385.01           | \$ 815,130.85           | \$ 1,072,961.26         | \$ 4,017,585.90          | \$ 65,862.06        |
| <b>Totals</b>           |                          | <b>\$ 14,472,191.08</b> | <b>\$ 49,745,388.24</b> | <b>\$ 41,168,799.63</b> | <b>\$ 41,931,584.27</b> | <b>\$ 48,484,437.40</b> | <b>\$ 195,802,400.62</b> | <b>\$ 59,388.05</b> |
|                         | Affordable Housing       | \$ 7,265,282.66         | \$ 5,015,084.52         | \$ 10,246,684.85        | \$ 8,289,124.36         | \$ 11,563,903.45        | \$ 42,380,079.85         |                     |
|                         | Public Housing           | \$ 7,206,908.43         | \$ 44,730,303.69        | \$ 30,922,114.79        | \$ 33,642,459.93        | \$ 36,920,533.94        | \$ 153,422,320.77        |                     |

| Category                                | Immediate Need | Years 1-5 | Years 6-10 | Years 11-15 | Years 16-20 | Total | per Unit/Bldg/Site/CA |
|-----------------------------------------|----------------|-----------|------------|-------------|-------------|-------|-----------------------|
| <b>Total Preliminary Estimated Cost</b> | \$ -           | \$ -      | \$ -       | \$ -        | \$ -        | \$ -  |                       |

| Component                               | Immediate Need         | Years 1-5               | Years 6-10              | Years 11-15             | Years 16-20             | Total                   | Per Unit            |
|-----------------------------------------|------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|---------------------|
| Windows                                 | \$ -                   | \$ 6,407,031.45         | \$ 4,876,723.22         | \$ 1,394,131.20         | \$ 1,184,028.10         | \$ 13,861,913.97        | \$ 3,825.03         |
| Roofs                                   | \$ 1,194,621.19        | \$ 438,985.99           | \$ -                    | \$ 383,394.80           | \$ 2,586,196.30         | \$ 4,603,198.29         | \$ 1,270.20         |
| Kitchen                                 | \$ 2,504,710.24        | \$ 6,480,681.42         | \$ 6,222,853.24         | \$ 4,334,155.47         | \$ 6,820,616.61         | \$ 26,363,016.98        | \$ 7,274.56         |
| Bathroom                                | \$ 1,273,362.54        | \$ 2,995,084.96         | \$ 5,309,914.82         | \$ 1,693,597.79         | \$ 3,536,113.28         | \$ 14,808,073.40        | \$ 4,086.11         |
| Walls                                   | \$ 5,332.02            | \$ 1,988,005.10         | \$ 2,808,702.69         | \$ 3,071,343.68         | \$ 7,382,610.30         | \$ 15,255,993.79        | \$ 4,209.71         |
| <b>Total Preliminary Estimated Cost</b> | <b>\$ 4,978,026.00</b> | <b>\$ 18,309,788.93</b> | <b>\$ 19,218,193.97</b> | <b>\$ 10,876,622.94</b> | <b>\$ 21,509,564.58</b> | <b>\$ 74,892,196.43</b> | <b>\$ 20,665.62</b> |

## *Strategy for Addressing Housing Needs*

Below is a brief description of SNRHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year:

### **(1) Strategies:**

#### **Need: Shortage of affordable housing for all eligible populations**

##### **Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:**

- Employ effective maintenance and management policies to minimize the number of public housing units off-line
- Reduce turnover time for vacated public housing units
- Reduce time to renovate public housing units
- Seek replacement of public housing units lost to the inventory through mixed finance development
- Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies

##### **Strategy 2: Increase the number of affordable housing units by:**

- Apply for additional section 8 units should they become available
- Leverage affordable housing resources in the community through the creation of mixed - finance housing
- Pursue housing resources other than public housing or Section 8 tenant-based assistance.

#### **Need: Specific Family Types: Families at or below 30% of median**

##### **Strategy 1: Target available assistance to families at or below 30 % of AMI**

- Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- Employ admissions preferences aimed at families with economic hardships
- Adopt rent policies to support and encourage work

#### **Need: Specific Family Types: Families at or below 50% of median**

##### **Strategy 1: Target available assistance to families at or below 50% of AMI**

- Employ admissions preferences aimed at families who are working
- Adopt rent policies to support and encourage work

## Strategy for Addressing Housing Needs

### **Need: Specific Family Types: The Elderly**

#### **Strategy 1: Target available assistance to the elderly:**

- Seek designation of public housing for the elderly
- Apply for special-purpose vouchers targeted to the elderly, should they become available

### **Need: Specific Family Types: Families with Disabilities**

#### **Strategy 1: Target available assistance to Families with Disabilities:**

- Seek designation of public housing for families with disabilities
- Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- Affirmatively market to local non-profit agencies that assist families with disabilities

### **Need: Specific Family Types: Races or ethnicities with disproportionate housing needs**

#### **Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:**

- Affirmatively market to races/ethnicities shown to have disproportionate housing needs
- Continuing implementation of the Limited English Proficiency Plan in conjunction with SNRHA's Affirmative Marketing Plan to ensure all eligible applicants/participants have equal access to all programs and services.

#### **Strategy 2: Conduct activities to affirmatively further fair housing**

- Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units
- Market the section 8 program to owners outside of areas of poverty /minority concentrations
- Develop marketing tools such as flyers and brochures to educate eligible applicants of available programs and resources.
- Participate in community activities that are likely to be attended by person who are LEP and minorities to promote programs and services.
- Develop a strong Public relations system which shall include radio and television appearances.

### **Other Housing Needs & Strategies: (list needs and strategies below)**

#### **(2) Reasons for Selecting Strategies**

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

- Funding constraints
- Staffing constraints
- Limited availability of sites for assisted housing
- Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA

### *Strategy for Addressing Housing Needs*

- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government
- Results of consultation with residents and the Resident Advisory Board
- Results of consultation with advocacy groups

The Authority has reviewed data utilized in the Housing Needs Assessment, incorporated new data where available, **and has found no significant changes in the housing needs in Southern Nevada.**

The Authority continues to incorporate an assessment of specific need when considering any significant modernization, revitalization, or development initiatives. The Authority shall also increase the percentage of fully accessible units for disabled tenants as well as develop and implement a strong Affirmative Fair Marketing Plan. This Plan shall include Limited English Proficiency (LEP) strategies to ensure LEP persons have full access to housing, including homeowners and other services. All activities remain consistent with the City of Las Vegas, City of North Las Vegas, Clark County and City of Henderson Consolidation Plans.



**B1b**

## **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions :**

### **A. Public Housing (PH)**

#### **(i.) Eligibility**

- a. SNRHA verifies eligibility for admission to public housing as follows:
  - SNRHA pulls applicants from its waiting list based on historical data relating to the number of future vacancies and percentage of withdrawn applicants that are pulled to ensure an adequate pool of certified eligible applicants are always available for units as they become vacant and available. When applicants are pulled, all verification of preferences and other eligibility requirements are completed as well as a full application
- b. SNRHA uses the following non-income (screening) factors to establish eligibility for admission to public housing
  - Criminal or Drug-related activity
  - Requesting criminal records from FBI, local law and State law enforcement agencies for screening purposes.
  - Rental history
- c. SNRHA checks to ensure no bad debt is owed to any other housing authority, by use of the EIV System:
  - Reviewing for current housing assistance and/or past terminations of assistance or debts owed.

#### **(ii) Waiting List Organization**

- a. SNRHA uses the following methods to organize its public housing waiting list Community-wide list
  - Site-based waiting lists for designated communities through centralized system as described in the ACOP
- b. Interested persons may apply for admission to public housing at the following location:
  - PHA main administrative offices or by downloading an application from its website and mailing in the application.
- c. SNRHA plans to operate up to seven (7) site-based waiting lists in the coming year. All of the site-based wait lists were previously HUD approved. Families may be on all open lists for which they qualify.
- d. Interested persons may obtain more information about and sign up to be on the site-based waiting lists at the following location:
  - PHA main administrative offices

#### **(iii) Assignment**

Applicants ordinarily are given two vacant unit choices before they are withdrawn from the wait list. The exception to this policy would be if the applicant was offered an incorrect unit for their needs or in the case of a reasonable accommodations request.

## **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions :**

### **(iv) Admissions Preferences**

- a. Income targeting:
  - SNRHA plans to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30%.
- b. Transfer policies:

Transfers take precedence over new admissions in the following instances:

  - Emergencies (including VAWA)
  - Medical justification
  - Administrative reasons determined by the PHA (e.g., to permit modernization work, community safety)

### c. Preferences

SNRHA have established the following preferences for admission to public housing (other than date and time of application):

Former Federal preferences:

- Federally declared disasters

Other preferences: (select below)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Other preference(s) (list below)
- Disabled Veteran
- Family of a deceased veteran
- Homeless **Referral** preference

The SNRHA does use income targeting preferences for unit offers.

### **(v) Occupancy**

- a. Applicants and residents can use the following reference materials to obtain information about the rules of occupancy of public housing:
  - The PHA-resident lease
  - The PHA's Admissions and Continued Occupancy policy
  - PHA briefing seminars or written materials
- b. Residents must notify the SNRHA of changes in family composition in the following circumstance:
  - In writing within 10 calendar days, anytime a change in income or family composition occurs.

## **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions :**

### **(vi) Deconcentration and Income Mixing**

- a. The SNRHA conducted an analysis of its family (general occupancy) developments to determine concentrations of poverty to indicate the need for measures to promote deconcentration of poverty or income mixing.
- b. The SNRHA adopted the following changes to its admissions policies based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing:

Did the SNRHA adopted the following changes to other policies based on the results of the required analysis the need for deconcentration of poverty and income mixing? **YES**

If the answer to c was yes, how would you describe these changes? (select all that apply)

- Additional affirmative marketing
  - Actions to improve the marketability of certain developments
- f. Based on the results of the required analysis, the SNRHA will make special efforts to attract or retain higher-income families in the following developments:
    - Sherman Gardens AMP 408 (NV 214)
    - Villa Capri AMP 408 (NV 215)
    - Marble Manor Annex AMP 407 (NV 203b)
    - Vera Johnson –B AMP 411 (NV 222b)
    - Vera Johnson Manor –A AMP 406 (NV 222a)
    - Hampton Court AMP 404 (NV 1305)
    - Hullum Homes AMP 407 (NV 1307)
    - Biegger Estates AMP 406 (NV 1308)
    - Jones Gardens AMP 407 (NV 1310)
  - g. Based on the results of the required analysis, SNRHA will make special efforts to assure access for lower-income families for the following developments:
    - AMP 408 (NV214 & NV215), AMP 407 (NV203b), AMP 411 (NV222b), AMP 406 (NV222a), AMP 404 (NV1305), AMP 407 (NV1307), AMP 406 (NV1308) & AMP 407 (NV1310)

### **B. Housing Choice Voucher (HCV)**

Exemptions: PHAs that do not administer HCV are not required to complete sub-component 3B. Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

#### **(i) Eligibility**

SNRHA conducts screening to determine criminal and drug-related activity, more extensively than required by law or regulations.

SNRHA request criminal records from local law enforcement agencies for screening purposes. This includes FBI access from the FBI for screening purposes.

SNRHA shall provide the current address and if known prior address and landlord.

Project-Based Voucher Program. After one year participants are eligible to receive a tenant based voucher “if” funding is available and they have given a proper (60 days) notice to their manager and have no pending evictions for unpaid debts.

## **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions :**

Applications for admissions are done through the PHA's Main office via telephone.

### **(ii) Search Time**

SNRHA will give extensions on standard 60-day period to search for a unit, in the event the applicant can demonstrate an effort to find housing at the discretion of the PHA and as a reasonable accommodation for disabled applicants. Additionally, SNRHA shall issue vouchers to disabled participants for 90 days for their initial search. The SNRHA may extend an additional 30 days as a reasonable accommodation.

Income targeting

- SNRHA does not plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income

Preferences

SNRHA have established preferences for admission to section 8 tenant-based assistance. The weighted value is in the order listed with none having equal weights.

Former Federal preferences

Federally declared disasters

- Foster youth aging out of the foster care system
- FUP/VASH referrals

The SNRHA does employ admissions preferences in the following order of priority. None have equal weight:

- Involuntary Displacement –Federally declared disasters
- Foster Youth Aging Out of the Foster Care System –limited to 10 per year
- Family Unification referrals
- Working preference which includes elderly and disabled and those applicants enrolled in a training program.
- Veteran Preferences
- Resident Preferences

Among applicants on the waiting list with equal preference status, they are then selected by date and time of their applications.

SNRHA does employ preferences for residents who live and/or work in the jurisdiction and it has been approved by HUD.

Relationship of preferences to income targeting requirements: This is not applicable.

### **(ii) Special Purpose Section 8 Assistance Programs**

The documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained within the Section 8 Administrative Plan and HCV Briefing Packets

The SNRHA announces the availability of any special funding using public notices in all local newspapers as well as via faxes to organizations that service low-income families, including seniors and disabled.

## **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions :**

### **A. Public Housing (PH)**

#### **(i.) Eligibility**

- a. SNRHA verifies eligibility for admission to public housing as follows:
  - SNRHA pulls applicants from its waiting list based on historical data relating to the number of future vacancies and percentage of withdrawn applicants that are pulled to ensure an adequate pool of certified eligible applicants are always available for units as they become vacant and available. When applicants are pulled, all verification of preferences and other eligibility requirements are completed as well as a full application
- b. SNRHA uses the following non-income (screening) factors to establish eligibility for admission to public housing
  - Criminal or Drug-related activity
  - Requesting criminal records from FBI, local law and State law enforcement agencies for screening purposes.
  - Rental history
- c. SNRHA checks to ensure no bad debt is owed to any other housing authority, by use of the EIV System:
  - Reviewing for current housing assistance and/or past terminations of assistance or debts owed.

#### **(ii) Waiting List Organization**

- a. SNRHA uses the following methods to organize its public housing waiting list Community-wide list
  - Site-based waiting lists for designated communities through centralized system as described in the ACOP
- b. Interested persons may apply for admission to public housing at the following location:
  - PHA main administrative offices or by downloading an application from its website and mailing in the application.
- c. SNRHA plans to operate up to seven (7) site-based waiting lists in the coming year. All of the site-based wait lists were previously HUD approved. Families may be on all open lists for which they qualify.
- d. Interested persons may obtain more information about and sign up to be on the site-based waiting lists at the following location:
  - PHA main administrative offices

#### **(iii) Assignment**

Applicants ordinarily are given two vacant unit choices before they are withdrawn from the wait list. The exception to this policy would be if the applicant was offered an incorrect unit for their needs or in the case of a reasonable accommodations request.

## Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions :

### (iv) Admissions Preferences

- a. Income targeting:
  - SNRHA plans to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30%.
- b. Transfer policies:

Transfers take precedence over new admissions in the following instances:

  - Emergencies (including VAWA)
  - Medical justification
  - Administrative reasons determined by the PHA (e.g., to permit modernization work, community safety)

### c. Preferences

SNRHA have established the following preferences for admission to public housing (other than date and time of application):

Former Federal preferences:

- Federally declared disasters

Other preferences: (select below)

- Working families and those unable to work because of age or disability
- Veterans and veterans' families
- Residents who live and/or work in the jurisdiction
- Those enrolled currently in educational, training, or upward mobility programs
- Other preference(s) (list below)
- Disabled Veteran
- Family of a deceased veteran
- Homeless **Referral** preference

The SNRHA does use income targeting preferences for unit offers.

### (v) Occupancy

- a. Applicants and residents can use the following reference materials to obtain information about the rules of occupancy of public housing:
  - The PHA-resident lease
  - The PHA's Admissions and Continued Occupancy policy
  - PHA briefing seminars or written materials
- b. Residents must notify the SNRHA of changes in family composition in the following circumstance:
  - In writing within 10 calendar days, anytime a change in income or family composition occurs.

## **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions :**

### **(vi) Deconcentration and Income Mixing**

- a. The SNRHA conducted an analysis of its family (general occupancy) developments to determine concentrations of poverty to indicate the need for measures to promote deconcentration of poverty or income mixing.
- b. The SNRHA adopted the following changes to its admissions policies based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing:

Did the SNRHA adopted the following changes to other policies based on the results of the required analysis the need for deconcentration of poverty and income mixing? **YES**

If the answer to c was yes, how would you describe these changes? (select all that apply)

- Additional affirmative marketing
  - Actions to improve the marketability of certain developments
- f. Based on the results of the required analysis, the SNRHA will make special efforts to attract or retain higher-income families in the following developments:
    - Sherman Gardens AMP 408 (NV 214)
    - Villa Capri AMP 408 (NV 215)
    - Marble Manor Annex AMP 407 (NV 203b)
    - Vera Johnson –B AMP 411 (NV 222b)
    - Vera Johnson Manor –A AMP 406 (NV 222a)
    - Hampton Court AMP 404 (NV 1305)
    - Hullum Homes AMP 407 (NV 1307)
    - Biegger Estates AMP 406 (NV 1308)
    - Jones Gardens AMP 407 (NV 1310)
  - g. Based on the results of the required analysis, SNRHA will make special efforts to assure access for lower-income families for the following developments:
    - AMP 408 (NV214 & NV215), AMP 407 (NV203b), AMP 411 (NV222b), AMP 406 (NV222a), AMP 404 (NV1305), AMP 407 (NV1307), AMP 406 (NV1308) & AMP 407 (NV1310)

### **B. Housing Choice Voucher (HCV)**

Exemptions: PHAs that do not administer HCV are not required to complete sub-component 3B. Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

#### **(i) Eligibility**

SNRHA conducts screening to determine criminal and drug-related activity, more extensively than required by law or regulations.

SNRHA request criminal records from local law enforcement agencies for screening purposes. This includes FBI access from the FBI for screening purposes.

SNRHA shall provide the current address and if known prior address and landlord.

Project-Based Voucher Program. After one year participants are eligible to receive a tenant based voucher “if” funding is available and they have given a proper (60 days) notice to their manager and have no pending evictions for unpaid debts.



## **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions :**

Applications for admissions are done through the PHA's Main office via telephone.

### **(ii) Search Time**

SNRHA will give extensions on standard 60-day period to search for a unit, in the event the applicant can demonstrate an effort to find housing at the discretion of the PHA and as a reasonable accommodation for disabled applicants. Additionally, SNRHA shall issue vouchers to disabled participants for 90 days for their initial search. The SNRHA may extend an additional 30 days as a reasonable accommodation.

Income targeting

- SNRHA does not plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income

Preferences

SNRHA have established preferences for admission to section 8 tenant-based assistance. The weighted value is in the order listed with none having equal weights.

Former Federal preferences

Federally declared disasters

- Foster youth aging out of the foster care system
- FUP/VASH referrals

The SNRHA does employ admissions preferences in the following order of priority. None have equal weight:

- Involuntary Displacement –Federally declared disasters
- Foster Youth Aging Out of the Foster Care System –limited to 10 per year
- Family Unification referrals
- Working preference which includes elderly and disabled and those applicants enrolled in a training program.
- Veteran Preferences
- Resident Preferences

Among applicants on the waiting list with equal preference status, they are then selected by date and time of their applications.

SNRHA does employ preferences for residents who live and/or work in the jurisdiction and it has been approved by HUD.

Relationship of preferences to income targeting requirements: This is not applicable.

### **(ii) Special Purpose Section 8 Assistance Programs**

The documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained within the Section 8 Administrative Plan and HCV Briefing Packets

The SNRHA announces the availability of any special funding using public notices in all local newspapers as well as via faxes to organizations that service low-income families, including seniors and disabled.



### ***ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION***

SNRHA is committed to providing its Section 8 participants with the broadest possible range of housing choices. At the briefing, families are encouraged to search for housing in non-impacted areas and informed that SNRHA will provide assistance to families who wish to do so. Non-impacted area is defined as census tracts within Clark County that are neither poverty-impacted areas nor areas of racial concentration identified by the Clark County and the HUD voluntary compliance agreement (VCA) as such.

SNRHA has areas of poverty and minority concentration clearly delineated in order to provide families with information and encouragement in seeking housing opportunities outside highly concentrated areas. SNRHA encourages participation by owners of units outside of areas of poverty and minority concentration. SNRHA will also continue to be members of the NV Apartment Association and use media and other educational forums to promote the Housing Choice Program throughout all communities. This outreach includes developing partnerships with agencies that represent the disabled population within our communities.

SNRHA has developed and provides all participants with its deconcentration map that show various areas and information about facilities and services in neighboring areas such as schools, transportation, and supportive and social services.

SNRHA will investigate and analyze when Voucher holders are experiencing difficulties locating or obtaining housing units outside areas of concentration. A report of where families are currently leased vs. where families are moving will be maintained for SEMAP reporting purposes, which address deconcentration efforts of SNRHA.

The assistance provided to such families includes:

- Providing families with a search record form to gather and record information
- Direct contact with landlords
- Counseling with the family
- Providing information about services in various non-impacted areas
- Meeting with neighborhood groups to promote understanding
- Formal or informal discussions with landlord groups
- Formal or informal discussions with social service agencies

SNRHA shall provide all applicants at their briefing an explanation of portability under the Housing Choice Voucher Program, including in the packet shall be a listing of the names and phone numbers of contact persons at neighboring housing authorities.

### ***ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION***

SNRHA will give participants a copy of HUD form 903 to file a complaint.

(See Chapter 2 regarding Fair Housing and Reasonable Accommodation)



## **J. MIXED POPULATION UNITS**

A mixed population community is a public housing community, or portion of a community that was reserved for elderly families and disabled families at its inception (and has retained that character).

In accordance with the 1992 Housing Act, elderly families whose head spouse or sole member is at least 62 years of age, and disabled families whose head, co-head or spouse or sole member is a person with disabilities, will receive equal preference to such units.

No limit will be established on the number of elderly or disabled families that may occupy a mixed population property. All other SNRHA preferences will be applied.

## **K. GENERAL OCCUPANCY UNITS**

General occupancy units are designed to house all populations of eligible families. In accordance with the SNRHA occupancy standards, eligible families not needing units designed with special features or units designed for special populations will be admitted to the SNRHA general occupancy units.

The SNRHA will use its local preference system as stated in this chapter for admission of eligible families to its general occupancy units.

## **L. DECONCENTRATION OF POVERTY AND INCOME-MIXING**

The SNRHA admission policy is designed to provide for de-concentration of poverty and income mixing by bringing higher income tenants into lower income communities and lower income tenants into higher income communities.

Gross annual income is used for income limits at admission and for income-mixing purposes.

Skipping of a family on the waiting list specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met.

The SNRHA will gather data and analyze, at least annually, the tenant characteristics of its public housing stock, including information regarding tenant incomes, to assist in the SNRHA de-concentration efforts.

The SNRHA will use the gathered tenant income information in its assessment of its public housing developments to determine the appropriate designation to be assigned to the community for the purpose of assisting the SNRHA in its de-concentration goals.

If the SNRHA annual review of tenant incomes indicates that there has been a significant change in the tenant income characteristics of a particular community, the SNRHA will evaluate the changes. The SNRHA will determine whether, based on the SNRHA methodology of choice, the community needs to be re-designated as a higher or lower income community or whether the SNRHA has met the de-concentration goals and the community needs no particular designation.



### **Deconcentration and Income-Mixing Goals**

Admission policies related to the de-concentration efforts of the SNRHA do not impose specific quotas. Therefore, the SNRHA will not set specific quotas, but will strive to achieve de-concentration and income mixing in its developments.

The SNRHA income-mixing goal is a long-range goal and may not be achieved in the first year of implementation. The SNRHA will use its annual analysis of its public housing stock and tenant incomes to provide benchmarks for the SNRHA.

The SNRHA income-mixing goal, in conjunction with the requirement to achieve income targeting, will be achieved via unit offer procedures described in Section P of this chapter.

### **Community Designation Methodology**

#### **Aggregate Average Method**

The SNRHA will review the annual resident income of all family sites to develop an average annual income, which will be used as a baseline. Developments with an average annual income above that baseline will be considered higher income developments, and developments with an average annual income below the baseline will be considered lower income developments.

Upon analyzing its findings the SNRHA will apply the policies, measures and incentives listed in Section P of this chapter to bring higher income families into lower income developments.

### **SNRHA Incentives for Higher Income Families**

Covered in Section P of this Chapter.

### **M. REMOVAL FROM WAITING LIST AND PURGING** [24 CFR 960.204(a)]

The waiting list will be purged at least bi-annually by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within 14 calendar days, s/he will be removed from the waiting list. If a letter is returned by the Post Office, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. Failure to respond will result in removal from all waiting lists.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed period.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

The SNRHA allows a grace period of 7 calendar days after completion of the purge

**B1c**

**Financial Resources**

New financial data was generated and incorporated into the Assessment of Financial Resources. Refer to the template for information.

| <b>Financial Resources:<br/>Planned Sources and Uses</b>                              |                   |                                        |
|---------------------------------------------------------------------------------------|-------------------|----------------------------------------|
| <b>Sources</b>                                                                        | <b>Planned \$</b> | <b>Planned Uses</b>                    |
| <b>1. Federal Grants (FY2016)</b>                                                     |                   |                                        |
| a) Public Housing Operating Fund                                                      | \$13,429,096      | Estimated for 2016                     |
| b) Public Housing Capital Fund                                                        | \$3,861,882       | 2016 Allocation                        |
| b.1) RHF – Second 5-YR Increment                                                      | \$90,131          | 2016 Allocation                        |
| c) HOPE VI Revitalization                                                             |                   |                                        |
| d) HOPE VI Demolition                                                                 |                   |                                        |
| e) Annual Contributions for Section 8 Tenant-Based Assistance                         | \$104,587,699     | Estimated for 2016                     |
| f) Public Housing Drug Elimination Program (including any Technical Assistance funds) |                   |                                        |
| g) Resident Opportunity and Self-Sufficiency Grants                                   | \$697,609         |                                        |
| h) Community Development Block Grant                                                  |                   |                                        |
| i) HOME                                                                               |                   |                                        |
| Other Federal Grants (list below)                                                     |                   |                                        |
| FFY 15 – CFP NV39P018501-15                                                           | \$3,397,133       | Revised 2015 Allocation.               |
| FFY 15 – CFP NV39R018501-15                                                           | \$336,496         | 2015 Allocation                        |
| FFY 15 – CFP NV39R018502-15                                                           | \$173,119         | 2015 Allocation                        |
| FFY 14 – CFP NV39P018501-14                                                           | \$3,497,989       | PH CFP                                 |
| FFY 14 – CFP NV39R018501-14                                                           | \$410,238         | CFP RHF-1 <sup>st</sup> 5YR Increment. |
| FFY 14 – CFP NV39R018502-14                                                           | \$170,192         | CFP RHF-2 <sup>nd</sup> 5YR Increment. |
| FFY 13 – CFP NV39P018501-13                                                           | \$3,666,347       | PH CFP                                 |
| <b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>             |                   |                                        |
|                                                                                       |                   |                                        |
| <b>3. Public Housing Dwelling Rental Income</b>                                       |                   |                                        |
|                                                                                       | \$5,772,418       |                                        |
| <b>4. Other income (list below)</b>                                                   |                   |                                        |
| Interest on general fund investments                                                  | \$63,800          |                                        |
| Non-dwelling rental income                                                            | \$0               |                                        |
| Other Income                                                                          | \$296,945         |                                        |

**Financial Resources**

| <b>Financial Resources:<br/>Planned Sources and Uses</b> |                   |                                                                            |
|----------------------------------------------------------|-------------------|----------------------------------------------------------------------------|
| <b>Sources</b>                                           | <b>Planned \$</b> | <b>Planned Uses</b>                                                        |
| Management Fee (internal)                                | \$5,370,218       |                                                                            |
| <b>5. Non-federal sources</b> (list below)               |                   |                                                                            |
| Homeownership Proceeds (as of 09/30/ 2015)               | \$4,306,060       | Homeownership to be used for new development                               |
| Disposition Proceeds                                     | \$1,408,968       | Proceed from sale of PHA units to be used for new development of PHA units |
|                                                          |                   |                                                                            |
| <b>Revised Total Resources</b>                           | \$146,166,123     | Operations, Resident Programs and Capital needs and Replacement Housing    |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**

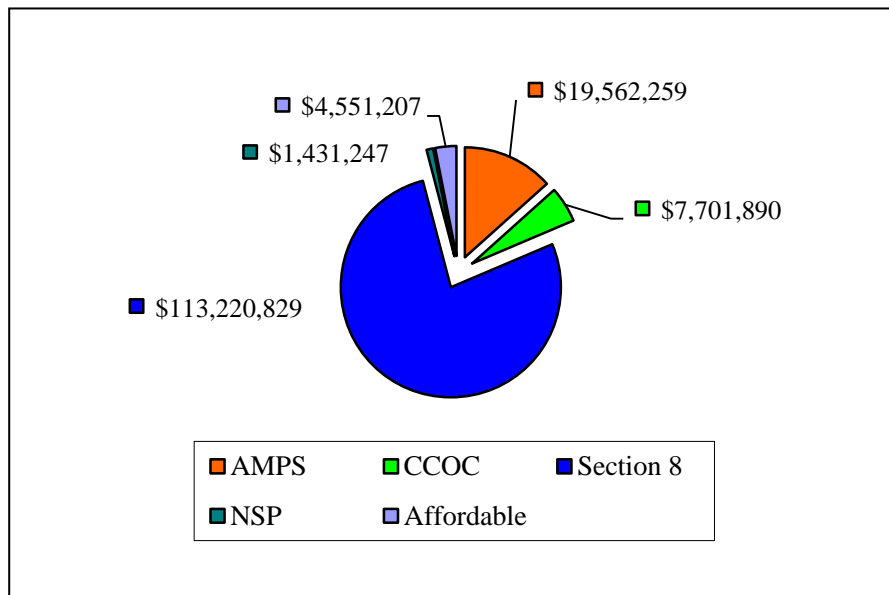
**Assessment of Financial Resources**

The assessment of financial resources is intended to describe the major sources and uses of funds available for the achievement of goals and objectives outlined in the Five Year Plan or supporting operational documents and plans. Some of the resources are restrictive in the use as defined in regulation or law and this information is available within the applicable regulations for each program or activity. To generate this Assessment of Financial Resources, information was taken from the following sources:

- FY 2016 Public Housing Operating Budget (FYE 09/30/16)
- FY 2016 Central Office Cost Center (FYE 09/30/16)
- FY 2016 Housing Choice Voucher Program Budget (FYE 09/30/16)
- FY 2016 Affordable Housing Budget (FYE 09/30/16)
- FY 216 Neighborhood Stabilization Program (FYE 09/30/16)
- FFY 2016 Capital Fund Program Budget & Replacement Housing Factor II

The following charts summarize the financial health of the Authority. Generally, operating funds are for the current fiscal year (PHA FYE 09/30/16) and special revenue funds are for the current federal fiscal year. The PHA is assuming that operating revenue for FY 2016 will remain constant.

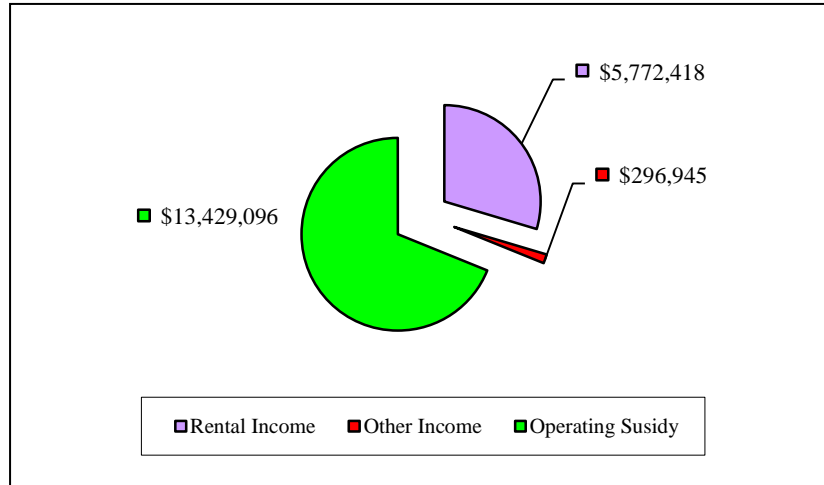
**SUMMARY OF INCOME – AGENCY-WIDE  
FISCAL YEAR ENDING SEPTEMBER 30, 2016**



Based on FY 2016, operating budgets total \$146,467,432. The Low Income Public Housing Program Asset Management Projects (AMPS) account for 13% and the Central Office Cost Center account for 5%, the Housing Choice Voucher Program accounts for 77%, the Affordable Housing Program accounts for 3%, and the Neighborhood Stabilization Program accounts for 1% of the agency’s operating revenue. Sources of income for each program are detailed in the following charts and are based on FY 2016 program budgets.

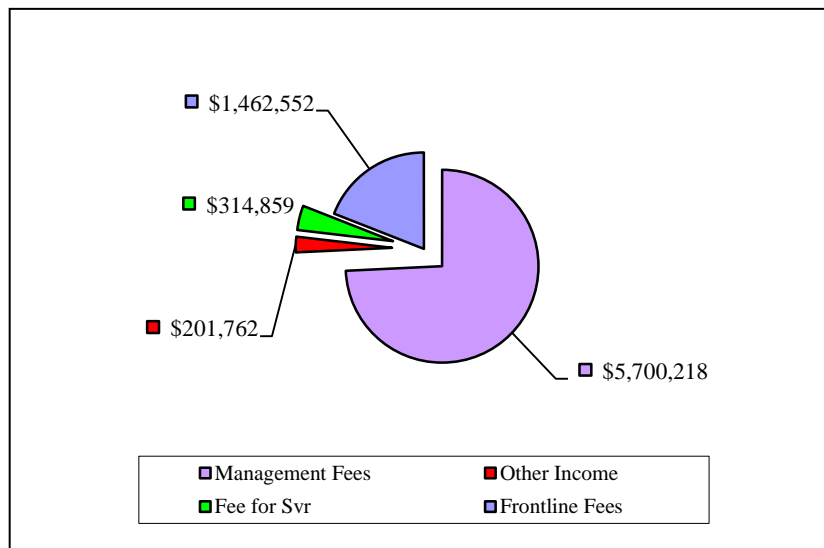


**BREAKDOWN OF INCOME SOURCES – LOW RENT PUBLIC HOUSING PROGRAM - AMPS  
FISCAL YEAR ENDING SEPTEMBER 30, 2016**



Rental Income represents 30% of total LIPH receipts, Other Income (Includes amount from Interest for Other Programs) represents 1% of total LIPH receipts, and Operating Subsidy from HUD represents 69% of total LIPH –AMPS receipts.

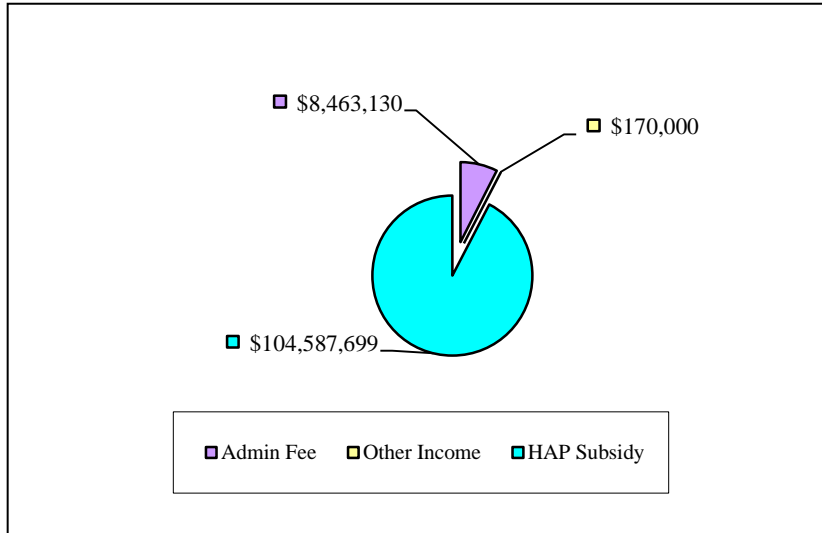
**BREAKDOWN OF INCOME SOURCES – CENTRAL OFFICE COST CENTER (CCOC)  
FISCAL YEAR ENDING SEPTEMBER 30, 2016**



Management Fees Income represents 74% of total Central Office Cost Center (CCOC) receipt, Other Income (includes interest income and other income) represents 3% of total CCOC receipts, Fee for Service income totals 4%, and Frontline income represents 19% of total CCOC receipts.

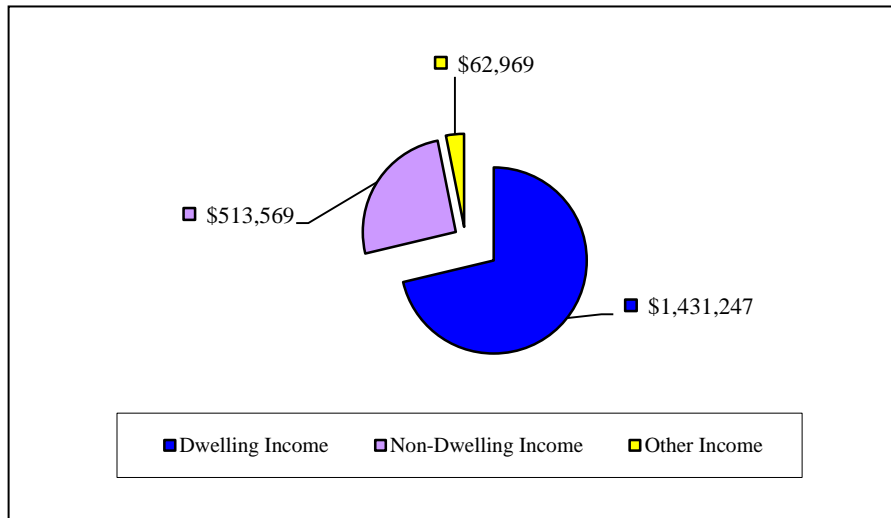
**BREAKDOWN OF INCOME SOURCES – HOUSING CHOICE VOUCHER PROGRAM**

**FISCAL YEAR ENDING SEPTEMBER 30, 2016**



Administrative Fees represent 7% of total Housing Choice Voucher Program receipts, Other Income represents less than 1% of total Housing Choice Voucher receipts, and HAP Subsidy from HUD represents 92% of total Housing Choice Voucher Program receipts.

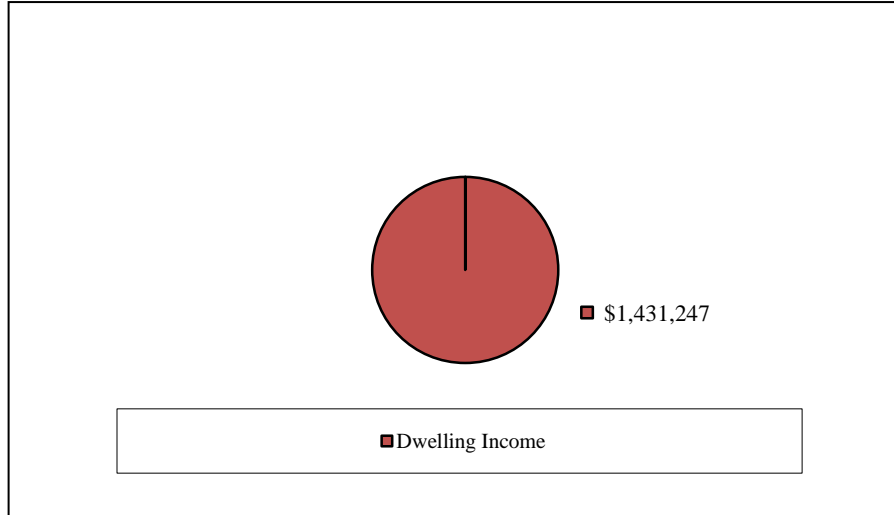
**BREAKDOWN OF INCOME SOURCES – AFFORDABLE HOUSING PROGRAM  
FISCAL YEAR ENDING SEPTEMBER 30, 2016**



Dwelling Income represents 87% of total Affordable Housing receipts, Non-Dwelling Income represents 11% of total Affordable Housing receipts, and Other Income represents 1% of total Affordable Housing receipts.

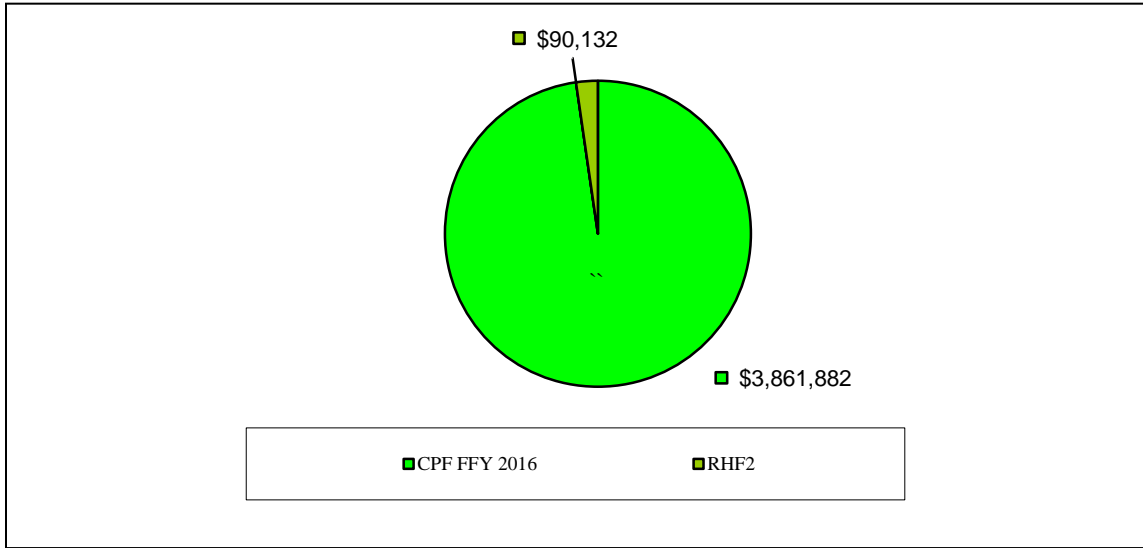
**BREAKDOWN OF INCOME SOURCES – NEIGHBORHOOD STABILIZATION PROGRAM**

**FISCAL YEAR ENDING SEPTEMBER 30, 2016**



Dwelling Income represents 100% of total Neighborhood Stabilization Program’s receipts.

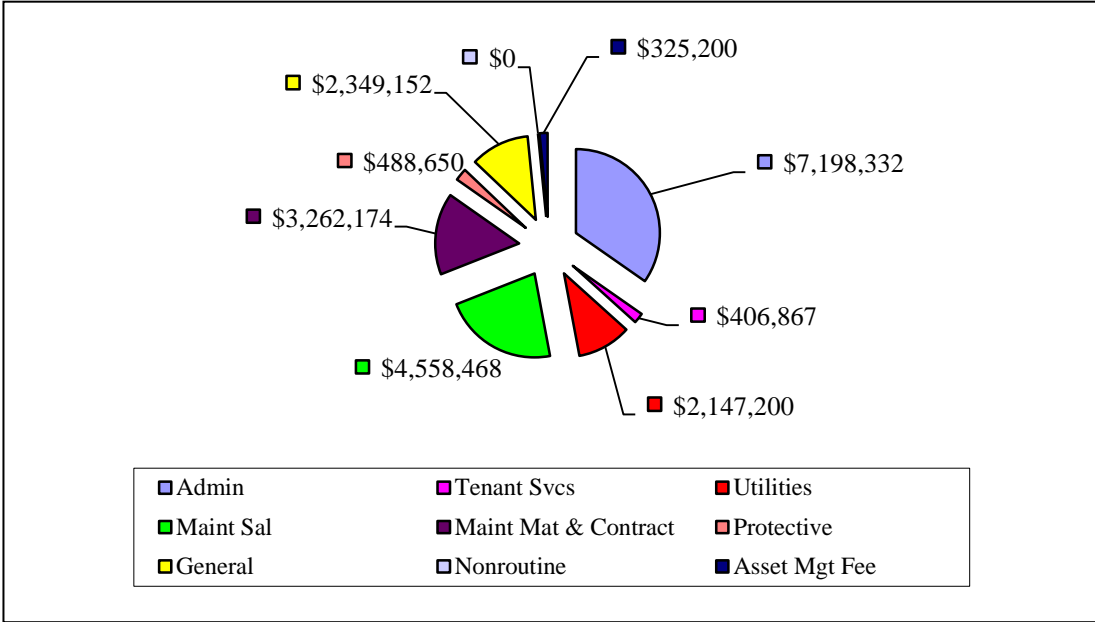
**INCOME FROM SPECIAL REVENUE FUNDS**



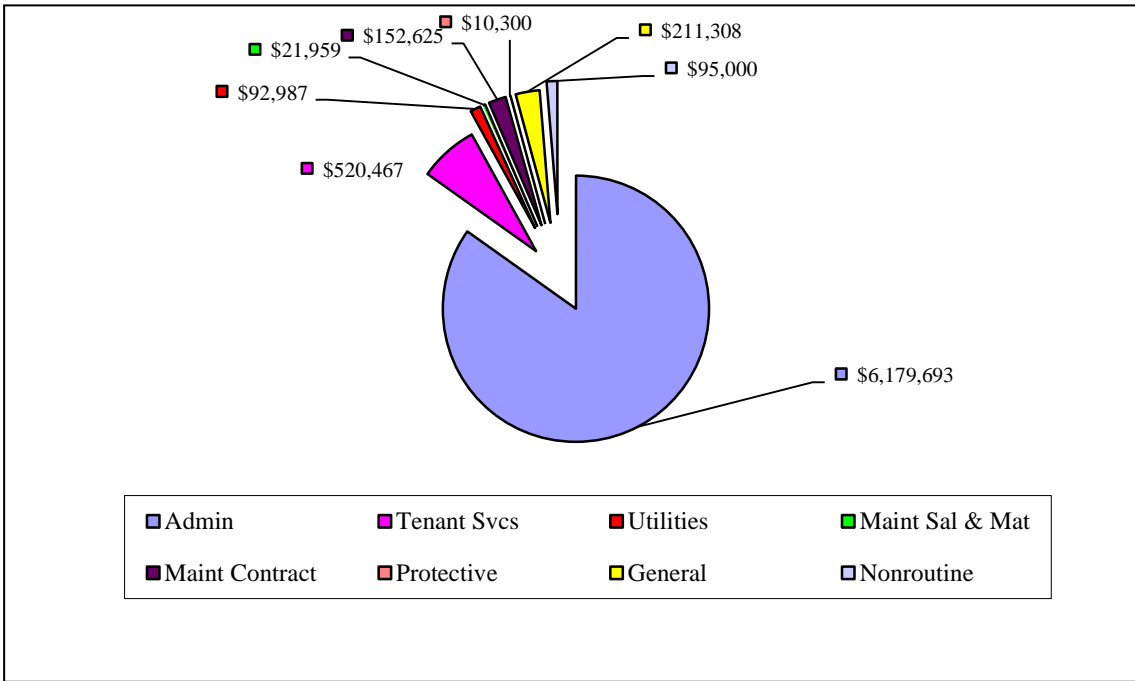
All special revenue funds are from HUD FFY 2016 and are awarded during the PHA’s FY 2016 based on budgets submitted with this plan. Of special revenue funds, the Capital Fund Program represents 298% of funding; the Replacement Housing Factor II represents 2%. Total special revenue funds are \$3,952,014 resulting in total agency income for FY 2016 of \$150,419,446.

***Estimated Expenditures – Public Housing Program-AMPS***

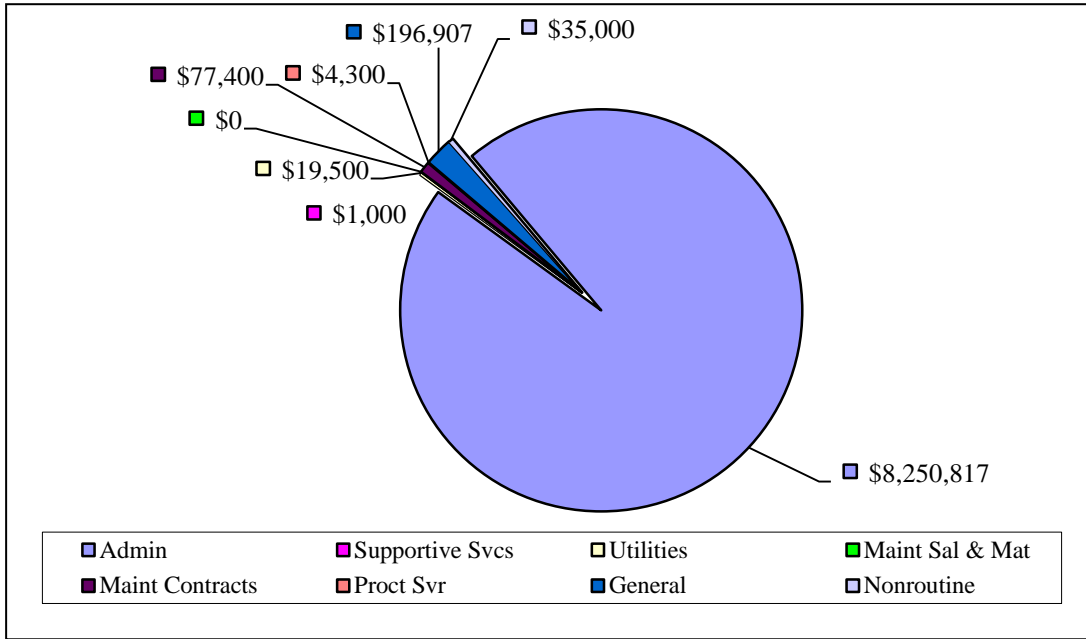
**FISCAL YEAR ENDING SEPTEMBER 30, 2016**



**Estimated Expenditures – Central Office Cost Center-COCC**  
**FISCAL YEAR ENDING SEPTEMBER 30, 2016**

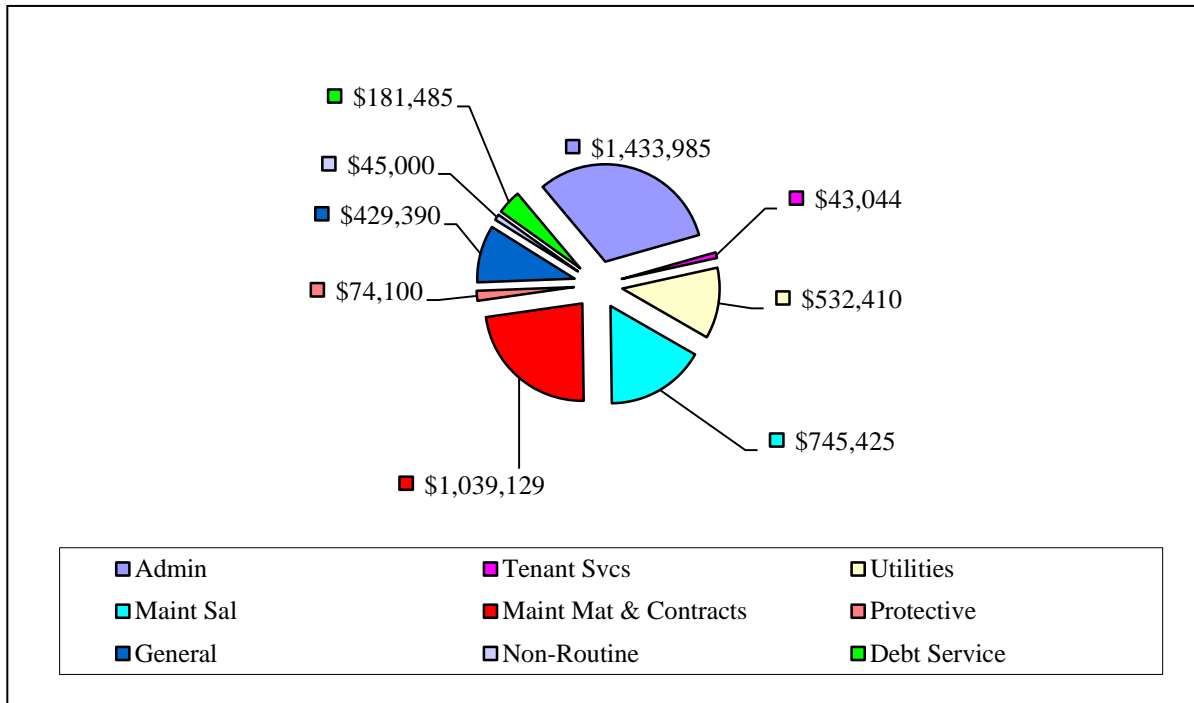


**Estimated Expenditures – Housing Choice Voucher Program**  
**FISCAL YEAR ENDING SEPTEMBER 30, 2016**



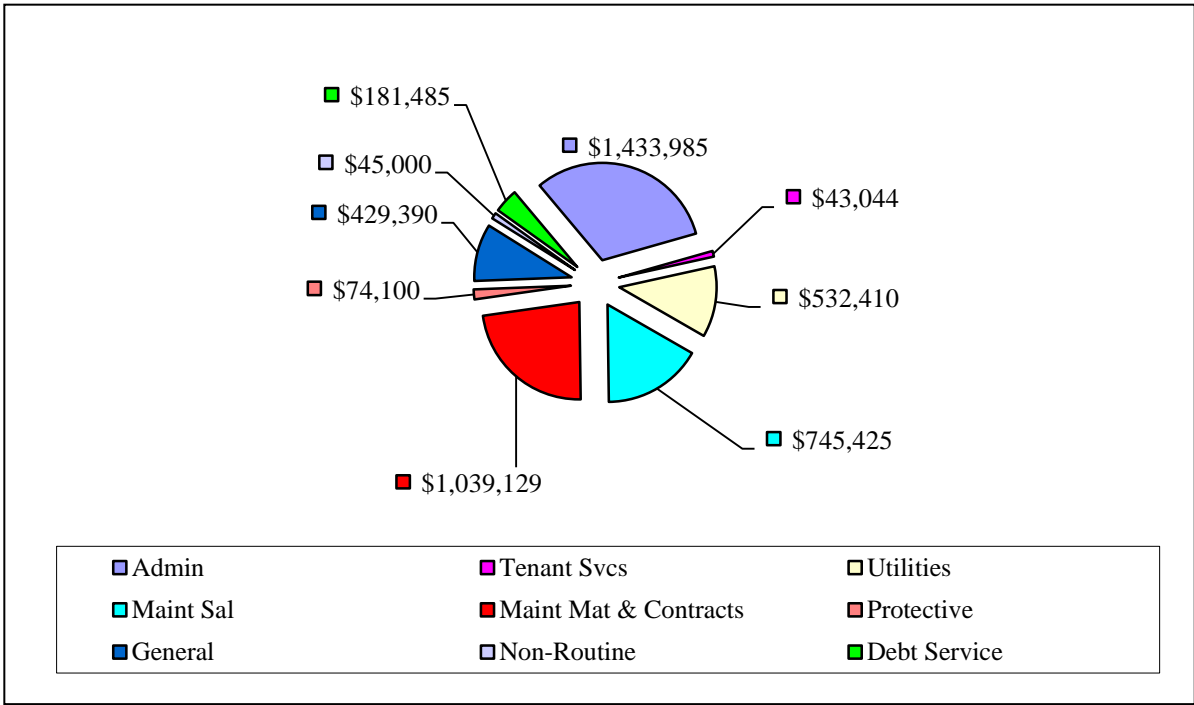
The above Housing Choice Voucher Program expenditures do not include \$104,587,699 in HAP Payments that should be included under the General Expense line above.

**Estimated Expenditures – Affordable Housing Program**  
**FISCAL YEAR ENDING SEPTEMBER 30, 2016**



The above Affordable Housing expenditures are based on the FY 2016 budget.

**Estimated Expenditures – NEIGHBORHOOD STABILIZATION Program**  
**FISCAL YEAR ENDING SEPTEMBER 30, 2016**



The above Neighborhood Stabilization Program expenditures are based on the FY 2016 budget.

**B1d**

## Rent Determination

### **Public Housing**

#### **(i) Income Based Rent Policies**

The SNRHA has the following income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions:

- SNRHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions).

#### **Minimum Rent**

- The SNRHA has set the minimum rent at \$50.00 and have not adopted any discretionary minimum rent hardship exemption policies.

#### **Rents set at less than 30% than adjusted income**

- The SNRHA does not plan to change rents at a fixed amount or percentage less than 30% of adjusted income, or have ceiling rents.

The SNRHA does not have nor plan to have ceiling rents.

#### **Rent re-determinations:**

- SNRHA requires tenants to report changes in income or family composition, between income reexaminations, anytime the family experiences an income increase, such that the changes result in an adjustment to rent.

The SNRHA does not plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year.

#### **(ii) Flat Rents**

The SNRHA uses the following sources, to establish comparability, in setting the market-based flat rents:

- An amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

#### **(iii) Section 8 Tenant-Based Assistance**

Exemptions: PHAs that do not administer Section 8 tenant-based assistance are not required to complete sub-component 4B. Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

#### **Payment Standards**

Describe the voucher payment standards and policies.

The SNRHA's payment standards are at 107% of FMR.



## **Rent Determination**

If the payment standard is lower than FMR, why has the PHA selected this standard?  
(select all that apply) Not applicable

If the payment standard is higher than FMR, why has the PHA chosen this level?  
This payment standard was chosen in order to alleviate an undue burden to the families due to HUD's changes in the bedroom size utility allowance.

SNRHA reviews Payment Standards annually.

The SNRHA consider in its assessment of the adequacy of its payment standard by reviewing both success rates of assisted families and rent burdens of assisted families.

### **(iv) Minimum Rent**

The minimum rent (TTP) for SNRHA is \$50.00. The total tenant payment is the greater of:

- 30% of the adjusted monthly income
- 10% of the monthly income
- The minimum rent as established by SNRHA

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

The SNRHA recognizes that in some instances even the minimum rent may create a financial hardship for families. The SNRHA will review all relevant circumstances brought to the SNRHA's attention regarding financial hardship as it applies to minimum rent. The following section states that the SNRHA's procedures and policies in regard to minimum rent financial hardship as set forth by the QHWRA.

**B1e**

## Operation and Management

### **A. HUD Programs under PHA Management**

The following is a list of Federal Programs administered by SNRHA, number of families served at the beginning of the upcoming fiscal year, and expected turnover in each:

| <b>Program Name</b>                                                    | <b>Units or Families Served at Year Beginning</b> | <b>Expected Turnover</b> |
|------------------------------------------------------------------------|---------------------------------------------------|--------------------------|
| Public Housing                                                         | 2801                                              | 14.1%                    |
| Section 8 Vouchers                                                     | 7596                                              | Est. 1%                  |
| Section 8 Certificates                                                 | N/A                                               |                          |
| Section 8 Mod Rehab                                                    | N/A                                               |                          |
| Special Purpose Section 8 Certificates/Vouchers<br>(list individually) |                                                   |                          |
| VASH                                                                   | 1379                                              | 2%                       |
| NED                                                                    | 1576                                              | 1%                       |
| MAIN5                                                                  | 95                                                | 1%                       |
| FUP                                                                    | 365                                               | 1%                       |
| Public Housing Drug Elimination Program<br>(PHDEP)                     | N/A                                               |                          |
| Other Federal Programs(list individually)                              | N/A                                               |                          |

### **B. Management and Maintenance Policies**

The following is a list of our public housing management and maintenance policy documents, manuals and handbooks that contain the Agency's rules, standards, and policies that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management.

#### **(i) Public Housing Maintenance and Management:**

- Admissions and Continued Occupancy Policy
- Emergency Maintenance Policy
- Additionally, SNRHA has a monthly pest control program to prevent and address any pest control infestations SNRHA addresses bed bug issues aggressively through the use of multiple remedies, including chemical and heat treatments.

#### **(ii) Section 8 Management:**

- Administrative Plan

## **Grievance Procedure**

### **A. Public Housing**

- (i) The SNRHA has not established written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?
- (ii) Residents or applicants to public housing may contact the following offices, to initiate the PHA grievance process:
  - PHA main administrative offices
  - PHA development management offices

### **B. Section 8 Tenant-Based Assistance**

- (i) The SNRHA has established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982.
- (ii) Families are to submit their request for informal reviews or hearings to the SNRHA's Main Office.

# Housing Programs – Administrative Plan

## Proposed Changes from 2015 to 2016

| Chapter  | Page | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TOC      | 23   | Removed                          | Other Felony Criminal Convictions <del>+/Last Arrest</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Glossary | 2    | Added                            | VASH Veteran Affairs Supportive Housing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Glossary | 2    | Added                            | VMS Voucher Management System                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Glossary | 12   | Updated                          | <b>Responsible entity:</b> For the public housing and the Section 8 tenant-based assistance, project-based certificate voucher assistance, and moderate rehabilitation programs, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.                                                                                                                                                                                                                                                                                                                                      |
| Glossary | 13   | Added                            | <b>Suspension:</b> Stopping the clock on the term of a family’s voucher after the family submits a request for approval of the tenancy. If the PHA decides to allow extensions or suspensions of the voucher term, the PHA administrative plan must describe how the PHA determines whether to grant extensions or suspensions, and how the PHA determines the length of any extension or suspension. The term on the family’s voucher stops from the date the family submits a request for PHA approval of the tenancy, until the date the PHA notifies the family in writing whether the request has been approved or denied. This is also called “tolling”.                                  |
| Glossary | 14   | Added                            | <b>Veteran:</b> A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.<br><br><b>Violence Against Women Reauthorization Act (VAWA) of 2013.</b> Prohibits denying admission to the program to an otherwise qualified applicant or terminating assistance on the basis that the applicant or program participant is or has been a victim of domestic violence, sexual assault, or stalking.                                                                                                                                                         |
| Intro    | 3    | Added                            | Link to: HUD’s Final Rule, dated March 8, 2016, “Streamlining Administrative Regulations.”<br><a href="https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04901.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04901.pdf</a><br><br>Link to: Violence Against Women Reauthorization Act of 2013<br><a href="https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf">https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf</a>                                                                                                                                                                                                                       |
| 3        | 6    | Removed                          | <b>Joint Custody of Dependents: SNRHA Policy...</b><br>When more than one applicant or participant family is claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. <del>SNRHA will require a self-certification from the head of household who claim joint custody or temporary guardianship or proof of custody if there is a dispute. After 365 calendar days, a court awarded guardianship must be submitted. If there is a dispute about which family should claim them, SNRHA will make the determination based on available documents such as court orders.</del> |

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| 3       | 7               | Updated                          | The exception will be when guardianship is being processed and SNRHA has documents from the courts <del>the</del> to verify the process has begun.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 3       | 15<br>and<br>16 | Updated                          | If a new adult member is added to the family, the new member’s SSN documentation must be submitted by the family at the time they are added to the household. If any member of the family obtains a previously undisclosed SSN, or has been assigned a new SSN, the documentation must be submitted within <del>30</del> 90 calendar days <del>or any approved extensions. Extensions shall not be for more than 60 additional calendar days.</del><br>According to HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher Final Rule,” participants adding children under the age of six (6), SNRHA shall require a social security card be provided within 90 days from the date of move in.<br><del>A detailed discussion of acceptable documentation is provided in Chapter 6.</del> |
| 3       | 22              | Added                            | Veteran Affairs Supportive Housing (VASH) [ <i>Established Acronym</i> ]<br>SNRHA shall use the DRU Sjodin National Sex Offender Public Website (NSOPW) database encouraged by HUD in PIH Notice 2012-28 at <a href="http://www.snopw.gov">http://www.snopw.gov</a> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 3       | 25              | Added                            | Additionally, VAWA 2013, extends housing protections to survivors of sexual assault, adds “intimate partner” to the list of eligible relations covered in the definition of <i>domestic violence</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 5       | 7               | Updated                          | The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made but this shall not exceed <del>365</del> 120 calendar days.<br>SNRHA must receive court awarded guardianship or custody within <del>365</del> 120 calendar days or must withdraw the assistance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 5       | 8               | Added                            | SNRHA shall require participants who are requesting to add family members that are minors and who are not their children by birth, <del>or</del> foster care, court awarded custody, or court awarded guardianship to sign SNRHA’s guardianship form certifying they have the child(ren) parent’s consent to care for the child full-time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 5       | 8               | Removed                          | <del>Interim re verification that the child is still in the unit shall be required every 180 days unless the head of household gains legal guardianship or custody of the child(ren).</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| 5       | 8    | Added                            | <p>SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.</p> <p><del>SNRHA shall provide 365 day Guardianship form to extend approved visitors stay.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 5       | 15   | Added                            | <p><b>Earned Income Disregard (EID)</b><br/>           With HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” the requirements changed that families maintain continual employment in order to obtain EID benefits over a straight 24-month period. The Final Rule removes this requirement for continuous employment and benefits now applies for a straight 24 month period, with a clear start and end date, irrespective of whether a family maintains continual employment during the 24 months period. SNRHA shall not track start and stop time of employments but shall track start date, the 12-month date (on which the amount of the disregard may change from 100 percent to not less than 50% of earned income) and the 24-month end date. For families enrolled prior to the effective date of this regulation (March 8, 2016) the previous requirement shall continue.</p> |
| 5       | 16   | Updated                          | <p><b><i>Initial 12-Month Exclusion</i></b><br/>           During the initial 12-month exclusion period, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded. <del>The 12 months are cumulative and need not be consecutive.</del><br/> <u>SNRHA Policy</u><br/>           The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings whether the family reports the earnings or not.</p> <p><b><i>Second 12-Month Exclusion and Phase-In</i></b><br/>           During the second 12-month exclusion period, the exclusion is reduced to half (50 percent) of any increase in income attributable to employment or increased earnings.<br/> <del>The 12 months are cumulative and need not be consecutive.</del></p>                                                       |
| 5       | 16   | Updated                          | <p><b><i>Lifetime Limitation</i></b><br/>           The EID has a <del>four</del> two-year (48 24 month) lifetime maximum. The <del>four</del> two-year eligibility period begins at the same time the initial exclusion period begins and ends 48 24 months later. The one-time eligibility for the EID applies even if the eligible individual</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|         |      |                                  | <p>begins to receive assistance from another housing agency, if the individual moves between public housing and Section 8 assistance, or if there are breaks in assistance.</p> <p><u>SNRHA Policy</u><br/> <del>During the 48-month eligibility period, SNRHA will schedule and conduct an interim reexamination each time there is a change in the family member's annual income that affects or is affected by the EID (e.g., when the family member's income falls to a level at or below his/her prequalifying income, when one of the exclusion periods ends, and at the end of the lifetime maximum eligibility period). Any changes to the family income or composition must still be reported by the family within ten (10) calendar days of the change.</del></p>                                                                                                                                                                                                                                                                                   |
| 5       | 28   | Removed                          | They are seeking or receiving Section 8 assistance on their own—that is, apart from their parents—through the HCV program, <del>the project-based certificate program,</del> the project-based voucher program, or the moderate rehabilitation program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 5       | 31   | Added                            | (w) Exclusion of Mandatory Education Fees from Income (Per HUD's Final Rule dated March 8, 2016.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 5       | 40   | Added                            | <p><b><i>Utility Reimbursement...</i></b><br/>           According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," the PHA may elect to establish policies regarding the frequency of Utility Reimbursement Payments (URP) for payments made to the family,</p> <ol style="list-style-type: none"> <li>1. The PHA will have the option of making URPs not less than each calendar year quarter for reimbursements. In the event a family leaves the program in advance of its next quarterly reimbursement, the PHA would be required to reimburse the family for a prorated share of the applicable reimbursement. PHAs exercising this option must have a hardship policy in place for participants.</li> <li>2. If the PHA elects to pay the utility supplier directly, the PHA must notify the family of the amount paid to the utility supplier.</li> </ol> <p>At this time, SNRHA will continue issuing monthly checks for utility reimbursement.</p> |
| 5       | 43   | Removed                          | <p>SNRHA Policy<br/> <i>Long-Term Hardship ...</i><br/> <del>(3) For hardship conditions based upon hardship-related expenses, the minimum rent exemption will continue to be recognized until the cumulative amount excepted is equal to the expense incurred.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 5       | 50   | Added                            | (14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or prospective monthly amounts or any deferred                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



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|         |                 |                                  | Department of Veterans Affairs disability benefits that are received in a lump sum amount or prospective monthly amounts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 6       | 4               | Updated                          | SNRHA shall require four (4) current and consecutive pay stubs for determining annual income <del>from</del> for wages. For new income sources or if there is a decrease in earned income, SNRHA will require the last two (2) consecutive current pay stubs <del>shall be required that are consecutive</del> or a new hire/updated letter with date of hire, wages, and hours.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 6       | 12<br>and<br>13 | Added                            | <p><b>6-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION</b><br/> <b>Reasonable Effort and Timing.....</b></p> <p>With HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher Final Rule, ”</p> <p><b>Streamline Annual Reexaminations for Fixed Incomes:</b></p> <p>For families whose income consists solely of fixed sources.<br/> The final rule provides for a streamlined income determination for any fixed source of income, even if a person or a family with a fixed source of income also has a non-fixed source of income.<br/> SNRHA shall apply to a previously determined or verified source of income a cost of living adjustment (COLA) or interest rate adjustment specific to each source of income. The COLA or current interest rate must be obtained from a public source or from tenant provided third party generated documentation.</p> <p>In the absence of such verification for any source of fixed income third-party verification of income must be obtained. The final rule adopts an expanded list of fixed income sources of income. With respect to income from annuities (or other retirement benefits programs, insurance policies, disability for death benefits, or other similar types of periodic receipts) if a family member receives income from any of these sources and the income consists solely of periodic payments at a reasonable predictable level, then the income source may be considered “fixed.”</p> <p>“Family member with a fixed source of income” is defined as a family member whose income includes periodic payments at reasonable predictable levels from one or more of the following sources:</p> <ul style="list-style-type: none"> <li>i) Social Security, Supplemental Security Income, Supplemental Disability Insurance</li> <li>ii) Federal, state, local, or private pension plans</li> <li>iii) Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other</li> </ul> |

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|         |      |                                  | similar types of periodic receipts, or<br>iv) Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 6       | 18   | Added                            | To be consistent:<br>1. EIV with a minimum of four (4) consecutive current paystubs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6       | 23   | Added                            | <b><i>VERIFICATION OF ASSETS</i></b><br><b>Family Assets...</b><br>According to HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” SNRHA must obtain third party verification every three (3) years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 6       | 27   | Updated                          | Verification of divorce or separation status will be a Certification of Marital Status form being completed by the head of household or any other adult household member, unless the family wishes to submit a formal divorce or separation document from the courts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 6       | 27   | Added                            | In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns, or being a domestic partner as recognized in the State of Nevada (according to Senate Bill 283.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 6       | 27   | Updated                          | <b><i>Familial Relationships</i></b><br><b><u>SNRHA Policy</u></b><br>Verification of guardianship is: Court-ordered assignment Verification from social services agency, or <del>SNRHA Self-Certification of temporary guardianship or appointment</del><br><br><del>In each case above (except court assignment), SNRHA must receive a court awarded guardianship or custody documents within 365 calendar days or head of household must resign SNRHA’s documents and submit required supporting documents. Any income still earning into the household on behalf of the child would be counted.</del><br><br>Other family relationships will be verified through birth certificates or other relevant documents.<br><br>SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services. |

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|         |      |                                  | <del>SNRHA shall not increase bedroom size nor provide a dependent deduction, unless court ordered assignment or verification from a social service agency is received.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 6       | 33   | Updated                          | <p>For individuals who are at least 62 years of age and/or disabled and are unable to submit the required documentation of their SSN within the initial <del>60</del> 90 calendar day period, SNRHA will grant an additional 30 calendar days to provide documentation as a reasonable accommodation.</p> <p>If any adult family member obtains a SSN after admission to the program, the new SSN must be disclosed within <del>60</del> 90 calendar days.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 6       | 34   | Updated                          | <p><b>6-II.C. FAMILY RELATIONSHIPS</b></p> <p>Applicants and program participants are required to identify the relationship of each household member to the head of household. If an applicant list themselves as married and not list a spouse, they will still be required to submit a separation or , divorce decree, or SNRHA’s Certification of Absent Spouse form. Definitions of the primary household relationships are provided in the Eligibility chapter.</p> <p>Separation or Divorce<br/><u>SNRHA Policy</u><br/>SNRHA will require the family (head of household) to sign a Certification of <del>Marital Status</del> Absent Spouse to document the divorce, or separation. The family may submit a certified copy of a divorce decree, signed by a court officer, or a copy of a court ordered maintenance or other court record <del>is required</del> to document a separation.</p> |
| 7       | 13   | Added                            | This Chapter explains the subsidy standards that will be used to determine the voucher size (family unit size) for various sized families when they are selected from the waiting list, as well as SNRHA's procedures when a family's size changes or a family selects a unit size that is different from the size of the voucher issued, voucher term, and to any extensions of the voucher term.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 7       | 14   | Updated                          | SNRHA will not issue a larger voucher due to additions of minors to the household of family members other than by birth, adoption, marriage, <del>or</del> court-awarded custody, or court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services. <del>The participant must submit a court awarded guardianship within 365 calendars of when the SNRHA guardianship form was executed.</del>                                                                                                                                                                                                                                                                                                                                                                                                   |
| 7       | 15   | Added                            | SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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|         |      |                                  | service agency. A social service agency is defined as a Department of Family Services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 7       | 16   | Removed                          | <del>An additional bedroom shall be awarded for temporary guardianship or adding children until a court awarded guardianship is received (must be submitted within 365 calendar days) or court awarded custody.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 7       | 16   | Added                            | SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 7       | 18   | Updated                          | <b>7-II.E. VOUCHER TERM, AND EXTENSIONS, AND SUSPENSIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 7       | 19   | Updated                          | <b>Suspensions of Voucher Term [24 CFR 982.303(c)]</b><br><del>At its discretion, SNRHA will adopt a policy to suspend the</del> SNRHA must provide for suspension of the initial or any extended term of the voucher from the date the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied. <del>housing choice voucher term if the family has submitted an RFTA during the voucher term.</del>                                                                                                                                                                                                                                                                                                                                |
| 7       | 20   | Updated                          | <del>Additionally, SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.</del><br><del>SNRHA will not issue a larger voucher size due to addition of family members other than by birth, adoption, or court awarded custody or court awarded guardianship or signing SNRHA guardianship form and submitting the court awarded guardianship within 365 calendar days, unless</del><br>The exception will be as an approved reasonable accommodation for a disabled family member, for a live-in aide, medical equipment, or other accommodations verified by a medical professional. |
| 8       | 2    | Added                            | HUD Performance and Acceptability Standards<br>HUD’s performance and acceptability standards for HCV-assisted housing are provide in 24 CFR 982.401. These standards are the responsibility of the owner unless otherwise stated on the lease. In accordance with the HAP contract, Part B, 3(a): The owner must maintain the contract unit and premises in accordance with the Housing Quality Standards (HQS.)                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 8       | 6    | Updated                          | Failure to provide or maintain family-supplied appliances (including ensuring all eyes burners on stove are operable).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 8       | 7    | Added                            | Family Responsibilities<br><ul style="list-style-type: none"> <li>• Tenant may be billed for the cost of repairs made by the owner that were determined to be caused by the</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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|         |      |                                  | family.<br><br>Owner Responsibilities<br>Owners are responsible for conducting intermittent inspections to ensure HQS Standards are being met.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 8       | 10   | Updated                          | <b>Quality Control Inspections 24CFR 982.405 (b)</b><br>HUD requires that a sample of units be re-inspected by a supervisor or other qualified individual to ensure that HQS are being enforced correctly and uniformly by all inspectors. Quality Control inspections will be performed by HQS Supervisor (HCVS), <del>HPM</del> Associate Deputy Directors (ADD), or assigned Senior OS for the number of units required by SEMAP.                                                                                                                                                                                               |
| 8       | 12   | Updated                          | <b>8-II.C. ANNUAL HQS INSPECTIONS [<del>24 CFR 982.405 (a)</del> Final Rule Notice 6-25-2014]</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 8       | 14   | Updated                          | All requests for extensions must be submitted in writing to the Inspections Department and approved by the <del>HPM</del> Housing Quality Standards (HQS) Supervisor and/or Housing Programs (HP) Management <del>or DDHP</del> .                                                                                                                                                                                                                                                                                                                                                                                                  |
| 8       | 15   | Added                            | <b>ENFORCING OWNER COMPLIANCE [24 CFR 982.405;982.453]</b><br>If the owner fails to maintain the dwelling unit in accordance with HQS ( <b>as stated above in 8-I.B</b> ), SNRHA must take prompt and vigorous action to enforce the owner obligations.                                                                                                                                                                                                                                                                                                                                                                            |
| 9       | 2    | Added                            | To be consistent:<br>A Valid State-issued Business License, if applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 9       | 7    | Removed                          | Term of Assisted Tenancy<br>The initial term of the assisted dwelling lease must be for at least one (1) year [24 CFR 982.309]. The initial lease term is also stated in the HAP contract. <del>Exceptions are allowed for VASH participants.</del>                                                                                                                                                                                                                                                                                                                                                                                |
| 9       | 8    | Removed                          | SNRHA Policy<br>SNRHA will not approve an initial lease term of less than one (1) year <del>except for VASH participants.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 9       | 13   | Removed                          | <del>Owners must provide the current address of their residence (not a Post Office box). If families lease properties owned by relatives, other than those prohibited under HUD regulations, the owner's current address will be compared to the subsidized unit's address. The owner must have a different address than the assisted unit.</del>                                                                                                                                                                                                                                                                                  |
| 9       | 14   | Updated                          | <b>Extensions of Tenancy after Initial Notice to Vacate:</b><br>If a family should request to extend tenancy beyond the initial date of vacate approved by the participant and owner/agent, both parties must sign a written extension of the vacate date and submit this document to SNRHA <del>prior to the expiration of the original vacate notice.</del> The document must include a new vacate date and the tenancy may not extend beyond the expiration date of the reissued voucher. Only one (1) extension will be granted by SNRHA to extend the vacate date. The participant must be occupying the unit during the time |

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|         |       |                                  | of extension request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 10      | 2     | Updated                          | SNRHA has terminated the <del>assisted lease</del> HAP contract for the family's unit for the owner's breach [24 CFR 982.3154(b)(1)(i)].                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 10      | 3     | Updated                          | <b><i>Insufficient Funding</i></b><br>SNRHA may deny a family permission to move if SNRHA does not have sufficient funding for continued assistance [24 CFR 982.3154(e)(1)].                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 10      | 4     | Updated                          | <b>Restrictions on Elective Moves [24 CFR 982.3154(c)]</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 10      | 5     | Updated                          | <p><b>10-I.C. MOVING PROCESS</b></p> <p><b>Notification</b><br/>If a family wishes to move to a new unit, the family must notify SNRHA and the owner before moving out of the assisted unit or terminating the lease on notice to the owner [24 CFR 982.3154(d)(2)]. If the family wishes to move to a unit outside SNRHA's jurisdiction under portability, the notice to SNRHA must specify the area where the family wishes to move [24 CFR 982.3154(d)(2), Notice PIH <del>2004-12</del> 2012-42]. The notices must be in writing [24 CFR 982.5].</p> <p>The <del>intent to</del> Vacate Notice must be signed and dated by both parties with an effective date. <del>All extensions</del> <b>An extension</b> of this notice must also be signed and dated by both parties <b>and submitted to SNRHA. prior to the original vacate date and submitted to SNRHA prior to the vacate date.</b></p> |
| 10      | 6     | Updated                          | <p><b>Notice Requirements</b><br/>Briefing sessions emphasize the family's responsibility to give the owner and SNRHA proper written notice of any intent to move. The family must give the owner the required number of days' notice of their intent to vacate as specified in the lease in writing or a <del>30-day</del> written notice when not specified in the lease. The family must give a copy to SNRHA simultaneously utilizing SNRHA's "Vacate Notice." This notice must be signed by both parties; or if the owner refuses to sign, <del>and</del> the participant can provide SNRHA proof of their attempts to notify their owner by submitting a copy of their mailed Vacate Notice and a copy of their certified mail receipt. Therefore, the family must be <del>and are</del> otherwise eligible to move and a moving voucher will be issued.</p>                                   |
| 10      | 7 and | Updated                          | According to HUD Final Rule on Streamlining Portability, published March 28, 2012, and revised August 20, 2015 (effective September 21, 2015); the following applies to the entire HCV program and is not limited to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|         | 8    |                                  | <p>families exercising portability:</p> <p><b>Mandatory Voucher Suspension:</b> The rule requires suspension or “tolling” of the voucher term upon a family’s submission of a Request for Tenancy Approval (RFTA.) Under the current rule, suspension is optional. The mandatory suspension begins when the family submits the RFTA and ends when the family is notified in writing of the approval or denial of the tenancy by using the Notice of Cancellation of RFTA form.</p> <p><b>Briefing Requirements:</b> The final rule requires the benefits of living in low poverty census tracts must be explained to all families, including those who currently live in higher poverty areas. The required explanation of how portability works must now be given to all families, not just those who are eligible to exercise portability on initial voucher issuance.</p> <p>HUD’s Final Rule indicates the major changes to existing portability requirements and processes include:</p> <p><b>Notification of Insufficient Funding:</b> The rule adds a requirement that PHA’s must notify the HUD field office within 10 business days of denying a move under portability due to insufficient funding.</p> <p><b>Voucher Term:</b> The voucher issued by the Receiving PHA (RHA) must have an expiration date at least 30 days after the expiration date of the voucher issued by the Initial PHA (IHA.) While the RHA may provide additional search time according to its existing policies, the billing deadline of 90 days after the expiration of the IHA’s voucher remains in effect.</p> <p><b>Administrative Fees:</b> The final rule provides the administrative fee for portability is the lesser of 80 percent of the IHA’s administrative fee (prorated if applicable) or 100 percent of the RHA’s administrative fee. In no event will the RHA receive more than its own administrative fee.</p> <p><b>Rescreening:</b> The preamble to the rule states that RHAs “should be allowed” to apply their own screening standards to incoming portable families, and information on how rescreening may affect a family’s assistance should be included in the briefing packet. HUD did not make any regulatory changes supporting this guidance. SNRHA shall rescreen all incoming portability clients in accordance with its screening Policies.</p> |
| 10      | 8    | Updated                          | <p><b>10-II.B. INITIAL PHA ROLE</b></p> <p><b>Allowable Moves under Portability</b></p> <p>A family may move with voucher assistance only to an area where there is at least one PHA administering a voucher program [24 CFR 982.353(b)]. If there is more than one PHA in the area, <del>the initial PHA may choose the receiving PHA [24 CFR 982.355(b)].</del> The initial PHA provides the family with the contact information for the receiving PHAs that serve the area, and the family selects the receiving PHA. The family must inform the initial PHA which PHA it has selected. If the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family (24 CFR 982.255(b)).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| 10      | 9         | Added                            | <b><i>Applicant Families</i></b><br>Under HUD regulations, most applicant families qualify to lease a unit outside the PHA’s jurisdiction under portability. However, HUD gives SNRHA discretion to deny a portability move by an applicant family for the same two reasons that it may deny any move by a participant family: insufficient funding and grounds for denial or termination of assistance. If a PHA intends to deny a family permission to move under portability due to insufficient funding, the PHA must notify HUD within 10 business days of the determination to deny the move [24 CFR 982.355(e)].                                                                                                                                                                                                                                                                                       |
| 10      | 9         | Added                            | <b>SNRHA Policy</b><br>In determining whether or not to deny an applicant family permission to move under portability because SNRHA lacks sufficient funding or has grounds for denying assistance to the family, the initial SNRHA will follow the policies established in section 10-I.B of this chapter. If the PHA does deny the move due to insufficient funding, the PHA will notify HUD in writing within 10 business days of the PHA’s determination to deny the move.                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 10      | 9         | Removed                          | SNRHA will consider exceptions to this policy for purposes of reasonable accommodation (see Chapter 2). <del>However, any exception to this policy is subject to the approval of the receiving PHA [24 CFR 982.353 (e)(3)].</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 10      | 10        | Updated                          | <b><i>Applicant Families</i></b><br>An applicant family may lease a unit in a particular area under portability only if the family is income eligible for admission to the voucher program in that area [24 CFR 982.353(ed)(3)]. The family must specify the area to which the family wishes to move [ <del>2004-12</del> 2012-42 24 CFR 982.355(c)(1)].                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 10      | 10 and 11 | Added                            | <b><i>Briefing ....</i></b><br>SNRHA will provide the name, address, and phone of the contact for the PHA in the jurisdiction to which they wish to move. If there is more than one PHA with jurisdiction over the area to which the family wishes to move, the PHA will advise the family that the family must select the receiving PHA and notify the initial PHA of which receiving PHA was selected. The PHA will further inform the family that if the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family.<br><br>SNRHA will advise the family that they will be under the PHA RHA’s policies and procedures, including screening, subsidy standards, <del>and</del> voucher extension policies, and payment standards. <del>Staff will assist the family with making contact with the PHA in the jurisdiction of their choice.</del> |



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| 10      | 11   | Updated                          | To receive or continue receiving assistance under the initial PHA's voucher program, a family that moves to another PHA's jurisdiction under portability must be under HAP contract in the receiving PHA's jurisdiction within <del>60</del> 90 calendar days following the expiration date of the initial PHA's voucher term (including any extensions).                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 10      | 12   | Updated                          | <b>Initial Contact with the Receiving PHA</b><br>After approving a family's request to move under portability, the initial PHA must promptly notify the receiving PHA via email or other confirmed delivery method to expect the family [24 CFR 982.355(c)(23), 24 CFR 982.355(c)(7)]. <del>This means that the initial PHA must contact the receiving PHA directly on the family's behalf [Notice PIH 2004-12].</del> The initial PHA must also advise the family how to contact and request assistance from the receiving PHA [24 CFR 982.355(c)(26)].                                                                                                                                                                                                                                                                        |
| 10      | 13   | Updated                          | <b>Initial Billing Deadline [Notice PIH 2012-42, Letter to Executive Directors 9-15-15]</b><br><del>When SNRHA sends form the HUD 52665 to the receiving PHA, It specifies in Part I the deadline by which it must receive the initial billing notice from the receiving PHA. This</del> The deadline for submission of initial billing is <del>60</del> 90 calendar days following the expiration date of the voucher issued to the family by the initial PHA.                                                                                                                                                                                                                                                                                                                                                                 |
| 10      | 13   | Updated                          | SNRHA Policy<br>If SNRHA has not received an initial billing notice from the receiving PHA <del>by the deadline specified on form the HUD form 52665</del> within 90 days of expiration of the IHA's voucher                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10      | 13   | Added                            | <b>Monthly Billing Payments [24 CFR 982.355(e), Notice PIH 2012-42]</b><br>If the receiving PHA is administering the family's voucher, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. When reimbursing for administrative fees, the initial PHA must promptly reimburse the receiving PHA for the lesser of 80 percent of the initial PHA ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill [24 CFR 982.355(e)(2)]. |

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| 10      | 14<br>and<br>15 | Updated                          | <p><b>Denial or Termination of Assistance [24 CFR 982.355(c)(17)]</b><br/> <del>If SNRHA has grounds for denying or terminating assistance for a portable family that has not been absorbed by the receiving PHA, SNRHA may act on those grounds at any time.</del> At any time, either the initial PHA or the receiving PHA may make a determination to deny or terminate assistance with the family in accordance with 24 CFR 982.552 and 24 CFR 982.553. (For SNRHA policies on denial and termination, see Chapters 3 and 12, respectively.)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 10      | 15              | Updated                          | <p><b>10-II.C. RECEIVING PHA ROLE</b><br/>           If a family has a right to lease a unit in the receiving PHA’s jurisdiction under portability, the receiving PHA must provide assistance for the family [24 CFR 982.355(10)]. <b>HUD may determine in certain instances that a PHA is not required to accept incoming portable families, such as a PHA in a declared disaster area. However, the PHA must have approval in writing from HUD before refusing any incoming portable families [24 CFR 982.355(b)]. Administration of the voucher must be in accordance with the receiving PHA’s policies. This requirement also applies to policies of Moving to Work agencies. The receiving PHA procedures and preferences for selection among eligible applicants do not apply to the family, and the receiving PHA waiting list is not used [24 CFR 982.355(c)(10)].</b><br/> <del>The receiving PHA’s procedures and preferences for selection among eligible applicants do not apply, and the receiving PHA’s waiting list is not used [24 CFR 982.355(10)].</del><br/>           The family’s unit, or voucher, size is determined in accordance with the subsidy standards of the receiving PHA [24 CFR 982.355(c)(12)], and the amount of the family’s housing assistance payment is determined in the same manner as for other families in the receiving PHA’s voucher program <b>receiving PHA’s policies on extensions of the voucher term apply [24 CFR 982.355 (c)(14)].</b></p> |
| 10      | 15              | Added                            | <p><b>Responding to Initial PHA’s Request [24 CFR 982.355(c)]</b><br/>           The receiving PHA must respond via e-mail or other confirmed delivery method to the initial PHA’s inquiry to determine whether the family’s voucher will be billed or absorbed [(24 CFR 982.355(c)(3)]. If the receiving PHA informs the initial PHA that it will be absorbing the voucher, the receiving PHA cannot reverse its decision at a later date without consent of the initial PHA (24 CFR 982.355(c)(4)).[Notice PIH 2012-42].<br/> <u>SNRHA Policy</u><br/>           SNRHA will use e-mail, when possible, to notify the initial PHA whether it will administer or absorb the family’s voucher.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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| 10      | 15   | Updated                          | <p><b>Initial Contact with Family</b><br/>When a family moves into SNRHA’s jurisdiction under portability, the family is responsible for promptly contacting SNRHA and complying with SNRHA’s procedures for incoming portable families <del>[24 CFR 982.355 (e)(3)]</del>. The family’s failure to comply may result in denial or termination of the receiving PHA’s voucher [24 CFR 982.355 (c)(8)].</p> <p>If the voucher issued to the family by the initial PHA has expired, the receiving SNRHA <del>does not process the family’s paperwork but instead refers the family back to the initial PHA</del> must contact the initial PHA to determine if it will extend the voucher [24 CFR 982.355 (c)(13)].</p>                                                                                                                                                                                        |
| 10      | 16   | Added                            | SNRHA will allow a one-on-one (1-on-1) briefing only as a reasonable accommodation which must be requested in writing from the applicant/participant and approved by SNRHA’s HP management. This also applies for clients needing LEP for languages other than a language provided by staff at general briefings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 10      | 16   | Updated                          | <p><b>Income Eligibility and Reexamination</b><br/><del>HUD allows the receiving SNRHA to conduct its own income reexamination of a portable family [24 CFR 982.355(e)(4)]. However, SNRHA may not delay voucher issuance or unit approval until the reexamination process is complete unless the reexamination is necessary to determine that an applicant family is income eligible for admission to the program in the area where the family wishes to lease a unit [PIH Notice 2012-42].</del> SNRHA does not redetermine income eligibility for a portable family that was already receiving assistance in the initial PHA’s voucher program [24 CFR 982.355(c)(9)]. <b>If the receiving PHA opts to conduct a new reexamination for a current participant family, the receiving PHA may not delay issuing the family a voucher or otherwise delay approval of a unit [24 CFR 982.355(c)(11)].</b></p> |
| 10      | 17   | Updated                          | <p><b>Voucher Term</b><br/>The term of SNRHA’s voucher may not expire before <del>the term</del> <b>30 calendar days from the expiration date of the initial PHA’s voucher</b> [24 CFR 982.355(c)(13)].</p> <p><u>SNRHA Policy</u><br/>SNRHA’s voucher will expire <b>30 calendar days from the expiration</b> <del>on the same date as</del> of the initial PHA’s voucher.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 10      | 17   | Updated                          | <p><b>Voucher Extensions [24 CFR 982.355(c)(14), Notice 2012-42]</b><br/><del>SNRHA may provide additional search time to the family beyond the expiration date of the initial PHA’s voucher, however, if it does so,</del> <b>Once the receiving PHA issues the portable family a voucher, the receiving PHA’s policies on extensions of the voucher term apply. The receiving PHA</b> <del>It</del> must inform the initial PHA of <del>the</del> <b>any extension granted to the term of the voucher</b>. It must also bear in mind the billing deadline provided by the initial PHA. Unless willing and able to absorb the family, SNRHA should ensure that any</p>                                                                                                                                                                                                                                     |

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|         |                 |                                  | voucher expiration date would leave sufficient time to process a request for tenancy approval, execute a HAP contract, and deliver the initial billing to the initial PHA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 10      | 18              | Added                            | <b><i>Voucher Suspensions [24 CFR 982.303, 24 CFR 982.355(c)(15)]</i></b><br>If the family submits a request for tenancy approval during the term of the receiving PHA’s voucher, the PHA must suspend the term of that voucher. The term of the voucher stops from the date that the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied [24 CFR 982.4(b)] (see Section 5-II.E).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 10      | 18<br>and<br>19 | Added                            | <b><i>Portability Billing [24 CFR 982.355(e)]</i></b><br>To cover assistance for a portable family that was not absorbed, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. The amount of the housing assistance payment for a portable family in the receiving PHA’s program is determined in the same manner as for other families in the receiving PHA’s program.<br>The receiving PHA may bill the initial PHA for the lesser of 80 percent of the initial PHA’s ongoing administrative fee or 100 percent of the receiving PHA’s ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill (i.e., the receiving PHA may bill for the lesser of 80 percent of the initial PHA’s prorated ongoing administrative fee or 100 percent of the receiving PHA’s ongoing administrative fee).<br>If both PHAs agree, the PHAs may negotiate a different amount of reimbursement.<br><u>SNRHA Policy</u><br>Unless the PHA negotiates a different amount of reimbursement with the initial PHA, the PHA will bill the initial PHA the maximum amount of administrative fees allowed, ensuring any administrative fee proration has been properly applied. |
| 11      | 1               | Added                            | With HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” SNRHA may implement tri-annual reexaminations (or once every three [3] years.) SNRHA will continue to conduct annual reexaminations at this time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11      | 3               | Updated                          | If adding a new family member due to birth, <b>adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency</b> <del>pregnancy or adoption by the head-of-head</del> to the unit causes overcrowding according to the Housing Quality Standards (HQS) (see Chapter 8), SNRHA must issue the family a new voucher, and the family must try to find an acceptable unit as soon as possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| 11      | 4    | Updated                          | <b>SNRHA will not increase the voucher size when adding other adults</b> <del>shall not be provided when adding other adults to the family that are 18 or older or children that are not foster youth.</del> <b>SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social a service agency. A social services agency is defined as a Department of Family Services.</b> <del>or children that are not foster youth or children for which the family has not signed SNRHA’s guardianship form and submitted the required court awarded guardianship within 365 calendar days.</del> |
| 11      | 10   | Updated                          | <u>SNRHA Policy</u><br>If a family reports a change that would result in an increase in the family share of the rent, but will not go into affective effect until the annual date, SNRHA will note the information in the tenant file, and send a no change letter.<br>If a family reports a change <del>that it was not required to report</del> and that would result in a decrease in the family share of rent, SNRHA will conduct an interim reexamination. See Section 11-II.D. for effective dates.                                                                                                                                                                                                                                       |
| 11      | 11   | Added                            | SNRHA will accept required documentation by mail, fax, <b>e-mail</b> , or in person.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 12      | 4    | Removed                          | <del>...record of convictions, arrests, or evictions...<br/>... A conviction will be given more weight than an arrest.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 12      | 6    | Removed                          | <del>For purposes of this section, criminal record includes arrests and convictions.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 12      | 7    | Removed                          | <del>...and must demonstrate that they have not incurred any new arrests and/or convictions for a minimum period of one (1) year from the date of their last date of completion of their sentence.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12      | 8    | Removed                          | <del>Persons with arrest or convictions of one of the following offenses...<br/>Persons with arrest or convictions of one of the following offenses...<br/>(Five years from the date of arrest or conviction: Persons arrested or convicted of <i>Drug-related criminal activity</i>, ...</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 12      | 9    | Removed                          | <del>Five years from the date of arrest or conviction: Persons arrested or convicted of...</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 12      | 10   | Removed                          | <del>Any conviction for drug-related or violent criminal activity within the past 5 years. Any arrests for drug-related or violent criminal activity within the past 5 years.</del><br>... A conviction for drug related or violent criminal activity will be given more weight <del>than an arrest for such activity, if the arrest did not occur within one year of the date of the admission or port in.</del><br>... Persons with <del>arrest or</del> convictions of one of the following offenses....                                                                                                                                                                                                                                     |

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| 12      | 11   | Removed                          | <del><b>Gross Misdemeanor Arrests or Convictions</b></del><br>Persons with gross misdemeanor <del>arrests or</del> convictions for the offenses listed....                                                                                                                                                                                                                                                                                                                                                                                  |
| 12      | 12   | Removed                          | <del><b>Misdemeanor Arrests or Convictions</b></del><br>Persons with misdemeanor <del>arrests or</del> convictions, for the offenses...                                                                                                                                                                                                                                                                                                                                                                                                     |
| 12      | 13   | Removed                          | <del><b>Other Felony Criminal Convictions/Last Arrest</b></del><br>...for offenses other than those referenced above, shall be barred from admission for the time periods listed and must demonstrate that they have not incurred any new <del>arrests and/or</del> convictions for a minimum period of one (1) year from the last date of their sentence.                                                                                                                                                                                  |
| 12      | 14   | Updated                          | <del><b>Confidentially of Criminal Records...</b></del><br>All criminal reports, while needed by the <del>HPM Director of Housing Programs (DHP) or their designee</del> for screening for criminal behavior, will be housed in a locked file cabinet with access restricted to individuals responsible for such screening.                                                                                                                                                                                                                 |
| 12      | 17   | Removed                          | SNRHA will consider all credible evidence, including but not limited to, any record of <del>arrests, convictions, or</del> eviction of household members related to the use of illegal drugs or abuse of alcohol.<br>... SNRHA will consider all credible evidence, including but not limited to, any record of <del>arrests and/or</del> convictions of household members related to ...                                                                                                                                                   |
| 12      | 18   | Updated                          | The family owes past due rent or other past due amounts, including in connection with <b>HCV or public housing assistance under the 1937 Act.</b><br><del>Breach of repayment agreement, to any PHA in connection with the HCV Certificate, Project based HCV Moderate Rehabilitation or public housing programs,</del> unless the family repays the full amount of the debt no later than 14 calendar days from notification from SNRHA. This does not apply if the family is current with payments under an approved repayment agreement. |
| 12      | 19   | Removed                          | <del>Fails to take immediate possession of the unit after the execution of a contract unless written approval has been given by SNRHA. Immediate is defined as within 15 calendar days of the date that the unit has passed the initial HQS inspection.</del>                                                                                                                                                                                                                                                                               |
| 12      | 21   | Removed                          | <del>This includes persons arrested or convicted of felony crimes that have warrants issued for their arrest that are unresolved or persons found to have committed criminal acts that result in felony convictions for at least five years from the date of the conviction.</del>                                                                                                                                                                                                                                                          |
| 12      | 24   | Updated                          | <del>HUD Veteran Affairs Supportive Housing (VASH) families and Family Unification Program (FUP)</del> families...                                                                                                                                                                                                                                                                                                                                                                                                                          |

## Housing Programs – Administrative Plan

### Proposed Changes from 2015 to 2016

| Chapter | Page | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------|------|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12      | 25   | Removed                          | ...regardless of whether the household member has been <del>arrested or convicted</del> [24 CFR 9682.553(c)].                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 12      | 31   | Updated                          | <b><i>Evidence of Criminal Activity</i></b><br>The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person if the owner determines they have engaged in the criminal activity, regardless of <del>arrest or conviction</del> and without satisfying the standard of proof used for a criminal conviction, except in certain incidents where the criminal activity directly relates to domestic violence, dating violence, sexual assault, or stalking and the tenant or <del>an immediate member of the tenant's family</del> an affiliated individual is the victim or threatened victim of the domestic violence, dating violence, sexual assault, or stalking. (See Section 12-II.E.). |
| 13      | 4    | Updated                          | <b>13-I.C. OWNER RESPONSIBILITIES [24 CFR 982.452, Pub.L. 109-162]</b><br>The basic owner responsibilities in the HCV program are outlined in the regulations as follows:<br><b>Complying with Performing</b> all of the owner's obligations under the Housing Assistance Payments (HAP) contract and the lease                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 13      | 5    | Updated                          | <del>Making</del> <b>Allowing reasonable</b> modifications to a dwelling unit occupied or to be occupied by a disabled person [24 CFR 100.203]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 13      | 17   | Added                            | The new owner must complete <b>any changes utilizing SNRHA's Landlord Portal by accessing the website at <a href="http://www.snrha.org">www.snrha.org</a>. SNRHA will not accept hand-carried, faxed, or mailed documents.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 14      | 4    | Added                            | <b>Exception Payment Standards [982.503(c)]</b><br>According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," the PHA may establish an exception payment standard of not more than 120 percent of the published FMR (fair market rent) if required as a reasonable accommodation in accordance with 24 CFR part 8 for a family that includes a person with a disability.<br>Any unit approved under an exception payment standard must still meet the reasonable rent requirements found at 24 CFR 982.507.                                                                                                                                  |
| 14      | 10   | Removed                          | <del>A determination that a certificate program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under SNRHA's subsidy standards, or the SNRHA determination to deny the family's request for exception from the standards</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 14      | 16   | Updated                          | <b><i>SNRHA Notice of Final Decision [24 CFR 982.555(f)]</i></b><br>SNRHA is not bound by the decision of the hearing officer for matters in which SNRHA is not required to provide an opportunity for a hearing, decisions that exceed the authority of the hearing officer, decisions that conflict with or contradict HUD regulations, requirements, or are otherwise contrary to Federal, State or local laws.                                                                                                                                                                                                                                                                                                                            |

# Housing Programs – Administrative Plan

## Proposed Changes from 2015 to 2016

| Chapter | Page            | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|         |                 |                                  | <p><del>The Executive Director may overturn the decision of the hearing officer.</del><br/>           HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” states the Hearing Officer’s decision will be binding on the PHA unless SNRHA’s Board of Commissioners determines that:</p> <p>(1) The grievance does not concern PHA actions or failure to act in accordance with or involving the complainant’s rights, duties, welfare, or status; or</p> <p>(2) The decision of the hearing officer is contrary to applicable Federal, State, local laws, HUD regulations, or requirement of the annual contribution contract between HUD and the PHA.</p> <p>A decision by the hearing officer or a member of the Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or in part will not constitute a waiver of, nor affect in any manner whatsoever, any rights the complainant may have to a trial de novo or judicial review in any judicial proceeding, which may thereafter be brought in the matter.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 14      | 19<br>and<br>20 | Updated                          | <p><b><i>Recording of the Hearing</i></b><br/>           The family is entitled to have the hearing recorded by audiotape <b>at their expense</b>. <del>SNRHA may, but is not required to, provide a transcript of the hearing.</del><br/> <del>SNRHA Policy – SNRHA will not provide a transcript of an audio taped hearing.</del><br/>           HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” states the hearing officer must maintain a log of all hearings. HUD shall provide the details of that log at a future date and SNRHA shall ensure compliance. HUD has also clarified that any party may obtain a copy of the hearing transcript <b>at their own expense</b>.<br/>           Therefore, SNRHA shall ensure all hearings are taped. The Hearing Officer’s decision will be binding on the PHA unless SNRHA’s Board of Commissioners determines that:</p> <p>(1) The grievance does not concern PHA actions or failure to act in accordance with or involving the complainant’s rights, duties, welfare, or status; or</p> <p>(2) The decision of the hearing officer is contrary to applicable Federal, State, local laws, HUD regulations, or requirement of the annual contribution contract between HUD and the PHA.</p> <p>A decision by the hearing officer or a member of the Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or in part will not constitute a waiver of, nor affect in any manner whatsoever, any rights the complainant may have to a trial de novo or judicial review in any judicial proceeding, which may thereafter be brought in the matter.</p> <p>Per HUD’s Final Rule, hearings may not be postponed more than (5) five business days and all parties must be advised.</p> |



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## Proposed Changes from 2015 to 2016

| Chapter | Page | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| 14      | 22   | Added                            | <b>Repayment Agreement [24 CFR 792.103]....</b><br>Change of Head of Household (HoH)...<br>In the event the HoH changes, and in order to retain the voucher and subsidy, the debt will be incurred by the new HoH. The new HOH will resign a repayment agreement with the incurred current balance.                                                                                                                                                                                                                                                                                                                                                                     |
| 14      | 32   | Added                            | <b>PART VIII: DETERMINATION OF INSUFFICIENT FUNDING</b><br><b>14-VIII.A. OVERVIEW</b><br>The HCV regulations allow SNRHA to deny families permission to move (which includes portability) and to terminate Housing Assistance Payments (HAP) contracts if funding under the consolidated ACC is insufficient to support continued assistance [24 CFR 982.3154(e)(1) and 982.454]. <b>If a PHA denies a family a portability move based on insufficient funding, SNRHA is required to notify the local HUD office within 10 business days [24 CFR 982.354].</b> Insufficient funding may also impact SNRHA’s ability to issue vouchers to families on the waiting list.  |
| 17      | 6    | Updated                          | <b>SNRHA-owned Units [24 CFR 983.51(e) and, 983.59, and Notice PIH 2015-05]</b> In the case of SNRHA-owned units, the term of the HAP contract and any HAP contract renewal must be agreed upon by the PHA and a HUD-approved independent entity (such as a licensed, state-certified appraiser.) In addition, an independent entity must determine the rent to owner, the redetermined rent to owner, and reasonable rent. Housing Quality Standards (HQS) inspections must also be conducted by an independent entity. <del>the initial contract rent must be approved by an independent entity based on an appraisal by a licensed, state-certified appraiser.</del> |
| 17      | 10   | Updated                          | <b>Exceptions to 25 Percent per Project Cap [24 CFR 983.56(b)]</b><br><u>SNRHA Policy</u> : SNRHA will <del>not</del> provide PBV assistance for excepted units. <b>Supportive services include services such as employment and training, counseling, case management, financial, and social services, or other services as deemed appropriate for the population served, provided by SNRHA or other public or private agencies. At least one member of each family must participate in at least one session of a provided service.</b>                                                                                                                                 |
| 17      | 11   | Updated                          | <b>Promoting Partially-Assisted Projects [24 CFR 983.56(c)]</b><br><u>SNRHA Policy</u> : SNRHA will <del>not</del> provide assistance for excepted units. Beyond that, SNRHA will not impose any further cap on the number of PBV units assisted per project. Supportive services include services such as employment and training, counseling, case management, financial, and social services, or other services as deemed appropriate for the population served, provided by SNRHA or other public or private agencies. At least one member of each family must participate in at least one session of a provided service.                                           |
| 17      | 15   | Added                            | <b>Project Based Annual Inspections [24 CFR 983.103(d)]</b> . . . ., If more than 20 percent of the annual sample of inspected contract units in a building fails the initial inspection, SNRHA must <del>reinspect</del> 100 percent of the                                                                                                                                                                                                                                                                                                                                                                                                                            |

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## Proposed Changes from 2015 to 2016

| Chapter | Page      | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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|         |           |                                  | contract units in the building. <b>SNRHA shall limit contributions of vouchers to no more than 75% of all units within a new development.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 17      | 16        | Added                            | <b>17-IV.B. AGREEMENT TO ENTER INTO HAP CONTRACT</b><br>In order to offer PBV assistance in rehabilitated or newly constructed units, SNRHA must enter into an agreement to enter into HAP contract (Agreement) with the owner of the property. The Agreement must be in the form required by HUD [24 CFR 983.152(ab)]. <b>The PHA may not enter into an Agreement if commencement of construction or rehabilitation has commenced after proposal submission [24 CFR 983.152(c)]. Construction begins when excavation or site preparation (including clearing of the land) begins for the housing. Rehabilitation begins with the physical commencement of rehabilitation activity on the housing.</b>                                                                                                                                                                                                                               |
| 17      | 24        | Added                            | SNRHA will <b>also establish and manage separate</b> waiting lists for the following Rental Assistance Demonstration (RAD) Program conversion <b>to PBV assistance</b> properties:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 17      | 39 and 40 | Added                            | According to HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” the PHA may elect to establish policies regarding the frequency of utility reimbursement payments (URP) for payments made to the family,<br>1. The PHA will have the option of making URPs not less than each calendar-year quarter for reimbursements. In the event a family leaves the program in advance of its next quarterly reimbursement, the PHA would be required to reimburse the family for a prorated share of the applicable reimbursement. PHAs exercising this option must have a hardship policy in place for participants.<br>2. If the PHA elects to pay the utility supplier directly, the PHA must notify the family of the amount paid to the utility supplier. At this time, SNRHA will continue issuing monthly checks for utility reimbursement. |
| 18      | All       | Added                            | Added Footer:<br>© Copyright 2016 Nan McKay & Associates, Inc. 18-1 Admin Plan June 2016<br>Unlimited copies may be made for internal use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 18      | 3         | Updated                          | <b>PROGRAM SIZE</b><br>The minimum program size for the FSS Program of Southern Nevada Regional Housing Authority (SNRHA is <del>328</del> 140 mandatory slots as of February 2016. <del>17 open mandatory PH slots and 196 voluntary slots (as of January 1, 2015.)</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|         | 4         | Updated                          | <b>ESTIMATE OF POTENTIAL PARTICIPATING FAMILIES:</b><br>SNRHA owns <del>2,870</del> 2,882 Public Housing units and administers 11,013 Housing Choice Vouchers which together provide housing assistance to over 32,600 residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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**Chapter 5**  
**INCOME AND SUBSIDY DETERMINATIONS**  
[24 CFR Part 5, Subparts E and F; 24 CFR 982]

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### Chapter 6 VERIFICATION

[24 CFR 982.516, 24 CFR 982.551, 24 CFR 5.230]

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**Chapter 8  
HOUSING QUALITY STANDARDS AND RENT REASONABLENESS  
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[24 CFR 982 Subpart I and 24 CFR 982.507]

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**Chapter 12**

**DENIAL OF ASSISTANCE AND TERMINATION OF ASSISTANCE AND TENANCY**

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## GLOSSARY

### ACRONYMS USED IN SUBSIDIZED HOUSING

|                 |                                                                                                                                 |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>AAF</b>      | Annual Adjustment Factor (published by HUD in the Federal Register and used to compute annual rent adjustments)                 |
| <b>ACC</b>      | Annual Contributions Contract                                                                                                   |
| <b>ADA</b>      | Americans with Disabilities Act of 1990                                                                                         |
| <b>BR</b>       | Bedroom                                                                                                                         |
| <b>CDBG</b>     | Community Development Block Grant (Program)                                                                                     |
| <b>CFR</b>      | Code of Federal Regulations (published federal rules that define and implement laws; commonly referred to as “the regulations”) |
| <b>CPI</b>      | Consumer Price Index (published monthly by the Department of Labor as an inflation indicator)                                   |
| <b>EID</b>      | Earned Income disallowance                                                                                                      |
| <b>EIV</b>      | Enterprise Income Verification                                                                                                  |
| <b>FDIC</b>     | Federal Deposit Insurance Corporation                                                                                           |
| <b>FHA</b>      | Federal Housing Administration                                                                                                  |
| <b>FICA</b>     | Federal Insurance Contributions Act (established Social Security taxes)                                                         |
| <b>FMR</b>      | Fair Market Rent                                                                                                                |
| <b>FR</b>       | Federal Register                                                                                                                |
| <b>FSS</b>      | Family Self-Sufficiency (Program)                                                                                               |
| <b>FY</b>       | Fiscal Year                                                                                                                     |
| <b>FYE</b>      | Fiscal Year End                                                                                                                 |
| <b>GAO</b>      | Government Accountability Office                                                                                                |
| <b>GR</b>       | Gross Rent                                                                                                                      |
| <b>HAP</b>      | Housing Assistance Payment                                                                                                      |
| <b>HCV</b>      | Housing Choice Voucher                                                                                                          |
| <b>HQS</b>      | Housing Quality Standards.                                                                                                      |
| <b>HUD</b>      | Department of Housing and Urban Development                                                                                     |
| <b>HUDCLIPS</b> | HUD CLient Information and Policy System                                                                                        |
| <b>IPA</b>      | Independent Public Accountant                                                                                                   |
| <b>IRA</b>      | Individual Retirement Account                                                                                                   |
| <b>IRS</b>      | Internal Revenue Service                                                                                                        |
| <b>JTPA</b>     | Job Training Partnership Act                                                                                                    |
| <b>LBP</b>      | Lead-Based Paint                                                                                                                |

|              |                                                                                                                             |
|--------------|-----------------------------------------------------------------------------------------------------------------------------|
| <b>MSA</b>   | Metropolitan Statistical Area (established by the U.S. Census Bureau)                                                       |
| <b>MTCS</b>  | Multi-family Tenant Characteristics System (now the Form HUD-50058 sub-module of the PIC system)                            |
| <b>MTW</b>   | Moving to Work                                                                                                              |
| <b>NOFA</b>  | Notice of Funding Availability                                                                                              |
| <b>OIG</b>   | Office of Inspector General                                                                                                 |
| <b>OMB</b>   | Office of Management and Budget                                                                                             |
| <b>PHA</b>   | Public Housing Agency                                                                                                       |
| <b>PIC</b>   | PIH Information Center                                                                                                      |
| <b>PIH</b>   | (HUD Office of) Public and Indian Housing                                                                                   |
| <b>PS</b>    | Payment Standard                                                                                                            |
| <b>QC</b>    | Quality Control                                                                                                             |
| <b>QHWRA</b> | Quality Housing and Work Responsibility Act of 1998 (also known as the Public Housing Reform Act)                           |
| <b>REAC</b>  | (HUD) Real Estate Assessment Center                                                                                         |
| <b>RFP</b>   | Request for Proposals                                                                                                       |
| <b>RFTA</b>  | Request for Tenancy Approval                                                                                                |
| <b>RIGI</b>  | Regional Inspector General for Investigation (handles fraud and program abuse matters for HUD at the regional office level) |
| <b>SEMAP</b> | Section Eight (8) Management Assessment Program                                                                             |
| <b>SRO</b>   | Single Room Occupancy                                                                                                       |
| <b>SSA</b>   | Social Security Administration                                                                                              |
| <b>SSI</b>   | Supplemental Security Income                                                                                                |
| <b>TANF</b>  | Temporary Assistance for Needy Families                                                                                     |
| <b>TBRA</b>  | Tenant Based Rental Assistance                                                                                              |
| <b>TPV</b>   | Tenant Protection Vouchers                                                                                                  |
| <b>TR</b>    | Tenant Rent                                                                                                                 |
| <b>TTP</b>   | Total Tenant Payment                                                                                                        |
| <b>UA</b>    | Utility Allowance                                                                                                           |
| <b>UIV</b>   | Upfront Income Verification                                                                                                 |
| <b>URP</b>   | Utility Reimbursement Payment                                                                                               |
| <b>VASH</b>  | <b>Veteran Affair Supportive Housing</b>                                                                                    |
| <b>VAWA</b>  | Violence Against Women Reauthorization Act of 2005                                                                          |
| <b>VMS</b>   | <b>Voucher Management System</b>                                                                                            |

## **B. GLOSSARY OF SUBSIDIZED HOUSING TERMS**

***Absorption.*** In portability (under subpart H of this part 982): the point at which a receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PHA uses funds available under the receiving PHA consolidated ACC.

***Accessible.*** The facility or portion of the facility can be approached, entered, and used by persons with disabilities.

***Adjusted Income.*** Annual income, less allowable HUD deductions and allowances

***Administrative fee.*** Fee paid by HUD to the PHA for administration of the program. See §982.152.

***Administrative plan.*** The plan that describes PHA policies for administration of the tenant-based programs. The Administrative Plan and any revisions must be approved by the PHA's board and included as a supporting document to the PHA Plan. See §982.54.

***Admission.*** The point when the family becomes a participant in the program. The date used for this purpose is the effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program.

***Amortization payment.*** In a manufactured home space rental: The monthly debt service payment by the family to amortize the purchase price of the manufactured home.

***Annual contributions contract (ACC).*** The written contract between HUD and a PHA under which HUD agrees to provide funding for a program under the 1937 Act, and the PHA agrees to comply with HUD requirements for the program.

***Annual Income.*** The anticipated total income of an eligible family from all sources for the 12-month period following the date of determination of income, computed in accordance with the regulations.

***Applicant (applicant family).*** A family that has applied for admission to a program but is not yet a participant in the program.

***Area Exception Rent.*** An amount that exceeds the published FMR. See 24 CFR§982.504(b).

***“As-paid” States.*** States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

***Assets.*** (See Net Family Assets.)

***Auxiliary aids.*** Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities receiving federal financial assistance.

***Bifurcate.*** With respect to a public housing or Section 8 lease, to divide a lease as a matter of law such that certain tenants can be evicted or removed while the remaining a family member lease and occupancy rights are allowed to remain intact.

***Budget authority.*** An amount authorized and appropriated by the Congress for payment to HAs under the program. For each funding increment in a PHA program, budget authority is the maximum amount that may be paid by HUD to the PHA over the ACC term of the funding increment.

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

**Child care expenses.** Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

**Citizen.** A citizen or national of the United States.

**Co-head.** An individual in the household who is equally responsible for the lease with the head of household. A family may have a co-head or spouse but not both. A co-head never qualifies as a dependent. The co-head must have legal capacity to enter into a lease.

**Common space.** In shared housing, space available for use by the assisted family and other occupants of the unit.

**Computer match.** The automated comparison of data bases containing records about individuals.

**Confirmatory review.** An on-site review performed by HUD to verify the management performance of a PHA.

**Consent form.** Any consent form approved by HUD to be signed by assistance applicants and participants to obtain income information from employers and SWICAs; return information from the Social Security Administration (including wages, net earnings from self-employment, and retirement income); and return information for unearned income from the IRS. Consent forms expire after a certain time and may authorize the collection of other information to determine eligibility or level of benefits.

**Congregate housing.** Housing for elderly persons or persons with disabilities that meets the HQS for congregate housing. A special housing type: see 24 CFR §982.606 to 609.

**Contiguous MSA.** In portability (under subpart H of part 982): An MSA that shares a common boundary with the MSA in which the jurisdiction of the initial PHA is located.

**Continuously assisted.** An applicant is continuously assisted under the 1937 Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the voucher program.

**Contract authority.** The maximum annual payment by HUD to a PHA for a funding increment.

**Cooperative** (term includes mutual housing). Housing owned by a nonprofit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing. A special housing type: (see 24 CFR§982.619).

**Covered families.** Statutory term for families who are required to participate in a welfare agency economic self-sufficiency program and who may be subject to a welfare benefit sanction for noncompliance with this obligation. Includes families who receive welfare assistance or other public assistance under a program for which federal, state or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for the assistance.

**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; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

**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.

**Dependent child.** In the context of the student eligibility restrictions, a dependent child of a student enrolled in an institution of higher education. The dependent child must also meet the definition of dependent as specified above.

**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.

**Disabled family.** A family whose head, co-head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.

**Disabled person.** See person with disabilities.

**Disallowance. Exclusion from annual income**

**Displaced family.** A family in which each member, or whose sole member, is 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.

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

**Domicile.** The legal residence of the household head or spouse as determined in accordance with State and local law.

**Drug-related criminal activity.** As defined in 42 U.S.C. 1437f(f)(5).

**Drug-trafficking.** The illegal manufacture, sale, or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

***Economic Self-Sufficiency Program.*** Any program designed to encourage, assist, train or facilitate the economic independence of assisted families, or to provide work for such families. Can include job training, employment counseling, work placement, basic skills training, education, English proficiency, Workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as treatment for drug abuse or mental health treatment). Includes any work activities as defined in the Social Security Act (42 U.S.C. 607(d)). Also see 24 CFR §5.603(c).

***Elderly family.*** A family whose head, co-head, spouse, or sole member is a person who is at least 62 years of age; or 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.

***Elderly Person.*** An individual who is at least 62 years of age.

***Eligible Family (Family).*** A family that is income eligible and meets the other requirements of the Act and Part 5 of 24 CFR.

***Employer Identification Number (EIN).*** The nine-digit taxpayer identifying number that is assigned to an individual, trust, estate, partnership, association, company, or corporation.

***Evidence of citizenship or eligible status.*** The documents which must be submitted as evidence of citizenship or eligible immigration status. (See 24 CFR §5.508(b).)

***Extremely Low Income Family.*** A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 30 percent of median income if HUD finds such variations are necessary due to unusually high or low family incomes. (24 CFR 5.603)

***Facility.*** All or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other real or personal property or interest in the property.

***Fair Housing Act.*** Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988.

***Fair market rent (FMR).*** The rent, including the cost of utilities (except telephone), as established by HUD for units of varying sizes (by number of bedrooms), that must be paid in the housing market area to rent privately owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. See periodic publications in the Federal Register in accordance with 24 CFR Part 888.

***Family.*** Includes but is not limited to the following, and can be further defined in PHA policy.

- A family with or without children (the temporary absence of a child from the home due to placement in foster care is not considered in determining family composition and family size)
- An elderly family or a near-elderly family
- A displaced family
- The remaining member of a tenant family
- A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

***Family rent to owner.*** In the voucher program, the portion of rent to owner paid by the family.

**Family self-sufficiency program (FSS program).** The program established by a PHA in accordance with 24 CFR part 984 to promote self-sufficiency of assisted families, including the coordination of supportive services (42 U.S.C. 1437u).

**Family share.** The portion of rent and utilities paid by the family. For calculation of family share, see 24 CFR §982.515(a).

**Family unit size.** The appropriate number of bedrooms for a family, as determined by the PHA under the PHA subsidy standards.

**Federal agency.** A department of the executive branch of the Federal Government.

**Foster Child Care Payment.** Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

**Full-time Student.** A person who is attending school or vocational training on a full-time basis (carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended). (See 24CFR 5.603)

**Funding increment.** Each commitment of budget authority by HUD to a PHA under the consolidated annual contributions contract for the PHA program.

**Gross rent.** The sum of the rent to owner plus any utility allowance.

**Group home.** A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide). A special housing type: see 24 CFR §982.610 to 614.

**Handicap.** Any condition or characteristic that renders a person an individual with handicaps. See person with disabilities.

**HAP contract.** The housing assistance payments contract. (Contract). A written contract between the PHA and an owner for the purpose of providing housing assistance payments to the owner on behalf of an eligible family.

**Hard to House.** A household that has three (3) more minors or has a disabled household member.

**Head of household.** The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

**Household.** A household includes additional people other than the family who, with the PHA's permission, live in an assisted unit, such as live-in aides, foster children and foster adults.

**Housing assistance payment.** The monthly assistance payment by a PHA, which includes: (1) A payment to the owner for rent to the owner under the family's lease; and (2) An additional payment to the family if the total assistance payment exceeds the rent to owner.

**Housing agency (HA).** A State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing. ("PHA" and "HA" mean the same thing.)

**Housing Quality Standards.** The HUD minimum quality standards for housing assisted under the voucher program.

**HUD.** The U.S. Department of Housing and Urban Development.

**Immediate family member.** A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent; or any other person living in the household of that person and related to that person by blood and marriage.

**Imputed Asset.** An asset disposed of for less than Fair Market value during the two years preceding examination or reexamination.

**Imputed Income.** HUD passbook rate multiplied by the total cash value of assets. Calculation is used when net family assets exceed \$5,000.

**Imputed welfare income.** An amount of annual income that is not actually received by a family as a result of a specified welfare benefit reduction, but is included in the family's annual income and therefore reflected in the family's rental contribution.

**Income.** Income from all sources of each member of the household, as determined in accordance with criteria established by HUD.

**Income for Eligibility.** Annual Income.

**Income information** means information relating to an individual's income, including:

- All employment income information known to current or previous employers or other income sources
- All information about wages, as defined in the State's unemployment compensation law, including any Social Security Number; name of the employee; quarterly wages of the employee; and the name, full address, telephone number, and, when known, Employer Identification Number of an employer reporting wages under a State unemployment compensation law
- Whether an individual is receiving, has received, or has applied for unemployment compensation, and the amount and the period received
- Unearned IRS income and self-employment, wages and retirement income
- Wage, social security, and supplemental security income data obtained from the Social Security Administration.

**Individual with handicaps. See persons with disabilities. Initial PHA.** In portability, the term refers to both: (1) A PHA that originally selected a family that later decides to move out of the jurisdiction of the selecting PHA; and (2) A PHA that absorbed a family that later decides to move out of the jurisdiction of the absorbing PHA.

**Initial payment standard.** The payment standard at the beginning of the HAP contract term.

**Initial rent to owner.** The rent to owner at the beginning of the HAP contract term.

**Institution of higher education.** An institution of higher education as defined in 20 U.S.C 1001 and 1002.

**Jurisdiction.** The area in which the PHA has authority under State and local law to administer the program.

**Landlord.** Either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

**Lease.** A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a



family with housing assistance payments under a HAP contract between the owner and the PHA.

**Live-in aide.** A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- Is determined to be essential to the care and well-being of the persons;
- Is not obligated for the support of the persons; and
- Would not be living in the unit except to provide the necessary supportive services.

**Local Preference.** A preference used by the PHA to select among applicant families.

**Low Income Family.** A family whose income does not exceed 80% of the median income for the area as determined by HUD with adjustments for smaller or larger families, except that HUD may establish income limits higher or lower than 80% for areas with unusually high or low incomes.

**Manufactured home.** A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. A special housing type: see §982.620 and §982.621.

**Manufactured home space.** In manufactured home space rental: A space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space. See §982.622 to §982.624.

**Medical expenses.** Medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance. (A deduction for elderly or disabled families only.) These allowances are given when calculating adjusted income for medical expenses in excess of 3% of annual income.

**Minor.** A member of the family household other than the family head or spouse, who is under 18 years of age.

**Mixed family.** A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

**Monthly adjusted income.** One twelfth of adjusted income.

**Monthly income.** One twelfth of annual income.

**Mutual housing.** Included in the definition of “cooperative.”

**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.

**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; or 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.

**Net family assets.** (1) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

- 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 under §5.609.
- In determining net family assets, PHAs 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 therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

**Noncitizen.** A person who is neither a citizen nor national of the United States.

**Notice of Funding Availability (NOFA).** For budget authority that HUD distributes by competitive process, the Federal Register document that invites applications for funding. This document explains how to apply for assistance and the criteria for awarding the funding.

**Office of General Counsel (OGC).** The General Counsel of HUD.

**Owner.** Any person or entity with the legal right to lease or sublease a unit to a participant.

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

**Payment standard.** The maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family).

**Persons With Disabilities.** For the purpose of program eligibility, a person who has a disability as defined in 42 U.S.C. 423 or a developmental disability as defined in 42 U.S.C. 6001. Also includes a person who is determined, under HUD regulations, to have a physical or mental impairment that is expected to be of long-continued and indefinite duration, substantially impedes the ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions. For purposes of reasonable accommodation and program accessibility for persons with disabilities, means and “individual with handicaps” as defined in 24 CFR 8.3. Definition does not exclude persons who have AIDS or conditions arising from AIDS, but does not include a person whose disability is based solely on drug or alcohol dependence (for low-income housing eligibility purposes). See “Individual with handicaps”

**Portability.** Renting a dwelling unit with a Section 8 housing choice voucher outside the jurisdiction of the initial PHA.

**Premises.** The building or complex in which the dwelling unit is located, including common areas and grounds.

**Previously unemployed.** With regard to the earned income disallowance, a person with disabilities who has earned in the 12 months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

**Private space.** In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

**Processing entity.** The person or entity that, under any of the programs covered, is responsible for making eligibility and related determinations and any income reexamination. In the Section 8 program, the “processing entity” is the “responsible entity.”

**Project owner.** The person or entity that owns the housing project containing the assisted dwelling unit.

**Public Assistance.** Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

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

**PHA Plan.** The annual plan and the 5-year plan as adopted by the PHA and approved by HUD.

**PHA’s quality control sample.** An annual sample of files or records drawn in an unbiased manner and reviewed by a PHA supervisor (or by another qualified person other than the person who performed the original work) to determine if the work documented in the files or records conforms to program requirements. For minimum sample size see CFR 985.3.

**Qualified family (under the earned income disallowance).** A family participating in an applicable assisted housing program or receiving HCV assistance:

*Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment:*

- Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or
- Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the responsible entity in consultation with the local agencies administering temporary assistance for the needy families (TANF) and Welfare to Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance provided that the total amount over a six-month period is at least \$500.00.

**Reasonable rent.** A rent to owner that is not more than rent charged: (1) For comparable units in the private unassisted market; and (2) For comparable unassisted units in the premises.

**Reasonable Accommodation.** A change, exception, or adjustment to a rule, policy, practice or service to allow a person with disabilities to fully access the PHA's programs or services.

**Receiving PHA.** In portability: A PHA that receives a family selected for participation in the tenant-based program of another PHA. The receiving PHA issues a voucher and provides program assistance to the family.

**Recertification.** Sometimes called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported.

**Remaining Member of Tenant Family.** The person left in assisted housing who may or may not normally qualify for assistance on their own circumstances (i.e., an elderly spouse dies, leaving widow age 47 who is not disabled).

**Rent to owner.** The total monthly rent payable to the owner under the lease for the unit (also known as contract rent). Rent to owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.

**Residency Preference.** A PHA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference area").

**Residency Preference Area.** The specified area where families must reside to qualify for a residency preference.

**Responsible entity.** For the public housing and the Section 8 tenant-based assistance, project-based voucher assistance, and moderate rehabilitation programs, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

**Secretary.** The Secretary of Housing and Urban Development.

**Section 8.** Section 8 of the United States Housing Act of 1937.

**Section 8 covered programs.** All HUD programs which assist housing under Section 8 of the 1937 Act, including Section 8 assisted housing for which loans are made under section 202 of the Housing Act of 1959.

**Section 214.** Section 214 of the Housing and Community Development Act of 1980, as amended

**Section 214 covered programs** is the collective term for the HUD programs to which the restrictions imposed by Section 214 apply. These programs are set forth in 24 CFR §5.500.

**Security Deposit.** A dollar amount (maximum set according to the regulations) which can be used for unpaid rent or damages to the owner upon termination of the lease.

**Set-up charges.** In a manufactured home space rental: Charges payable by the family for assembling, skirting and anchoring the manufactured home.

**Shared housing.** A unit occupied by two or more families. The unit consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family. A special housing type: see §982.615 to §982.618.

**Single Person.** A person living alone or intending to live alone.

**Single room occupancy housing (SRO).** A unit that contains no sanitary facilities or food preparation facilities, or contains either, but not both, types of facilities. A special housing type: see §982.602 to §982.605.

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

**Special admission.** Admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position.

**Special housing types.** See subpart M of part 982. Subpart M states the special regulatory requirements for: SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

**Specified Welfare Benefit Reduction.** Those reductions of welfare benefits (for a covered family) that may not result in a reduction of the family rental contribution. A reduction of welfare benefits because of fraud in connection with the welfare program, or because of welfare sanction due to noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

**Spouse.** The marriage partner of the head of household.

**Stalking.** To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.

**State Wage Information Collection Agency (SWICA).** The state agency, including any Indian tribal 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.

**Subsidy standards.** Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

**Suspension.** Stopping the clock on the term of a family's voucher after the family submits a request for approval of the tenancy. If the PHA decides to allow extensions or suspensions of the voucher term, the PHA administrative plan must describe how the PHA determines whether to grant extensions or suspensions, and how the PHA determines the length of any extension or suspension. The term on the family's voucher stops from the date the family submits a request for PHA approval of the tenancy, until the date the PHA notifies the family in writing whether the request has been approved or denied. This practice is also called "tolling".

**Tax Credit Rent.** With regard to certain tax credit units, the rent charged for comparable units of the same bedroom size in the building that has receive low-income housing tax credits but do not have any additional rental assistance (e.g. tenant-based voucher assistance).

**Tenancy Addendum.** For the Housing Choice Voucher Program, the lease language required by HUD in the lease between the tenant and the owner.

**Tenant.** The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit.

**Tenant rent to owner.** See “Family rent to owner”.

**Term of Lease.** The amount of time a tenant agrees in writing to live in a dwelling unit.

**Total Tenant Payment (TTP).** The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

**Unit.** Residential space for the private use of a family. The size of a unit is based on the number of bedrooms contained within the unit and generally ranges from zero (0) bedrooms to six (6) bedrooms.

**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 or approved by a PHA or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

**Utility reimbursement.** In the voucher program, the portion of the housing assistance payment which exceeds the amount of rent to owner.

**Utility hook-up charge.** In a manufactured home space rental: Costs payable by a family for connecting the manufactured home to utilities such as water, gas, electrical and sewer lines.

**Very Low Income Family.** A low-income family whose annual income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes. This is the income limit for the housing choice voucher program.

**Veteran.** A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.

**Violence Against Women Reauthorization Act (VAWA) of 2013.** Prohibits denying admission to the program to an otherwise qualified applicant or terminating assistance on the basis that the applicant or program participant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Violent criminal activity.** Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

**Voucher (Housing Choice Voucher).** A document issued by a PHA to a family selected for admission to the housing choice voucher program. This document describes the program and the procedures for PHA approval of a unit selected by the family. The voucher also states obligations of the family under the program.

**Voucher holder.** A family holding a voucher with an unexpired term (search time).

**Voucher program.** The housing choice voucher program.

**Waiting list admission.** An admission from the PHA waiting list.

**Welfare assistance.** Income assistance from Federal or State welfare programs, including assistance provided under TANF and general assistance. Does not include assistance directed solely to meeting housing expenses, nor programs that provide health care, child care or other services for working families. For the FSS PROGRAM (984.103(b)), “welfare assistance” includes only cash maintenance payments from Federal or State programs designed to meet a family’s ongoing basic needs, but does not include food stamps, emergency rental and utilities assistance, SSI, SSDI, or Social Security.

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>HUD-50058 Instruction Booklet<br/> <a href="http://portal.hud.gov/hudportal/documents/huddoc?id=50058i.pdf">http://portal.hud.gov/hudportal/documents/huddoc?id=50058i.pdf</a></p>                                                                                                                                                                  |
| <p><b><a href="https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04901.pdf">HUD Final Rule, Streamlining Administrative Regulations</a></b><br/> <a href="https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04901.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04901.pdf</a></p>                                                    |
| <p>Joint Statement of the Department of Housing and Urban Development and the Department of Justice, issued May 17, 2004<br/> <a href="http://www.hud.gov/offices/fheo/library/huddojstatement.pdf">http://www.hud.gov/offices/fheo/library/huddojstatement.pdf</a></p>                                                                                |
| <p>Notice of Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Affecting Limited English Proficient Persons, published December 19, 2003<br/> <a href="http://www.hud.gov/offices/fheo/promotingfh/FederalRegistepublishedguidance.pdf">http://www.hud.gov/offices/fheo/promotingfh/FederalRegistepublishedguidance.pdf</a></p> |
| <p>Notice PIH 2012-10, Verification of Social Security Numbers (SSNs) and Supplemental Security Income (SSI) Benefits; and Effective Use of the Enterprise Income Verification (EIV) System's Identity Verification Report<br/> <a href="http://portal.hud.gov/huddoc/pih2012-10.pdf">http://portal.hud.gov/huddoc/pih2012-10.pdf</a></p>              |
| <p>Notice PIH 2010-19, Administrative Guidance for Effective and Mandated Use of the Enterprise Income Verification (EIV) System<br/> <a href="http://www.hud.gov/offices/pih/publications/notices/10/pih2010-19.pdf">http://www.hud.gov/offices/pih/publications/notices/10/pih2010-19.pdf</a></p>                                                    |
| <p>Notice PIH 2010-26 (HA), Nondiscrimination and Accessibility Notice<br/> <a href="http://www.hud.gov/offices/pih/publications/notices/10/pih2010-26.pdf">http://www.hud.gov/offices/pih/publications/notices/10/pih2010-26.pdf</a></p>                                                                                                              |
| <p>OMB Circular A-133<br/> <a href="http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2010">http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2010</a></p>                                                                                                                                                           |
| <p>Project-Based Voucher Program; Final Rule<br/> <a href="http://www.gpo.gov/fdsys/pkg/FR-2005-10-13/pdf/05-20035.pdf">http://www.gpo.gov/fdsys/pkg/FR-2005-10-13/pdf/05-20035.pdf</a></p>                                                                                                                                                            |
| <p>Rental Housing Integrity Improvement Program (RHIIP) Frequently Asked Questions.<br/> <a href="http://www.hud.gov/offices/pih/programs/ph/rhiip/faq.cfm">www.hud.gov/offices/pih/programs/ph/rhiip/faq.cfm</a></p>                                                                                                                                  |
| <p>VAWA Final Rule<br/> <a href="http://www.gpo.gov/fdsys/pkg/FR-2010-10-27/pdf/2010-26914.pdf">http://www.gpo.gov/fdsys/pkg/FR-2010-10-27/pdf/2010-26914.pdf</a></p>                                                                                                                                                                                  |
| <p><b><a href="https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf">Violence Against Women Reauthorization Act of 2013</a></b><br/> <a href="https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf">https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf</a></p>                                    |
| <p>Verification FAQ<br/> <a href="http://www.hud.gov/offices/pih/programs/ph/rhiip/faq_verif.cfm">www.hud.gov/offices/pih/programs/ph/rhiip/faq_verif.cfm</a></p>                                                                                                                                                                                      |
| <p>Verification Guidance, March 2004 (attachment to Notice PIH 2004-1)<br/> <a href="http://www.hud.gov/offices/pih/publications/notices/04/verifguidance.pdf">http://www.hud.gov/offices/pih/publications/notices/04/verifguidance.pdf</a></p>                                                                                                        |

The HUD Web site is <http://portal.hud.gov/hudportal/HUD>.

Guidebooks, handbooks and other HUD resources may be found at the HUDClips Web site:  
[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/hudclips](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips)





## Chapter 5

### INCOME AND SUBSIDY DETERMINATIONS

[24 CFR Part 5, Subparts E and F; 24 CFR 982]

#### INTRODUCTION

A family's income determines eligibility for assistance and is also used to calculate the family's share of rent and to determine the amount of SNRHA's subsidy. SNRHA will use the policies and methods described in this chapter to ensure that only eligible families receive assistance and that no family pays more or less than its obligation under the regulations.

SNRHA will use the methods as set forth in this Administrative Plan to verify and determine that family income at admission and reexamination is correct. The accurate calculation of Annual Income and Adjusted Income will ensure that families are not paying more or less money for rent than their obligation under the Regulations.

This Chapter defines the allowable expenses and deductions to be subtracted from Annual Income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subparts E and F, and further instructions set forth in HUD Notices and Memoranda. The formula for the calculation of TTP is specific and not subject to interpretation. SNRHA's policies in this Chapter address those areas which allow SNRHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

This chapter describes HUD regulations and the SNRHA policies related to these topics in three parts as follows:

- Part I: Annual Income. HUD regulations specify the sources of income to include and exclude to arrive at a family's annual income. These requirements and PHA policies for calculating annual income are found in Part I.
- Part II: Adjusted Income. Once annual income has been established HUD regulations require the PHA to subtract from annual income any of five mandatory deductions for which a family qualifies. These requirements and PHA policies for calculating adjusted income are found in Part II.
- Part III: Calculating Family Share and PHA Subsidy. This part describes the statutory formula for calculating total tenant payment (TTP), the use of utility allowances, and the methodology for determining PHA subsidy and required family payment.

#### PART I: ANNUAL INCOME

##### 5-I.A. OVERVIEW

Income: Includes all amounts monetary or not received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be included and what is to be excluded in the federal regulations. In accordance with this definition, all income that is not



specifically excluded in the regulations is counted. This includes all earned income and regular monetary and non-monetary gifts and contributions.

The general regulatory definition of *annual income* shown below is from 24 CFR 5.609.

#### **5.609 Annual income.**

(a) Annual income means all amounts, monetary or not, which:

(1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or

(2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

(3) Which are not specifically excluded in paragraph [5.609(c)].

(4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

**Annual Income** is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income that has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits.

In addition to this general definition, HUD regulations establish policies for treating specific types of income and assets. The full texts of those portions of the regulations are provided in exhibits at the end of this chapter as follows:

- Annual Income Inclusions (Exhibit 5-1)
- Annual Income Exclusions (Exhibit 5-2)
- Treatment of Family Assets (Exhibit 5-3)
- Earned Income Disallowance for Persons with Disabilities (Exhibit 5-4)
- The Effect of Welfare Benefit Reduction (Exhibit 5-5)

Sections 5-I.B and 5-I.C discuss general requirements and methods for calculating annual income. The rest of this section describes how each source of income is treated for the purposes of determining annual income. HUD regulations present income inclusions and exclusions separately [24 CFR 5.609(b) and 24 CFR 5.609(c)]. In this plan, however, the discussions of income inclusions and exclusions are integrated by topic (e.g., all policies affecting earned income are discussed together in section 6-I.D). Verification requirements for annual income are discussed in Chapter 6.

#### **5-I.B. HOUSEHOLD COMPOSITION AND INCOME**

Income received by all family members must be counted unless specifically excluded by the regulations. It is the responsibility of the head of household to report changes in family composition. The rules on which sources of income are counted vary somewhat by family member. The chart below summarizes how family composition affects income determinations.



| <b>Summary of Income Included and Excluded by Person</b>                  |                                                                                                                                                                            |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Live-in aides                                                             | Income from all sources is excluded [24 CFR 5.609(c)(5)].                                                                                                                  |
| Foster child or foster adult                                              | Income from all sources is excluded [24 CFR 5.609(c)(2)].                                                                                                                  |
| Head, spouse, or cohead<br>Other adult family members                     | All sources of income not specifically excluded by the regulations are included.                                                                                           |
| Children under 18 years of age                                            | Employment income is excluded [24 CFR 5.609(c)(1)].<br>All other sources of income, except those specifically excluded by the regulations, are included.                   |
| Full-time students 18 years of age or older (not head, spouse, or cohead) | Employment income above \$480/year is excluded [24 CFR 5.609(c)(11)].<br>All other sources of income, except those specifically excluded by the regulations, are included. |

### **5.I.C. TEMPORARY/PERMANENTLY ABSENT [24CFR 5.609(a)(1);982.551]**

The income of family members approved to live in the unit will be counted, even if the family member is temporarily absent from the unit [HCV GB, p. 5-18].

#### SNRHA Policy

Generally an individual who is or is expected to be absent from the assisted unit for 180 consecutive calendar days or less is considered temporarily absent and continues to be considered a family member. Generally an individual who is or is expected to be absent from the assisted unit for more than 180 consecutive calendar days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

SNRHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent. In addition, SNRHA must count the income of the spouse or the head of the household if that person is temporarily absent, even if that person is not on the lease in compliance with 24 CFR 5.609 (a) (1).

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hostile fire pay and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition in writing or other method as needed for disabled persons within 10 calendar days of the change, including marriages. SNRHA will evaluate absences from the unit using this policy. Permanently absent shall be defined as separated, divorced, placed in nursing home or incarcerated for more than 180 calendar days.

### **Absence of Any Member**

#### SNRHA Policy

Any member of the household will be considered permanently absent if s/he is away from the unit for more than three (3) consecutive months or as otherwise provided in this Chapter,



except students or children with shared custody for which the head of household has notified SNRHA of their absence in writing. If a family is going to be away from their unit for more than 30 calendar days they “must” receive “prior” written approval from SNRHA before leaving the unit.

***Under no circumstances can the entire family be absent from the unit for more than 180 calendar days.*** 24 CFR 982.312

## **Absent Students**

### SNRHA Policy

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to SNRHA indicating that the student has established a separate household or the family declares that the student has established a separate household.

*Full time students who attend school away from the home will be treated in the following manner:*

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of Voucher size.

## **Absences Due to Placement in Foster Care**

Children temporarily absent from the home as a result of placement in foster care are considered members of the family [24 CFR 5.403].

### SNRHA Policy

If a child has been placed in foster care, SNRHA will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member. ‘Permanently removed’ is defined as more than 365 calendar days.

## **Absent Head, Spouse, or Co-head**

### SNRHA Policy

An employed head, or co-head absent from the unit more than 180 consecutive calendar days due to employment will continue to be considered a family member. Spouse will be considered as part of the family and their income will count even if they are not in the unit “unless” the head of household certifies that the spouse is no longer in the unit or contributing to the family. Failure to notify staff in writing prior to the spouse returning to the unit or within 10 calendar days of receiving any contribution to the household shall result in termination of assistance.

SNRHA Certification of Marital status form, which certifies that the spouse is not a member of the household and will not reside in the assisted unit nor provide income to



the family living in the assisted unit shall be signed by the head of household as applicable. Signing this form shall result in termination of assistance if any statement are found to be untrue.

### **Family Members Permanently Confined for Medical Reasons**

If a family member is confined to a nursing home or hospital on a permanent basis, that person is no longer considered a family member and the income of that person is not counted [HCV GB, p. 5-22].

#### SNRHA Policy

SNRHA will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

When an individual who has been counted as a family member is determined permanently absent, the family is eligible for the medical expense deduction only if the remaining head, spouse, or co-head qualifies as an elderly person or a person with disabilities.

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, SNRHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in "less" than 180 consecutive calendar days, the family member will not be considered permanently absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with SNRHA's "Absence of Entire Family" policy.

### **Absence Due to Incarceration**

#### SNRHA Policy

If the sole member is incarcerated for more than 90 calendar days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for 90 calendar days.

SNRHA will determine if the reason for incarceration is for drug-related or violent criminal activity and, if so, will terminate assistance to the family (see Chapter 12: Denial and Termination of Assistance.)

### **Joint Custody of Dependents**

#### SNRHA Policy

Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or participant family 51 percent or more of



the time. Consideration may also be given to the person who receives the income for the care of the child.

When more than one applicant or participant family is claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. If there is a dispute about which family should claim them, SNRHA will make the determination based on available documents such as court orders.

## **Caretakers for a Child**

### SNRHA Policy

If neither a parent nor a designated guardian remains in a household receiving HCV assistance, SNRHA will take the following actions.

- (1) If a responsible agency has determined that another adult is to be brought into the assisted unit to care for a child for an indefinite period, the designated caretaker will not be considered a family member until a determination of custody or legal guardianship is made.
- (2) If a caretaker has assumed responsibility for a child without the involvement of a responsible agency or formal assignment of custody or legal guardianship, the caretaker will be treated as a visitor for 90 calendar days but not exceed 120 calendar days. After the time has elapsed, the caretaker will be considered a family member unless information is provided that would confirm that the caretaker's role is temporary. In such cases SNRHA will extend the caretaker's status as an eligible visitor.
- (3) At any time that custody or guardianship legally has been awarded to a caretaker, the housing choice voucher will be transferred to the caretaker.
- (4) During any period that a caretaker is considered a visitor, the income of the caretaker is not counted in annual income and the caretaker does not qualify the family for any deductions from income.

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, SNRHA will treat that adult as a visitor for the first 90 calendar days.

If, by the end of that period, court-awarded custody or legal guardianship has been awarded to the caretaker, the Voucher will be transferred to the caretaker.

If the appropriate agency cannot confirm the guardianship status of the caretaker, SNRHA will review the status at 30 calendar day intervals.

If custody or legal guardianship has not been awarded by the court, but the action is in process, SNRHA will secure verification from social services staff or the attorney as to the status.

If custody is awarded for a limited time in excess of stated period, SNRHA will state in writing that the transfer of the Voucher is for that limited time or as long as they have custody of the children. SNRHA will use discretion as deemed appropriate in determining any further assignment of the Voucher on behalf of the children.



The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made but this shall not exceed 120 calendar days.

SNRHA must receive court awarded guardianship or custody within 120 calendar days or must withdraw the assistance.

When SNRHA approves a person to reside in the unit as caretaker for the child(ren), the income should not be counted pending a final disposition. SNRHA will work with the appropriate service agencies and the landlord to provide a smooth transition in these cases.

### **Unauthorized Residents [24 CFR 551(h)(2)]**

Only household members listed on the HUD 50058 are permitted to reside in the assisted unit.

#### SNRHA Policy

Adults who reside in the assisted unit, for more than thirty (30) consecutive calendar days or for a minimum period of sixty (60) cumulative calendar days during a twelve (12) month period and are not listed on the HUD 50058 form, will be deemed unauthorized residents, unless SNRHA has provided prior approval and is in the process of said resident being evaluated for eligibility.

In those cases where SNRHA has reason to believe that the family has an unauthorized resident in the assisted unit, a family must demonstrate that the person is not an unauthorized resident by submitting at least one of the following:

1. A written notarized statement from the landlord
2. A legible copy of the person's current driver's license or State identification or vehicle registration which is current.
3. A lease in their name at another address shall be the most prudent choice of evidence.
4. Mail sent to the assisted unit may be considered as unauthorized occupancy.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, the individual will be considered an unauthorized member of the household and SNRHA will terminate assistance since prior approval was not requested for the addition.

### **Minors and College Students:**

#### SNRHA Policy

Minors and college students who were part of the family but who now live away from home during the school year **and** are no longer on the lease may visit for up to 90 days per year.

### **Reporting Absences to SNRHA**

#### SNRHA Policy

If a family member leaves the household, the family must report this change to SNRHA, in writing, within 10 calendar days of the change and certify as to whether the member is temporarily absent or permanently absent. Additionally, prior to the family leaving the



unit for more than 30 calendar days they must notify SNRHA in writing or other method as needed for a disabled person.

SNRHA will conduct an interim evaluation for changes which affect the Total Tenant Payment in accordance with the interim policy.

## **Temporary Guardianship**

### SNRHA Policy

SNRHA shall require participants who are requesting to add family members that are minors and who are not their children by birth, foster care, court awarded custody, or court awarded guardianship to sign SNRHA's form certifying they have the child(ren) parent's consent to care for the child full-time. The family must also provide proof of income for the care of the child such as TANF payment or other support, if any income is being received by an adult for the care of the child. The family member must be the payee. School record (if the child is of school age), must be provided to document the subsidized residence as the record of enrollment for the child(ren).

SNRHA shall verify through welfare and the district attorney's office any payments being made for children residing in its HCV subsidized units.

SNRHA will not accept temporary guardianship for the purpose of dependent deductions and/or occupancy subsidy.

SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

SNRHA shall not approve additions for any reason if it will result in overcrowding as defined in HUD regulations.

## **5.I.D. ANTICIPATING ANNUAL INCOME**

SNRHA is required to count all income "anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date" [24 CFR 5.609(a)(2)]. The exception to this will be for elderly and disabled families with "fixed non-waged income". Policies related to anticipating annual income are provided below.

### **Basis of Annual Income Projection**

SNRHA generally will use current circumstances to determine anticipated income for the coming 12-month period. HUD authorizes SNRHA to use other than current circumstances to anticipate income when:

- An imminent change in circumstances is expected [HCV GB, p. 5-17]
- It is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income) [24 CFR 5.609(d)]





- SNRHA believes that past income is the best available indicator of expected future income [24 CFR 5.609(d)]

#### SNRHA Policy

When SNRHA cannot readily anticipate income based upon current circumstances (e.g., in the case of seasonal employment, unstable working hours, or suspected fraud), SNRHA will review and analyze historical data for patterns of employment, paid benefits, and receipt of other income and use the results of this analysis to establish annual income. Anytime current circumstances are not used to project annual income, a clear rationale for the decision will be documented in the file. In all such cases the family may present information and documentation to SNRHA to show why the historic pattern does not represent the family's anticipated income. SNRHA shall also use pass fixed income (non-wages) for elderly or disabled clients along with EIV and any posted increases.

When Annual Income cannot be anticipated for a full twelve months, SNRHA may average known sources of income that vary to compute an annual income.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

#### **Using Enterprise Income Verification (EIV) to Project Income**

HUD requires the use of (EIV) verifications. EIV is "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 large number of individuals" [VG, p. 7]. This will be used for elderly and disabled families with "fixed non-wage income".

HUD allows SNRHA to use EIV information in conjunction with family-provided documents to anticipate income [EIV].

#### SNRHA Policy:

Whenever possible, SNRHA will use HUD's EIV system. When EIV is obtained and the family does not dispute the EIV employer data, SNRHA will use current tenant-provided documents to project annual income. When the tenant provided documents are pay stubs, SNRHA will make every effort to obtain the last four (4) consecutive pay stubs dated within the last 60 calendar days.

SNRHA will obtain written and/or oral third-party verification in accordance with the verification requirements and policy in Chapter 7 in the following cases:

If EIV or other UIV data is not available,

If the family disputes the accuracy of the EIV employer data, and/or

If SNRHA determines additional information is needed.

In such cases, SNRHA will review and analyze current data to anticipate annual income. In all cases, the family file will be documented with a clear record of the reason for the



decision, and a clear audit trail will be left as to how SNRHA annualized projected income.

### **Use of Historical Income Data**

When SNRHA cannot readily anticipate income (e.g., in cases of seasonal employment, unstable working hours, or suspected fraud), SNRHA will review historical income data for patterns of employment, paid benefits, and receipt of other income.

### ***MINIMUM INCOME – Zero Income Interims***

There is no minimum income requirement.

#### SNRHA Policy

Families who report zero income are required to complete a written certification every 180 calendar days that will be verified with all federal, state and local agencies and other sources, as appropriate, including credit checks, to verify income sources, and an interim will be submitted to MTCS.

Families that report zero income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, and other subsistence of expenses in writing. SNRHA will require a printout of utility bills for the past three (3) consecutive months to be submitted at interim evaluations for participants claiming zero income. The average for the last three months of utility bill payments over the amount of the family's Utility Reimbursement Payment will be averaged, and annualized. The results analyzed to determine the possibility of un-reported or under-reported income, shall be counted as income.

When the amounts indicate that the family has received monies from outside sources or that an outside source has paid the family's bills on their behalf, SNRHA will call the family into an interview to discuss how the family has made the payments. When it is discovered that an outside source has provided money to the family, or has paid the bills on the family's behalf, SNRHA will send third party verification to the providing party to determine whether the income is sporadic or recurring in order to determine whether the amount is to be included in the family's annual income. SNRHA will also verify no other income has been received via third party verification at the 180 calendar days interim examinations being sent to such agencies as the unemployment department, welfare, and child support, and will perform credit checks to identify reoccurring payments.

If the family's expenses exceed their known income, SNRHA will make inquiry of the head of household as to the nature of the family's resources and terminate the family for fraud, or offer a repayment agreement when documented evidence indicates the family has unreported income, which includes receiving funds from other parties or individuals that has not been reported. Failure to enter into a repayment agreement and pay the required 25% within the established guidelines shall result in the termination of the subsidy. Only two (2) repayment agreements will ever be approved for any one HCV household. The second cannot be approved unless the first has been paid in full.



Repeating this action after the 2<sup>nd</sup> violation of unreported income will result in termination from the HCV program.

### ***Known Changes in Income***

If SNRHA verifies an upcoming increase or decrease in income, annual income will be calculated by applying each income amount to the appropriate part of the 12-month period.

**Example:** An employer reports that a full-time employee who has been receiving \$6/hour will begin to receive \$6.25/hour in the eighth week after the effective date of the reexamination. In such a case the PHA would calculate annual income as follows:  $(\$6/\text{hour} \times 40 \text{ hours} \times 7 \text{ weeks}) + (\$6.25 \times 40 \text{ hours} \times 45 \text{ weeks})$ .

The family may present information that demonstrates that implementing a change before its effective date would create a hardship for the family. In such cases the PHA will calculate annual income using current circumstances and then require an interim reexamination when the change actually occurs. This requirement will be imposed even if SNRHA's policy in Chapter 11 does not require interim reexaminations for other types of changes.

## **5-I.E. EARNED INCOME**

### **Types of Earned Income Included in Annual Income**

#### ***Wages and Related Compensation***

The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services is included in annual income [24 CFR 5.609(b)(1)].

#### **SNRHA Policy**

When Annual Income cannot be anticipated for a full twelve months due to frequent job changes or irregular amounts of pay received, SNRHA shall average known sources of income that vary to compute an annual income. Typically, the most current quarter's amount of income will be used for averaging.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

#### ***Some Types of Military Pay***

All regular pay, special pay and allowances of a member of the Armed Forces are counted [24 CFR 5.609(b)(8)] except for the special pay to a family member serving in the Armed Forces who is exposed to hostile fire [24 CFR 5.609(c)(7)].



## ***CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS [24 CFR 5.603(d)]***

### **SNRHA Policy**

Contributions to company retirement/pension funds are handled as follows:

While an individual is employed, contributions will be counted as assets but limited to only amount the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

## **Types of Earned Income Not Counted in Annual Income**

### ***Temporary, Nonrecurring, or Sporadic Income [24 CFR 5.609(c)(9)]***

This type of income (including gifts) is not included in annual income.

### **SNRHA Policy**

Sporadic income is income that is received periodically and cannot be reliably predicted. For example, the income of an individual who works “occasionally” as a handyman would be considered sporadic if future work cannot be anticipated and no historic, stable pattern of income existed.

### ***Children’s Earnings***

Employment income earned by children (including foster children) under the age of 18 years of age is not included in annual income [24 CFR 5.609(c)(1)]. (See Eligibility chapter for a definition of *foster children*.)

### ***Certain Earned Income of Full-Time Students***

Earnings in excess of \$480 for each full-time student 18 years old or older (except for the head, spouse, or cohead) are not counted [24 CFR 5.609(c)(11)]. To be considered “full-time,” a student must be considered “full-time” by an educational institution with a degree or certificate program [HCV GB, p. 5-29].

## ***INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME [24 CFR 982.54(d) (10)]***

### **SNRHA Policy**

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, SNRHA will calculate the income by using the following methodology and use the income figure which would result in a lower payment by the family:

Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member after 180 calendar days or when doctor certification of length of absence is received, whichever comes first.



### ***Income of a Live-in Aide***

Income earned by a live-in aide, as defined in [24 CFR 5.403], is not included in annual income [24 CFR 5.609(c)(5)]. (See Eligibility chapter for a full discussion of live-in aides.)

### ***Income Earned under Certain Federal Programs***

Income from some federal programs is specifically excluded from consideration as income [24 CFR 5.609(c)(17)], including:

- Payments to volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
- Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b))
- Awards under the federal work-study program (20 U.S.C. 1087)
- Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
- Allowances, earnings, and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))
- Allowances, earnings, and payments to participants in programs funded under the Workforce Investment Act of 1998 (29 U.S.C. 2931)

### ***Resident Service Stipend***

Amounts received under a resident service stipend are not included in annual income. A resident service stipend is a modest amount (not to exceed \$200 per individual per month) received by a resident for performing a service for SNRHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of SNRHA's governing board. No resident may receive more than one such stipend during the same period of time [24 CFR 5.600(c)(8)(iv)].

### ***State and Local Employment Training Programs***

Incremental earnings and benefits to any family member resulting 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 are excluded from annual income. 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 training program [24 CFR 5.609(c)(8)(v)]. Effective July 2012, funding received under programs funded in whole or in part under the Job Training Partnership Act, which was repealed by Congress, but clarifies that the exclusion for allowance, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998 still applies to HUD programs.

#### **SNRHA Policy**

SNRHA defines *training program* as "a learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a



period of time. It is designed to lead to a higher level of proficiency, and it enhances the individual's ability to obtain employment. It may have performance standards to measure proficiency. Training may include, but is not limited to: (1) classroom training in a specific occupational skill, (2) on-the-job training with wages subsidized by the program, or (3) basic education" [expired Notice PIH 98-2, p. 3].

SNRHA defines *incremental earnings and benefits* as the difference between: (1) the total amount of welfare assistance and earnings of a family member prior to enrollment in a training program, and (2) the total amount of welfare assistance and earnings of the family member after enrollment in the program [expired Notice PIH 98-2, pp. 3-4].

In calculating the incremental difference, SNRHA will use as the pre-enrollment income the total annualized amount of the family member's welfare assistance and earnings reported on the family's most recently completed HUD-50058.

End of participation in a training program must be reported in accordance with SNRHA's interim reporting requirements.

### ***HUD-Funded Training Programs***

Amounts received under training programs funded in whole or in part by HUD [24 CFR 5.609(c)(8)(i)] are excluded from annual income. Eligible sources of funding for the training include operating subsidy, Section 8 administrative fees, and modernization, Community Development Block Grant (CDBG), HOME program, and other grant funds received from HUD.

#### SNRHA Policy

To qualify as a training program, the program must meet the definition of *training program* provided above for state and local employment training programs.

### ***Earned Income Tax Credit***

Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j)), are excluded from annual income [24 CFR 5.609(c)(17)]. Although many families receive the EITC annually when they file taxes, an EITC can also be received throughout the year. The prorated share of the annual EITC is included in the employee's payroll check.

### ***Earned Income Disallowance***

The earned income disallowance for persons with disabilities is discussed in section 5-I.E below.

## **5-I.F. EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES [24 CFR 5.617]**

The earned income disallowance (EID) encourages people with disabilities to enter the work force by not including the full value of increases in earned income for a period of time. The full text of 24 CFR 5.617 is included as Exhibit 5-4 at the end of this chapter. Eligibility criteria and limitations on the disallowance are summarized below.



## Eligibility

This disallowance applies only to individuals in families already participating in the HCV program (not at initial examination). To qualify, the family must experience an increase in annual income that is the result of one of the following events:

- Employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment. *Previously unemployed* includes a person who annually has earned not more than the minimum wage applicable to the community multiplied by 500 hours. The applicable minimum wage is the federal minimum wage unless there is a higher state or local minimum wage.
- Increased earnings by a family member who is a person with disabilities and whose earnings increase during participation in an economic self-sufficiency or job-training program. A self-sufficiency program includes a program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work to such families [24 CFR 5.603(b)].
- New employment or increased earnings by a family member who is a person with disabilities and who has received benefits or services under Temporary Assistance for Needy Families (TANF) or any other state program funded under Part A of Title IV of the Social Security Act within the past six months. If the benefits are received in the form of monthly maintenance, there is no minimum amount. If the benefits or services are received in a form other than monthly maintenance, such as one-time payments, wage subsidies, or transportation assistance, the total amount received over the six-month period must be at least \$500.

## Calculation of the Disallowance

Calculation of the earned income disallowance for an eligible member of a qualified family begins with a comparison of the member's current income with his or her "prior income."

### SNRHA Policy

SNRHA defines *prior income*, or *prequalifying income*, as the family member's last certified income prior to qualifying for the EID.

The family member's prior, or prequalifying, income remains constant throughout the period that he or she is receiving the EID.

## *Initial 12-Month Exclusion*

During the initial 12-month exclusion period, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded.

### SNRHA Policy

The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings whether the family reports the earnings or not.



### ***Second 12-Month Exclusion and Phase-In***

During the second 12-month exclusion period, the exclusion is reduced to half (50 percent) of any increase in income attributable to employment or increased earnings.

### ***Lifetime Limitation***

The EID has a two-year (-24 month) lifetime maximum. The two-year eligibility period begins at the same time the initial exclusion period begins and ends 24 months later. The one-time eligibility for the EID applies even if the eligible individual begins to receive assistance from another housing agency, if the individual moves between public housing and Section 8 assistance, or if there are breaks in assistance.

### **5-I.G. BUSINESS INCOME [24 CFR 5.609(b)(2)]**

Annual income includes “the net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family” [24 CFR 5.609(b)(2)].

#### **Business Expenses**

Net income is “gross income less business expense” [HCV GB, p. 5-19].

##### SNRHA Policy

To determine business expenses that may be deducted from gross income, the PHA will use current applicable Internal Revenue Service (IRS) rules for determining allowable business expenses [see IRS Publication 535], unless a topic is addressed by HUD regulations or guidance as described below.

#### **Business Expansion**

HUD regulations do not permit SNRHA to deduct from gross income expenses for business expansion.

##### SNRHA Policy

*Business expansion* is defined as any capital expenditures made to add new business activities, to expand current facilities, or to operate the business in additional locations. For example, purchase of a street sweeper by a construction business for the purpose of adding street cleaning to the services offered by the business would be considered a business expansion. Similarly, the purchase of a property by a hair care business to open at a second location would be considered a business expansion.

#### **Capital Indebtedness**

HUD regulations do not permit the PHA to deduct from gross income the amortization of capital indebtedness.

##### SNRHA Policy





*Capital indebtedness* is defined as the principal portion of the payment on a capital asset such as land, buildings, and machinery. This means SNRHA will allow as a business expense interest, but not principal, paid on capital indebtedness.

### **Negative Business Income**

If the net income from a business is negative, no business income will be included in annual income; a negative amount will not be used to offset other family income.

### **Withdrawal of Cash or Assets from a Business**

HUD regulations require SNRHA to include in annual income the withdrawal of cash or assets from the operation of a business or profession unless the withdrawal reimburses a family member for cash or assets invested in the business by the family.

#### SNRHA Policy

Acceptable investments in a business include cash loans and contributions of assets or equipment. For example, if a member of an assisted family provided an up-front loan of \$2,000 to help a business get started, SNRHA will not count as income any withdrawals from the business up to the amount of this loan until the loan has been repaid. Investments do not include the value of labor contributed to the business without compensation.

### **Co-owned Businesses**

#### SNRHA Policy

If a business is co-owned with someone outside the family, the family must document the share of the business it owns. If the family's share of the income is lower than its share of ownership, the family must document the reasons for the difference.

## **5-I.H. ASSETS [24 CFR 5.609(b)(3) and 24 CFR 5.603(b)]**

### **Overview**

There is no asset limitation for participation in the HCV program. However, HUD requires that SNRHA include in annual income the "interest, dividends, and other net income of any kind from real or personal property" [24 CFR 5.609(b)(3)]. This section discusses how the income from various types of assets is determined. For most types of assets, SNRHA must determine the value of the asset in order to compute income from the asset. Therefore, for each asset type, this section discusses:

- How the value of the asset will be determined
- How income from the asset will be calculated

Exhibit 5-1 provides the regulatory requirements for calculating income from assets [24 CFR 5.609(b)(3)], and Exhibit 5-3 provides the regulatory definition of *net family assets*. This section begins with a discussion of general policies related to assets and then provides HUD rules and PHA policies related to each type of asset.

### **General Policies**

#### ***Income from Assets***



SNRHA generally will use current circumstances to determine both the value of an asset and the anticipated income from the asset. As is true for all sources of income, HUD authorizes the PHA to use other than current circumstances to anticipate income when (1) an imminent change in circumstances is expected (2) it is not feasible to anticipate a level of income over 12 months or (3) the PHA believes that past income is the best indicator of anticipated income. For example, if a family member owns real property that typically receives rental income but the property is currently vacant, the PHA can take into consideration past rental income along with the prospects of obtaining a new tenant.

#### SNRHA Policy

Anytime current circumstances are not used to determine asset income, a clear rationale for the decision will be documented in the file. In such cases the family may present information and documentation to SNRHA to show why the asset income determination does not represent the family's anticipated asset income.

#### ***Valuing Assets***

The calculation of asset income sometimes requires the PHA to make a distinction between an asset's market value and its cash value.

- The market value of an asset is its worth (e.g., the amount a buyer would pay for real estate or the balance in an investment account).
- The cash value of an asset is its market value less all reasonable amounts that would be incurred when converting the asset to cash.

#### SNRHA Policy

Reasonable costs that would be incurred when disposing of an asset include, but are not limited to, penalties for premature withdrawal, broker and legal fees, and settlement costs incurred in real estate transactions [HCV GB, p. 5-28].

#### ***Assets Disposed of for Less Than Fair Market Value***

#### SNRHA Policy

SNRHA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. SNRHA will count the difference between the market value and the actual payment received in calculating total assets. Assets disposed of as a result of foreclosure or bankruptcies are not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of a divorce or separation are not considered to be assets disposed of for less than fair market value.

SNRHA's minimum threshold for counting assets disposed of for less than Fair Market value is \$1,000. If the total value of assets disposed of within a one-year period is less than \$1,000, they will not be considered an asset. Income from assets disposed of for less than Fair Market value will be imputed for two years from the date of divestiture.

#### ***Family Declaration***

#### SNRHA Policy

Families must sign a declaration form at initial certification and each annual recertification identifying all assets that have been disposed of for less than fair market



value or declaring that no assets have been disposed of for less than fair market value. SNRHA may verify the value of the assets disposed of if other information available to SNRHA does not appear to agree with the information reported by the family

### ***Lump-Sum Receipts 24 CFR 5.609***

Payments that are received in a single lump sum, such as inheritances, capital gains, lottery winnings, insurance settlements, and proceeds from the sale of property, are generally considered assets, not income. However, such lump-sum receipts are counted as assets only if they are retained by a family in a form recognizable as an asset (e.g., deposited in a savings or checking account) [RHIP FAQs]. (For a discussion of lump-sum payments that represent the delayed start of a periodic payment, most of which are counted as income, see sections 6-I.H and 6-I.I.)

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, are not included in income but may be included in assets.

Lump-sum payments caused by delays in processing periodic payments such as unemployment or welfare assistance are counted as income. Lump sum payments from Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments that have accumulated due to a dispute will be treated the same as periodic payments that are deferred due to delays in processing.

#### SNHRA Policy

To determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt, SNRHA will calculate retroactively.

### ***Retroactive Calculation Methodology***

#### SNHRA Policy

SNRHA will go back to the date the lump-sum payment was received but never further back than the date of admission.

SNRHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due SNRHA.

At SNRHA's option, SNRHA may enter into a Payment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

### ***Attorney Fees***

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.



### ***Imputing Income from Assets [24 CFR 5.609(b)(3)]***

When net family assets are \$5,000 or less, SNRHA will include in annual income the actual income anticipated to be derived from the assets. When the family has net family assets in excess of \$5,000, the PHA will include in annual income the greater of (1) the actual income derived from the assets or (2) the imputed income. Imputed income from assets is calculated by multiplying the total cash value of all family assets by the current HUD-established passbook savings rate.

### ***Determining Actual Anticipated Income from Assets***

It may or may not be necessary for the PHA to use the value of an asset to compute the actual anticipated income from the asset. When the value is required to compute the anticipated income from an asset, the market value of the asset is used. For example, if the asset is a property for which a family receives rental income, the anticipated income is determined by annualizing the actual monthly rental amount received for the property; it is not based on the property's market value. However, if the asset is a savings account, the anticipated income is determined by multiplying the market value of the account by the interest rate on the account.

### ***Withdrawal of Cash or Liquidation of Investments***

Any withdrawal of cash or assets from an investment will be included in income except to the extent that the withdrawal reimburses amounts invested by the family. For example, when a family member retires, the amount received by the family from a retirement plan is not counted as income until the family has received payments equal to the amount the family member deposited into the retirement fund.

### ***Jointly Owned Assets***

The regulation at 24 CFR 5.609(a)(4) specifies that annual income includes "amounts derived (during the 12-month period) from assets to which any member of the family has access."

#### **SNRHA Policy**

If an asset is owned by more than one person and any family member has unrestricted access to the asset, SNRHA will count the full value of the asset. A family member has unrestricted access to an asset when he or she can legally dispose of the asset without the consent of any of the other owners.

If an asset is owned by more than one person, including a family member, but the family member does not have unrestricted access to the asset, the PHA will prorate the asset according to the percentage of ownership. If no percentage is specified or provided for by state or local law, SNRHA will prorate the asset evenly among all owners.

## **Types of Assets**

### ***Checking and Savings Accounts***

For regular checking accounts and savings accounts, *cash value* has the same meaning as *market value*. If a checking account does not bear interest, the anticipated income from the account is zero.

#### **SNRHA Policy**



In determining the value of a checking account, SNRHA will use the current balance.

In determining the value of a savings account, SNRHA will use the current balance.

In determining the anticipated income from an interest-bearing checking or savings account, SNRHA will multiply the value of the account by the current actual rate of interest paid on the account.

In lieu of the calculation described above, SNRHA can use the actual amount received over the last calendar year in determining the anticipated amount of interest if it is anticipated that the average balance will remain constant (similar to the balance for the last twelve months).

### ***Investment Accounts Such as Stocks, Bonds, Saving Certificates, and Money Market Funds***

Interest or dividends earned by investment accounts are counted as actual income from assets even when the earnings are reinvested. The cash value of such an asset is determined by deducting from the market value any broker fees, penalties for early withdrawal, or other costs of converting the asset to cash.

#### SNRHA Policy

In determining the market value of an investment account, SNRHA will use the value of the account on the most recent investment report.

How anticipated income from an investment account will be calculated depends on whether the rate of return is known. For assets that are held in an investment account with a known rate of return (e.g., savings certificates), asset income will be calculated based on that known rate (market value multiplied by rate of earnings). When the anticipated rate of return is not known (e.g., stocks), SNRHA will calculate asset income based on the earnings for the most recent reporting period.

In lieu of the calculation described above, SNRHA can use the actual current received over the last calendar year in determining the anticipated amount of interest if it is anticipated that the average balance will remain constant (similar to the balance for the last twelve months).

### ***Equity in Real Property or Other Capital Investments***

Equity (cash value) in a property or other capital asset is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and reasonable costs (such as broker fees) that would be incurred in selling the asset [HCV GB, p. 5-25].

Equity in real property and other capital investments is considered in the calculation of asset income except for the following types of assets:

- Equity accounts in HUD homeownership programs [24 CFR 5.603(b)]
- The value of a home currently being purchased with assistance under the HCV program Homeownership Option for the first 10 years after the purchase date of the home [24 CFR 5.603(b)]
- Equity in owner-occupied cooperatives and manufactured homes in which the family lives [HCV GB, p. 5-25]



- Equity in real property when a family member's main occupation is real estate [HCV GB, p. 5-25]. This real estate is considered a business asset, and income related to this asset will be calculated as described in section 6-I.F.
- Interests in Indian Trust lands [24 CFR 5.603(b)]
- Real property and capital assets that are part of an active business or farming operation [HCV GB, p. 5-25]

A family may have real property as an asset in two ways: (1) owning the property itself and (2) holding a mortgage or deed of trust on the property. In the case of a property owned by a family member, the anticipated asset income generally will be in the form of rent or other payment for the use of the property. If the property generates no income, actual anticipated income from the asset will be zero.

In the case of a mortgage or deed of trust held by a family member, the outstanding balance (unpaid principal) is the cash value of the asset. The interest portion only of payments made to the family in accordance with the terms of the mortgage or deed of trust is counted as anticipated asset income.

#### SNRHA Policy

In the case of capital investments owned jointly with others not living in a family's unit, a prorated share of the property's cash value will be counted as an asset unless SNRHA determines that the family receives no income from the property and is unable to sell or otherwise convert the asset to cash.

#### ***Trusts***

A *trust* is a legal arrangement generally regulated by state law in which one party (the creator or grantor) transfers property to a second party (the trustee) who holds the property for the benefit of one or more third parties (the beneficiaries).

#### *Revocable Trusts*

If any member of a family has the right to withdraw the funds in a trust, the value of the trust is considered an asset [HCV GB, p. 5-25]. Any income earned as a result of investment of trust funds is counted as actual asset income, whether the income is paid to the family or deposited in the trust.

#### *Non-revocable Trusts*

In cases where a trust is not revocable by, or under the control of, any member of a family, the value of the trust fund is not considered an asset. However, any income distributed to the family from such a trust is counted as a periodic payment or a lump-sum receipt, as appropriate [24 CFR 5.603(b)]. (Periodic payments are covered in section 6-I.H. Lump-sum receipts are discussed earlier in this section.)

#### ***Retirement Accounts***

##### *Company Retirement/Pension Accounts*

In order to correctly include or exclude as an asset any amount held in a company retirement or pension account by an employed person, the PHA must know whether the money is accessible before retirement [HCV GB, p. 5-26].



While a family member is employed, only the amount the family member can withdraw without retiring or terminating employment is counted as an asset [HCV GB, p. 5-26].

After a family member retires or terminates employment, any amount distributed to the family member is counted as a periodic payment or a lump-sum receipt, as appropriate [HCV GB, p. 5-26], except to the extent that it represents funds invested in the account by the family member.

(For more on periodic payments, see section 6-I.H.) The balance in the account is counted as an asset only if it remains accessible to the family member.

#### *IRA, Keogh, and Similar Retirement Savings Accounts*

IRA, Keogh, and similar retirement savings accounts are counted as assets even though early withdrawal would result in a penalty [HCV GB, p. 5-25].

#### ***Personal Property***

Personal property held as an investment, such as gems, jewelry, coin collections, antique cars, etc., is considered an asset [HCV GB, p. 5-25].

##### SNRHA Policy

In determining the value of personal property held as an investment, the PHA will use the family's estimate of the value. SNRHA may obtain an appraisal to confirm the value of the asset. The family must cooperate with the appraiser, but cannot be charged any costs related to the appraisal.

Generally, personal property held as an investment generates no income until it is disposed of. If regular income is generated (e.g., income from renting the personal property), the amount that is expected to be earned in the coming year is counted as actual income from the asset.

Necessary items of personal property are not considered assets [24 CFR 5.603(b)].

##### SNRHA Policy

Necessary personal property consists of only those items not held as an investment, and may include clothing, furniture, household furnishings, jewelry, and vehicles, including those specially equipped for persons with disabilities.

#### ***Life Insurance***

The cash value of a life insurance policy available to a family member before death, such as a whole life or universal life policy, is included in the calculation of the value of the family's assets [HCV GB 5-25]. The cash value is the surrender value. If such a policy earns dividends or interest that the family could elect to receive, the anticipated amount of dividends or interest is counted as income from the asset whether or not the family actually receives it.

### **5-I.I. PERIODIC PAYMENTS**

Periodic payments are forms of income received on a regular basis. HUD regulations specify periodic payments that are and are not included in annual income.

#### **Periodic Payments Included in Annual Income**



- Periodic payments from sources such as social security, unemployment and welfare assistance, annuities, insurance policies, retirement funds, and pensions. However, periodic payments from retirement accounts, annuities, and similar forms of investments are counted only after they exceed the amount contributed by the family [24 CFR 5.609(b)(4) and (b)(3)].
- Disability or death benefits and lottery receipts paid periodically, rather than in a single lump sum [24 CFR 5.609(b)(4) and HCV, p. 5-14]

### **Lump-Sum Payments for the Delayed Start of a Periodic Payment**

Most lump sums received as a result of delays in processing periodic payments, such as unemployment or welfare assistance, are counted as income. However, lump-sum receipts for the delayed start of periodic social security or supplemental security income (SSI) payments are not counted as income [CFR 5.609(b)(4)].

#### SNRHA Policy

When a delayed-start payment is received and reported during the period in which SNRHA is processing an annual reexamination, SNRHA will adjust the family share and SNRHA subsidy retroactively for the period the payment was intended to cover. The family may pay in full any amount due or request to enter into a repayment agreement with SNRHA.

### **Periodic Payments Excluded from Annual Income**

- Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the assisted family, who are unable to live alone) [24 CFR 5.609(c)(2)]

#### SNRHA Policy

SNRHA will exclude payments for the care of foster children and foster adults only if the care is provided through an official arrangement with a local welfare agency [HCV GB, p. 5-18].

- 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 [24 CFR 5.609(c)(16)]
- Amounts received under the Low-Income Home Energy Assistance Program (42 U.S.C. 1626(c)) [24 CFR 5.609(c)(17)]
- Amounts received under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q) [24 CFR 5.609(c)(17)]
- Earned Income Tax Credit (EITC) refund payments (26 U.S.C. 32(j)) [24 CFR 5.609(c)(17)]. *Note:* EITC may be paid periodically if the family elects to receive the amount due as part of payroll payments from an employer.
- Lump sums received as a result of delays in processing Social Security and SSI payments (see section 6-I.J.) [24 CFR 5.609(b)(4)].

### **5-I.J. PAYMENTS IN LIEU OF EARNINGS**





Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay, are counted as income [24 CFR 5.609(b)(5)] if they are received either in the form of periodic payments or in the form of a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment. If they are received in a one-time lump sum (as a settlement, for instance), they are treated as lump-sum receipts [24 CFR 5.609(c)(3)]. (See also the discussion of periodic payments in section 5-I.H and the discussion of lump-sum receipts in section 5-I.G.)

## **5-I.K. WELFARE ASSISTANCE**

### **Overview**

Welfare assistance is counted in annual income. Welfare assistance includes Temporary Assistance for Needy Families (TANF) and any payments to individuals or families based on needs that are made under programs funded separately or jointly by federal, state, or local governments [24 CFR 5.603(b)].

### **Sanctions Resulting in the Reduction of Welfare Benefits [24 CFR 5.615]**

SNRHA must make a special calculation of annual income when the welfare agency imposes certain sanctions on certain families. The full text of the regulation at 24 CFR 5.615 is provided as Exhibit 5-5. The requirements are summarized below. This rule applies only if a family was receiving HCV assistance at the time the sanction was imposed.

#### ***Covered Families***

The families covered by 24 CFR 5.615 are those “who receive welfare assistance or other public assistance benefits ‘welfare benefits’ from a State or other public agency (‘welfare agency’) under a program for which Federal, State or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance” [24 CFR 5.615(b)].

#### ***Imputed Income***

When a welfare agency imposes a sanction that reduces a family's welfare income because the family commits fraud or fails to comply with the agency's economic self-sufficiency program or work activities requirement, SNRHA must include in annual income “imputed” welfare income. SNRHA must request that the welfare agency inform SNRHA when the benefits of an HCV participant family are reduced. The imputed income is the amount the family would have received if the family had not been sanctioned.

This requirement does not apply to reductions in welfare benefits: (1) at the expiration of the lifetime or other time limit on the payment of welfare benefits, (2) if a family member is unable to find employment even though the family member has complied with the welfare agency economic self-sufficiency or work activities requirements, or (3) because a family member has not complied with other welfare agency requirements [24 CFR 5.615(b)(2)].

#### ***Offsets***

The amount of the imputed income is offset by the amount of additional income the family begins to receive after the sanction is imposed. When the additional income equals or exceeds the imputed welfare income, the imputed income is reduced to zero [24 CFR 5.615(c)(4)].



## **5-I.L. PERIODIC AND DETERMINABLE ALLOWANCES [24 CFR 5.609(b)(7)]**

Annual income includes periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing with an assisted family.

### **Alimony and Child Support**

SNRHA must count alimony or child support amounts awarded as part of a divorce or separation agreement.

#### SNRHA Policy

SNRHA will count court-awarded amounts for alimony and child support unless SNRHA verifies that: (1) the payments are not being made, and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [HCV GB, pp. 5-23 and 5-47].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

Regular alimony and child support payments are counted as income for calculation of the family's share of the rental payment.

SNRHA will accept verification that the family is receiving an amount less than the award if:

SNRHA receives verification from the agency responsible for enforcement or collection.

The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

When child support or alimony fluctuates, SNRHA will follow the policy below.

#### SNRHA Policy

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

1. SNRHA shall add the total of all payments listed for the past twelve months. The total shall then be considered anticipated income.
2. When verification documents from the DA's office indicated no payment for more than 60 calendar days, no income will be anticipated from child support/alimony. Participants are required to report all changes within ten (10) calendar days in writing including when child support/alimony is not received and/or starts.
3. When a family first begins to receive child support/alimony or a new child/alimony support order is established, the amount of the ordered payment



will be annualized and included in annual income. The participant is required to report all changes in income within 10 calendar days in writing.

### **Regular Contributions or Gifts [24 CFR 5.609]**

SNRHA must count as income regular monetary and nonmonetary contributions or gifts from persons not residing with an assisted family [24 CFR 5.609(b)(7)]. Regular shall be defined as monetary and/or nonmonetary contributions or gifts provided to the family for two months or more. Temporary, nonrecurring, or sporadic income and gifts are not counted [24 CFR 5.609(c)(9)].

#### SNRHA Policy

Examples of regular contributions include: (1) regular payment of a family's bills (e.g., utilities, telephone, rent, credit cards, and car payments), (2) cash or other liquid assets provided to any family member on a regular basis, and (3) "in-kind" contributions such as groceries and clothing provided to a family on a regular basis.

Nonmonetary contributions will be valued at the cost of purchasing the items, as determined by SNRHA.

Any contribution or gift received for two consecutive months or more will be considered a "regular" contribution or gift. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. Sporadic income is defined as contributions of monetary gifts for less than 2 months within a calendar year and not made for two consecutive months. Additionally, sporadic income will be defined as earned income of less than 5 hours per month for no more than two consecutive months. (See Chapter 6 on "Verification Procedures" for further definition.)

If the family's expenses exceed its known income, SNRHA will question the family about contributions and gifts.

For contributions that may vary from month to month (e.g., utility payments), SNRHA will include an average amount based upon past history.

### **5-I.M. STUDENT FINANCIAL ASSISTANCE [24 CFR 5.609(b)(9)]**

In 2005, Congress passed a law (for section 8 programs only) requiring that certain student financial assistance be included in annual income. Prior to that, the full amount of student financial assistance was excluded. For some students, the full exclusion still applies.

#### **Student Financial Assistance Included in Annual Income [24 CFR 5.609(b)(9) and FR 4/10/06]**

The regulation requiring the inclusion of certain student financial assistance applies only to students who satisfy all of the following conditions:

- They are enrolled in an institution of higher education, as defined under the Higher Education Act (HEA) of 1965.



- They are seeking or receiving Section 8 assistance on their own—that is, apart from their parents—through the HCV program, , the project-based voucher program, or the moderate rehabilitation program.
- They are under 24 years of age **OR** they have no dependent children.

For students who satisfy these three (3) conditions, any financial assistance in excess of tuition received: (1) under the 1965 HEA, (2) from a private source, or (3) from an institution of higher education, as defined under the 1965 HEA, must be included in annual income.

To determine annual income in accordance with the above requirements, SNRHA will use the definitions of *dependent child*, *institution of higher education*, and *parents* in Section 3-II.E, along with the following definitions [FR 4/10/06, pp. 18148-18150]:

- *Assistance under the Higher Education Act of 1965* includes Pell Grants, Federal Supplement Educational Opportunity Grants, Academic Achievement Incentive Scholarships, State Assistance under the Leveraging Educational Assistance Partnership Program, the Robert G. Byrd Honors Scholarship Program, and Federal Work Study programs.
- *Assistance from private sources* means assistance from nongovernmental sources, including parents, guardians, and other persons not residing with the student in an HCV assisted unit.
- *Tuition* will have the meaning given this term by the institution of higher education in which the student is enrolled.

#### **Student Financial Assistance Excluded from Annual Income [24 CFR 5.609(c)(6)]**

Any student financial assistance not subject to inclusion under 24 CFR 5.609(b)(9) is fully excluded from annual income under 24 CFR 5.609(c)(6), whether it is paid directly to the student or to the educational institution the student is attending. This includes any financial assistance received by:

- Students residing with parents who are seeking or receiving Section 8 assistance.
- Students who are enrolled in an educational institution that does **not** meet the 1965 HEA definition of *institution of higher education*.
- Students who are over 23 **AND** have at least one dependent child, as defined in Section 3-II.E.
- Students who are receiving financial assistance through a governmental program not authorized under the 1965 HEA.

#### **5-I.N. ADDITIONAL EXCLUSIONS FROM ANNUAL INCOME**

Other exclusions contained in 24 CFR 5.609(c) that have not been discussed earlier in this chapter include the following:

- Reimbursement of medical expenses [24 CFR 5.609(c)(4)].



- Amounts received by participants in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred and which are made solely to allow participation in a specific program [24 CFR 5.609(c)(8)(iii)].
- 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) [(24 CFR 5.609(c)(8)(ii))].
- 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 [24 CFR 5.609(c)(10)].
- Adoption assistance payments in excess of \$480 per adopted child [24 CFR 5.609(c)(12)].
- Refunds or rebates on property taxes paid on the dwelling unit [24 CFR 5.609(c)(15)].
- 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 [24 CFR 5.609(c)(16)].
- Amounts specifically excluded by any other federal statute [24 CFR 5.609(c)(17)]. HUD publishes an updated list of these exclusions periodically. It includes:
  - (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b)).
  - (b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058).
  - (c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c)).
  - (d) Income derived from certain sub-marginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e).
  - (e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f)).
  - (f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b)) (Effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Act of 1998 (29 U.S.C. 2931)).
  - (g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-04).
  - (h) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408).
  - (i) Subject to the annual income inclusions for the HCV Program CFR 5.609(b) (9), the amount of scholarships funded under title IV of the Higher Education Act of 1965, including awards under the federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu).



- (j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f)).
- (k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent*-product liability litigation, M.D.L. No. 381 (E.D.N.Y.).
- (l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721).
- (m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q).
- (n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j)).
- (o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L.95-433).
- (p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d)).
- (q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran born with certain birth defects and children of certain Korean service veterans.(38 U.S.C. 1805).
- (r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602).
- (s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).
- (t) EID income exclusions as allowed within the regulations.
- (u) The Medicare incentive payments.
- (v) Kinship care payments
- (vi) Educational benefits through the Department of Veteran Affairs Vocational rehabilitation and employment division-Chapter 31 Program including books, tuition, supplies, and payments for Veterans.
- (w) Exclusion of Mandatory Education Fees from Income (per HUD's Final Rule dated March 8, 2016.)

Subject to the additional income inclusion for the HCV program on annual income for students of higher education, the full amount of student financial assistance paid directly to the student or to the educational institution [24 CFR 5.609(c)(6)], except that in accordance with Section 224 of the FY 2005 Appropriations Act, the portion of any athletic scholarship assistance available for housing costs must be included in annual income [PIH Notice 2005-16].

#### SNRHA Policy



Regular financial support from parents or guardians to students for food, clothing personal items, and entertainment **is not** considered tuition and is included **in** annual income.

## **PART II: ADJUSTED INCOME**

### **5-II.A. INTRODUCTION**

#### **Overview**

HUD regulations require SNRHA to deduct from annual income any of five mandatory deductions for which a family qualifies. The resulting amount is the family's adjusted income. Mandatory deductions are found in 24 CFR 5.611.

5.611(a) Mandatory deductions. In determining adjusted income, the responsible entity [PHA] must deduct the following amounts from annual income:

- (1) \$480 for each dependent;
- (2) \$400 for any elderly family or disabled family;
- (3) The sum of the following, to the extent the sum exceeds three percent of annual income:
  - (i) Unreimbursed medical expenses of any elderly family or disabled family;
  - (ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and
- (4) Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.

This part covers policies related to these mandatory deductions. Verification requirements related to these deductions are found in Chapter 6.

#### **Anticipating Expenses**

##### SNRHA Policy

Generally, SNRHA will use current circumstances to anticipate expenses. When possible, for costs that are expected to fluctuate during the year (e.g., child care during school and non-school periods and cyclical medical expenses), SNRHA will estimate costs based on historic data and known future costs.

If a family has an accumulated debt for medical or disability assistance expenses, SNRHA will include as an eligible expense the portion of the debt that the family expects to pay during the period for which the income determination is being made. However, amounts previously deducted will not be allowed even if the amounts were not paid as expected in a preceding period. SNRHA shall require the family to provide documentation of payments made in the preceding year.



### **5-II.B. DEPENDENT DEDUCTION**

A deduction of \$480 is taken for each dependent [24 CFR 5.611(a)(1)]. *Dependent* is defined as any family member other than the head, spouse, or co-head who is under the age of 18 or who is 18 or older and is a person with disabilities or a full-time student. Foster children, foster adults, and live-in aides are never considered dependents [24 CFR 5.603(b)].

### **5-II.C. ELDERLY OR DISABLED FAMILY DEDUCTION**

A single deduction of \$400 is taken for any elderly or disabled family [24 CFR 5.611(a)(2)]. An *elderly family* is a family whose head, spouse, co-head, or sole member is 62 years of age or older, and a *disabled family* is a family whose head, spouse, co-head, or sole member is a person with disabilities [24 CFR 5.403].

### **5-II.D. MEDICAL EXPENSES DEDUCTION [24 CFR 5.611(a)(3)(i)]**

Unreimbursed medical expenses may be deducted to the extent that, in combination with any disability assistance expenses, they exceed three percent of annual income.

The medical expense deduction is permitted only for families in which the head, spouse, or co-head is at least 62 or is a person with disabilities. If a family is eligible for a medical expense deduction, the medical expenses of all family members are counted [VG, p. 28].

#### **Definition of *Medical Expenses***

HUD regulations define *medical expenses* at 24 CFR 5.603(b) to mean “medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance.”

#### SNRHA Policy

The most current IRS Publication 502, *Medical and Dental Expenses*, will be used to determine the costs that qualify as medical expenses.





| <b>Summary of Allowable Medical Expenses from IRS Publication 502</b>                                                                                                                                                                                       |                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Services of medical professionals                                                                                                                                                                                                                           | Substance abuse treatment programs                                                                                                              |
| Surgery and medical procedures that are necessary, legal, noncosmetic                                                                                                                                                                                       | Psychiatric treatment                                                                                                                           |
| Services of medical facilities                                                                                                                                                                                                                              | Ambulance services and some costs of transportation related to medical expenses                                                                 |
| Hospitalization, long-term care, and in-home nursing services                                                                                                                                                                                               | The cost and care of necessary equipment related to a medical condition (e.g., eyeglasses/lenses, hearing aids, crutches, and artificial teeth) |
| Prescription medicines and insulin                                                                                                                                                                                                                          | Cost and continuing care of necessary service animals                                                                                           |
| Improvements to housing directly related to medical needs (e.g., ramps for a wheel chair, handrails)                                                                                                                                                        | Medical insurance premiums or the cost of a health maintenance organization (HMO)                                                               |
| <p><b>Note:</b> This chart provides a summary of eligible medical expenses only. Detailed information is provided in IRS Publication 502. Medical expenses are considered only to the extent they are not reimbursed by insurance or some other source.</p> |                                                                                                                                                 |

***MEDICAL EXPENSES [24 CFR 5.609(a) (2), 5.603]***

SNRHA Policy

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

**Nonprescription medicines must be doctor-recommended in order to be considered medical expenses.**

Nonprescription medicines will be counted toward medical expenses for families who qualify if the family furnishes legible receipts and staff must attempt to get third party verification from a doctor or professional service provider.

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses.

**5-II.E. DISABILITY ASSISTANCE EXPENSES DEDUCTION [24 CFR 5.603(b) and 24 CFR 5.611(a)(3)(ii)]**

Reasonable expenses for attendant care and auxiliary apparatus for a disabled family member may be deducted if they: (1) are necessary to enable a family member 18 years or older to work, (2) are not paid to a family member or reimbursed by an outside source, (3) in combination with any medical expenses, exceed three percent of annual income, and (4) do not exceed the earned income received by the family member who is enabled to work.

**Earned Income Limit on the Disability Assistance Expense Deduction**

A family can qualify for the disability assistance expense deduction only if at least one family member (who may be the person with disabilities) is enabled to work [24 CFR 5.603(b)].

The disability expense deduction is capped by the amount of “earned income received by family members who are 18 years of age or older and who are able to work” because of the expense [24 CFR 5.611(a)(3)(ii)]. The earned income used for this purpose is the amount verified before any earned income disallowances or income exclusions are applied.



### SNRHA Policy

The family must identify the family members enabled to work as a result of the disability assistance expenses. In evaluating the family's request, SNRHA will consider factors such as how the work schedule of the relevant family members relates to the hours of care provided, the time required for transportation, the relationship of the family members to the person with disabilities, and any special needs of the person with disabilities that might determine which family members are enabled to work.

When SNRHA determines that the disability assistance expenses enable more than one family member to work, the expenses will be capped by the sum of the family members' incomes.

### **Eligible Disability Expenses**

Examples of auxiliary apparatus are provided in the *HCV Guidebook* as follows: "Auxiliary apparatus are items such as wheelchairs, ramps, adaptations to vehicles, or special equipment to enable a blind person to read or type, but only if these items are directly related to permitting the disabled person or other family member to work" [HCV GB, p. 5-30].

HUD advises PHAs to further define and describe auxiliary apparatus [VG, p. 30].

### ***Eligible Auxiliary Apparatus***

#### SNRHA Policy

Expenses incurred for maintaining or repairing an auxiliary apparatus are eligible. In the case of an apparatus that is specially adapted to accommodate a person with disabilities (e.g., a vehicle or computer), the cost to maintain the special adaptations (but not maintenance of the apparatus itself) is an eligible expense. The cost of service animals trained to give assistance to persons with disabilities, including the cost of acquiring the animal, veterinary care, food, grooming, and other continuing costs of care, will be included.

### ***Eligible Attendant Care***

The family determines the type of attendant care that is appropriate for the person with disabilities.

#### SNRHA Policy

Attendant care includes, but is not limited to, reasonable costs for home medical care, nursing services, in-home or center-based care services, interpreters for persons with hearing impairments, and readers for persons with visual disabilities.

Attendant care expenses will be included for the period that the person enabled to work is employed plus reasonable transportation time. The cost of general housekeeping and personal services is not an eligible attendant care expense. However, if the person enabled to work is the person with disabilities, personal services necessary to enable the person with disabilities to work are eligible.

If the care attendant also provides other services to the family, SNRHA will prorate the cost and allow only that portion of the expenses attributable to attendant care that enables a family member to work. For example, if the care provider also cares for a child who is



not the person with disabilities, the cost of care must be prorated. Unless otherwise specified by the care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

### ***Payments to Family Members***

No disability assistance expenses may be deducted for payments to a member of an assisted family [24 CFR 5.603(b)]. However, expenses paid to a relative who is not a member of the assisted family may be deducted if they are not reimbursed by an outside source.

### **Necessary and Reasonable Expenses**

The family determines the type of care or auxiliary apparatus to be provided and must describe how the expenses enable a family member to work. The family must certify that the disability assistance expenses are necessary and are not paid or reimbursed by any other source.

#### SNRHA Policy

SNRHA determines the reasonableness of the expenses based on typical costs of care or apparatus in the locality. To establish typical costs, SNRHA will collect information from organizations that provide services and support to persons with disabilities. A family may present, and the PHA will consider, the family's justification for costs that exceed typical costs in the area.

### **Families That Qualify for Both Medical and Disability Assistance Expenses**

#### SNRHA Policy

This policy applies only to families in which the head or spouse is 62 or older or is a person with disabilities or when a family also includes a person with disabilities that qualifies for a disability expense.

When expenses anticipated by a family could be defined as either medical or disability assistance expenses, SNRHA will consider them medical expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

### **5-II.F. CHILD CARE EXPENSE DEDUCTION**

HUD defines *child care expenses* at 24 CFR 5.603(b) as “amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.”

#### **Clarifying the Meaning of *Child* for This Deduction**

Child care expenses do not include child support payments made to another on behalf of a minor who is not living in an assisted family's household [VG, p. 26]. However, child care expenses for foster children that are living in the assisted family's household, are included when determining the family's child care expenses [HCV GB, p. 5-29].



## **Qualifying for the Deduction**

### ***Determining Who Is Enabled to Pursue an Eligible Activity***

#### SNRHA Policy

The family must identify the family member(s) enabled to pursue an eligible activity. The term *eligible activity* in this section means any of the activities that may make the family eligible for a child care deduction (seeking work, pursuing an education, or being gainfully employed).

In evaluating the family's request, SNRHA will consider factors such as how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### ***Seeking Work***

#### SNRHA Policy

If the child care expense being claimed is to enable a family member to seek employment, the family must provide evidence of the family member's efforts to obtain employment at each reexamination. The deduction may be reduced or denied if the family member's job search efforts are not commensurate with the child care expense being allowed by SNRHA.

To qualify for childcare deductions under the provision of actively seeking employment, the family member may be a participant in an official job search program or may simply demonstrate independent job search activities. In either case, in order to verify the time spent in seeking employment, SNRHA will require the family to maintain a log that reflects the following:

- The date and time of departure from home, (including time needed to drop off children for childcare, if provided outside the home);

- The name and location of the prospective employer, unemployment office or employment agency;

- The name of the person(s) contacted and telephone number;

- The length of time for completion of the application, the interview, testing or other job search activity;

- The time the children are picked up and the time arrived at home;

- The name, address, telephone number and social security number of the childcare provider; and

- The total amount paid for the childcare.

If multiple applications or interviews are held consecutively or on the same day, the above information should be provided for each prospective employer or agency. SNRHA will use this information to verify the contacts and the eligibility of childcare expenses. Since job search activities may be irregular and not easily anticipated, SNRHA may



attempt a limited inclusion at the annual certification and conduct an interim examination after some actual expenditures have been incurred. In many instances, job search periods will be of limited duration, but in some cases the job search period may be extended, especially if the type of employment sought is limited in availability, employment opportunities of any kind are scarce or the job skills needed are unusual.

### ***Furthering Education***

#### SNRHA Policy

If the child care expense being claimed is to enable a family member to further his or her education, the member must be enrolled in school (academic or vocational) or participating in a formal training program. The family member is not required to be a full-time student, but the time spent in educational activities must be commensurate with the child care claimed.

### ***Being Gainfully Employed***

#### SNRHA Policy

If the child care expense being claimed is to enable a family member to be gainfully employed, the family must provide evidence of the family member's employment during the time that child care is being provided. Gainful employment is any legal work activity (full- or part-time) for which a family member is compensated. Childcare will be capped by the amount of earned income of the individual that is freed to work. In the case of EID, the cap for the amount of earned income will be the amount after the EID is applied for the individual that is freed to work.

### **Earned Income Limit on Child Care Expense Deduction**

When a family member looks for work or furthers his or her education, there is no cap on the amount that may be deducted for child care – although the care must still be necessary and reasonable, as defined by SNRHA's survey results. SNRHA shall not deduct unreasonable childcare expenses. However, when child care enables a family member to work, the deduction is capped by "the amount of employment income that is included in annual income" [24 CFR 5.603(b)].

The earned income used for this purpose is the amount of earned income verified after any earned income disallowances or income exclusions are applied.

When the person who is enabled to work is a person with disabilities who receives the earned income disallowance (EID) or a full-time student whose earned income above \$480 is excluded, child care costs related to enabling a family member to work may not exceed the portion of the person's earned income that actually is included in annual income. For example, if a family member who qualifies for the EID makes \$15,000 but because of the EID only \$5,000 is included in annual income, child care expenses are limited to \$5,000.

SNRHA must not limit the deduction to the least expensive type of child care. If the care allows the family to pursue more than one eligible activity, including work, the cap is calculated in proportion to the amount of time spent working [HCV GB, p. 5-30].



## SNRHA Policy

When the child care expense being claimed is to enable a family member to work, only one family member's income will be considered for a given period of time. When more than one family member works during a given period, the PHA generally will limit allowable child care expenses to the earned income of the lowest-paid member. The family may provide information that supports a request to designate another family member as the person enabled to work. However, the child care provider must be 18 years of age for the expense to be considered as eligible.

### **Eligible Child Care Expenses**

The type of care to be provided is determined by the assisted family. SNRHA may not refuse to give a family the child care expense deduction because there is an adult family member in the household that may be available to provide child care [VG, p. 26].

### ***Allowable Child Care Activities***

#### SNRHA Policy

For school-age children, costs attributable to public or private school activities during standard school hours are not considered. Expenses incurred for supervised activities after school or during school holidays (e.g., summer day camp, after-school sports league) are allowable forms of child care.

The costs of general housekeeping and personal services are not eligible. Likewise, child care expenses paid to a family member who lives in the family's unit are not eligible; however, payments for child care to relatives who do not live in the unit are eligible.

If a child care provider also renders other services to a family or child care is used to enable a family member to conduct activities that are not eligible for consideration, SNRHA will prorate the costs and allow only that portion of the expenses that is attributable to child care for eligible activities. For example, if the care provider also cares for a child with disabilities who is 13 or older, the cost of care will be prorated. Unless otherwise specified by the child care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

### ***Necessary and Reasonable Costs***

Child care expenses will be considered necessary if: (1) a family adequately explains how the care enables a family member to work, actively seek employment, or further his or her education, and (2) the family certifies, and the child care provider verifies, that the expenses are not paid or reimbursed by any other source.

#### SNRHA Policy

Child care expenses will be considered for the time required for the eligible activity plus reasonable transportation time. For child care that enables a family member to go to school, the time allowed may include not more than one study hour for each hour spent in class.

Unreimbursed child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment.



In the case of a child attending private school, only after-hours care can be counted as a child care expense.

Allowability of deductions for child care expenses is based on the following guidelines:

**Child care to work:** The maximum child care expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working, except as noted above.

**Child care for school:** The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school. Reasonable time shall be defined as a maximum of 1 hour each way.

**Amount of Expense:** To establish the reasonableness of child care costs, SNRHA will use the schedule of child care costs from the local welfare agency and survey local providers annually to determine reasonable expenses for child care. Families may present, and SNRHA will consider, justification for costs that exceed typical costs in the area.

### **PART III: CALCULATING FAMILY SHARE AND SNRHA SUBSIDY**

#### **5-III.A. OVERVIEW OF RENT AND SUBSIDY CALCULATIONS**

##### **TTP Formula [24 CFR 5.628]**

HUD regulations specify the formula for calculating the total tenant payment (TTP) for an assisted family. TTP is the highest of the following amounts, rounded to the nearest dollar:

- 30 percent of the family's monthly adjusted income (adjusted income is defined in Part II)
- 10 percent of the family's monthly gross income (annual income, as defined in Part I, divided by 12)
- The welfare rent (in as-paid states only)
- A minimum rent between \$0 and \$50 that is established by the PHA

SNRHA has authority to suspend and exempt families from minimum rent when a financial hardship exists, as defined in section 5-III.B.

The amount that a family pays for rent and utilities (the family share) will never be less than the family's TTP but may be greater than the TTP depending on the rent charged for the unit the family selects.

##### ***Welfare Rent [24 CFR 5.628]***

###### SNRHA Policy

Welfare rent does not apply in this locality.

##### ***Minimum Rent [24 CFR 5.630]***

###### SNRHA Policy

The minimum rent for this locality is \$50.



### **Family Share [24 CFR 982.305(a)(5)]**

If a family chooses a unit with a gross rent (rent to owner plus an allowance for tenant-paid utilities) that exceeds SNRHA's applicable payment standard: (1) the family will pay more than the TTP, and (2) at initial occupancy SNRHA may not approve the tenancy if it would require the family share to exceed 40 percent of the family's monthly adjusted income. The income used for this determination must have been verified no earlier than 60 calendar days before the family's voucher was issued. (For a discussion of the application of payment standards, see section 6-III.C.)

### **SNRHA Subsidy [24 CFR 982.505(b)]**

SNRHA will pay a monthly housing assistance payment (HAP) for a family that is equal to the lower of (1) the applicable payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP. (For a discussion of the application of payment standards, see Section 5-III.C)

### **Utility Reimbursement [24 CFR 982.514(b)]**

When SNRHA subsidy for a family exceeds the rent to owner, the family is due a utility reimbursement. HUD permits the PHA to pay the reimbursement to the family or directly to the utility provider.

#### SNRHA Policy

SNRHA will make utility reimbursements to the family.

According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," the PHA may elect to establish policies regarding the frequency of Utility Reimbursement Payments (URP) for payments made to the family,

1. The PHA will have the option of making URPs not less than each calendar-year quarter for reimbursements. In the event a family leaves the program in advance of its next quarterly reimbursement, the PHA would be required to reimburse the family for a prorated share of the applicable reimbursement. PHAs exercising this option must have a hardship policy in place for participants.
2. If the PHA elects to pay the utility supplier directly, the PHA must notify the family of the amount paid to the utility supplier.

At this time, SNRHA will continue issuing monthly checks for utility reimbursement.

### **5-III.B. FINANCIAL HARDSHIPS AFFECTING MINIMUM RENT [24 CFR 5.630]**

#### **Overview**

If SNRHA establishes a minimum rent greater than zero, SNRHA must grant an exemption from the minimum rent if a family is unable to pay the minimum rent because of financial hardship.

The financial hardship exemption applies only to families required to pay the minimum rent. If a family's TTP is higher than the minimum rent, the family is not eligible for a hardship exemption. If SNRHA determines that a hardship exists, the family share is the highest of the remaining components of the family's calculated TTP.





## **HUD-Defined Financial Hardship**

Financial hardship includes the following situations:

- (1) The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program. This includes a family member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996.

### SNRHA Policy

A hardship will be considered to exist only if the loss of eligibility has an impact on the family's ability to pay the minimum rent.

For a family waiting for a determination of eligibility, the hardship period will end as of the first of the month following: (1) implementation of assistance, if approved, or (2) the decision to deny assistance. A family whose request for assistance is denied may request a hardship exemption based upon one of the other allowable hardship circumstances.

- (2) The family would be evicted because it is unable to pay the minimum rent.

### SNRHA Policy

For a family to qualify under this provision, the cause of the potential eviction must be the family's failure to pay rent to the owner or tenant-paid utilities.

- (3) Family income has decreased because of changed family circumstances, including the loss of employment.
- (4) A death has occurred in the family.

### SNRHA Policy

In order to qualify under this provision, a family must describe how the death has created a financial hardship (e.g., because of funeral-related expenses or the loss of the family member's income).

- (5) The family has experienced other circumstances determined by SNRHA.

### SNRHA Policy

SNRHA has not established any additional hardship criteria.

## **Implementation of Hardship – Exemption**

### ***Determination of Hardship***

When a family requests a financial hardship exemption, SNRHA must suspend the minimum rent requirement beginning the first of the month following the family's request.

SNRHA then determines whether the financial hardship exists and whether the hardship is temporary or long-term.

### SNRHA Policy

SNRHA defines temporary hardship as a hardship expected to last 90 calendar days or less. Long-term hardship is defined as a hardship expected to last more than 90 calendar days.



When the minimum rent is suspended, the family share reverts to the highest of the remaining components of the calculated TTP. The example below demonstrates the effect of the minimum rent exemption.

| <b>Example: Impact of Minimum Rent Exemption</b>       |                                |                                     |                                |
|--------------------------------------------------------|--------------------------------|-------------------------------------|--------------------------------|
| Assume the PHA has established a minimum rent of \$35. |                                |                                     |                                |
| <b>Family Share – No Hardship</b>                      |                                | <b>Family Share – With Hardship</b> |                                |
| \$0                                                    | 30% of monthly adjusted income | \$0                                 | 30% of monthly adjusted income |
| \$15                                                   | 10% of monthly gross income    | \$15                                | 10% of monthly gross income    |
| N/A                                                    | Welfare rent                   | N/A                                 | Welfare rent                   |
| \$35                                                   | Minimum rent                   | \$35                                | Minimum rent                   |
| Minimum rent applies.                                  |                                | Hardship exemption granted.         |                                |
| TTP = \$35                                             |                                | TTP = \$15                          |                                |

SNRHA Policy

To qualify for a hardship exemption, a family must submit a request for a hardship exemption in writing. The request must explain the nature of the hardship and how the hardship has affected the family’s ability to pay the minimum rent.

SNRHA will make the determination of hardship within 30 calendar days.

***No Financial Hardship***

If SNRHA determines there is no financial hardship, SNRHA will reinstate the minimum rent and require the family to repay the amounts suspended.

SNRHA Policy

SNRHA will require the family to repay the suspended amount within 30 calendar days of SNRHA’s notice that a hardship exemption has not been granted.

***Temporary Hardship***

If SNRHA determines that a qualifying financial hardship is temporary, SNRHA must suspend the minimum rent for the 90 calendar day period beginning the first of the month following the date of the family’s request for a hardship exemption.

At the end of the 90 calendar day suspension period, the family must resume payment of the minimum rent and must repay SNRHA the amounts suspended. HUD requires SNRHA to offer a reasonable repayment agreement, on terms and conditions established by SNRHA. SNRHA also may determine that circumstances have changed and the hardship is now a long-term hardship.

SNRHA Policy

SNRHA will enter into a repayment agreement in accordance with the procedures found in Chapter 14 of this plan.

***Long-Term Hardship***

If SNRHA determines that the financial hardship is long-term, SNRHA must exempt the family from the minimum rent requirement for so long as the hardship continues. The exemption will apply from the first of the month following the family’s request until the end of the qualifying



hardship. When the financial hardship has been determined to be long-term, the family is not required to repay the minimum rent.

### SNRHA Policy

The hardship period ends when any of the following circumstances apply:

- (1) At an interim or annual reexamination, the family's calculated TTP is greater than the minimum rent.
- (2) For hardship conditions based on loss of income, the hardship condition will continue to be recognized until new sources of income are received that are at least equal to the amount lost. For example, if a hardship is approved because a family no longer receives a \$60/month child support payment, the hardship will continue to exist until the family receives at least \$60/month in income from another source or once again begins to receive the child support.
- (3)

## **5-III.C. APPLYING PAYMENT STANDARDS [24 CFR 982.505]**

### **Overview**

SNRHA's schedule of payment standards is used to calculate housing assistance payments for HCV families. This section covers the application of SNRHA's payment standards. The establishment and revision of SNRHA's payment standard schedule are covered in Chapter 16.

*Payment standard* is defined as "the maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family)" [24 CFR 982.4(b)].

The payment standard for a family is the lower of (1) the payment standard for the family unit size, which is defined as the appropriate number of bedrooms for the family under SNRHA's subsidy standards [24 CFR 982.4(b)], or (2) the payment standard for the size of the dwelling unit rented by the family.

If SNRHA has established an exception payment standard for a designated part of an FMR area and a family's unit is located in the exception area, SNRHA must use the appropriate payment standard for the exception area.

SNRHA is required to pay a monthly housing assistance payment (HAP) for a family that is the lower of (1) the payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP.

If during the term of the HAP contract for a family's unit, the owner lowers the rent, SNRHA will recalculate the HAP using the lower of the initial payment standard or the gross rent for the unit [HCV GB, p. 7-8].

### **Changes in Payment Standards**

When SNRHA revises its payment standards during the term of the HAP contract for a family's unit, it will apply the new payment standards in accordance with HUD regulations.

### ***Decreases***



If the amount on the payment standard schedule is decreased during the term of the HAP contract, the lower payment standard generally will be used beginning at the effective date of the family's second regular reexamination following the effective date of the decrease in the payment standard. SNRHA will determine the payment standard for the family as follows:

**Step 1:** At the first regular reexamination following the decrease in the payment standard, SNRHA will determine the payment standard for the family using the lower of the payment standard for the family unit size or the size of the dwelling unit rented by the family.

**Step 2:** SNRHA will compare the payment standard from step 1 to the payment standard last used to calculate the monthly housing assistance payment for the family. The payment standard used by SNRHA at the first regular reexamination following the decrease in the payment standard will be the higher of these two payment standards. SNRHA will advise the family that the application of the lower payment standard will be deferred until the second regular reexamination following the effective date of the decrease in the payment standard.

**Step 3:** At the second regular reexamination following the decrease in the payment standard, the lower payment standard will be used to calculate the monthly housing assistance payment for the family unless SNRHA has subsequently increased the payment standard, in which case the payment standard will be determined in accordance with procedures for increases in payment standards described below.

### ***Increases***

If the payment standard is increased during the term of the HAP contract, the increased payment standard will be used to calculate the monthly housing assistance payment for the family beginning on the effective date of the family's first regular reexamination on or after the effective date of the increase in the payment standard.

Families requiring or requesting interim reexaminations will not have their HAP payments calculated using the higher payment standard until their next annual reexamination [HCV GB, p. 7-8].

### ***Changes in Family Unit Size***

Irrespective of any increase or decrease in the payment standard, if the family unit size increases or decreases during the HAP contract term, the new family unit size must be used to determine the payment standard for the family beginning at the family's first regular reexamination following the change in family unit size.

### ***Reasonable Accommodation***

If a family requires a higher payment standard as a reasonable accommodation for a family member who is a person with disabilities, SNRHA is allowed to establish a higher payment standard for the family within the basic range (90-110 percent). Over the basic range, SNRHA will seek HUD's approval.

## **5-III.D. APPLYING UTILITY ALLOWANCES [24 CFR 982.517]**

### **Overview**

SNRHA established utility allowance schedule is used in determining the family's share and SNRHA subsidy. SNRHA must use the appropriate utility allowance for the size of dwelling unit



actually leased by a family rather than the voucher unit size for which the family qualifies using SNRHA subsidy standards.

### **Reasonable Accommodation**

HCV program regulations require SNRHA to approve a utility allowance amount higher than shown on SNRHA's schedule if a higher allowance is needed as a reasonable accommodation for a family member with a disability. For example, if a family member with a disability requires such an accommodation, SNRHA will approve an allowance for air-conditioning, even if SNRHA has determined that an allowance for air-conditioning generally is not needed.

The family must request the higher allowance and provide SNRHA with an explanation of the need for the reasonable accommodation and information about the amount of additional allowance required [HCV GB, p. 18-8].

### **Utility Allowance Revisions**

At reexamination, SNRHA must use SNRHA current utility allowance schedule [24 CFR 982.517(d)(2)].

#### SNRHA Policy

Revised utility allowances will be applied to a family's rent and subsidy calculations at the first annual reexamination that is effective after the allowance is adopted.

### **5-III.E. PRORATED ASSISTANCE FOR MIXED FAMILIES [24 CFR 5.520]**

HUD regulations prohibit assistance to ineligible family members. A *mixed family* is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. SNRHA must prorate the assistance provided to a mixed family. SNRHA will first determine assistance as if all family members were eligible and then prorate the assistance based upon the percentage of family members that actually are eligible. For example, if SNRHA subsidy for a family is calculated at \$500 and two of four family members are ineligible, SNRHA subsidy would be reduced to \$250.



## EXHIBIT 5-1: ANNUAL INCOME INCLUSIONS [24 CFR 5.609]

*(a) Annual income means all amounts, monetary or not, which:*

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
- (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- (3) Which are not specifically excluded in paragraph (c) of this section.
- (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

*(b) Annual income includes, but is not limited to:*

- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
- (2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
- (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in

paragraph (b) (2) of this section. Any withdrawal of cash or assets from an investment will be 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 shall include 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;

(4) 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 (except as provided in paragraph (c)(14) of this section);

(5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);

(6) Welfare assistance payments.

(i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:

(A) Qualify as assistance under the TANF program definition at 45 CFR 260.31<sup>1</sup>; and

(B) Are not otherwise excluded under paragraph (c) of this section.

(ii) 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

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<sup>1</sup> Text of 45 CFR 260.31 follows.



amount of welfare assistance income to be included as income shall consist 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 paragraph shall be the amount resulting from one application of the percentage.

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section)

(9) For section 8 programs only and as provided in 24 CFR 5.612, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph, "financial assistance" does not include loan proceeds for the purpose of determining income.

**HHS DEFINITION OF "ASSISTANCE"**

**45 CFR: GENERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES**

**260.31 What does the term "assistance" mean?**

(a)(1) The term "assistance" includes cash, payments, vouchers, and other forms of benefits designed to meet a family's ongoing basic needs (i.e., for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).

(2) It includes such benefits even when they are:

(i) Provided in the form of payments by a TANF agency, or other agency on its behalf, to individual recipients; and

(ii) Conditioned on participation in work experience or community service (or any other work activity under 261.30 of this chapter).

(3) Except where excluded under paragraph (b) of this section, it also includes supportive services such as transportation and child care provided to families who are not employed.

(b) [The definition of "assistance"] excludes: (1) Nonrecurrent, short-term benefits that:

(i) Are designed to deal with a specific crisis situation or episode of need;

(ii) Are not intended to meet recurrent or ongoing needs; and

(iii) Will not extend beyond four months.

(2) Work subsidies (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training);

(3) Supportive services such as child care and transportation provided to families who are employed;

(4) Refundable earned income tax credits;

(5) Contributions to, and distributions from, Individual Development Accounts;



- (6) Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support; and
- (7) Transportation benefits provided under a Job Access or Reverse Commute project, pursuant to section 404(k) of [the Social Security] Act, to an individual who is not otherwise receiving assistance.
- (8) Income received under provisions of 38 U.S.C. 1805 to a child suffering from Spina Bifida who is a child of a Vietnam veteran.
- (9) Amounts received under the School Lunch Act and the Child Nutrition Act of 1966 (42 U.S.C. 1780(b)), including reduced-price

lunches and food under the Special Supplemental Food Program for Women, Infants, and Children (WIC).

(10) Payments received by members of the Seneca Nation under the Seneca Nation Settlement Act of 1990.

(11) Payments from any deferred Department of Veteran Affairs disability benefits that are received in a lump-sum amount or in prospectively monthly amounts.

(12) Amounts received by or on behalf of a veteran for service-connected disability, death, dependency, or indemnity compensation if the recipient is assisted under a program authorized by the Native American Housing Assistance and Self-Determination Act of 1996.





## EXHIBIT 5-2: ANNUAL INCOME EXCLUSIONS

### 24 CFR 5.609

(c) *Annual income does not include the following:*

(1) Income from employment of children (including foster children) under the age of 18 years;

(2) 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);

(3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);

(4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;

(5) Income of a live-in aide, as defined in Sec. 5.403;

(6) Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;

(7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

(8) (i) Amounts received under training programs funded by HUD;

(ii) 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);

(iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;

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

(v) 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;

(9) Temporary, nonrecurring or sporadic income (including gifts);



(10) 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;

(11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);

(12) Adoption assistance payments in excess of \$480 per adopted child;

(13) [Reserved]

(14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or prospective monthly amounts.

(15) 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;

(16) 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

(17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. [See the following chart for a list of benefits that qualify for this exclusion.]

|                                                                            |
|----------------------------------------------------------------------------|
| Sources of Income Excluded by Federal Statute from Consideration as Income |
|----------------------------------------------------------------------------|

|                                                     |
|-----------------------------------------------------|
| for Purposes of Determining Eligibility or Benefits |
|-----------------------------------------------------|

a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b));

b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);

c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c));

d) Income derived from certain sub-marginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);

e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));

f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931);

g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub.L- 94-540, 90 Stat. 2503-04);

h) The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408);



i) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);

For the HCV program, the exception found in 327 of Public Law 109-115 applies and requires that the amount of financial assistance in excess of tuition shall be considered as income in accordance with the provisions codified at 24 CFR 5.609 (b)(9), except for those persons with disabilities as defined by 42 USC 1437 (b)(E).

j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f));

k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in In Re Agent-product liability litigation, M.D.L. No. 381 (E.D.N.Y.);

l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);

m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);

n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j));

o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);

p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d));

q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran born with certain birth defects, and to children of certain Korean service veterans. (38 U.S.C. 1805);

r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and

s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).

t) Amounts specially executed by any other federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusion set forth in 24 CFR 5.609 (c) apply.



## EXHIBIT 5-3: TREATMENT OF FAMILY ASSETS

### 24 CFR 5.603(b) Net Family Assets

(1) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

(2) 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 under Sec. 5.609.

(3) In determining net family assets, PHAs 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.

(4) For purposes of determining annual income under Sec. 5.609, the term "net family assets" does not include the value of a home currently being purchased with assistance under part 982, subpart M of this title. This exclusion is limited to the first 10 years after the purchase date of the home.



## EXHIBIT 5-4: EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES

### 24 CFR 5.617 Self-sufficiency incentives for persons with disabilities—Disallowance of increase in annual income.

(a) *Applicable programs.* The disallowance of increase in annual income provided by this section is applicable only to the following programs: HOME Investment Partnerships Program (24 CFR part 92); Housing Opportunities for Persons with AIDS (24 CFR part 574); Supportive Housing Program (24 CFR part 583); and the Housing Choice Voucher Program (24 CFR part 982).

(b) *Definitions.* The following definitions apply for purposes of this section.

*Disallowance.* Exclusion from annual income.

*Previously unemployed* includes a person with disabilities who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

*Qualified family.* A family residing in housing assisted under one of the programs listed in paragraph (a) of this section or receiving tenant-based rental assistance under one of the programs listed in paragraph (a) of this section.

(1) Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;

(2) Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or

(3) Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the responsible entity in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance-- provided that the total amount over a six-month period is at least \$500.

(c) *Disallowance of increase in annual income—*

(1) Initial twelve month exclusion. During the cumulative twelve month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income (as defined in the regulations governing the applicable program listed in paragraph (a) of this section) of a qualified family any increase in income of the family member who is a person with disabilities as a result of employment over prior income of that family member.



(2) Second twelve month exclusion and phase-in. During the second cumulative twelve month period after the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income of a qualified family fifty percent of any increase in income of such family member as a result of employment over income of that family member prior to the beginning of such employment.

(3) Maximum four year disallowance. The disallowance of increased income of an individual family member who is a person with disabilities as provided in paragraph (c)(1) or (c)(2) is limited to a lifetime 48 month period. The disallowance only applies for a maximum of twelve months for disallowance under paragraph (c)(1) and a maximum of twelve months for disallowance under paragraph (c)(2), during the 48 month period starting from the initial exclusion under paragraph (c)(1) of this section.

*(d) Inapplicability to admission.* The disallowance of increases in income as a result of employment of persons with disabilities under this section does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).



## EXHIBIT 5-5: THE EFFECT OF WELFARE BENEFIT REDUCTION

### 24 CFR 5.615

#### **Public housing program and Section 8 tenant-based assistance program: How welfare benefit reduction affects family income.**

(a) *Applicability.* This section applies to covered families who reside in public housing (part 960 of this title) or receive Section 8 tenant-based assistance (part 982 of this title).

(b) *Definitions.* The following definitions apply for purposes of this section: *Covered families.* Families who receive welfare assistance or other public assistance benefits ("welfare benefits") from a State or other public agency ("welfare agency") under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

*Economic self-sufficiency program.* See definition at Sec. 5.603.

*Imputed welfare income.* The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

*Specified welfare benefit reduction.*

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

(2) "Specified welfare benefit reduction" does not include a reduction or termination of welfare benefits by the welfare agency:

(i) at expiration of a lifetime or other time limit on the payment of welfare benefits;

(ii) because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or

(iii) because a family member has not complied with other welfare agency requirements.

(c) *Imputed welfare income.*

(1) A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to the PHA by the welfare agency), plus the total amount of other annual income as determined in accordance with Sec. 5.609.

(2) At the request of the PHA, the welfare agency will inform the PHA in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform the PHA of any subsequent changes in the term or amount of such specified welfare benefit reduction. The PHA will use this information to determine the amount of imputed welfare income for a family.

(3) A family's annual income includes imputed welfare income in family annual income, as determined at the PHA's interim or regular reexamination of family income and composition, during the term of the welfare benefits reduction (as specified in information provided to the PHA by the welfare agency).



(4) The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed

(5) The PHA may not include imputed welfare income in annual income if the family was not an assisted resident at the time of sanction.

*(d) Review of PHA decision.*

(1) Public housing. If a public housing tenant claims that the PHA has not correctly calculated the amount of imputed welfare income in accordance with HUD requirements, and if the PHA denies the family's request to modify such amount, the PHA shall give the tenant written notice of such denial, with a brief explanation of the basis for the PHA determination of the amount of imputed welfare income. The PHA notice shall also state that if the tenant does not agree with the PHA determination, the tenant may request a grievance hearing in accordance with part 966, subpart B of this title to review the PHA determination. The tenant is not required to pay an escrow deposit pursuant to Sec. 966.55(e) for the portion of tenant rent attributable to the imputed welfare income in order to obtain a grievance hearing on the PHA determination.

(2) Section 8 participant. A participant in the Section 8 tenant-based assistance program may request an informal hearing, in accordance with Sec. 982.555 of this title, to review the PHA determination of the amount of imputed welfare income that must be included in the family's annual income in accordance with this section. If the family claims that such amount is not correctly calculated in accordance with HUD requirements, and if the PHA denies the family's request to modify such amount, the PHA shall give the family written notice of such denial, with a brief explanation of the basis for the PHA

determination of the amount of imputed welfare income. Such notice shall also state that if the family does not agree with the PHA determination, the family may request an informal hearing on the determination under the PHA hearing procedure.

*(e) PHA relation with welfare agency.*

(1) The PHA must ask welfare agencies to inform the PHA of any specified welfare benefits reduction for a family member, the reason for such reduction, the term of any such reduction, and any subsequent welfare agency determination affecting the amount or term of a specified welfare benefits reduction. If the welfare agency determines a specified welfare benefits reduction for a family member, and gives the PHA written notice of such reduction, the family's annual incomes shall include the imputed welfare income because of the specified welfare benefits reduction.

(2) The PHA is responsible for determining the amount of imputed welfare income that is included in the family's annual income as a result of a specified welfare benefits reduction as determined by the welfare agency, and specified in the notice by the welfare agency to the PHA. However, the PHA is not responsible for determining whether a reduction of welfare benefits by the welfare agency was correctly determined by the welfare agency in accordance with welfare program requirements and procedures, nor for providing the opportunity for review or hearing on such welfare agency determinations.

(3) Such welfare agency determinations are the responsibility of the welfare agency, and the family may seek appeal of such determinations through the welfare agency's normal due process procedures. The PHA shall be entitled to rely on the welfare agency notice to the PHA of the welfare agency's determination of a specified welfare benefits reduction.





## Chapter 6

### VERIFICATION

[24 CFR 982.516, 24 CFR 982.551, 24 CFR 5.230]

#### INTRODUCTION

SNRHA must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain the family's consent to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. SNRHA must not pass on the cost of verification to the family.

SNRHA will follow the verification guidance provided by HUD in PIH Notice 2004-01 and 2013-3 Verification Guidance and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary SNRHA policies.

Part I describes the general verification process. More detailed requirements related to individual factors are provided in subsequent parts including family information (Part II), income and assets (Part III), and mandatory deductions (Part IV).

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies of SNRHA.

#### PART I: GENERAL VERIFICATION REQUIREMENTS

##### **6-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 982.516 AND 982.551, 24 CFR 5.230]**

The family must supply any information that SNRHA or HUD determines is necessary to the administration of the program and must consent to SNRHA verification of that information [24 CFR 982.551].

##### **Consent Forms**

It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and SNRHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.



## **Penalties for Failing to Consent [24 CFR 5.232]**

If any family member who is required to sign a consent form fails to do so, SNRHA will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with SNRHA procedures.

## **6-I.B. OVERVIEW OF VERIFICATION REQUIREMENTS**

### **HUD's Verification Hierarchy**

HUD authorizes SNRHA to use six methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires SNRHA to use the most reliable form of verification that is available and to document the reasons when SNRHA uses a lesser form of verification.

#### SNRHA Policy

**Upfront Income Verification (UIV):** The verification of income at admission or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. HUD's **Enterprise Income Verification System (EIV)** is considered to be this method. This is currently not available for applicants.

SNRHA shall not verify income in accordance with the following Verification Hierarchy for fully excluded income such as Supplemental Nutrition Assistance Program (SNAP) benefits formerly known as food stamps. Document on file narratives shall not be required for fully excluded incomes to state why third party verification was not received. (PIH Notice-2013-4). Additionally, SNRHA shall not enter this income on section 7 of the HUD form 50058. SNRHA shall accept the participant's self-certification on the reexamination application of fully excluded income. SNRHA has the option of requiring additional verification, as needed.

SNRHA shall not follow the Verification Hierarchy below when completing annuals reexaminations for elderly or disabled families on "fixed" non-wage income.

SNRHA shall simplify the requirements associated with determining the annual income of participants on "fixed income- non-wage" when 100% of the family's income consists fixed income. SNRHA has opted to conduct streamlined reexaminations by recalculating of the family's income by applying any published cost of living adjustments to the previously verified income amount in compliance with PIH Notice 2013-03.

For the purpose of this policy, as noted in PIH 2013-03, fixed income includes income from:

1. Social Security payments including SSI and SSDI
2. Federal, State, local and private pensions plans; and



3. Other periodic payments from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amount from year to year.

**The Verification Hierarchy.** SNRHA shall begin with the highest level of verification techniques, except as noted in 6.I.B. PHAs are required to access the EIV system and obtain an Income Report for each household. SNRHA shall maintain the Income Report in the tenant’s file along with the form HUD-50058 and other supporting documentation to support income and rent determinations for all mandatory annual reexaminations of family income and composition.

If the Income Report does not contain any employment and income information for the family, SNRHA shall attempt the next lower level verification technique, as noted in the below:

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

**Verification Technique Definitions**

**Third Party Verification Techniques**

**Upfront Income 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. PHAs 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.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either within the 60 calendar 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 report, and employer 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.

SNRHA shall require four (4) current and consecutive pay stubs for determining annual income for wages. For new income sources or if there is a decrease in earned income, SNRHA will require the last two (2) consecutive current pay stubs or a new hire/updated letter with date of hire, wages, and hours. SNRHA should project income based on the information from a traditional written third party verification form or the best available information.

**Note:** Documents older than 60 calendar days (from SNRHA’s 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. A standardized form to collect information from a third party source. The form is completed by the third party by hand (in writing or typeset). SNRHA shall 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.

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

The exception to third party verification can be found at 24 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 the 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 deductions from annual income; and (iv) other factors that affect the determination of adjusted income.

**How to comply with and reduce administrative burden of third party verification requirements of family annual income.** PHAs can comply with and reduce administrative burden of third party verification requirements for employment, wage, and unemployment compensation and social security benefits and any other information that is verifiable using EIV by:

**a.** Reviewing the EIV Income Report to confirm/validate tenant-reported income;

and;

**b.** Printing and maintaining an EIV Income Report (or an EIV Individual Control Number (ICN) page for interim reexaminations as prescribed in Section 12 of this Notice) in the tenant file; and;

**c.** Obtaining current acceptable participant-provided documentation to supplement EIV information; and;

**d.** Using current tenant-provided documentation and/or third party verification to calculate annual income.

**Note:** Social Security benefit information in EIV is updated every three months. If the tenant agrees with the EIV-reported benefit information, PHAs do not need to obtain or request a benefit verification letter from the tenant. See PIH Notice 2010-03 for guidance on verifying Social Security benefit income through the EIV system.



The PHA may also reduce the administrative burden of obtaining third party verification by relying on acceptable documents that are generated by a third party, but provided by the tenant. 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.).

**When the PHA is required to request written third party verification.** The PHA must request written third party verification under the following circumstances:

- a. When the participant disputes the EIV information and is unable to provide acceptable documentation to support his/her dispute (24 CFR §5.236(b));
- b. When the PHA requires additional information that is not available in EIV and /or the tenant is unable to provide the PHA with current acceptable tenant-provided documentation. Examples of additional information, includes but is not limited to:
  - i. Effective dates of income (i.e. employment, unemployment compensation, or social security benefits)
  - ii. For new employment: pay rate, number of hours worked per week, pay frequency, etc.
  - iii. Confirmation of change in circumstances (i.e. reduced hours, reduced rate of pay, temporary leave of absence, etc.)

*Note:* 24 CFR §5.236(a), prohibits PHAs from taking adverse action based solely on EIV

### **Requirements for Acceptable Documents**

#### SNRHA Policy

Any documents used for verification must be the original (not photocopies) and generally must be dated within 60 calendar days of the date they are provided to SNRHA. The documents must not be damaged, altered or in any way illegible. All tenant supplied documents should be dated no more than 60 calendar days before the effective date of the family's reexamination or SNRHA's request date, if the document represents the most recent scheduled report from a source. For example, if the holder of a pension annuity provides semi-annual reports, SNRHA would accept the most recent report.

Print-outs from web pages are considered original documents.

Pay stubs which must be current and consecutive when used with EIV and must not be older than 60 calendar days from the request date or 60 calendar days prior to the annual recertification effective date. Four consecutive pay stubs will be required when using EIV for annuals and two for new hire verifications.

Examples of acceptable tenant-provided documentation (generated by a third party source) include, but are not limited to: pay stubs, payroll summary reports, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices, bank statements, and local agencies, employer letter/notices. Current acceptable tenant-provided documents must be used for income and rent determinations. SNRHA is required to obtain a minimum of four 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 written third party verification form or the best available information.

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

SNRHA staff member who views the original document must make a photocopy.

Any family self-certifications must be made in a format acceptable to SNRHA and must be signed in the presence of a SNRHA representative or SNRHA notary public.

### **File Documentation**

SNRHA must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that SNRHA has followed all of the verification policies set forth in this plan. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

#### SNRHA Policy

SNRHA will document, in the family file, the following:

Reported family annual income;

Value of assets;

Expenses related to deductions from annual income;

Other factors influencing the adjusted income or income-based rent determination.

When SNRHA is unable to obtain 3rd party verification, SNRHA will document in the family file the reason that third-party verification was not available (including oral verification attempt) and will place a photocopy of any original document(s) in the family file. [24 CFR 960.259(c)(1); VG, p.15].

### **6-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

HUD strongly recommends the use of up-front income verification (UIV). UIV is "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 large number of individuals" [VG, p. 7]. UIV includes the HUD EIV system and other upfront verification tools such as the Work Number.

HUD allows SNRHA to use the EIV information in conjunction with family-provided documents to anticipate income.

#### SNRHA Policy

SNRHA will inform all applicants and participants of its use of the following UIV resources during the admission and reexamination process:





## HUD's Enterprise Income Verification System (EIV)

SNRHA must restrict access to and safeguard EIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.

There may be legitimate differences between the information provided by the family and EIV-generated information. No adverse action can be taken against a family until SNRHA has independently verified the EIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of SNRHA.

### **Use of HUD's Enterprise Income Verification (EIV) System**

HUD's EIV system contains data showing earned income, unemployment benefits, Social Security and SSI benefits for participant families. HUD requires SNRHA to use the EIV system when available. The following policies will apply when SNRHA has access to HUD's EIV system.

The EIV system contains two main components: tenant income data reports and "exceeds threshold" reports.

#### ***Tenant Income Data (TID) Reports (EIV)***

The data shown on TID reports is updated quarterly. Data may be between 3 and 6 months old at the time reports are generated.

#### SNRHA Policy

SNRHA will obtain EIV reports for annual reexaminations on a monthly basis. SNRHA shall also obtain EIV reports for interims. Reports will be generated as part of the regular reexamination process.

EIV reports will be compared to family-provided information as part of the annual reexamination process. EIV reports may also be used to meet the regulatory requirement for third party verification, as described above. Policies for resolving discrepancies between EIV reports and family-provided information will be resolved as described in Chapter 5.I.D. and in this chapter.

EIV reports will be retained in participant's files with the applicable annual or interim reexamination documents.

When SNRHA determines through EIV reports and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 16, Program Integrity.



### ***Exceeds Threshold Reports (ETRs)***

The ETR is a tool for identifying families who may have concealed or under-reported income. Data in the ETR represents income for past reporting periods and may be between 6 months and 30 months old at the time ETRs are generated.

Families who have not concealed or under-reported income may appear on the ETR in some circumstances, such as loss of a job or addition of new family members.

#### SNRHA Policy

SNRHA will generate and review ETRs on a monthly basis. The ETR threshold percentage will be adjusted as necessary based on the findings in the ETRs.

In reviewing ETRs, SNRHA will begin with the largest discrepancies. The top ten families will be reviewed monthly.

When SNRHA determines that a participant appearing on the ETR has not concealed or under-reported income, the participant's name will be placed on a list of "false positive" reviews. To avoid multiple reviews in this situation, participants appearing on this list will be eliminated from ETR processing until a subsequent interim or annual reexamination has been completed.

When it appears that a family may have concealed or under-reported income, SNRHA will request third-party written verification of the income in question.

When SNRHA determines through ETR review and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 16, Program Integrity.

### ***Income Discrepancy Resolution***

SNRHA shall reconcile income discrepancies.

#### SNRHA Policy

SNRHA shall proceed as follows:

SNRHA shall identify underreported income and/or unreported income sources: EIV Income Discrepancies Reports shall be run at least quarterly and appropriate actions taken.

No adverse action may be taken based **solely** on EIV data. In order to protect any individual whose records are being used in a matching program, no recipient agency, non-Federal agency, or source agency may suspend, terminate, reduce or make a final denial of any financial assistance or payment under a Federal Benefit program to such individual, as a result of information produced by such matching program, until the agency has independently verified the information;

Review current and historical 50058s;



Verify effective dates of new and terminated income sources;

Discuss the income discrepancy with the tenant;

View past and current interim and annual recertification documents in the tenant's file;

Obtain additional documents from the tenant and/or third party (if necessary);

Obtain Social Security Earnings Statement (SSA Form 7004) for historical wage earnings (Form available on HUD's website) for retroactive rent calculations.

### ***EIV Identity Verification***

The EIV system verifies tenant identities against SSA records. These records are compared to PIC data for a match on Social Security number, name, and date of birth.

PHAs are required to use EIV's Identify Verification Reports on a monthly basis to improve the availability of income information in EIV (Notice 2012-10)

When identity verification for a participant fails, a message will be displayed within the EIV system and no income information will be displayed.

#### **SNRHA Policy**

SNRHA will identify participants whose identity verification has failed as part of the annual reexamination process.

SNRHA will attempt to resolve PIC/SSA discrepancies by reviewing file documents. When SNRHA determines that discrepancies exist due to SNRHA errors such as spelling errors or incorrect birth dates, the errors will be corrected promptly and correction transmitted to HUD.

### **Review of EIV Reports:**

SNRHA shall monitor EIV Reports according to the following schedule:

- The following reports shall be ran and reviewed and appropriate actions taken:
  - Identity Verification Report (Failed EIF Pre-screening; Failed Verification, Pending Verification) Monthly
  - Income Discrepancies –Quarterly
  - Debts Owed to Other PHAs – Admissions Department
  - Multiple Subsidy –At Admissions and Quarterly
  - Deceased Tenants –Monthly
  - New Hires- Quarterly
  - Immigration Reports – Monthly

Outcomes of these reviews shall be maintained in binders for future reference.



## **6-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION**

### **Reasonable Effort and Timing**

Unless third-party verification is not required as described herein, HUD requires SNRHA to make an attempt to obtain third-party verification before using another form of verification [VG, p. 15].

### SNRHA Policy

SNRHA will diligently seek third-party verification using the chart above as guideline for order of verifications, except as noted for streamlining for elderly (62 years old) and disabled on fixed (non-waged) income AND who receive income only from fixed income sources. (see charts on pages 6-3 and 6-4)

Fixed income sources include Social Security and SSI, governmental or private pensions, and other periodic payments that are of substantially the same amounts from year to year. In a streamlined annual reexamination, the PHA calculates annual income by applying any published cost of living adjustment (COLA) to the previously-verified income amount.

For elderly and disabled families with fixed incomes, SNRHA will recalculate annual income by applying any published COLA to previously-verified amounts. Current documentation of fixed income is not required.

With HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher Final Rule, "

### **Streamline Annual Reexaminations for Fixed Incomes:**

For families whose income consists solely of fixed sources.

The final rule provides for a streamlined income determination for any fixed source of income, even if a person or a family with a fixed source of income also has a non-fixed source of income. SNRHA shall apply to a previously determined or verified source of income a cost of living adjustment (COLA) or interest rate adjustment specific to each source of income. The COLA or current interest rate must be obtained from a public source or from tenant provided third party generated documentation.

In the absence of such verification for any source of fixed income third-party verification of income must be obtained. The final rule adopts an expanded list of fixed income sources of income. With respect to income from annuities (or other retirement benefits programs, insurance policies, disability for death benefits, or other similar types of periodic receipts) if a family



member receives income from any of these sources and the income consists solely of periodic payments at a reasonable predictable level, then the income source may be considered “fixed.”

“Family member with a fixed source of income” is defined as a family member whose income includes periodic payments at reasonable predictable levels from one or more of the following sources:

- i) Social Security, Supplemental Security Income, Supplemental Disability Insurance
- ii) Federal, state, local, or private pension plans
- iii) Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other similar types of periodic receipts, or
- iv) Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.

If the family receives any income from a non-fixed income source, SNRHA will not streamline the annual reexamination. If written 3<sup>rd</sup> party is required and is not received or available by the client, after 10 calendar days, staff will then attempt an oral verification if the written third party is not received. File narratives shall be documented whenever UIV or third party written is not used. Information received orally from third parties may be used either to clarify information provided in writing by the third party or as independent verification when written third-party verification is not received in a timely fashion.

SNRHA may mail, fax, or e-mail third-party written verification requests and will accept third-party responses using any of these methods. SNRHA will send a written request for verification to each required source within 5 business days of securing a family’s authorization for the release of the information and give the source 10 calendar days to respond in writing. If a response has not been received by the 11<sup>th</sup> business day, SNRHA will request third-party oral verification.

SNRHA will make a minimum of two attempts, (one written and one oral, if needed) to obtain third-party verification. A record of each attempt to contact the third-party source (including no-answer calls) and all contacts with the source will be documented in the file. Regarding third-party oral verification, SNRHA staff will record in the family’s file the name and title of the person contacted, the date of the conversation (or attempt), the telephone number used, and the facts provided.

When any source responds verbally to the initial written request for verification SNRHA will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

### **Third-Party Written Verification**

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



Verifications received electronically directly from the source as well as items as noted above in the Chart (Including those provided directly from a clients) are considered third party written verifications.

#### SNRHA Policy

SNRHA will accept verifications in the form of computerized printouts, showing payments, faxed, mailed or received via upfront verification systems directly from the following agencies:

Social Security Administration –EIV;

Veterans Administration;

Welfare Assistance;

Unemployment Compensation Board;

City or County Courts;

Other State and Federal Offices, including HUD.

SNRHA will use computer printouts as well as other acceptable forms of third party verification that do not appear as altered and are on a business or other entity's letterhead, received directly from the family for calculation family's income. Staff must attempt third party verification when EIV nor family provided acceptable documentation is not available. If no response, then staff must attempt oral verifications and must document on the file narrative why third party was not used and complete an oral verification form.

If the family disputes the information provided by the third party, the staff is to seek further clarification by phone with the third party. The information provided by the 3rd party is to prevail.

#### **Third-Party Oral Verification**

##### SNRHA Policy

Oral third-party verification will be used when written third-party verification is delayed; not returned within 10 calendar days or not possible. When third-party oral verification is used, staff will be required to complete an Oral Verification/Review of Documents form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, SNRHA will document the file narrative and utilize documents provided by the participant. If the oral is provided by telephone, SNRHA must originate the call.

#### **Review of Documents**

##### SNRHA Policy

In the event that third-party written is not returned within 10 calendar days or oral verification is unavailable, or the information has not been verified by the third party within 10 calendar days, SNRHA will notate the file narrative accordingly; ensure copies of documents requiring the third party verification are in file. Oral third party verification



should be attempted prior to utilizing documents provided by the family as the primary source if the documents provide complete information and the file narrative must be documented.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete an Oral Verification/Review of Documents form.

SNRHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs;
- Computer printouts from the employer;
- Employer's letters and wage printouts;
- Bank Statements;
- Award Letters;
- Pension Letters;
- Signed letters (provided that the information is confirmed by phone);
- Other documents noted in this Chapter as acceptable verification.

Although these documents will be accepted, SNRHA will also mail third party verifications to the source; attempt upfront verification and use these documents only after there has been no response to the third party verification method.

SNRHA will accept faxed documents.

SNRHA will accept mail from the third party source.

SNRHA will accept hand carried documents from clients as long as they do not appear as altered and provide required documentation regarding wages.

SNRHA will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, SNRHA will attempt to contact the verification provider by telephone to resolve the discrepancy. If the attempt to resolve the discrepancy by telephone is unsuccessful, SNRHA will use the third party verification.

SNRHA will not delay the processing of an application beyond 30 calendar days, except due to screening for criminal history, because a third party information provider does not return the verification in a timely manner. The next steps in the verification process shall be attempted after 10 calendar days, unless the family has been given an extension.

### **Self-Certification/Self-Declaration**

When verification cannot be made by third-party verification, including oral verification or review of documents, families will be required to submit a self-certification.



### SNRHA Policy

Self-certification means a statement under penalty of perjury, and the signature must be witnessed by SNRHA staff.

### **When Third-Party Information is Late**

When third-party verification has been requested and the timeframes for submission have been exceeded, SNRHA will use the information from documents on a provisional basis.

### SNRHA Policy

If SNRHA later receives third-party verification that differs from the amounts used in income and rent determinations and it is past the deadline for processing the reexamination, SNRHA will conduct an interim reexamination to adjust the figures used for the reexamination, regardless of SNRHA's interim reexamination policy, if needed.

### **When Third-Party Verification is Not Required**

#### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth and for verification of checking/saving accounts.

#### ***Certain Assets and Expenses***

SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value [HCV GB, p. 5-28].

SNRHA will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification [VG, p. 15].

### SNRHA Policy

SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$1,000 annually **and** the family has original documents that support the declared amount.

#### ***Certain Income, Asset and Expense Sources***

SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification [VG, p. 15]. For example, SNRHA will rely upon review of documents when SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.





### SNRHA Policy

SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

If the family cannot provide original documents, SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost [VG, p. 18].

### ***RELEASE OF INFORMATION [24 CFR 5.230]***

Adult family members (age 18 and older) will be required to sign the HUD 9886 Release of Information/Privacy Act form. In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice. Additional release forms as developed by SNRHA are considered required forms that all applicants and participants must sign.

Each member requested to consent to the release of specific information will be provided with appropriate forms for their review and signature.

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

### ***COMPUTER MATCHING***

Where allowed by HUD and/or other State or local agencies, computer matching will be done for upfront verifications.

### SNRHA Policy

SNRHA will utilize the HUD established computer-based Tenant Eligibility Verification System (EIV) for obtaining Social Security benefits, Supplemental Security Income benefit history and tenant income discrepancy reports from the Social Security Administration. Additionally, to the extent possible, SNRHA will use the UIV systems to obtain upfront verification of wages and Child Support data systems for verification of child support when available.

When computer matching results in a discrepancy with information in SNRHA records, SNRHA will follow up with the family and verification sources to resolve this discrepancy. If the family has unreported or underreported income, SNRHA will follow the procedures in the Program Integrity Addendum of the Administrative Plan.



### ***ITEMS TO BE VERIFIED [24 CFR 982.516]***

All income not specifically excluded by the regulations.

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

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

Child care expense where it allows an adult family member to be employed, search for employment, or to further his/her education.

Total un-reimbursed medical expenses of all family members in households whose head or spouse is elderly or disabled.

Un-reimbursed disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family that allows an *adult* family member to be employed.

Disability for determination of preferences, allowances or deductions.

Eligible immigrant status;

Social Security Numbers for all family members except non-citizens.

(Note: When HUD changes the requirements to require all family members to provide social security numbers, regardless of age, SNRHA will follow this requirement):

"Preference" status;

Familial/Marital status when needed for head or spouse definition to determine deductions;

Need for reasonable accommodations; and/or

Verification of sanctions by the Nevada Office of Human Services that TANF benefits have been reduced for either welfare fraud or failure to comply with economic self-sufficiency requirements.

### **SNRHA Policy**

SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance with economic self-sufficiency requirements *before* denying the family's request for rent reduction. The verification will include the amount of the sanction and the duration.

### ***VERIFICATION GUIDANCE [24 CFR 982.516]***

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

### **Employment Income**



## SNRHA Policy

Verification forms request the employer to specify the:

Dates of employment;

Amount and frequency of pay;

Date of the last pay increase;

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months;

Year to date earnings;

Estimated income from overtime, tips, bonus pay expected during next 12 months.

*Acceptable methods of verification include, in this order:*

1. EIV with a minimum of four (4) consecutive current paystubs.

2. Third party written verification.

Employment verification form completed by the employer.

3. Oral third party.

4. Review of documents.

Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings. At least pay stubs are required when third party verification cannot be obtained.

5. W-2 forms and IRS Form 4506-T release.

6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

## **Social Security, Pensions, Supplementary Security Income (SSI), Disability Income**

### SNRHA Policy

*Acceptable methods of verification include, in this order:*

For elderly and disabled families with fixed incomes, the PHA will recalculate annual income by applying any published COLA to previously-verified amounts. Current documentation of fixed income is not required.

If the family receives any income from a non-fixed income source, SNRHA will not streamline the annual reexamination.



1. Published cost of living adjustments to previously verified income amounts
2. EIV
3. Benefit verification form completed by agency providing the benefits.
4. Award or benefit notification letters prepared and signed by the providing agency that is no more than 60 calendar days old.

### **Unemployment Compensation**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Verification form completed by the unemployment compensation agency.
3. Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
4. Payment stubs

### **Welfare Payments or General Assistance**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. Written statement from payment provider indicating the amount of grant/payment, start date of payments, family members, and anticipated changes in payment in the next 12 months.
2. Computer-generated Notice of Action.

### **Alimony or Child Support Payments**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. Print out received via 3rd party verification from the DA's office.
2. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
3. A third party verification form completed by the person paying the support.
4. A letter from the person paying the support.
5. Copy of latest check and/or payment stubs from Court Trustee. SNRHA must record the date, amount, and number of the check if not photocopied.



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

If payments are irregular, the family must provide:

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A self-certification from the family indicating the amount(s) received.

A welfare Notice of Action showing amounts received by the DA –Child Support Division.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

## **Net Income from a Business**

### SNRHA Policy

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

*Acceptable methods of verification include:*

1. IRS Form 1040, including:
  - Schedule C (Small Business)
  - Schedule E (Rental Property Income)
  - Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

2. Audited or unaudited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
5. Family's self-certification as to net income realized from the business during previous years.

## **Child Care Business**



### SNRHA Policy

The childcare provider must be 18 years of age or older.

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

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

If the family has filed a tax return, the family will be required to provide it via Form IRS 4506-T.

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

### **Recurring Gifts**

#### SNRHA Policy

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

- The person who provides the gifts;
- The value of the gifts;
- The regularity (dates) of the gifts and/or
- The purpose of the gifts.

SNRHA shall send out verifications to the donors.

### **Full-time Student Status**

Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by students is not counted towards family income.

#### SNRHA Policy

Verification of full time student status includes:

Written verification from the registrar's office or other school official.

School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution. (State of Nevada: 12 credits)



## ***VERIFICATION OF ASSETS***

### **Family Assets**

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

SNRHA shall not verify income of assets that are less than \$5,000.00. However, participants must list assets and value on their continued occupancy form, which must be signed and dated. This shall be considered as self-certification of accurate information. SNRHA reserves the right to request additional verifications, if necessary to document that assets do not exceed \$5,000- in net value or is there is a discrepancy with information provided. All assets must be reported on Form HUD-50058, including assets that do not exceed \$5,000.

**According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," SNRHA must obtain third party verification every three (3) years.**

*Acceptable verification may include any of the following:*

Verification forms, letters, or documents from a financial institution or broker.

Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

Real estate taxes statements if the approximate current market value can be reduced from assessment.

Financial statements for business assets.

Copies of closing documents showing the selling price and the distribution of the sales proceeds.

Appraisals of personal property held as an investment.

Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

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

#### **SNRHA Policy**



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

If the family certifies that they have disposed of assets for less than fair market value, verification is required that shows: (a) all assets disposed for less than FMV, (b) the date they were disposed, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible. Family certification will be accepted if no other verification is possible.

## ***VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME [24 CFR 982.516]***

### **Medical Expenses**

#### SNRHA Policy

Eligible families who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:

Written verification by an eye doctor, optician, otolaryngologist, hearing aide provider, or other medical practitioner or provider of medical equipment of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written verification from a medical lab, provider of oxygen, blood products, or other specialized medical supplies of (a) the anticipated medical costs to be incurred by the family and regular payments will be reimbursed by insurance or a government agency.

Written verification from the provider of medical equipment such as hospital bed, scooter, wheelchair, commode, artificial limbs, etc. of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

For attendant care paid to an individual:

A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.

Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies





of canceled checks the family used to make those payments) or stubs from the agency providing the services.

Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

Copies of payment agreements or most recent invoice that verify payments made on outstanding attendant care bills that will continue over all or part of the next 12 months.

Receipts or other record of attendant care expenses incurred during the past 12 months that can be used to anticipate future attendant care expenses.

SNRHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

### **Assistance to Persons with Disabilities [24 CFR 5.611(c)]**

In All Cases:

#### SNRHA Policy

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

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

Attendant Care:

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

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

Auxiliary Apparatus:

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

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

### **Live-In Aide**

#### SNRHA Policy

When a participant requires a live-in aide, SNRHA shall submit their signed reasonable accommodation request form to the medical professional noted on their request for third



party verification of the need. Once approved by the 504 officer, the participant shall have 30 calendar days to submit the name of the live-in aide and schedule them to come in for screening. The voucher size shall NOT be increased until such time as SNRHA staff has completed their screening of the Live-In Aide in compliance with HUD guidance. The participant shall be allowed to submit another name for a live-in aide if the first does not pass the screening process but must submit this name within 14 calendar days of the denial notice.

The approved voucher size would be adjusted, if required to accommodate a room for the live-in aide. Each year SNRHA at annual recertification time shall re-verify the need for a live-in aide.

### ***VERIFYING NON-FINANCIAL FACTORS [24 CFR 982.153(b) (15)]***

#### **Verification of Legal Identity**

In order to prevent program abuse, SNRHA will require applicants/participants to furnish verification of legal identity for all adult family members.

##### SNRHA Policy

The documents listed below will be considered acceptable verification of legal identity for adults, as long as they include a picture of the individual. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

- Driver's license
- U.S. passport
- Department of Motor Vehicles Identification Card
- Validated Sheriff Card
- Military Identification
- DMV Instructional ID
- Clark County Heath Card with valid photo ID
- Veteran's ID with photo

An original Certificate of Birth is required for all minors. Other documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

- Adoption papers
- Custody agreement
- School records
- Hospital Birth Certifications
- Passport



Health and Human Services ID (foster children; adopted children)

I-94

### SNRHA Policy

Verification of divorce or separation status will be a Certification of Absent Spouse form being completed by the head of household or any other adult household member, unless the family wishes to submit a formal divorce or separation document from the courts.

Verification of a separation may be a copy of court-ordered maintenance or other records.

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns, or being a domestic partner as recognized in the State of Nevada (according to Senate Bill 283.))

### ***Familial Relationships***

#### SNRHA Policy

Verification of guardianship is:

Court-ordered assignment

Verification from social services agency

Other family relationships will be verified through birth certificates or other relevant documents.

SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

### ***Verification of Permanent Absence of Family Member***

If an adult member who was formerly a member of the household or was never reported and identified by staff as being a spouse and is reported permanently absent by the family, SNRHA will consider any of the following as verification:

- Husband or wife institutes divorce action.
- Husband or wife institutes legal separation.
- Order of protection/restraining order obtained by one family member against another.
- SNRHA separation affidavit.

### ***Verification of Change in Family Composition***



SNRHA may verify changes in family composition (either reported or unreported) through one or more of the following actions: letters, telephone calls, utility records, inspections, landlords, credit data, school, or DMV records, and other sources.

***Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512, 5.514]***

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

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury, the Declaration 214 Form, noting that they are a citizen or national.

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status (Declaration 214 Form) and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status (Declaration 214 Form) and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. SNRHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, SNRHA must request within ten (10) calendar days that the INS conduct a manual search.

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

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

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

Additionally, SNRHA must terminate assistance for at least 24 months if it determines that a family has knowingly permitted an ineligible person to live in the assisted unit without informing SNRHA.

***Time of Verification***

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination.

SNRHA will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family.



For family members added after other members have been verified, the verification occurs upon approval of additional person by SNRHA.

Once verification has been completed for any covered program, it shall be verified annually unless their eligibility immigration status changes to permanent resident. In the case of port-in families, if the initial PHA does not supply the documents, SNRHA must conduct the determination and/or when SNRHA notes a Resident Alien Card with an expiring date or no date of expiration.

#### Acceptable Documents of Eligible Immigration

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

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

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

#### SNRHA Policy

SNRHA will recertify eligible immigration status one year prior to expiration date of the following documents:

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)

#### ***Medical Need for Larger Unit***

##### SNRHA Policy

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional as a reasonable accommodation for a disabled family member. At each annual Housing Quality Inspection, staff will verify that the additional room is still being used for medical equipment. When this is not the case, the voucher will be decreased in compliance with HUD guidance.

#### ***VERIFICATION OF WAITING LIST PREFERENCES [24 CFR 5.410-5.430]***

SNRHA must verify any preferences claimed by an applicant.



## SNRHA Policy

### ***Terminated for Insufficient Program Funding***

SNRHA will verify this preference using SNRHA's termination records.

### ***Residency Preference:***

For families who live, work or have been hired to work in the jurisdiction of SNRHA. Families must provide proof of residency to qualify for this preference such as a Nevada Issued driver's license or lease for a unit within Clark County.

The signature on the application will serve as self-certification for the residency preference. In cases where there is questions regarding eligibility to go portable, SNRHA may request additional verification such as a Nevada Driver License or Identification card issued on or prior to the date of application, employment records, school records, social security award letters or welfare eligibility letter addressed to the applicant's Las Vegas address at or before the time of application.

### ***Veterans' preference:***

This preference is available to current members of the U.S. Military Armed Forces, veterans, or surviving spouses of veterans.

SNRHA will require U.S. government documents which indicate that the applicant qualifies under the above definition.

### ***Working preference:***

Families with at least one adult who is employed at least 20 hours per week: Employment will be verified.

Families with active participants in accredited educational and training programs designed to prepare the individual for the job market: SNRHA will require a statement from the agency or institution providing the education or training.

Elderly families: head or spouse 62 years of age or older

Families whose head is receiving income based on their inability to work: An Award letter or other proof of eligibility for Social Security Disability or Supplemental Security Income will be acceptable for the receipt of income based on their inability to work.

Families whose head, spouse, or sole member is a person with disability and who is certified to be unable to work whether or not they receive income on this basis, if both the head of household or spouse is either elderly or disabled.

## **When Third-Party Verification is Not Required**

### ***Primary Documents***



Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

### ***Certain Assets and Expenses***

#### SNRHA Policy

SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value [HCV GB, p. 5-28].

SNRHA will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification [VG, p. 15].

#### SNRHA Policy

SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually. The continued occupancy form certification shall be considered as the family's certification. For families whose assets do not exceed \$5,000 in net value, the PHA will accept family self-certification of asset value and anticipated income.

SNRHA may require additional verification if necessary to document that assets do not exceed \$5,000 in net value.

### ***Certain Income, Asset and Expense Sources***

SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification [VG, p. 15]. For example, SNRHA will rely upon review of documents when SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### SNRHA Policy

SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

SNRHA will document in the family file the reason that the third-party verification was not available and will place a photocopy of the original document(s) in the family file. [VG, p. 15].

If the family cannot provide original documents, SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost [VG, p. 18].

## **6-I.E. REVIEW OF DOCUMENTS**



**Using Review of Documents as Verification**

SNRHA Policy

If SNRHA has determined that third-party verification is not available or not required, SNRHA will use documents provided by the family as verification.

SNRHA may also review documents when necessary to help clarify information provided by third parties. In such cases SNRHA will document in the file how SNRHA arrived at a final conclusion about the income or expense to include in its calculations.

**6-I.F. SELF-CERTIFICATION**

SNRHA Policy

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to SNRHA.

**6-I.G. ASSETS (24 CFR 5.609 (b)(3) AND 24 CFR 5.603 (b))**

There is no asset limitation for participation in the HCV program. However, HUD requires the PHA include in annual income the anticipated “interest, dividends, and other net income of any kind from real or personal property (24 CFR 5.609 (b) (3)).

Notice PIH 2012-29 requires PHAs to establish an imputed asset passbook savings rate based on the national average rate. The rate previously established by HUD field offices. The imputed asset income calculation is only performed if the net value of the family’s asset exceeds \$5,000.00.

SNRHA shall establish a rate of 0.75 percent (three quarters of one percent) of the national rate. This is a “safe harbor.” SNRHA will be in compliance with the safe harbor guidance when the national rate is anywhere from zero percent to 1.5 percent.

**PART II: VERIFYING FAMILY INFORMATION**

**6-II.A. VERIFICATION OF LEGAL IDENTITY**

SNRHA Policy

SNRHA will require families to furnish verification of legal identity for each household member.

| <b>Verification of Legal Identity for Adults</b> | <b>Verification of Legal Identity for Children</b> |
|--------------------------------------------------|----------------------------------------------------|
| Driver's license                                 | Certificate of birth                               |
| U.S. passport                                    | Adoption papers                                    |
| Department of Motor Vehicles Identification Card | Custody agreement                                  |
| Validated Sheriff Card                           | School records                                     |





|                                                                                                                                              |                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Military Identification</p> <p>DMV Instructional ID</p> <p>Clark County Heath Card with valid photo ID</p> <p>Veteran’s ID with photo</p> | <p>Hospital Birth Certifications</p> <p>Passport</p> <p>Health and Human Services ID (foster children; adopted children)</p> <p>I-94</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required. For all members of the household the first and last name on the Legal documents provided must match the social security record.

**6-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and HCV GB, p. 5-12]**

Every family member must provide documentation of a valid social security number (SSN) unless they are a non-citizen or non-eligible immigrant.

SNRHA Policy

SNRHA will request to copy the family member’s social security card.

If the social security card is not available, SNRHA will accept the following documents as evidence if the SSN is provided on the document:

Other identification cards issued by a federal, state or local agency, a medical insurance company or provider, or employer or trade union.

Benefit award letters from a government agency; retirement benefit letters; life insurance policies.

Any document issued by the Social Security Administration that clearly lists the family member’s social security number and name.

SNRHA will instruct the family to obtain a duplicate card from the local Social Security Administration (SSA) office.

For individuals who are at least 62 years of age and/or disabled and are unable to submit the required documentation of their SSN within the initial 90 calendar day period, SNRHA will grant an additional 30 calendar days to provide documentation as a reasonable accommodation.

Social security numbers must be verified only once during continuously-assisted occupancy. For all members of the household the first and last name on the Legal documents provided must match the social security record.

If any adult family member obtains a SSN after admission to the program, the new SSN must be disclosed within 90 calendar days.

The social security numbers of household members, such as live-in aids, must be verified for the purpose of conducting criminal background checks.



## **6-II.C. FAMILY RELATIONSHIPS**

Applicants and program participants are required to identify the relationship of each household member to the head of household. If an applicant list themselves as married and not list a spouse, they will still be required to submit a separation , divorce decree, or SNRHA’s Certification of Marital Status form. Definitions of the primary household relationships are provided in the Eligibility chapter.

### SNRHA Policy

Other family relationships will be verified through birth certificates or other relevant documents.

### **Marriage**

#### SNRHA Policy

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

### **Separation or Divorce**

#### SNRHA Policy

SNRHA will require the family (head of household) to sign a Certification of Marital Status to document the divorce, or separation. The family may submit a certified copy of a divorce decree, signed by a court officer, or a copy of a court-ordered maintenance or other court record to document a separation.

### **Absence of Adult Member**

#### SNRHA Policy

SNRHA will consider any of the following as verification:

Husband or wife institutes divorce action

Husband or wife institutes legal separation.

Order of protection/restraining order obtained by one family member against another.

Certification of the spouse no longer living in the unit or contributing to the family.

### **Foster Children and Foster Adults**

#### SNRHA Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.



## **6-II.D. DOCUMENTATION OF AGE**

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.

### SNRHA Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, SNRHA will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

## **6-II.E. VERIFICATION OF STUDENT STATUS**

### **General Requirements**

#### SNRHA Policy

SNRHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family reports full-time student status for an adult other than the head, spouse, or co-head.

The family reports child care expenses to enable a family member to further his or her education.

The family includes a student enrolled in an *institution of higher education*.

The family claims an income exclusion because the student is receiving earned income and only the first \$480 is included as income.

### **Restrictions on Assistance to Students Enrolled in Institutions of Higher Education**

This section applies only to students who are seeking assistance on their own, separately from their parents. It does not apply to students residing with parents who are seeking or receiving HCV assistance.

#### SNRHA Policy

In accordance with the verification hierarchy described in Section 6-1.B, SNRHA will determine whether the student is exempt from the restrictions in 24 CFR 5.612 by verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see Section Exhibit 3-2).



The student is at least 24 years old.

The student is a veteran, as defined in Section 3-II.E.

The student is married.

The student has at least one dependent child, as defined in Section 3-II.E.

If SNRHA cannot verify at least one of these exemption criteria, SNRHA will conclude that the student is subject to the restrictions on assistance at 24 CFR 5.612. In addition to verifying the student's income eligibility, SNRHA will then proceed to verify either the student's parents' income eligibility or the student's independence from his/her parents (see below).

### ***Independent Student***

#### **SNRHA Policy**

SNRHA will verify a student's independence from his/her parents to determine that the student's parents' income is not relevant for determining the student's eligibility by doing all of the following:

Either reviewing or verifying previous address information to determine whether the student has established a household separate from his/her parents for at least one year or reviewing and verifying documentation relevant to determining whether the student meets the U.S. Department of Education's definition of *independent student* (see Section 3-II.E).

Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent.

Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0.

### **6-II.F. DOCUMENTATION OF DISABILITY**

SNRHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income. SNRHA is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. SNRHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If SNRHA receives a verification document that provides such information, the PHA will not place this information in the tenant file. Under no circumstances will the PHA request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at [www.os.dhhs.gov](http://www.os.dhhs.gov).

The above cited regulation does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities [VG, p. 24]:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy



- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance

### **Family Members Receiving SSA Disability Benefits**

Verification of the receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income disallowances and deductions [VG, p. 23].

#### SNRHA Policy

For family members claiming disability who receive disability benefits from the SSA, SNRHA will attempt to obtain information about disability benefits through the HUD Enterprise Income Verification (EIV) system when it is available. If documentation from HUD's EIV System is not available, SNRHA will request a current (dated within the last 60 calendar days) SSA benefit verification letter from each family member claiming disability status. If the family is unable to provide the document(s), SNRHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant or participant receives the benefit verification letter they will be required to provide it to SNRHA.

### **Family Members Not Receiving SSA Disability Benefits**

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.403.

#### SNRHA Policy

For family members claiming disability who do not receive disability benefits from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

## **PART III: VERIFYING INCOME AND ASSETS**

Chapter 5, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by



the family must be verified. This part provides SNRHA policies that supplement the general verification procedures specified in Part I of this chapter.

### **6-III.A. EARNED INCOME**

#### **Wages**

##### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV with four (4) consecutive current paystubs for annuals and 2 for New Hires.
2. Acceptable 3<sup>rd</sup> Party written verification provided by the participant/applicant.
3. Third party written verification.  
(Employment verification form completed by the employer)
4. Oral third party – Staff must document the file narrative to outline why other steps above were not available.
5. W-2 forms and IRS Form 4506-T release.
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

#### **Tips**

##### SNRHA Policy

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year. Interruption of employment due to temporary leave of absence (i.e. maternity leave, short-term disability): upon verification that earnings have stopped, an interim will be conducted to remove the income. The family may be required to complete a Zero Income Questionnaire/Certification. The family is required to report any other income received in lieu of earnings. The family will be required to report when the income starts again. At that time an interim will be conducted to add the income back into the family budget.

### **6-III.B. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS**

#### **Social Security/SSI Benefits**

##### SNRHA Policy



To verify the SS/SSI benefits of applicants, SNRHA will request a current (dated within the last 60 calendar days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), the PHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant has received the benefit verification letter they will be required to provide it to SNRHA.

To verify the SS/SSI benefits of participants, SNRHA will obtain information about social security/SSI benefits through the HUD EIV System and any post increases. If benefit information is not available in HUD systems, SNRHA will request a current SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s) the PHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the participant has received the benefit verification letter they will be required to provide it to SNRHA.

### **6-III. C. ASSETS AND INCOME FROM ASSETS**

#### **Assets Disposed of for Less than Fair Market Value**

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. SNRHA needs to verify only those certifications that warrant documentation [HCV GB, p. 5-28].

##### SNRHA Policy

SNRHA will verify the value of assets disposed of only if:

SNRHA does not already have a reasonable estimation of its value from previously collected information, or

The amount reported by the family in the certification appears obviously in error.

Example 1: An elderly participant reported a \$10,000 certificate of deposit at the last annual reexamination and SNRHA verified this amount. Now the person reports that she has given this \$10,000 to her son. SNRHA has a reasonable estimate of the value of the asset; therefore, re-verification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately \$5,000. Based upon market conditions, this declaration does not seem realistic. Therefore, SNRHA will verify the value of this asset.

### **6-III.D. NET INCOME FROM RENTAL PROPERTY**

##### SNRHA Policy

The family must provide:



A current executed lease for the property that shows the rental amount or certification from the current tenant.

A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income). If schedule E was not prepared, SNRHA will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

### **6-III.E. RETIREMENT ACCOUNTS**

#### SNRHA Policy

SNRHA shall use the streamlined procedure in compliance with PIH Notice 2013-3 which allows the use of previously published cost of living adjustments to verify income amounts if this income is from annuities, insurance policies, retirement funds, or other retirement or non wage income. When third-party verification is not available the type of original document that will be accepted depends upon the family member's retirement status.

*Before* retirement, SNRHA will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 6 months from the effective date of the examination.

*Upon* retirement, SNRHA will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.

*After* retirement, SNRHA will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

### **6-III.F. INCOME FROM EXCLUDED SOURCES**

SNRHA must obtain verification for income exclusions only if, without verification, SNRHA would not be able to determine whether the income is to be excluded. For example: If a family's 16 year old has a job at a fast food restaurant, SNRHA will confirm that SNRHA records verify the child's age but will not send a verification request to the restaurant. However, if a family claims the earned income disallowance for a source of income, both the source and the income must be verified.

#### SNRHA Policy

SNRHA will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share (as is the case with the earned income disallowance). In all other cases, including food stamps, SNRHA will





report the amount to be excluded as indicated on documents provided by the family, including the family's written certification.

### **6-III.G. ZERO/EXTREMELY LOW ANNUAL INCOME STATUS**

#### SNRHA Policy

Families claiming to have no annual income will be required to execute verification forms to determine that certain forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household.

## **PART IV: VERIFYING MANDATORY DEDUCTIONS**

### **6-IV.A. DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS**

The dependent and elderly/disabled family deductions require only that the PHA verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

#### **Dependent Deduction**

See Chapter 5 for a full discussion of this deduction. SNRHA must verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or co-head of the family and is not a foster child.
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student.

#### **Elderly/Disabled Family Deduction**

See Eligibility chapter for a definition of elderly and disabled families and Chapter 5 for a discussion of the deduction. SNRHA must verify that the head, spouse, or co-head is 62 years of age or older or a person with disabilities.

### **6-IV.B. MEDICAL EXPENSE DEDUCTION**

Policies related to medical expenses are found in Chapter 5.

#### **Amount of Expense**

#### SNRHA Policy

SNRHA will provide a third-party verification form directly to the medical provider requesting the needed information.

Medical expenses will be verified through:

Third-party verification form signed by the provider, when possible.

If third-party is not possible, copies of cancelled checks used to make medical expense payments and/or printouts or receipts from the source will be used. In this



case SNRHA will make a best effort to determine what expenses from the past are likely to continue to occur in the future. SNRHA will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming 12 months.

In addition, SNRHA must verify that:

- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

### **Eligible Household**

The medical expense deduction is permitted only for households in which the head, spouse, or cohead is at least 62, or a person with disabilities. SNRHA must verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter of this plan.

### **Qualified Expenses**

To be eligible for the medical expenses deduction, the costs must qualify as medical expenses. See Chapter 5 for SNRHA policy on what counts as a medical expense.

### **Unreimbursed Expenses**

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source.

### **Expenses Incurred in Past Years**

#### SNRHA Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, SNRHA will verify:

- The anticipated repayment schedule
- The amounts paid in the past, and
- Whether the amounts to be repaid have been deducted from the family's annual income in past years

## **6-IV.C. DISABILITY ASSISTANCE EXPENSES**

Policies related to disability assistance expenses are found in Chapter 5.

### **Amount of Expense**



## *Attendant Care*

### SNRHA Policy

SNRHA will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:

Third-party verification form signed by the provider, when possible.

If third-party is not possible, copies of cancelled checks used to make attendant care payments and/or receipts from care source.

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 months.

## *Auxiliary Apparatus*

### SNRHA Policy

Expenses for auxiliary apparatus will be verified through:

Third-party verification of anticipated purchase costs of auxiliary apparatus. If third-party is not possible, billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months.

If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months.

In addition, SNRHA must verify that:

The family member for whom the expense is incurred is a person with disabilities.

The expense permits a family member, or members, to work (see Chapter 5).

The expense is not reimbursed from another source (see Chapter 5).

The expense does not exceed the amount of the earned income of the individual freed for work.

## **Family Member is a Person with Disabilities**

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. SNRHA will verify that the expense is incurred for a person with disabilities.

## **Family Member(s) Permitted to Work**

SNRHA must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.



### SNRHA Policy

SNRHA will seek third-party verification from a Rehabilitation Agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work.

If third-party and document review verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work.

### **Unreimbursed Expenses**

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

### SNRHA Policy

An attendant care provider will be asked to certify that, to the best of the provider's knowledge, the expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

## **6-IV.D. CHILD CARE EXPENSES**

SNRHA must verify that:

- The child is eligible for care.
- The costs claimed are not reimbursed.
- The costs enable a family member to pursue an eligible activity.
- The costs are for an allowable type of childcare.
- The costs are reasonable if seeking employment or furthering education.

### **Eligible Child**

To be eligible for the childcare deduction, the costs must be incurred for the care of a child under the age of 13. SNRHA will verify that the child being cared for (including foster children) is under the age of 13.

### **Unreimbursed Expense**

To be eligible for the childcare deduction, the costs must not be reimbursed by another source.

### SNRHA Policy

The childcare provider will be asked to certify that, to the best of the provider's knowledge, the childcare expenses are not paid by or reimbursed to the family from any



source. The family will be required to certify that the childcare expenses are not paid by or reimbursed to the family from any source.

SNRHA must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

### ***Information to be Gathered***

SNRHA will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### ***Seeking Work***

Whenever possible SNRHA will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases SNRHA will request verification from the agency of the member's job seeking efforts to date and require the family to submit to SNRHA any reports provided to the other agency.

In the event third-party verification is not available, SNRHA will provide the family with a form on which the family member must record job search efforts. SNRHA will review this information at each subsequent reexamination for which this deduction is claimed.

### ***Furthering Education***

SNRHA will ask that the academic or vocational educational institution verify that the person permitted to further his or her education by the childcare is enrolled and provide information about the timing of classes for which the person is registered

### ***Gainful Employment***

SNRHA will seek verification from the employer of the work schedule of the person who is permitted to work by the childcare. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified.

## **Allowable Type of Child Care**

The type of care to be provided is determined by the family.

### **SNRHA Policy**

SNRHA will verify that the type of childcare selected by the family is allowable, as described in Chapter 5.

SNRHA will verify that the fees paid to the childcare provider cover only childcare costs (e.g., no housekeeping services or personal services) and are paid only for the care of an



eligible child (e.g., prorate costs if some of the care is provided for ineligible family members).

SNRHA will verify the childcare provider is not a family member residing in the household. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.

### **Reasonableness of Expenses**

Only reasonable childcare costs can be deducted for seeking employment or furthering education.

#### SNRHA Policy

To verify that the childcare costs are reasonable, the actual costs the family incurs will be compared with SNRHA's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable.

If the family presents a justification for costs that exceed typical costs in the area, SNRHA will request additional documentation, as required, to support a determination that the higher cost is appropriate.

SNRHA will send out our childcare verification form when child care expenses are being verified. This form must be completed with all questions answered and returned by mail or fax. This form will be the only verification childcare form acceptable by our agency. Private childcare providers that do not have tax identification numbers must complete the section that requests their social security numbers or their INS number.

Written verification from the person who receives the payments is required. If the child care provider is licensed, the provider is required to provide their Employment Identification Number.

Verifications must specify the child care provider's business or individual name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Families must certify as to whether any of those payments have been or will be paid or reimbursed by outside sources.

**U.S. Department of Housing and Urban Development Office of Public and Indian Housing**  
**The New HUD Regulation: 24 CFR 5.233.** Effective January 31, 2010, all PHAs are required to use the EIV system in its entirety. This means that PHAs must use all features of the EIV system to:

- a. Verify tenant employment and income information during mandatory reexaminations of family composition and income in accordance with 24 CFR §5.236, and HUD



administrative guidance; and

- b.** Reduce administrative and subsidy payment errors in accordance with HUD administrative guidance.

All PHAs are required to review the EIV Income Report of each family before or during mandatory annual and interim reexaminations of family income and/or composition to reduce tenant under reporting of income and improper subsidy payments. EIV is classified as an UIV technique (or automated written third party verification), which helps to identify income sources and/or amounts that the tenant may not have disclosed. This UIV technique in many instances will reduce the need to mail or fax third party verification request forms to an income source. EIV also provides various reports to assist PHAs with the following:

- a.** Identifying tenants whose reported personal identifiers do not match the SSA database;
- b.** Identifying tenants who need to disclose a SSN;
- c.** Identifying tenants whose alternate identification number (Alt ID) needs to be replaced with a SSN;
- d.** Identifying tenants who may not have reported complete and accurate income information;
- e.** Identifying tenants who have started a new job;
- f.** Identifying tenants who may be receiving duplicate rental assistance;
- g.** Identifying tenants who are deceased and possibly continuing to receive rental assistance;
- h.** Identifying former tenants of PIH rental assistance programs who voluntarily or involuntarily left the program and have a reportable adverse status and/or owe money to a PHA or Section 8 landlord.

### **Verification Hierarchy:**

PHAs are required to access the EIV system and obtain an Income Report for each household. The PHA is required to maintain the Income Report in the tenant file along with the form HUD-50058 and other supporting documentation to support income and rent determinations for all mandatory annual reexaminations of family income and composition. 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.

### **Level Verification Technique Ranking:**

- 6 Upfront Income Verification(UIV)** using HUD's Enterprise Income Verification (EIV) system (not available for income verifications of applicants) **Highest** (Mandatory)
- 5 Upfront Income Verification (UIV)** using non-HUD system **Highest** (Optional)



**4 Written third Party Verification High** (Mandatory to supplement EIV-reported income sources and when EIV has no data; Mandatory for non-EIV reported income sources; Mandatory when tenant disputes EIV reported employment and income information **and** is unable to provide acceptable documentation to support dispute)

### **3 Written Third Party Verification Form**

**Medium-Low**(Mandatory if written third party verification documents are not available or rejected by the PHA; and when the applicant or tenant is unable to provide acceptable documentation)

**2 Oral Third Party Verification Low** (Mandatory if written third party verification is not available) Must document file narrative when this verification system is used.

**1 Tenant Declaration Low** (Use as a last resort when unable to obtain any type of third party verification)

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

**Verification Technique Definitions Third Party Verification Techniques Upfront Income 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. PHAs 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.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either within the 60 calendar 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 report, employer 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, four 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 written third party verification form or the best available information.

**Note:** Documents older than 60 calendar 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. A standardized form to collect information from a third party source. The form is completed by the third party by hand (in writing or typeset). PHAs 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.

**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. PHA 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 file the reason(s) why third party verification was not available.**

The exception to third party verification can be found at 24 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 the 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 deductions from annual income; and (iv) other factors that affect the determination of adjusted income.

**How to comply with and reduce administrative burden of third party verification requirements of family annual income .** PHAs can comply with and reduce administrative burden of third party verification requirements for employment, wage, unemployment compensation and social security benefits, and any other information that is verifiable using EIV by:

- a. Reviewing the EIV Income Report to confirm/validate tenant-reported income; and;
- b. Printing and maintaining an EIV Income Report (or an EIV Individual Control Number (ICN) page for interim reexaminations as prescribed in Section 12 of this Notice) in the tenant file; and
- c. Obtaining current acceptable tenant-provided documentation to supplement EIV information; and
- d. Using current tenant-provided documentation and/or third party verification to calculate annual income.

**Note:** Social Security benefit information in EIV is updated every three months. If the tenant agrees with the EIV-reported benefit information, PHAs do not need to obtain or request a benefit verification letter from the tenant. See PIH Notice 2010-03 for guidance on verifying Social Security benefit income through the EIV system.



The PHA may also reduce the administrative burden of obtaining third party verification by relying on acceptable documents that are generated by a third party, but provided by the tenant. 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.).

**When the PHA is required to request written third party verification** The PHA must request written third party verification under the following circumstances:

- a. When the tenant disputes the EIV information and is unable to provide acceptable documentation to support his/her dispute (24 CFR §5.236(b));
- b. When the PHA requires additional information that is not available in EIV and /or the tenant is unable to provide the PHA with current acceptable tenant-provided documentation. Examples of additional information, includes but is not limited to:
  - i. Effective dates of income (i.e. employment, unemployment compensation, or social security benefits)
  - ii. For new employment: pay rate, number of hours worked per week, pay frequency, etc.
  - iii. Confirmation of change in circumstances (i.e. reduced hours, reduced rate of pay, temporary leave of absence, etc.)

*Note:* 24 CFR §5.236(a), prohibits PHAs from taking adverse action based solely on EIV information.

**Type of file documentation required to demonstrate PHA compliance with mandated use of EIV as a third party source to verify tenant employment and income information (24 CFR §5.233(a)(2)(i)).**

- A. For each new admission (form HUD-50058 action type 1), the PHA is required to do the following:
  - i. Review the EIV Income Report to confirm/validate family-reported income within 120 calendar days of the PIC submission date; and
  - ii. Print and maintain a copy of the EIV Income Report in the tenant file; and
  - iii. Resolve any income discrepancy with the family within 60 calendar days of the EIV Income Report date.
- B. For each historical adjustment (form HUD-50058 action type 14), the PHA is required to do the following:
  - i. Review the EIV Income Report to confirm/validate family-reported income within 120 calendar days of the PIC submission date; and
  - ii. Print and maintain a copy of the EIV Income Report in the tenant file; and
  - iii. Resolve any income discrepancy with the family within 60 calendar days of the EIV



Income Report date.

C. For each interim reexamination (form HUD-50058 action type 3) of family income and composition, the PHA is required to have the following documentation in the tenant file:

i. **ICN Page** when there is **no** household income discrepancy noted on the household's Income Discrepancy Report tab or Income Discrepancy Report. (PHAs have the discretion to print the EIV Income report, however, only the ICN page is required.) See sample screen shot below.

**Note:** The ICN Page is available from the Summary Report tab. See sample screen shot below:

ii. **EIV Income Report** when there **is** an income discrepancy noted on the household's Income Discrepancy Report tab or Income Discrepancy Report. See sample screen shot below.

D. For each annual reexamination of family income and composition, the PHA is required to have the following documentation in the tenant file:

i. **No Dispute of EIV Information:** EIV Income Report, current acceptable tenant-provided documentation, and *if necessary* (as determined by the PHA), traditional third party verification form(s). See examples 1 and 3 below.

ii. **Disputed EIV Information:** EIV Income report, current acceptable tenant provided documentation, and/or traditional third party verification form(s) for disputed information. See example 2 below.

iii. **Tenant-reported income not verifiable through EIV system:** Current tenant-provided documents, and *if necessary* (as determined by the PHA), traditional third party verification form(s). See example 3 below.

### **Example 1: No Disputed EIV Information & Tenant Provided Documents**

You are conducting an annual re-exam with tenant, Mary Jones. Ms. Jones reports that she is employed at the ABC Box Company. You pull up the EIV income report for the Jones family, which shows quarterly wages from the ABC Box Company for the full year of 2008, and the first two quarters of 2009. Last year's (2009) annual re-exam reflects wages from the same employer. There is no other income information on the report. The PHA may streamline the income verification process by requesting Ms. Jones provide current pay stubs dated within the last 60 calendar days of the interview or PHA request date. The PHA must obtain a minimum of two current and consecutive pay stubs from Ms. Jones. Since there is no disparity between tenant-reported and EIV-reported income, the PHA may obtain original and current tenant-provided pay stubs to calculate annual income.

The PHA may **not** use quarterly EIV wage (or unemployment benefit) information to calculate annual income since this information is at least six months old and more current income information (from pay stubs) is available.



## **Example 2: Disputed EIV Information & No Tenant-Provided Documents**

You are conducting an annual re-exam with tenant, Bob Miller. Mr. Miller reports that his only source of income is monetary support from his sister, Betty Miller. You pull up the EIV income report for the Miller family, which shows quarterly wages from the Home Depot for the full year of 2008, and the first two quarters of 2009. There is no other income information on the EIV report. Last year's (2009) annual re-exam reflects no wage information and only source of income is other non-wage income (monetary support from family member).

You inform Mr. Miller that the EIV system shows wages from the Home Depot and ask him to provide you with current pay stubs. Mr. Miller states that he does not work there and has no pay stubs.

Because Mr. Miller disputes the EIV-reported income and is unable to provide documents to support his dispute, the PHA **must** request written third party verification from Home Depot. You mail a third party verification request form to the address listed for Home Depot. A few calendar days later, you receive the third party verification request form back from Home Depot, which indicates that Mr. Miller has been employed there since January 5, 2008, and a payroll summary report, showing Mr. Miller's bi-weekly gross and net pay since January 2008. Since the disputed EIV information has been confirmed to be correct by the independent third party source (Home Depot), the PHA will use the income information from the payroll summary report to calculate annual income. The PHA would also calculate the retroactive rent (using the information provided by Home Depot) since Mr. Miller failed to disclose his employment at the 2008 and 2009, annual re-exams.

The PHA would also inform Mr. Miller of this retroactive rent and take action according to PHA-established policies.

## **Example 3: Tenant Unreported Income , Income not Verifiable through EIV & Tenant- Provided Documents**

You are conducting an annual re-exam with tenant, Sharon Duvet. Ms. Duvet reports that her only source of income is child support and provides you with four current and consecutive child support pay stubs. You pull up the EIV Income Report for the Duvet family, which shows: hire date at the District Police Department effective January 9, 2005; quarterly wages from the District Police Department for the full years of 2005, 2006, 2007, and 2008, and the first two quarters of 2009. There is no other income information on the EIV Income Report. Last year's (2009) annual re-exam reflects income from only child support. You inform Ms. Duvet that the EIV system is showing wages from the District Police Department and you ask her to provide you with current pay stubs. Ms. Duvet admits that she has been working at the District Police Department and indicates that she can provide you with current pay stubs. You inform Ms.



Duvet that you will also have to calculate her retroactive rent for the previous years in which she did not disclose her employment. You go over the EIV-reported wages with Ms. Duvet and she indicates that she does not dispute the information.

Since Ms. Duvet does not dispute the EIV-reported information, the PHA may use the tenant provided documents to calculate income and rent for the 2010 annual reexam, and use the EIV-reported earnings for years 2005 through 2008, to calculate the retroactive rent Ms. Duvet will owe. The PHA should require Ms. Duvet to provide her last pay stub from 2009, or her 2009 W-2, to calculate the retroactive rent for 2009. The PHA will use the tenant-provided child support pay stubs (child support income is not available in EIV) to calculate annual income from this source.

**What if the tenant does *not* provide the PHA with requested information?** If the tenant does not provide the requested information, the PHA may mail or fax a third party verification request form to the third party source. The PHA is **required** to request third party verification when the tenant disputes EIV information and the tenant is unable to provide acceptable documentation to support disputed information. However, the PHA should **also** remind the tenant that s/he is required to supply any information requested by the PHA for use in a regularly scheduled annual or interim reexamination of family income and composition.

The PHA may determine that the tenant is not in compliance with program requirements and terminate tenancy or assistance, or both, if the tenant fails to provide the requested information in a timely manner (as prescribed by the PHA).

**How to use EIV to reduce administrative and subsidy payment errors.** EIV has the ability to identify other potential issues which may impact a family's level of assistance. EIV contains stand-alone reports, which a PHA may generate at any time (i.e. Deceased Tenants Report, New Hires Report, Multiple Subsidy Report, Identity Verification Report, Income Discrepancy Report, Debts Owed to PHAs & Termination Report, and Immigration Report).

However, it should be noted that the information from these stand-alone reports are contained in the Income Report for each household. PHAs are required to address any and all potential issues at the time of the annual or interim reexam, as conveyed in the Income Report. PHAs may use the stand-alone reports to monitor staff's progress in reducing the following administrative and subsidy payment errors by using the listed reports:

- a. Incorrect/invalid SSNs/name/date of birth – Identity Verification Report
- b. Follow-up with families who need to disclose a SSN – Immigration Report
- c. Duplicate rental assistance – Multiple Subsidy Report
- d. Unreported increase in income – Income discrepancy Report
- e. Improper payments on behalf of deceased tenants – Deceased Tenants Report
- f. Unreported new employment (PHAs with interim increase policy) – New Hires Report
- g. Adverse Termination/Outstanding Debt to PHA – Debts Owed to PHAs & Termination Search



In order to ensure PHAs are aware of potential subsidy payment errors, PHAs are **required** to monitor the following EIV reports on a monthly basis:

1. Deceased Tenants Report
2. Identity Verification Report
3. Immigration Report

In order to ensure PHAs are aware of potential subsidy payment errors, PHAs are **required** to monitor the following EIV reports on a quarterly basis:

1. Income Discrepancy Report
2. Multiple Subsidy Report (and at Admissions)
3. New Hires Report (if your agency has an interim increase policy)

**How to use the EIV Income Report as a third party source to verify tenant employment and income information.** The EIV Income Report provides a variety of information about each household member of the family. The report contains the following information for each household member:

- A. Personal identifiers: name, date of birth, and SSN
- B. Identity verification status (pending, verified, deceased, or failed)
- C. Employment information

1. New Hire Information (W-4)
  - a. Date hired
  - b. Employer name
2. Employer name, address, and employer identification number of current and past employers.
3. Quarterly earnings
  - a. Quarterly unemployment compensation
  - b. Social Security benefit information
4. Social Security (SS) benefits
  - a. Payment status code
  - b. Date of current entitlement
  - c. Current net monthly benefit amount (if payable)
  - d. Gross monthly benefit history (last 8 changes in benefit amount)
  - e. Lump sum payment amount and date
  - f. Payee name and address
5. Dual Entitlement (Social Security benefits under another person's SSN)
  - a. Claim Number (the other person's SSN)



- b. Payment status code
- c. Date of current entitlement
- d. Current net monthly benefit amount (if payable)
- e. Gross monthly benefit history (last 8 changes in benefit amount)
- f. Payee name and address

#### 6. Supplemental Security Income (SSI)

- a. Payment status code
- b. Alien indicator
- c. Current net monthly benefit amount
- d. Current monthly state supplement benefit amount (if available)
- e. Gross monthly benefit history (last 8 changes in benefit amount)
- f. Payee name and address

#### 7. Medicare data

- a. Payee name and address
- b. Monthly hospital insurance premium amount, buy-in status, and buy-in start and end dates
- c. Monthly supplemental medical insurance premium amount, buy-in status, and buy-in start and end dates
- d. Disability status and onset date
- e. Identity verification status
- f. Indicator of possible multiple rental subsidy
- g. Indicator of debt and/or termination information from another PHA (effective September 2010)

All EIV Income Reports contain the date the report was generated and by whom; and the date EIV received each type of information. To minimize tenant underreporting of income, PHAs are required to obtain an EIV Income Report for each family any time the PHA conducts an annual or interim reexamination of family income and composition.

In accordance with 24 CFR §5.236(b) (2) (3), PHAs are required to compare the information on the EIV report with the family-reported information. If the EIV report reveals an income source that was not reported by the tenant or a substantial difference in the reported income information, the PHA is required to take the following actions:

1. Discuss the income discrepancy with the tenant; and
2. Request the tenant to provide any documentation to confirm or dispute the unreported or underreported income and/ or income sources; and
3. In the event the tenant is unable to provide acceptable documentation to resolve the income discrepancy, the PHA is required to request from the third party source, any information necessary to resolve the income discrepancy; and
4. If applicable, determine the tenant's underpayment of rent as a result of unreported or underreported income, retroactively\*; and





5. Take any other appropriate action as directed by HUD or the PHA's administrative policies.

\*The PHA is required to determine the retroactive rent as far back as the existence of complete file documentation (form HUD-50058 and supporting documentation) to support such retroactive rent determinations.

**Note:** A substantial difference is defined as an amount equal to or greater than \$2,400, annually. The tenant must be provided an opportunity to contest the PHA's determination of tenant rent underpayment. HUD regulations require PHAs to promptly notify tenants in writing of any adverse findings made on the basis of the information verified through the aforementioned income discrepancy resolution process. The tenant may contest the findings in accordance with the PHA's established grievance procedures, as required by HUD. The PHA may not terminate, deny, suspend, or reduce the family's assistance until the expiration of any notice or grievance period.

When there is an unsubstantial or no disparity between tenant-reported and EIV-reported income information, the PHA is required to obtain from the tenant, any necessary documentation to complete the income determination process. As noted previously, the PHA may reject any tenant-provided documentation, if the PHA deems the documentation unacceptable. The PHA may reject documentation provided by the tenant for only the following HUD-approved reasons:

1. The document is not an original; or
2. The original document has been altered, mutilated, or is not legible; or
3. The document appears to be a forged document (i.e. does not appear to be authentic).

The PHA should explain to the tenant, the reason(s) the submitted documents are not acceptable and request the tenant to provide additional documentation. If at any time, the tenant is unable to provide acceptable documentation that the PHA deems necessary to complete the income determination process, the PHA is required to submit a traditional third party verification form to the third party source for completion and submission to the PHA.

If the third party source does not respond to the PHA's request for information, the PHA is required to document the tenant file of its attempt to obtain third party verification and that no response to the third party verification request was received.

The PHA should then pursue lower level verifications in accordance with the verification hierarchy listed in section 8 of this notice.

**Tenant Repayment Agreement.** Tenants are required to reimburse the PHA if they were charged less rent than required by HUD's rent formula due to the tenant's underreporting or failure to report income. The tenant is required to reimburse the PHA for the difference between the tenant rent that should have been paid and the tenant rent that was charged. This rent underpayment is commonly referred to as retroactive rent. If the tenant refuses to enter



into a repayment agreement or fails to make payments on an existing or new repayment agreement, the PHA **must** terminate the family's tenancy or assistance, or both. HUD does **not** authorize any PHA-sponsored amnesty or debt forgiveness programs.

All repayment agreements must be in writing, dated, signed by both the tenant and the PHA, include the total retroactive rent amount owed, amount of lump sum payment made at time of execution, if applicable, and the monthly repayment amount. At a minimum, repayment agreements must contain the following provisions:

- a. Reference to the paragraphs in the Public Housing lease or Section 8 information packet whereby the tenant is in non-compliance and may be subject to termination of tenancy or assistance, or both.
- b. The monthly retroactive rent repayment amount is in addition to the family's regular rent contribution and is payable to the PHA.
- c. The terms of the agreement may be renegotiated if there is a decrease or increase in the family's income.
- d. Late and missed payments constitute default of the repayment agreement and may result in termination of tenancy and/or assistance unless balance is paid in full no later than the last day of the month of the default.

PHAs are required to determine retroactive rent amount as far back as the PHA has documentation of family reported income. For example, if the PHA determines that the family has not reported income for a period of five years and only has documentation for the last three years, the PHA is only able to collect for those years.

SNRHA shall offer the opportunity to all household to provide additional contact information on the HUD form 92006 at the time of application. Families are not required to supply the information but SNRHA shall offer the family an opportunity to complete the form.

**EXHIBIT 6-1: SUMMARY OF DOCUMENTATION REQUIREMENTS FOR NONCITIZENS [HCV GB, pp. 5-9 and 5-10]**

- **All** noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the PHA.
- Except for persons 62 or older, all noncitizens must sign a verification consent form
- Additional documents are required based upon the person's status.

**Elderly Noncitizens**

- A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits.

**All other Noncitizens**

- Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below.



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Form I-551 Alien Registration Receipt Card (for permanent resident aliens)</li> <li>• Form I-94 Arrival-Departure Record annotated with one of the following:             <ul style="list-style-type: none"> <li>• “Admitted as a Refugee Pursuant to Section 207”</li> <li>• “Section 208” or “Asylum”</li> <li>• “Section 243(h)” or “Deportation stayed by Attorney General”</li> <li>• “Paroled Pursuant to Section 221 (d)(5) of the USCIS”</li> </ul> </li> </ul>   | <ul style="list-style-type: none"> <li>• Form I-94 Arrival-Departure Record with no annotation accompanied by:             <ul style="list-style-type: none"> <li>• A final court decision granting asylum (but only if no appeal is taken);</li> <li>• A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90);</li> <li>• A court decision granting withholding of deportation; or</li> <li>• A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).</li> </ul> </li> </ul> |
| <ul style="list-style-type: none"> <li>• Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                   | Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <ul style="list-style-type: none"> <li>• A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or</li> <li>• Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the <i>Federal Register</i></li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



## Chapter 7

### BRIEFINGS AND VOUCHER ISSUANCE

#### INTRODUCTION

This chapter explains the briefing and voucher issuance process. When a family is determined eligible for the Housing Choice Voucher (HCV) program, SNRHA must ensure that the family fully understands the way the program operates and the family's obligations under the program. This is accomplished through both an oral briefing and provision of a briefing packet containing written documentation of information the family needs to know. Once the family is fully informed of the program's requirements, SNRHA issues the family a voucher. The voucher includes the unit size the family qualifies for based on SNRHA's subsidy standards, as well as the dates of issuance and expiration of the voucher. The voucher is the document that permits the family to begin its search for a unit, and limits the amount of time the family has to successfully locate an acceptable unit.

This chapter describes HUD regulations and SNRHA policies related to these topics in two parts:

Part I: Briefings and Family Obligations. This part details the program's requirements for conducting briefings of families orally, and for providing written materials describing the program and its requirements. It includes a particular focus on the family's obligations under the program.

Part II: Subsidy Standards and Voucher Issuance. This part discusses SNRHA's standards for determining how many bedrooms a family of a given composition qualifies for, which in turn affects the amount of subsidy the family can receive. It also discusses the policies that dictate how vouchers are issued, and how long families have to locate a unit.

#### PART I: BRIEFINGS AND FAMILY OBLIGATIONS

##### 7-I.A. OVERVIEW

SNRHA's goals and objectives are designed to assure that families selected to participate are equipped with the tools necessary to locate an acceptable housing unit. Families are provided sufficient knowledge and information regarding the program and how to achieve maximum benefit while complying with program requirements. When eligibility has been determined, SNRHA will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, SNRHA procedures, and how to lease a unit. The family will also receive a briefing packet that provides more detailed information about the program including the benefits of moving outside areas of poverty and minority concentration. This Chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.



HUD regulations require SNRHA to conduct mandatory briefings for applicant families. The briefing provides a broad description of owner and family responsibilities, explains SNRHA's procedures, and includes instructions on how to lease a unit. This part describes how oral briefings will be conducted, specifies what written information will be provided to families, and lists the family's obligations under the program.

### **ISSUANCE OF VOUCHERS [24 CFR 982.204(d), 982.54(d) (2)]**

When funding is available, SNRHA will issue Vouchers to applicants whose eligibility has been determined. The number of Vouchers issued will be designed to ensure that SNRHA stays as close as possible to 100 percent lease-up and maximizes SNRHA annual budget authority. SNRHA performs a monthly calculation manually to determine whether applications can be processed, the number of Vouchers that can be issued, and to what extent SNRHA can over-issue (issue more Vouchers than the budget allows to achieve lease-up because some families will not lease).

SNRHA may over-issue Vouchers only to the extent necessary to meet leasing goals. If SNRHA finds it is over-leased, it must adjust future issuance of Vouchers in order not to exceed the ACC budget limitations over the fiscal year.

### **7-I.B. BRIEFING [24 CFR 982.301]**

SNRHA must provide the family an oral briefing and provide the family with a briefing packet containing written information about the program. Families may be briefed individually or in groups. At the briefing, SNRHA must ensure effective communication in accordance with Section 504 requirements (Section 504 of the Rehabilitation Act of 1973), and ensure that the briefing site is accessible to individuals with disabilities. For a more thorough discussion of accessibility requirements, refer to Chapter 2.

#### SNRHA Policy

Briefings will be conducted in group or individual meetings. Families who attend group briefings and still have the need for individual assistance will be referred to their assigned Occupancy Specialist.

Briefings will be conducted in English. Briefings will also be conducted in Spanish, as requested prior to the briefing date and time and may be one-on-one. As noted in the policy on individuals who are Limited English Proficient, if any eligible population group grows enough, briefings will be conducted (and material provided) in those other languages. See LEP policy in Chapter 2 and Addendum B.

The purpose of the briefing is to explain how the program works and the documents in the Voucher holder's packet to families so that they are fully informed about the program. This will not only provide knowledge of the program but also enable participants to utilize the program to their full advantage. It will also prepare clients to discuss leasing options with potential owners and property managers.



SNRHA will not issue a Voucher to a family unless the household representative attends a briefing and signs the Voucher. The voucher will only be signed by the head-of-household (HoH) or spouse (SNRHA must have a copy of the marriage certificate on file in order for the spouse to sign) or person with power of attorney for the HoH. (SNRHA must have a copy of the power of attorney on file). Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. SNRHA will conduct additional or individual briefings for families with verified disabilities at their home, upon request by the family, if required as a reasonable accommodation.

## **Notification and Attendance**

### SNRHA Policy

Families will be notified of their eligibility for assistance at the time they are invited to attend a briefing. The notice will identify who is required to attend the briefing, as well as the date and time of the scheduled briefing.

All returned mail will be checked against the full application to verify if a secondary address is listed, and if so the letter will be sent to that address. If the notice is returned by the post office and there is no second address, the applicant will be withdrawn and their name will not be placed back on the waiting list.

Applicants who fail to attend a scheduled briefing will automatically be scheduled for a final briefing. SNRHA will notify the family of the date and time of the final scheduled briefing. Applicants who fail to attend two scheduled briefings, without SNRHA approval, will be denied assistance.

### **Oral Briefing [24 CFR 982.301(a)]**

Each briefing must provide information on the following subjects:

- How the Housing Choice Voucher program works
- Family and owner responsibilities
- Where the family can lease a unit, including renting a unit inside or outside SNRHA's jurisdiction
- For families eligible under portability, an explanation of portability. SNRHA cannot discourage eligible families from moving under portability. All families attending the briefing receive portability information and requirements.
- For families living in high-poverty census tracts, an explanation of the advantages of moving to areas outside of high-poverty concentrations and
- For families receiving welfare-to-work vouchers, a description of any local obligations of a welfare-to-work family and an explanation that failure to meet the obligations is grounds for denial of admission or termination of assistance.



### SNRHA Policy

When SNRHA-owned units are available for lease, SNRHA will inform the family during the oral briefing that the family has the right to select any eligible unit available for lease, and is not obligated to choose a SNRHA-owned unit.

### **Briefing Packet [24 CFR 982.301(b)]**

If the family includes a person with disabilities, SNRHA will ensure compliance with CFR 8.6 to ensure effective communication. Additionally, persons who qualify for Mainstream Voucher and said vouchers are available, shall be issued that voucher type.

Documents and information provided in the briefing packet must include the following:

- The term of the voucher and SNRHA's policies on any extensions or suspensions of the term (Tolling). If SNRHA allows extensions, the packet must explain how the family can request an extension and provide the form
- A description of the method used to calculate the housing assistance payment for a family, including how SNRHA determines the payment standard for a family, how SNRHA determines total tenant payment for a family, and information on the payment standard and utility allowance schedule
- An explanation of how SNRHA determines the maximum allowable rent for an assisted unit
- Where the family may lease a unit. For a family that qualifies to lease a unit outside SNRHA jurisdiction under portability procedures, the information must include an explanation of how portability works and a list of contacts
- The HUD-required tenancy addendum and lease requirements
- The form the family must use to request approval of tenancy, and a description of the procedure for requesting approval for a tenancy and submitting the completed packet for lease-up. SNRHA requires a signed lease by both parties with no effective date, to be attached to the Request For Tenancy Approval (RFTA) when it is returned
- A statement of SNRHA policy on providing information about families to prospective owners
- SNRHA occupancy standards including when and how exceptions are made
- The HUD brochure on how to select a unit and/or the HUD brochure "A Good Place to Live" on how to select a unit that complies with HQS
- The HUD pamphlet regarding lead-based paint entitled *Protect Your Family from Lead in Your Home*
- Information on federal, state and local equal opportunity laws and a copy of the housing discrimination complaint form. SNRHA will also include the pamphlet "Fair Housing: It's Your Right"



- A list of landlords or other parties willing to lease to assisted families or help families find units, especially outside areas of poverty or minority concentration. This list identifies units that have been stated as being accessible by the owners
- Helpful Hints Brochure –How to Keep Your Section 8 Assistance
- The family obligations under the program
- The grounds on which SNRHA may terminate assistance for a participant family because of family action or failure to act
- SNRHA informal hearing procedures including when SNRHA is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing
- Informational packet including an explanation of how portability works, including a list of neighboring housing agencies with the names, address and telephone number of a portability contact person at each for use by families who move under portability
- Expanding Housing Opportunities [24 CFR 985.3(g)]
- A map showing areas representing various income levels of the jurisdiction and surrounding areas for the purpose of expanding housing opportunities for families
- Information regarding SNRHA’s outreach program which assists families who are interested in, or experiencing difficulty in obtaining available housing units in areas outside of minority concentration locations
- Procedures for notifying SNRHA and/or HUD of program abuses such as side payments, extra charges, violation of tenant rights, and owner’s failure to repair
- Resource Guide –which include contacts to assist disabled persons with accessible unit modifications and deposits as well as service providers for all low-income families within our community
- Side-payments are prohibited (including Pool Fees; HOA fees, gardening/landscaping, and/or Management Fees)
- Terminations as a result of evictions for cause
- Requirements for reporting income and family composition changes between annual and form to report these changes
- Information on security deposits and legal referral services
- Exercising choice in residency
- Choosing a unit carefully and only after due consideration –must live in the unit for one year
- The Family Self-Sufficiency Program and Interest Form
- LEP Pamphlet
- Reasonable Accommodation Notice
- Ground for Termination of Assistance





- Occupancy Specialist Contact Information

If the PHA is located in a metropolitan FMR area, the following additional information must be included in the briefing packet in order to receive full points under SEMAP Indicator 7, Expanding Housing Opportunities [24 CFR 985.3(g)].

- Information about the characteristics of these areas including job opportunities, schools, transportation and other services
- An explanation of how portability works, including a list of portability contact persons for neighboring PHAs including names, addresses, and telephone numbers

### **Additional Items to be Included in the Briefing Packet**

In addition to items required by the regulations, SNRHA may wish to include supplemental materials to help explain the program to both participants and owners [HCV GB p. 8-7]

#### SNRHA Policy

SNRHA will provide the following additional materials in the briefing packet:

When SNRHA-owned units are available for lease, a written statement that the family has the right to select any eligible unit available for lease, and is not obligated to choose a SNRHA-owned unit.

Information on how to fill out and file a housing discrimination complaint form.

The publication *Things You Should Know (HUD-1140-OIG)* that explains the types of actions a family must avoid and the penalties for program abuse.

### **7-I.C. FAMILY OBLIGATIONS**

The obligations of the family are described in the housing choice voucher (HCV) regulations and on the voucher itself. These obligations include responsibilities the family is required to fulfill, as well as prohibited actions. SNRHA must inform families of these obligations during the oral briefing, and the same information must be included in the briefing packet. When the family's unit is approved and the HAP contract is executed, the family must meet those obligations in order to continue participating in the program. Violation of any family obligation may result in termination of assistance, as described in Chapter 12.

#### **Time Frames for Reporting Changes Required By Family Obligations**

##### SNRHA Policy

Unless otherwise noted below, when family obligations require the family to respond to a request or notify SNRHA of a change, notifying SNRHA of the request or change within 10 calendar days is considered prompt notice.

When a family is required to provide notice to SNRHA, the notice must be in writing.

#### **Family Obligations [24 CFR 982.551]**

Following is a listing of a participant family's obligations under the HCV program:



- The family must supply any information that SNRHA or HUD determines to be necessary, including submission of required evidence of citizenship or eligible immigration status
- The family must supply any information requested by SNRHA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition
- The family must disclose and verify social security numbers and sign and submit consent forms for obtaining information
- Any information supplied by the family must be true and complete
- The family is responsible for any Housing Quality Standards (HQS) breach by the family caused by failure to pay tenant-provided utilities or appliances, or damages to the dwelling unit or premises beyond normal wear and tear caused by any member of the household or guest

#### SNRHA Policy

Damages beyond normal wear and tear will be considered to be damages which could be assessed against the security deposit. When a court awards damages to the landlord, the tenant must make financial restitution to the landlord within 30 calendar days of the date on the notice. The PHA shall mail a copy of any court judgments to the tenant when provided if the owner. If the tenant fails to pay within 30 calendar days or enter into a repayment agreement with the owner and comply with the terms of the repayment agreement, the tenant's voucher shall be terminated.

- The family must allow SNRHA to inspect the unit at reasonable times and after reasonable notice, as described in Chapter 8 of this plan
- The family must not commit any serious or repeated violation of the lease

#### SNRHA Policy

SNRHA will determine if a family has committed serious or repeated violations of the lease based on available evidence, including but not limited to, a court-ordered eviction, or an owner's notice to evict.

Serious and repeated lease violations will include, but not be limited to, nonpayment of rent, disturbance of neighbors, destruction of property, living or housekeeping habits that causes damages to the unit or premises and/or criminal activity. Generally, the criterion to be used is whether the reason for the eviction was through no fault of the tenant or guests.

The family must notify SNRHA and the owner before moving out of the unit or terminating the lease.

#### SNRHA Policy

The family must comply with lease requirements regarding written notice to the owner. The family must provide written notice to SNRHA at the same time the owner is notified.

- The family must promptly give SNRHA a copy of any owner eviction notice



- The family must use the assisted unit for residence by the family. The unit must be the family's only residence
- The composition of the assisted family residing in the unit must be approved by SNRHA. The family must promptly notify SNRHA in writing of the birth, adoption, or court-awarded custody of a child within ten (10) calendar days. The family must request SNRHA approval to add any other family member as an occupant of the unit, including a new spouse

#### SNRHA Policy

The request to add a family member must be submitted in writing and approved prior to the person moving into the unit. SNRHA will determine eligibility of the new member in accordance with the policies in Chapter 2.

- The family must promptly notify SNRHA in writing if any family member no longer lives in the unit, within ten (10) calendar days
- If SNRHA has given approval, a foster child or a live-in aide may reside in the unit. SNRHA has the discretion to adopt reasonable policies concerning residency by a foster child or a live-in aide, and to define when SNRHA consent may be given or denied. For policies related to the request and approval/disapproval of foster children, foster adults, and live-in aides, see Chapter 2 and Chapter 11 (Section II.B)
- The family must not sublease the unit, assign the lease, or transfer the unit

#### SNRHA Policy

Subleasing includes receiving payment to cover rent and utility costs by a person living in the unit who is not listed as a family member.

- The family must supply any information requested by SNRHA to verify that the family is living in the unit or information related to family absence from the unit

The family must promptly notify SNRHA when the family is absent from the unit.

#### SNRHA Policy

Notice is required under this provision only when all family members will be absent from the unit for an extended period. An extended period is defined as any period greater than 30 calendar days. Written notice must be provided to SNRHA at the start of the extended absence.

- The family must pay utility bills and provide and maintain any appliances that the owner is not required to provide under the lease [Form HUD-52646, Voucher]
- The family must not own or have any interest in the unit, (other than in a cooperative and owners of a manufactured home leasing a manufactured home space)
- Family members must not commit fraud, bribery, or any other corrupt or criminal act in connection with the program. (See Chapter 16, Program Integrity for additional information)
- Family members must not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of



other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 for HUD and SNRHA policies related to drug-related and violent criminal activity

- Members of the household must not engage in abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 for a discussion of HUD and SNRHA policies related to alcohol abuse
- An assisted family or member of the family must not receive HCV program assistance while receiving another housing subsidy, for the same unit or a different unit under any other federal, state or local housing assistance program
- A family must not receive HCV program assistance while residing in a unit owned by a parent, child, grandparent, grandchild, sister, or brother of any member of the family, unless the PHA has determined (and has notified the owner and the family of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities [Form HUD-52646, Voucher].

### ***Move Briefing***

A move briefing will be held for participants who will be reissued a voucher to move and have given proper notice (written 30 day notice or 60 days if the participant have leases at tax credit properties) of intent to vacate to their landlord and SNRHA. This briefing includes incoming and outgoing portable families. SNRHA shall assist outgoing ports in identifying the correct staff at the PHA within the area that they are moving. Participants cannot exercise the portability right if they would be in violation of their lease or entered the program from a location other than Clark County and have not lived in SNRHA's jurisdiction for at least one year. SNRHA shall not issue a voucher to the participant if any form of an eviction notice "for cause" has been served and submitted to SNRHA. The owner/manager shall have no more than 30 calendar days to submit a court order summary of judgment to SNRHA. If SNRHA does not receive this document within 30 calendar days of the notice to vacate, the family shall be issued a voucher, if they have given a written 30 calendar days notice to their property owner or manager. The family's assistance may still be terminated if a summary of judgment is received even after they have moved or been issued a voucher to move, as SNRHA shall consider the summary of eviction for cause as documentation of a serious lease violation.

Program participants with disabilities who need to move to a new unit for reasons related to their disability must first receive approval from SNRHA which shall be verified by their doctor or other professional medical provider. Then additional approval from the owner as documented by the owner/manager signing a mutual rescission form shall be required. If such permission is obtained, SNRHA will permit the family to move.

### ***Owner Briefing***

Briefings are held for owners annually or as needed to market the Section 8 Housing Choice Voucher Program. All new owners and current owners are notified in writing. Prospective owners are also welcome. The purpose of the briefing is to assure successful owner participation in the program. The briefing covers the responsibilities and roles of the three parties.



### ***ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION***

SNRHA is committed to providing its Section 8 participants with the broadest possible range of housing choices. At the briefing, families are encouraged to search for housing in non-impacted areas and informed that SNRHA will provide assistance to families who wish to do so. Non-impacted area is defined as census tracts within Clark County that are neither poverty-impacted areas nor areas of racial concentration identified by the Clark County and the HUD voluntary compliance agreement (VCA) as such.

SNRHA has areas of poverty and minority concentration clearly delineated in order to provide families with information and encouragement in seeking housing opportunities outside highly concentrated areas. SNRHA encourages participation by owners of units outside of areas of poverty and minority concentration. SNRHA will also continue to be members of the NV Apartment Association and use media and other educational forums to promote the Housing Choice Program throughout all communities. This outreach includes developing partnerships with agencies that represent the disabled population within our communities.

SNRHA has developed and provides all participants with its deconcentration map that show various areas and information about facilities and services in neighboring areas such as schools, transportation, and supportive and social services.

SNRHA will investigate and analyze when Voucher holders are experiencing difficulties locating or obtaining housing units outside areas of concentration. A report of where families are currently leased vs. where families are moving will be maintained for SEMAP reporting purposes, which address deconcentration efforts of SNRHA.

The assistance provided to such families includes:

- Providing families with a search record form to gather and record information
- Direct contact with landlords
- Counseling with the family
- Providing information about services in various non-impacted areas
- Meeting with neighborhood groups to promote understanding
- Formal or informal discussions with landlord groups
- Formal or informal discussions with social service agencies

SNRHA shall provide all applicants at their briefing an explanation of portability under the Housing Choice Voucher Program, including in the packet shall be a listing of the names and phone numbers of contact persons at neighboring housing authorities.

### ***ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION***

SNRHA will give participants a copy of HUD form 903 to file a complaint.

(See Chapter 2 regarding Fair Housing and Reasonable Accommodation)



## ***SECURITY DEPOSIT REQUIREMENTS [24 CFR 982.313]***

### ***Leases Effective on or after October 2, 1995***

The owner is not required to but may collect a (one) month security deposit from the tenant.

The owner may collect a security deposit from the tenant family that does not exceed one month's contract rent, which has been to be private market practice. If the owner collects less than one (1) month's rent as security deposit from unassisted rental units, the security deposits on the Section 8 assisted units must be established at the same amount.

For lease-in-place families, responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owner should settle the issue with the tenant prior to the beginning of assistance. When the tenant moves out of the dwelling unit, the owner, subject to State or local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid rent payable by the tenant, damages to the unit or for other amounts the tenant owes under the lease. The owner must give the tenant a written list of all items charged against the security deposit, and the amount of each item. After deducting the amount, if any, used to reimburse the owner, the owner must refund the full amount of the unused balance to the tenant within 30 calendar days.

If the security deposit is insufficient to cover amounts the tenant owes under the lease, the owner may seek to collect the balance from the tenant.

### ***TERM OF VOUCHER [24 CFR 982.303, 982.54(d) (11)]***

During the briefing session, each household will be issued a Voucher, which represents a contractual agreement between SNRHA and the Family specifying the rights and responsibilities of each party. It does not constitute admission to the program, which occurs when the lease and contract become effective.

### ***Expirations***

The Voucher is valid for a period of at least sixty calendar days from the date of issuance. The family must submit a Request for Tenancy Approval (RFTA) and a signed Lease (with no execution date) within the sixty calendar day period unless an extension has been granted by SNRHA prior to the expiration date on the voucher. SNRHA shall issue all vouchers for disabled families for an initial period of 90 calendar days to promote full participation of persons with disabilities. An additional 30 calendar day extension may be requested if a unit is not located within the 90 calendar day period. SNRHA will only provide an additional extension of another 30 calendar days as a reasonable accommodation, if the disabled or elderly family requests a reasonable accommodation and it is approved prior to the voucher expiration date. No extensions shall be approved for more than 150 days. This policy is consistent with the Executive Order 13217 "Community-Based Alternatives for Individuals with Disabilities."

If the Voucher has expired, and has not been extended by SNRHA or expires after an extension, the family will be denied assistance. The family will not be entitled to a review or hearing. If the family is currently assisted, they may remain as a participant in their unit if there is an assisted lease/contract in effect.



### ***Suspensions***

When a Request for Tenancy Approval (RFTA) is received, SNRHA will deduct the number of calendar days remaining on the voucher from that date the RFTA is received by SNRHA.

### ***Extensions***

SNRHA will extend the term of the voucher for up to 150 calendar days from the beginning of the initial term (issuance date of voucher) if the family needs and request an extension as a reasonable accommodation to make the program accessible and usable by a family member with a disability. The reasonable accommodation must be approved by the 504 Officer.

A family may request an extension of the Voucher time-period. All requests for extensions must be received prior to the expiration date of the Voucher. SNRHA shall not issue extensions for more than 30 calendar days for port-in participants to ensure compliance with billing requirements established by HUD, unless as a reasonable accommodation for a disabled or elderly client.

A family may submit a written request for an extension of time to search for suitable housing. The written request must be received before the expiration date on the voucher. SNRHA will evaluate each request and determine the likelihood of the family finding housing with additional time to look. An approved extension will be granted for a 30 calendar day period of time with proof of search effort with at least five units viewed.

Extensions are permissible at the discretion of SNRHA up to a maximum of additional 30 calendar days for:

- Extenuating circumstances (such as hospitalization or a family emergency for an extended period of time, which has affected the family's ability to find a unit within the initial sixty calendar day period). Verification is required.
- The family was prevented from finding a unit due to disability accessibility requirements or large size, defined as 4 or more bedrooms, requirement. The Search Record is part of the required verification.

### ***Assistance to Voucher Holders***

Families who require additional assistance during their search may call SNRHA office to request assistance. Voucher holders will be notified at their briefing session that SNRHA periodically updates the listing of available units and how the updated list may be obtained. Disabled voucher holders may contact the Housing Choice Voucher (HCV) Department if they require additional assistance in locating a unit or an extension of time as a reasonable accommodation.

SNRHA will assist families in negotiating with owners and provide other assistance related to the family's search for housing.

### ***REMAINING MEMBER OF TENANT FAMILY – RETENTION OF VOUCHER [24 CFR 982.315]***

To be considered the remaining member of the tenant family, the person must have been previously approved by SNRHA to be living in the unit. An adult, other than the co-head can take over the voucher if the voucher holder decides they no longer want the voucher. This



includes other adult children in the unit. However, the adult would be required to complete and pass a criminal background check prior to the voucher being reassigned and must have been listed as an original member of the household at the time of the original application or approved as a household member who is at least 18 years of age by SNRHA who has been added to the household for more than two (2) years.

In the event of a death or removal of the only adult in the unit, the person receiving court awarded guardianship will be assigned the voucher, if they request it.

A live-in aide, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

- The court has to have awarded emancipated minor status to the minor or
- SNRHA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the child(ren) for an indefinite period. The adult must meet all eligibility requirements of the Housing Choice Voucher Program
- The Court has awarded custody of the minors to another adult who must meet all eligibility requirements of the Housing Choice Voucher Program
- Only one voucher will be issued in the case where award of children are given to more than one adult. The adult receiving the greater number of children will receive the voucher, if he/she meets all other program requirements. In the case of equal number of children and multiple parents or guardians, neither parent will receive the voucher unless a formal court decision is rendered and provided to SNRHA providing guidance for which adult is to receive the voucher.(See Chapter 5 regarding Caretaker for Children) A reduction in family size may require a reduction in the voucher family unit size.
- SNRHA shall conduct an overview briefing for new Head of Household regarding family obligations.

## **PART II: SUBSIDY STANDARDS AND VOUCHER ISSUANCE**

### **7-II.A. OVERVIEW**

HUD guidelines require that SNRHA establish subsidy standards for the determination of family unit size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the unit size selected by the family must be within the minimum unit size requirements of HUD's Housing Quality Standards. This Chapter explains the subsidy standards that will be used to determine the voucher size (family unit size) for various sized families when they are selected from the waiting list, as well as SNRHA's procedures when a family's size changes or a family selects a unit size that is different from the size of the voucher issued, voucher term, and to any extensions of the voucher term.





SNRHA must establish subsidy standards that determine the number of bedrooms needed for families of different sizes and compositions. This part presents the policies that will be used to determine the family unit size (also known as the voucher size) a particular family should receive, and the policies that govern making exceptions to those standards.

#### **7-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]**

For each family, SNRHA determines the appropriate number of bedrooms under SNRHA subsidy standards and enters the family unit size on the voucher that is issued to the family. The family unit size does not dictate the size of unit the family must actually lease, nor does it determine who within a household will share a bedroom/sleeping room.

The following requirements apply when SNRHA determines family unit size:

- The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding
- The subsidy standards must be consistent with space requirements under the housing quality standards
- The subsidy standards must be applied consistently for all families of like size and composition
- A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size
- A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family

Any live-in aide (approved by SNRHA to reside in the unit to care for a family member who is disabled) must be counted in determining the family unit size. Upon SNRHA approval of a request for the addition of a live-in aide, SNRHA shall notify participants that they have been approved for a live-in aide and that they must submit the name, SSN, and any other required information of their selection for screening. The proposed live-in aide must sign consent forms in order for SNRHA to conduct the screening. The live-in aide must be approved or disapproved within 30 calendar days of the requested reasonable accommodation request notice, unless SNRHA is awaiting verifications. The voucher allocation increase will be processed for the approved reasonable accommodation once the live-in aide is approved.

- Unless a live-in aide resides with a family, the family unit size for any family consisting of a single person must be either a zero or one-bedroom unit, as determined under SNRHA subsidy standards.
- SNRHA will not issue a larger voucher due to additions of minors to the household of family members other than by birth, adoption, marriage, court-awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services. SNRHA will not increase the bedroom size for a participant when an adult (18 years old and older) is being added to the household, including if the adult to be added is a child of the head of household or co-head.



- SNRHA will consider those minor children of family members that are temporarily placed in foster care in determining the family unit size (voucher size).
- When Department of Family Services (DFS) requires a larger size unit in order for the child/ren to be returned to the home, SNRHA will increase the voucher size as needed prior to the annual reexamination. However, the family may not move if they are in the initial term of their lease, and SNRHA will still not permit overcrowding.

Unless a live-in aide resides with a family, the family unit size for any family consisting of a single person must be either a zero or one-bedroom unit, as determined under SNRHA subsidy standards.

**SNRHA Policy**

SNRHA will assign one (1) bedroom for each two (2) persons within the household, except in the following circumstances:

Persons of the opposite sex (other than spouses) will be allocated a separate bedroom.

Foster children will be included in determining unit size only if they will be in the unit for more than 12 months.

Live-in aides will be allocated a separate bedroom. No additional bedrooms are provided for the attendant’s family.

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

Space will not be provided for a family member, other than a spouse, who will be absent most of the time, such as a member who is away in the military.

A single pregnant woman with no family members must be treated as a two-person family.

Single person families shall be allocated a one (1) bedroom voucher.

SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

SNRHA will reference the following chart in determining the appropriate voucher size for a family:

|                                                                                               |                                                     |
|-----------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <b><i>GUIDELINES FOR DETERMINING VOUCHER SIZE</i></b>                                         |                                                     |
| The lowest bedroom size to comply with two persons per bedroom shall apply regardless of age. |                                                     |
| <b>Voucher Size</b>                                                                           | <b>Persons in Household<br/>(Minimum – Maximum)</b> |



|            |       |
|------------|-------|
| 0 Bedroom  | 1-1   |
| 1 Bedroom  | 1-2   |
| 2 Bedrooms | 2-4   |
| 3 Bedrooms | 3-6   |
| 4 Bedrooms | 5-8   |
| 5 Bedrooms | 7-10  |
| 6 Bedrooms | 10-12 |

**For example:** One bedroom shall be assigned for the head/spouse or head and co-head. For any other person in the household SNRHA shall issue two (2) persons per bedroom. Opposite sexes (except the head/spouse or co-head) shall receive separate bedrooms regardless of age or generations. Additions of adults shall not result in additional bedroom size increases nor will they be allowed if the results will cause overcrowding.

SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

If SNRHA errs in the bedroom size designation, the family will be issued a voucher of the appropriate size.

### **7-II.C. EXCEPTIONS TO SUBSIDY STANDARDS**

In determining family unit size for a particular family, SNRHA may grant an exception to its established subsidy standards as a reasonable accommodation. [24 CFR 982.402(b)(8)].

Reasons may include, but are not limited to:

- A need for an additional bedroom for medical equipment
- A need for a separate bedroom for reasons related to a family member's disability, medical or health condition

For a single person who is not elderly, disabled, or a remaining family member, an exception cannot override the regulatory limit of a zero or one-bedroom [24 CFR 982.402(b)(8)].

#### SNRHA Policy

The family must request any exception to the subsidy standards in writing. The request must explain the need or justification for a larger family unit size, and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source (e.g., doctor or health professional). The family's continued need for an additional bedroom due to special medical equipment or a live-in aide must be re-verified at annual reexamination.



SNRHA will notify the family of its determination within 10 calendar days of receiving the family's request and verification of the need from a professional person. If a participant family's request is denied, the notice will inform the family of their right to request an informal hearing.

## **7-II.D. VOUCHER ISSUANCE [24 CFR 982.302]**

When a family is selected from the waiting list (or as a special admission as described in Chapter 3), or when a participant family wants to move to another unit, the PHA issues a Housing Choice Voucher, form HUD-52646. This chapter deals only with voucher issuance for applicants. For voucher issuance associated with moves of program participants, please refer to Chapter 10.

The voucher is the family's authorization to search for housing. It specifies the unit size for which the family qualifies, and includes both the date of voucher issuance and date of expiration. It contains a brief description of how the program works and explains the family obligations under the program. The voucher is evidence that SNRHA has determined the family to be eligible for the program, and that SNRHA expects to have money available to subsidize the family if the family finds an approvable unit. However, SNRHA does not have any liability to any party by the issuance of the voucher, and the voucher does not give the family any right to participate in SNRHA's housing choice voucher program [Voucher, form HUD-52646].

A voucher can be issued to an applicant family only after SNRHA has determined that the family is eligible for the program based on information received within the 60 calendar days prior to issuance [24 CFR 982.201(e)] and after the family has attended an oral briefing [HCV 8-1].

### SNRHA Policy

Vouchers will be issued to eligible applicants immediately following the mandatory briefing.

SNRHA should have sufficient funds to house an applicant before issuing a voucher. If funds are insufficient to house the family at the top of the waiting list, SNRHA must wait until it has adequate funds before it calls another family from the list [HCV GB p. 8-10].

### SNRHA Policy

Prior to issuing any vouchers, SNRHA will determine whether it has sufficient funding in accordance with the policies in Chapter 16.

If SNRHA determines there is insufficient funding after a voucher has been issued, SNRHA may rescind the voucher and place the affected family back on the waiting list.

## ***VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS [24 CFR 982.315]***

When a family assisted under the HCV program becomes divided into two otherwise eligible families (due to divorce, legal separation, or the division of the family)

1. and the new families cannot agree which new family unit should continue to receive the assistance,
2. and there is no determination by a court,



The HCV Manager shall consider the following factors to determine which of the families will continue to be assisted:

- Role of domestic violence in the split.
- Which family member was listed as head-of-household on the original application

Documentation of these factors is the responsibility of the participant families. If either or both of the families do not provide the documentation within 30 calendar days SNRHA will terminate assistance on the basis of failure to provide information necessary for a recertification.

## **7-II.E. VOUCHER TERM, AND EXTENSIONS**

### **Voucher Term [24 CFR 982.303]**

The initial term of a voucher must be at least 60 calendar days. The initial term must be stated on the voucher [24 CFR 982.303(a)].

#### SNRHA Policy

The initial voucher term will be 60 calendar days. Elderly and disabled vouchers shall be issued for 90 calendar days with one extension of 30 calendar days.

The family must submit a RFTA and proposed lease within the 60 calendar day period unless SNRHA grants an extension. One 30 calendar day extension shall be granted if requested “prior” to the expiration of the voucher.

### **Extensions of Voucher Term [24 CFR 982.303(b)]**

SNRHA has the authority to grant extensions of search time, to specify the length of an extension, and to determine the circumstances under which extensions will be granted. Extensions shall be granted for 30 calendar days, only once.

SNRHA must approve additional search time if needed as a reasonable accommodation to make the program accessible to and usable by a person with disabilities. The extension period must be reasonable for the purpose.

The family must be notified in writing of SNRHA’s decision to approve or deny an extension. SNRHA’s decision to deny a request for an extension of the voucher term is not subject to informal review [24 CFR 982.554(c)(4)].

#### SNRHA Policy

SNRHA will automatically approve one 30 calendar day extension upon written request from the family, however, the request for an extension must be received prior to the expiration date of the initial 60 calendar day time frame.

SNRHA will approve one (1) additional 30 calendar day extension only in the following circumstances:

It is necessary as a reasonable accommodation for a person with disabilities. It is necessary due to reasons beyond the family’s control, as determined by SNRHA. The



following is a list of extenuating circumstances that SNRHA may consider in making its decision. The presence of these circumstances does not guarantee that an extension will be granted:

- Serious illness or death in the immediate family

SNRHA shall require the family to provide documentation to support the request. All requests for extensions to the voucher term must be made in writing and submitted to SNRHA prior to the expiration date of the voucher (or extended term of the voucher). SNRHA will decide whether to approve or deny an extension request within 10 calendar days of the date the request is received, and will immediately provide the family written notice of its decision.

SNRHA may grant one or more extensions of the term, but the initial term plus any extensions will not exceed 120 calendar days from the initial date of issuance unless as a reasonable accommodation for a disabled or elderly person or an director's approval of extenuating circumstances as outlined above. Ports shall be allowed only one extension of 30 calendar days to ensure compliance with HUD's billing requirements, unless as a reasonable accommodation for disabled or elderly clients.

### **Suspensions of Voucher Term [24 CFR 982.303(c)]**

SNRHA must provide for suspension of the initial or any extended term of the voucher from the date the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied.

“Suspension” means stopping the clock on a family's voucher term from the time a family submits the RFTA until the time SNRHA approves or denies the request [24 CFR 982.4].

SNRHA's determination not to suspend a voucher term is not subject to informal review [24 CFR 982.554(c)(4)]

#### SNRHA Policy

When a Request for Tenancy Approval and proposed lease and all other required documents listed in the RFTA checklist are received by SNRHA, the term of the voucher will be suspended while SNRHA processes the request.

### **Expiration of Voucher Term**

Once a family's housing choice voucher term (including any extensions) expires, the family is no longer eligible to search for housing under the program. If the family still wishes to receive assistance, SNRHA shall require that the family reapply when SNRHA reopens its waiting list. Such a family does not become ineligible for the program on the grounds that it was unable to locate a unit before the voucher expired [HCV GB p. 8-13].

#### SNRHA Policy

If a family's voucher term or extension expires before the family has submitted a Request for Tenancy Approval (RFTA), SNRHA will require the family to reapply for assistance. If the RFTA that was submitted prior to the expiration date of the voucher is



subsequently disapproved by SNRHA (after the voucher term has expired), the family will be given the remaining tolling days on the voucher.

Within 30 business days after the expiration of the voucher term or any extension, SNRHA will notify the family in writing that the voucher term has expired and their application withdrawn.

### **Changes in Family Composition**

The voucher size is determined prior to the briefing by comparing the family composition to SNRHA subsidy standards. If an applicant requires a change in the voucher size, based on the requirement of SNRHA subsidy standards, the above reference guidelines will apply. Applicants must notify SNRHA with 10 calendar days of any changes in family composition. All changes must be submitted in writing or other methods needed by a person with a disability to SNRHA.

### **Changes for Participants**

The members of the family residing in the unit must be approved by SNRHA. The family must obtain approval of any additional family member before the new member occupies the unit except for additions by birth, adoption, or court-awarded custody, court awarded guardianship or foster children, in that case the family must inform SNRHA within 10 calendar days in writing. Further, changes in household composition due to marriage must also be reported within 10 calendar days in writing or other method needed by a person with a disability to SNRHA. The spouse, as with all additions to the program over 18 years of age, must be screened by SNRHA and shall be required to sign all authorization forms. The new spouse's income and other adults will count, pursuant to 24 CFR 5.609 (a) (1) unless a legal separation or divorce has been submitted to SNRHA.

SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

The exception will be as an approved reasonable accommodation for a disabled family member, for a live-in aide, medical equipment, or other accommodations verified by a medical professional.

### **Under-housed and Over-housed Families**

If a unit does not meet HQS space standards due to an increase or decrease in family size, (unit too small) or the family no longer meets SNRHA's occupancy standards, SNRHA will issue a new voucher of the appropriate size, at annual recertification date if the addition to the unit has been approved by SNRHA or is due to a birth of a child/ren. SNRHA shall not approve additions to the unit that would result in the family being under housed. If the increase in family size results in the assisted unit failing HQS space standards, SNRHA shall issue a larger voucher at their annual recertification date. The HAP shall be terminated as of the anniversary date of the contract.



### ***SNRHA ERROR IN DETERMINING VOUCHER SIZE***

If SNRHA errs in the bedroom size designation, the family will be issued a Voucher of the appropriate size so that the family is not penalized. At the next annual re-examination or move the family's voucher size shall be adjusted to the requirements of SNRHA's occupancy standards. If the err is found prior to the initial leasing, the voucher size shall be adjusted at that time. Changes to the family's voucher due to updated subsidy standards such as not increasing voucher sizes for new family members that are not by birth, marriage, adoption, or foster care, shall be grandfathered in. However, no new family members can be added to the family that are not in compliance with new policies. This includes adding children that are 18 and older back into the family. A larger voucher size shall not be issued.

### **UNIT SIZE SELECTED [24 CFR 982.402(c)]**

The family may select a different size dwelling unit than that listed on the Voucher. There are three criteria to consider:

- **Subsidy Limitation**: The family unit size as determined for a family under SNRHA subsidy standard for a family assisted in the voucher program is based on SNRHA's adopted payment standards. The payment standard for a family shall be the lower of:
  - The payment standard amount for the family unit size or
  - The payment standard amount for the unit size rented by the family
- **Utility Allowance**: The utility allowance used to calculate the gross rent is based on the actual size of the unit the family selects, regardless of the size authorized on the family's Voucher.
- **Housing Quality Standards (HQS)**: The standards allow two persons per living/sleeping room and permit maximum occupancy levels (assuming a living room is used as a living/sleeping area) as shown in the table in section 7.II.B. The levels may be exceeded if a room in addition to bedrooms and living room is used for sleeping.





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## Chapter 8

### HOUSING QUALITY STANDARDS AND RENT REASONABLENESS DETERMINATIONS

[24 CFR 982 Subpart I and 24 CFR 982.507]

#### INTRODUCTION

HUD requires that all units occupied by families receiving Housing Choice Voucher (HCV) assistance meet HUD's Housing Quality Standards (HQS) and permits SNRHA to establish additional requirements. The use of the term "HQS" in this plan refers to the combination of both HUD and SNRHA-established requirements. HQS inspections are required before the Housing Assistance Payments (HAP) Contract is signed and at least annually during the term of the contract.

HUD also requires PHAs to determine that units rented by families assisted under the HCV program have rents that are reasonable when compared to comparable unassisted units in the market area.

HQS are the HUD minimum quality standards for tenant-based programs. HQS standards are required both at initial occupancy and during the term of the lease. HQS standards apply to the building and premises, as well as the unit. Newly leased units must pass the HQS inspection before the beginning date of the assisted lease and HAP contract.

SNRHA will inspect each unit under contract at least annually. SNRHA will also have a Supervisor HQS inspector or other designated staff, perform quality control inspections on the number of files required for file sampling by SEMAP annually. The results of these quality control inspections will be maintained for future audits to document that SNRHA meets required standards and to assure consistency in SNRHA's program.

This chapter describes SNRHA's procedures for performing HQS and other types of inspections, and SNRHA standards for the timeliness of repairs. It also explains the responsibilities of the owner and family, and the consequences of non-compliance with HQS requirements for both families and owners.

This chapter explains HUD and SNRHA requirements related to housing quality and rent reasonableness as follows:

Part I. Physical Standards. This part discusses the physical standards required of units occupied by HCV-assisted families and identifies decisions about the acceptability of the unit that may be made by the family based upon the family's preference. It also identifies life-threatening conditions that must be addressed on an expedited basis.

Part II. The Inspection Process. This part describes the types of inspections SNRHA will make and the steps that will be taken when units do not meet HQS.

Part III. Rent Reasonableness Determinations. This part discusses the policies SNRHA will use to make rent reasonableness determinations.

Special HQS requirements for homeownership, manufactured homes, and other special housing types are discussed in Chapter 15 to the extent that they apply in this jurisdiction.



## **PART I: PHYSICAL STANDARDS**

### **8-I.A. GENERAL HUD REQUIREMENTS**

#### **HUD Performance and Acceptability Standards**

HUD's performance and acceptability standards for HCV-assisted housing are provided in 24 CFR 982.401. These standards are the responsibility of the owner unless otherwise stated on the lease. In accordance with the HAP contract, Part B, 3(a): The owner must maintain the contract unit and premises in accordance with the Housing Quality Standards (HQS.) These standards cover the following areas:

- Sanitary facilities
- Food preparation and refuse disposal
- Space and Security
- Thermal Environment
- Illumination and electricity
- Structure and materials
- Interior Air Quality
- Water Supply
- Lead-based paint
- Access
- Site and neighborhood
- Sanitary condition
- Smoke Detectors

A summary of HUD performance criteria is provided in Attachment 8-1. Additional guidance on these requirements is found in the following HUD resources:

- Housing Choice Voucher Guidebook, Chapter 10.
- HUD Housing Inspection Manual for Section 8 Housing
- HUD Inspection Form, form HUD-52580 (3/01) and Inspection Checklist, form HUD-52580-A (9/00)
- HUD Notice 2003-31, Accessibility Notice: Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Architectural Barriers Act of 1968 and the Fair Housing Act of 1988.

#### **Tenant Preference Items**

HUD requires SNRHA to enforce minimum HQS but also requires that certain judgments about acceptability be left to the family. For example, SNRHA must ensure that the unit contains the required sanitary facilities, but the family decides whether the cosmetic condition of the facilities



is acceptable. Attachment 8-2 summarizes those items that are considered tenant preferences.**Modifications to Provide Accessibility**

Under the Fair Housing Act of 1988 an owner must not refuse the request of a family that contains a person with a disability to make necessary and reasonable modifications to the unit. Such modifications are at the family's expense. The owner may require restoration of the unit to its original condition if the modification would interfere with the owner or next occupant's full enjoyment of the premises. The owner may not increase a customarily required security deposit. However, the landlord may negotiate a restoration agreement that requires the family to restore the unit and, if necessary to ensure the likelihood of restoration, may require the tenant to pay a reasonable amount into an interest bearing escrow account over a reasonable period of time. The interest in any such account accrues to the benefit of the tenant. The owner may also require reasonable assurances that the quality of the work will be acceptable and that any required building permits will be obtained. [24 CFR 100.203; Notice 2003-31].

Modifications to units to provide access for a person with a disability must meet all applicable HQS requirements and conform to the design, construction, or alteration of facilities contained in the UFAS and the ADA Accessibility Guidelines (ADAAG) [28 CFR 35.151(c) and Notice 2003-31] See Chapter 2 of this plan for additional information on reasonable accommodations for persons with disabilities.

#### SNRHA Policy

Any owner that intends to negotiate a restoration agreement or require an escrow account must submit the agreement(s) to SNRHA for review.

### **8-I.B. ADDITIONAL LOCAL REQUIREMENTS**

SNRHA may impose additional quality standards as long as the additional criteria are not likely to adversely affect the health or safety of participant families or severely restrict housing choice. HUD approval is required if more stringent standards are imposed. HUD approval is not required if SNRHA additions are clarifications of HUD's acceptability criteria or performance standards [24 CFR 982.401(a)(4)].

#### **Thermal Environment [HCV GB p.10-7]**

SNRHA must define a “healthy living environment” for the local climate. This may be done by establishing a temperature that the heating system must be capable of maintaining, that is appropriate for the local climate.

#### SNRHA Policy

The heating system must be capable of maintaining an interior temperature of 65 degrees Fahrenheit between October 1 and May 1. The air conditioning system must be capable of maintaining an interior temperature of 74 degrees Fahrenheit between May 1 and October 1.

### **Clarifications of HUD Requirements**



## SNRHA Policy

As permitted by HUD, SNRHA has adopted the following specific requirements that elaborate on HUD standards.

### ***Walls***

In areas where plaster or drywall is sagging, severely cracked, or otherwise damaged, it must be repaired or replaced.

### ***Windows***

Window sashes must be in good condition, solid and intact, and properly fitted to the window frame. Damaged or deteriorated sashes must be replaced.

Windows must be weather-stripped as needed to ensure a weather-tight seal.

Window screens must be in good condition (applies only if screens are present).

### ***Doors***

All exterior doors must be weather-tight to avoid any air or water infiltration, be lockable, have no holes, have all trim intact, and have a threshold.

All interior doors must have no holes, have all trim intact, and be openable without the use of a key.

Double cylinder deadbolt locks are NOT permitted on any door under any circumstances.

### ***Floors***

All wood floors must be sanded to a smooth surface and sealed. Any loose or warped boards must be resecured and made level. If they cannot be leveled, they must be replaced.

All floors must be in a finished state. Raw wood or unsealed concrete is not permitted.

While baseboards are preferred in dwelling units, the absence of baseboards throughout a unit (in of itself) shall not be cause for a FAIL rating on an HQS Inspection. However, if baseboards are present in all but one or two areas in a unit, then the baseboards should be required in those areas to preserve a "finished look". Vinyl baseboards are permitted.

### ***Sinks***

All sinks and commode water lines must have shut off valves, unless faucets are wall mounted.

All worn or cracked toilet seats and tank lids must be replaced and toilet tank lid must fit properly.

If any sink in a unit is equipped with a built-in stopper device, the device must be in working condition.

### ***Security***



If window security bars or security screens are present on emergency exit windows, they must be equipped with a quick release system. The owner is responsible for ensuring that the family is instructed on the use of the quick release system.

### **Additional SNRHA Local Requirements:**

All appliances provided by the owner must be kept in safe and working condition.

All holes in walls are to be patched with the exception of minor nail holes.

Doorstops are required on all doors subject to damaging walls when opened.

If cabinets are designed to have drawers and doors, all must be operational.

All doors designed with knobs should have all knobs present and in working condition.

All closets designed with doors should have all knobs present and in working condition.

All sliding patio doors must have proper rollers so that they are in easy working condition.

All plumbing fixtures must be free from drips and leaks.

All severely chipped or rusted sinks must be patched, repaired, or replaced.

All holes in the yard area which could be a tripping hazard must be corrected.

The presence and location of smoke detectors in all HCV units must be in compliance with HUD's regulations.

Units must be clearly identified with house or apartment numbers.

Bars, grilles, grates, or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

- Such devices are equipped with approved release mechanisms which are operable from the inside without the use of a key or special knowledge or effort; and

There shall be no missing circuit breakers or openings in the circuit panel. The circuit panel (breaker box) shall be a dead front with no openings.

### **8-I.C. LIFE THREATENING CONDITIONS [24 CFR 982.404(a)]**

HUD requires SNRHA to define life threatening conditions and to notify the owner or the family (whichever is responsible) of the corrections required. The responsible party must correct life threatening conditions within 24 hours of SNRHA notification. A re-inspection will be conducted to verify the items have been repaired. Life threatening conditions are defined as:

“Any condition that renders a dwelling unit unfit for human habitation and/or places the occupants of said dwelling unit in an immediate, dangerous, and/or health/safety situation including deficient heating and/or cooling of the unit.”

### SNRHA Policy

The following are considered life threatening conditions:



Any condition that jeopardizes the security of the unit

Major plumbing leaks or flooding, waterlogged ceiling or floor in imminent danger of falling

Natural or LP gas or fuel oil leaks

Any electrical problem or condition that could result in shock or fire

Absence of a working heating system when outside temperature is below 60 degrees.

Utilities not in service, including no running hot water

Conditions that present the imminent possibility of injury

Obstacles that prevent safe entrance or exit from the unit

Absence of at least one functioning toilet in the unit

Inoperable smoke detectors in the unit which result in non-compliance with HUD regulations (one on each level of each habitable area) regarding the number and location of smoke detectors.

No air conditioning during the summer months May –Oct

No heating during the winter months Oct –April

Inoperable refrigerator or stove.

If an owner fails to correct life threatening conditions as required by SNRHA, the housing assistance payment (HAP) contract will be terminated.

If a family fails to correct a family caused life threatening condition as required by SNRHA, SNRHA shall terminate the family's assistance.

The owner will be required to repair an inoperable smoke detector unless SNRHA determines that the family has intentionally disconnected it (by removing batteries or other means). In this case, the family will be required to repair the smoke detector within 24 hours.

## **8-I.D. OWNER AND FAMILY RESPONSIBILITIES [24 CFR 982.404]**

### **Family Responsibilities**

The family is responsible for correcting the following HQS deficiencies:

- Tenant-paid utilities not in service (usually gas, electricity and water).
- Failure to provide or maintain family-supplied appliances (including ensuring all burners on stove are operable).
- Failure to maintain the unit and premises in decent and sanitary conditions which could result in potential health and/or safety concerns.



- Damages to the unit or premises caused by a household member or guest beyond normal wear and tear that result in HQS deficiencies.
- Tenant may be billed for the cost of repairs made by the owner that were determined to be caused by the family.

### **Owner Responsibilities**

The owner is responsible for all HQS violations not listed as a family responsibility above, even if the violation is caused by the family's living habits (e.g., vermin infestation). However, if the family's actions constitute a serious or repeated lease violation the owner may take legal action to evict the family.

Owners are responsible for conducting intermitent inspections to ensure HQS Standards are being met.

### **8-I.E. SPECIAL REQUIREMENTS FOR CHILDREN WITH ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL [24 CFR 35.1225]**

If SNRHA is notified by a public health department or other medical health care provider, or verifies information from a source other than a public health department or medical health care provider, that a child of less than 6 years of age, living in an HCV-assisted unit has been identified as having an environmental intervention blood lead level, SNRHA must complete a risk assessment of the dwelling unit. The risk assessment must be completed in accordance with program requirements, and the result of the risk assessment must be immediately provided to the owner of the dwelling unit. In cases where the public health department has already completed an evaluation of the unit, this information must be provided to the owner.

Within 30 calendar days after receiving the risk assessment report from SNRHA, or the evaluation from the public health department, the owner is required to complete the reduction of identified lead-based paint hazards in accordance with the lead-based paint regulations [24 CFR 35.1325 and 35.1330]. If the owner does not complete the "hazard reduction", as required the dwelling unit is in violation of HQS and SNRHA will take action in accordance with Section 8-II.G.

Additionally, SNRHA shall submit a listing to Clark County Health Department of units under lease with children age 6 and under to determine if any have been identified as having elevated blood lead levels. This assessment shall be completed quarterly and the results maintained for future audits.

### **8-I.F. VIOLATION OF HQS SPACE STANDARDS [24 CFR 982.403]**

If SNRHA determines that a unit does not meet the HQS space standards because of an increase in family size or an approved change in family composition, SNRHA must issue the family a new voucher, and the family must try to find an acceptable unit as soon as possible within the term of the voucher. If an acceptable unit is available for rental by the family, SNRHA must terminate the HAP contract in accordance with its policies.

#### SNRHA Policy





A unit meets HQS space standard if the dwelling unit has at least one bedroom or living/sleeping room for each two persons. A living/sleeping room is considered space that is not a kitchen or a bathroom and which has a window (if designed to open, the window must open), and either a permanent light fixture and one electrical outlet or two electrical outlets (24 CFR 982.401(f)(2)).

## **PART II: THE INSPECTION PROCESS**

### **8-II.A. OVERVIEW [24 CFR 982.405]**

#### **Types of Inspections**

SNRHA conducts the following types of inspections as needed. Each type of inspection is discussed in the paragraphs that follow.

#### ***Initial Inspections [24 CFR 982.401 (a)]***

SNRHA conducts initial inspections in response to a request from the family to approve a unit for participation in the HCV program. The unit must pass the HQS inspection before the effective date of the HAP Contract. Utilities must be on prior to the scheduled inspection. These inspections shall be completed within 10 calendar days of receiving a complete RFTA packet as long as the rent is reasonable and does not exceed the family's 40% threshold and the utilities are in service at the unit. The 10 calendar days suspends when the utilities are not on or SNRHA is waiting responses from the owner to negotiate rental amounts. However, SNRHA will not hold a RFTA for more than 30 calendar days for any reason. If the owner does not have the unit ready for inspection within 30 calendar days, the original RFTA packet shall be void and the family advised to find another unit and submit another RFTA, if they have time remaining on their voucher.

At initial inspection of a vacant unit, SNRHA will inspect the unit in the presence of the owner or owner's representative. The presence of a family representative is permitted, but is not required.

#### ***The Initial Inspection will be conducted to:***

- Determine if the unit and property meet the HQS defined in this Plan.

If the unit fails the initial Housing Quality Standards inspection, the family and owner will be advised to notify SNRHA once repairs are completed.

On an initial inspection, the owner will be given up to up to 10 calendar days to correct the items noted as Fail, at the Inspector's discretion, depending on the amount and complexity of work to be done. No more than two inspections will be scheduled for any unit.

#### ***Annual Inspections [24 CFR 982.405(a)]***

HUD requires SNRHA to inspect each unit under lease at least annually to confirm that the unit still meets HQS. SNRHA conducts an inspection in accordance with Housing Quality Standards at least annually and begins scheduling 90 calendar days prior to the last annual inspection, so that the inspections are conducted at least annually, as required by SEMAP. Special inspections



may be scheduled between annual inspection dates. SNRHA may implement bi-annual HQS inspections in accordance with HUD guidance.

HQS deficiencies that cause a unit to fail must be corrected by the landlord unless it is a fail for which the tenant is responsible.

The family must allow SNRHA to inspect the unit at reasonable times with reasonable notice. [24 CFR 982.51 (d)]

Reasonable hours to conduct an inspection are between 8:00 A.M. and 5:00 P.M. If inspections are scheduled during other times, prior notice shall be provided to the tenant.

SNRHA will notify the family in writing at least 7 calendar days prior to the inspection, except emergency or 24 hour violation inspections.

### **Inspection**

The family and owner are notified of the date and time of the inspection appointment by mail. If the family is unable to be present, they must reschedule the appointment prior to the appointment date so that the inspection is completed within 30 calendar days of the original appointment but may not exceed 45 calendar days. Another adult may be present for the annual HQS inspection.

Participants who fail to have an annual HQS inspection will be considered to have violated a Family Obligation and their assistance will be terminated in accordance with the termination procedures in the Plan.

### **Re-inspection**

The family and owner are mailed a notice of the inspection appointment by mail. If the family fails to provide access for the inspection and does not contact SNRHA to reschedule the inspection prior to the scheduled appointment date, SNRHA shall automatically schedule a second appointment in writing. This second letter will be mailed at least five business days prior to the appointment date. If the family is not at home for the re-inspection appointment, SNRHA will consider the family to have violated a Family Obligation and their assistance will be terminated in accordance with the termination procedures in the Plan. Exception to written notices shall be re-inspections for emergency items.

The family is also notified that it is a Family Obligation to allow SNRHA to inspect the unit. If the family was responsible for a breach of HQS identified in Chapter 12, "Denial or Termination of Assistance," they will be advised of their responsibility to correct.

### **Special Inspections [24CFR 982.405 (c)]**

A special inspection may be requested by the owner, the family, or a third party as a result of problems identified with a unit between annual inspections. SNRHA may also conduct a special inspection based on information from third parties such as neighbors or public officials. Non-HQS inspections can be done without a prior notice for fraud.

SNRHA will inspect only the items that were reported, but if the Inspector notices additional deficiencies that would cause the unit to fail HQS the deficiency(ies) will be documented and the responsible party will be required to make the necessary repairs within established timeframes.



If the annual inspection date is within 90 calendar days of a special inspection, as long as all items are inspected that are included in an annual inspection, the special inspection will be categorized as an annual inspection, and all annual inspection procedures will be followed.

### ***Quality Control Inspections 24CFR 982.405 (b)***

HUD requires that a sample of units be re-inspected by a supervisor or other qualified individual to ensure that HQS are being enforced correctly and uniformly by all inspectors. Quality Control inspections will be performed by HQS Supervisor (HCVS) / Associate Deputy Directors (ADD), or assigned Senior OS for the number of units required by SEMAP. The purpose of Quality Control inspections is to ascertain that each inspector is conducting accurate and complete inspections, and to ensure that there is consistency among inspectors in application of the HQS.

The sampling of files will include recently completed inspections within the previous month of the date they are inspected), a cross-section of neighborhoods, and a cross-section of inspectors.

### ***Reasonable Accommodation: Additional Bedrooms***

SNRHA will include a review of actual bedroom use as part of the annual inspections for additional rooms for medical equipment and live-in aides to confirm the continued need for a reasonable accommodation.

### ***Inspection of PHA-owned Units [24 CFR 982.352(b)]***

SNRHA must obtain the services of an independent entity to perform all HQS inspections in cases where an HCV family is receiving assistance in a SNRHA-owned unit. A SNRHA-owned unit is defined as a unit that is owned by the PHA that administers the assistance under the consolidated ACC (including a unit owned by an entity substantially controlled by the PHA). The independent agency must communicate the results of each inspection to the family and SNRHA. The independent agency must be approved by HUD, and may be the unit of general local government for SNRHA jurisdiction (unless SNRHA is itself the unit of general local government or an agency of such government).

### ***Inspection Costs***

SNRHA may not charge the family or owner for unit inspections [24 CFR 982.405(e)]. In the case of inspections of SNRHA-owned units, SNRHA may compensate the independent agency from ongoing administrative fee for inspections performed. SNRHA and the independent agency may not charge the family any fee or charge for the inspection [24 CFR.982.352(b)].

### ***Notice and Scheduling***

The family must allow SNRHA to inspect the unit at reasonable times with reasonable notice [24 CFR 982.551(d)].

#### **SNRHA Policy**

Both the family and the owner will be given reasonable notice of all inspections. Except in the case of a life threatening emergency, reasonable notice is considered to be not less than 48 hours. Inspections may be scheduled between 8:00 a.m. and 5:00 p.m. “Generally” inspections will be conducted on business days only. In the case of a life threatening emergency, SNRHA will give as much notice as possible, given the nature of the emergency. Notice shall not be provided for fraud investigations.



## **Owner and Family Inspection Attendance**

HUD permits SNRHA to set policy regarding family and owner presence at the time of inspection [HCV GB p. 10-27].

### SNRHA Policy

At initial inspection of a vacant unit, SNRHA will inspect the unit in the presence of the owner or owner's representative. The presence of a family representative is permitted, but is not required.

## **8-II.B. INITIAL HQS INSPECTION [24 CFR 982.401(a)]**

### **Timing of Initial Inspections**

HUD requires the unit to pass HQS before the effective date of the lease and HAP Contract. HUD requires PHA with fewer than 1,250 budgeted units to complete the initial inspection, determine whether the unit satisfies HQS, and notify the owner and the family of the determination within 15 calendar days of submission of the Request for Tenancy Approval (RFTA). For PHAs with 1,250 or more budgeted units, to the extent practicable such inspection and determination must be completed within 15 calendar days. The 15 calendar day period is suspended for any period during which the unit is not available for inspection [982.305(b)(2)].

### SNRHA Policy

SNRHA will complete the initial inspection, determine whether the unit satisfies HQS, and notify the owner and the family of the determination within 15 calendar days of submission of the Request for Tenancy Approval (RFTA).

SNRHA shall accept (in accordance with HUD Federal Register 35974, dated June 25, 2014) inspections completed for HOME funds and LIHTC programs as initial inspections. Documents must be maintained in each file. The inspection must have a written cover indicating pass or fail and the effective date of the inspection. These shall be used only for new developments with HOME or LIHTC fund attached to the funding.

### **Inspection Results and Re-inspections**

#### SNRHA Policy

If any HQS violations are identified, the owner or his/her representative will be notified of the deficiencies on-site with a written notice to follow no later than the next business day. This notice shall provide a time frame to correct violations. If requested by the owner, the time frame for correcting the deficiencies may be extended by SNRHA for good cause. A supervisor must approve all extensions. SNRHA will re-inspect the unit within 3 business days of the date the owner notifies SNRHA that the required corrections have been made.



If the time period for correcting the deficiencies (or any SNRHA-approved extension) has elapsed, or the unit fails HQS at the time of the re-inspection, SNRHA will notify the owner and the family that the unit has been rejected and that the family must search for another unit.

Following a failed re-inspection, the family may elect to submit a new Request for Tenancy Approval for the same unit if the family has not found another unit by the time the owner completes all repairs and the family continues to wish to live in the unit. The unit would be required to pass an inspection, a rent reasonableness determination is required, and a new lease and HAP Contract will need to be executed.

## **Utilities**

Generally, at initial lease-up the owner is responsible for demonstrating that all utilities are in working order including those utilities that the family will be responsible for paying.

### SNRHA Policy

The utilities must be on at the time of the initial inspection. If they are not on, the inspection will be rescheduled.

### SNRHA Policy

The stove and refrigerator must be in place regardless of whether the owner or the family is responsible to provide them.

## **8-II.C. ANNUAL HQS INSPECTIONS [ Final Rule Notice 6-25-2014]**

### **Scheduling the Inspection**

Each unit under a HAP contract must have an annual inspection within twelve (12) months after the date of the previous annual or initial inspection.

### SNRHA Policy

If an adult (person 18 or older) cannot be present on the scheduled date, the family should request that SNRHA reschedule the inspection. If the family misses the first scheduled appointment without requesting a new inspection date, SNRHA will automatically schedule a second inspection. If the family misses two scheduled inspections without SNRHA approval, SNRHA will consider the family to have violated its obligation to make the unit available for inspection. If the family is unable to be present but authorizes an adult representative to be present, and the adult presents valid photo ID the inspection will be conducted.

Failure to comply may result in termination of the family's assistance in accordance with Chapter 12.



## **8-II.D. SPECIAL INSPECTIONS [HCV GB, p. 10-30]**

SNRHA will conduct a special inspection if the owner, family, or another source reports HQS violations in the unit.

### SNRHA Policy

During a special inspection, SNRHA generally will inspect only those deficiencies that were reported. The inspector will record any additional HQS deficiencies that are observed during the course of the inspection and will require the responsible party to make the necessary repairs. If the annual inspection has been scheduled or is due within 90 calendar days of the date the special inspection is scheduled, SNRHA may elect to conduct a full annual inspection.

Non-HQS Special Inspections may be scheduled without notice to verify fraudulent activities and/or other occupancy complaints.

## **8-II.E. QUALITY CONTROL INSPECTIONS [24 CFR 982.405(b); HCV GB, p. 10-32]**

HUD requires SNRHA supervisor or other qualified person to conduct quality control inspections of a sample of units to ensure that each inspector is conducting accurate and complete inspections and that there is consistency in the application of the HQS.

The Inspection Supervisor or designee will conduct the quality control inspections by randomly selecting units that have been inspected within the previous month.

The unit sample must include only units that have been inspected within the preceding month. The selected sample will include (1) each type of inspection (initial, annual, and special), (2) inspections completed by each inspector, and (3) units from a cross-section of neighborhoods. Quality control inspections will be logged in a manner that is reviewable and retained for SEMAP confirmation.

## **8-II.F. INSPECTION RESULTS AND REINSPECTIONS FOR UNITS UNDER HAP CONTRACT**

### **Notification of Corrective Actions**

The owner and the family will be notified in writing of the results of all inspections. When an inspection identifies HQS failures, SNRHA will determine (1) whether or not the failure is a life threatening condition and (2) whether the family or owner is responsible.

### SNRHA Policy

When life threatening conditions are identified, SNRHA will immediately notify both parties by telephone, facsimile, or email. The notice will specify who is responsible for correcting the violation. The corrective actions must be taken within 24 hours of SNRHA's notice. A notification shall also be sent via certified mail and faxed, if a faxed number is available.



When failures that are not life threatening are identified, SNRHA will send the owner and the family a written notification of the inspection results within 1 business day of the inspection. The written notice will specify who is responsible for correcting the violation, and the time frame within which the failure must be corrected. Generally not more than 30 calendar days will be allowed for the correction, unless an extension for good cause is determined by the Section 8 Manager.

The notice of inspection results will inform the owner that if life threatening conditions are not corrected within 24 hours, and non-life threatening conditions are not corrected within the specified time frame (or any PHA-approved extension), the owner's HAP will be abated in accordance with SNRHA policy (see 8-II.G.). Likewise, in the case of family caused deficiencies, the notice will inform the family that if corrections are not made within the specified time frame (or any PHA-approved extension, if applicable) the family's assistance will be terminated in accordance with PHA policy (see Chapter 12).

## **Extensions**

For conditions that are life-threatening, SNRHA cannot grant an extension to the 24 hour corrective action period. For conditions that are not life-threatening, SNRHA may grant an exception to the required time frames for correcting the violation, if SNRHA determines that an extension is appropriate [24 CFR 982.404].

### SNRHA Policy

Extensions will be granted in cases where SNRHA has determined that the owner has made a good faith effort to correct the deficiencies but was unable to for reasons beyond the owner's control. Reasons may include, but are not limited to:

A repair cannot be completed because required parts or services are not available.

A repair cannot be completed because of weather conditions.

A reasonable accommodation is needed because the family includes a person with disabilities.

The length of the extension will be determined on a case by case basis, but will not exceed 60 calendar days, except in the case of delays caused by weather conditions. In the case of weather conditions, extensions may be continued until the weather has improved sufficiently to make repairs possible. The necessary repairs must be made within 15 calendar days, once the weather conditions have subsided. All requests for extensions must be submitted in writing to the Inspections Department and approved by the Housing Quality Standards (HQS) Supervisor and/or Housing Programs (HP) Management.

## **Re-inspections**

### SNRHA Policy

SNRHA will conduct a re-inspection immediately following the end of the corrective period, or any SNRHA approved extension.

The family and owner will be given reasonable notice of the re-inspection appointment. If the deficiencies have not been corrected by the time of the re-inspection, SNRHA will



send a notice of abatement to the owner, or in the case of family caused violations, a notice of termination to the family, in accordance with SNRHA policies. If SNRHA is unable to gain entry to the unit in order to conduct the scheduled re-inspection, SNRHA will consider the family to have violated its obligation to make the unit available for inspection. This may result in termination of the family's assistance in accordance with Chapter 12.

### **8-II.G. ENFORCING OWNER COMPLIANCE [24 CFR 982.405;982.453]**

If the owner fails to maintain the dwelling unit in accordance with HQS (as stated above in 8-I.B), SNRHA must take prompt and vigorous action to enforce the owner obligations.

#### **HAP Abatement**

If an owner fails to correct HQS deficiencies by the time specified by SNRHA, HUD requires SNRHA to abate housing assistance payments "no later" than the first of the month following the specified correction period (including any approved extension) [24 CFR 985.3(f)].

No retroactive payments will be made to the owner for the period of time the rent was abated.

#### SNRHA Policy

SNRHA will make all HAP abatements effective from the date of the second default notice if repairs are not made no later than the day/time of the scheduled re-inspection, unless there is an approved written extension by SNRHA management staff prior to the due date. SNRHA will inspect abated units within three (3) business days of the owner's notification that the work has been completed if the contract has not been cancelled.

During any abatement period the family continues to be responsible for its share of the rent. The owner must not seek payment from the family for abated amounts and may not use the abatement as cause for eviction. Payment will resume effective on the calendar day the unit passes inspection. The landlord is not entitled to any back rent from SNRHA for units that have been abated due to a failed HQS.

#### **HAP Contract Termination**

SNRHA must decide how long any abatement period will continue before the HAP contract will be terminated.

#### SNRHA Policy

SNRHA shall terminate the contract of the family 30 calendar days from the date of the initial default notice if repairs are not made. SNRHA will issue a voucher to permit the family to move to another unit as described in Chapter 10.

Normally the maximum length of time that a HAP may be abated is 30 calendar days. However, if the owner completes corrections and notifies SNRHA before the termination date of the HAP contract.

### **8-II.H. ENFORCING FAMILY COMPLIANCE WITH HQS [24 CFR 982.404(b)]**





Families are responsible for correcting any HQS violations listed in paragraph 8.I.D. If the family fails to correct a violation within the period allowed by SNRHA (and any written extensions), SNRHA will terminate the family's assistance, according to the policies described in Chapter 12.

If the owner carries out a repair for which the family is responsible under the lease, the owner may bill the family for the cost of the repairs.

### **PART III: RENT REASONABLENESS [24 CFR 982.507]**

#### **8-III.A. OVERVIEW**

No HAP contract can be approved until SNRHA has determined that the rent for the unit is reasonable. The purpose of the rent reasonableness test is to ensure that a fair rent is paid for each unit rented under the HCV program.

HUD regulations define a reasonable rent as one that does not exceed the rent charged for comparable, unassisted units in the same market area. HUD also requires that owners not charge more for assisted units than for comparable unassisted units on the premises. This part explains the method used to determine whether a unit's rent is reasonable.

#### **SNRHA-owned Units [24 CFR 982.352(b)]**

In cases where an HCV family is receiving assistance in a SNRHA-owned unit, SNRHA must obtain the services of an independent entity to determine rent reasonableness in accordance with program requirements, and to assist the family in negotiating the contract rent when the family requests assistance. A SNRHA-owned unit is defined as a unit that is owned by SNRHA that administers the assistance under the consolidated ACC (including a unit owned by an entity substantially controlled by SNRHA). The independent agency must communicate the results of the rent reasonableness determination to the family and SNRHA. The independent agency must be approved by HUD, and may be the unit of general local government for SNRHA jurisdiction (unless SNRHA is itself the unit of general local government or an agency of such government).

#### **8-III.B. WHEN RENT REASONABLENESS DETERMINATIONS ARE REQUIRED**

##### **Owner-initiated Rent Determinations**

SNRHA must make a rent reasonableness determination at initial occupancy and whenever the owner requests a rent adjustment.

The owner and family first negotiate the rent for a unit. SNRHA (or independent agency in the case of SNRHA-owned units) will assist the family with the negotiations upon request. Prior initial occupancy SNRHA must determine whether the proposed rent is reasonable before a HAP Contract is signed. The owner must not change the rent during the initial lease term. Subsequent requests for rent adjustments must be consistent with the lease between the owner and the family. Rent increases will not be approved unless any failed items identified by the most recent HQS inspection have been corrected.

##### SNRHA Policy



After the initial occupancy period, the owner may request a rent adjustment in accordance with the owner's lease. For rent increase requests after initial lease-up, SNRHA may request owners to provide information about the rents charged for other units on the premises, if the premises include more than 4 units. In evaluating the proposed rents in comparison to other unassisted units on the premises SNRHA will consider unit size and length of tenancy in the other units.

SNRHA will determine whether the requested increase is reasonable within five (5) business days of receiving the request from the owner. The owner will be notified of the determination in writing.

All rental increase adjustments must be received 60 calendar days prior to the anniversary date of the HAP contract and will be processed with the next annual recertification. Owners/managers who fail to submit at least 60 calendar days prior shall be denied their request for a rental increase for that year.

### **SNRHA- and HUD-Initiated Rent Reasonableness Determinations**

HUD requires SNRHA to make a determination of rent reasonableness (even if the owner has not requested a change) if there is a 5 percent decrease in the Fair Market Rent that goes into effect at least 60 calendar days before the contract anniversary date. HUD also may direct SNRHA to make a determination at any other time. SNRHA may decide that a new determination of rent reasonableness is needed at any time.

#### SNRHA Policy

In addition to the instances described above, SNRHA will make a determination of rent reasonableness at any time after the initial occupancy period if: (1) SNRHA determines that the initial rent reasonableness determination was in error or (2) SNRHA determines that the information provided by the owner about the unit or other units on the same premises was incorrect.

### **8-III.C. HOW COMPARABILITY IS ESTABLISHED**

SNRHA will determine and document on a case-by-case basis that the approved rent is reasonable in comparison to rent for other comparable unassisted units in the market. This applies to all programs.

SNRHA will not approve a lease until SNRHA determines that the initial rent to owner is a reasonable rent. SNRHA must re-determine the reasonable rent before any increase in the rent to owner, and if there is a five percent decrease in the published FMR in effect 60 calendar days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary.

SNRHA must re-determine rent reasonableness if directed by HUD and based on a need identified by SNRHA's auditing system. SNRHA may elect to re-determine rent reasonableness at any other time. At all times during the assisted tenancy, the rent to owner may not exceed the reasonable rent as most recently determined or re-determined by SNRHA

The owner will be advised that by accepting each monthly housing assistance payment s/he will be certifying that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises.



If requested, the owner must give SNRHA information on rents charged by the owner for other units in the premises or elsewhere.

The data for other unassisted units will be gathered from newspapers, Internet Realtors, professional associations, inquiries of owners, market surveys, and other available sources.

The market areas for rent reasonableness are census tracts and/or neighborhoods within 2 miles of the target unit to the extent possible. Subject units within a defined housing market area will be compared to similar units within the same area.

The following items will be used for rent reasonableness documentation:

### **Factors to Consider**

HUD requires SNRHA to take into consideration the factors listed below when determining rent comparability. SNRHA may use these factors to make upward or downward adjustments to the rents of comparison units when the units are not identical to the HCV-assisted unit.

- Location and age
- Unit size including the number of rooms and square footage of rooms
- The type of unit including construction type (e.g., single family, duplex, garden, low-rise, high-rise)
- The quality of the units including the quality of the original construction, maintenance and improvements made.
- Amenities, services, and utilities included in the rent
- Utilities

### **8-III.D. SNRHA RENT REASONABLENESS METHODOLOGY**

In accordance with the regulations and PIH 2003-12, the voucher program regulation at 24 CFR 982.507 requires SNRHA to certify that the rent charged to the housing choice voucher tenant is not more than the rent charged for other unassisted comparable units. Section 982.507(c) states that the owner must give SNRHA information requested by SNRHA on rents charged by the owner for other units in the premises or elsewhere. The RFTA, Form HUD-52517 was revised to add information from owners of multifamily properties on the rents charged for three (3) recent rentals of comparable unassisted units in the same complex. The owner supplies this information in Section 12a of the revised RFTA. SNRHA may use the information provided in Section 12a of the form to determine and document rent reasonableness for comparable unassisted units in the same apartment complex.

In adherence with HUD requirements, SNRHA utilizes a rent reasonableness system and database that compares similar units and includes and considers all of HUD's rent reasonableness factors. SNRHA will use 3 comparable units for each rent reasonableness determination.

SNRHA utilizes the GOsection8.com rent reasonable service which uses a hedonic valuation model (in this context hedonic price analysis determines how the price of a unit varies with its unique characteristics) to identify and compare the program subject unit to the most similar private market rental property units within a specific geographic radius, drawing on a data base



of non-subsidized comparables and current property listings in compliance with HUD Rent Reasonable requirements.

Gosection8.com hedonic pricing methodology adjusts the rental value of the comparable units, based on features that may differ between the comparable units and the subject unit. For example, when a comparable unit has a significant feature that the subject unit does not have (e.g., owner-paid utilities), the rental price of the comparable unit should be adjusted downward, as if the comparable unit also did not have this feature. The amount of the adjustment is equal to the value of that feature in the market.

Section 982.507(c) states that the owner must give SNRHA information requested by SNRHA on rents charged by the owner for other units in the premises or elsewhere. The RFTA, Form HUD-52517 was revised to add information from owners of multifamily properties on the rents charged for three (3) recent rentals of comparable unassisted units in the same complex.

The owner supplies this information in Section 12a of the revised RFTA. SNRHA may use the information provided in Section 12a of the form to determine and document rent reasonableness for comparable unassisted units in the same apartment complex.

## **How Market Data is Collected**

### SNRHA Policy

SNRHA will collect and maintain data on market rents in SNRHA's jurisdiction. Information sources include newspapers, realtors, market surveys, inquiries of owners and other available sources. The data will be maintained by bedroom size and market areas. Market areas may be defined by zip codes, census tract, neighborhood, and identifiable natural or man-made boundaries. The data will be updated on an ongoing basis and rent information that is more than 12 months old will be eliminated from the database. In the cases where a comparable is required, SNRHA shall provide for three (3) comparable units.

## **How Rents are Determined**

### SNRHA Policy

The rent for the unit proposed for HCV assistance will be compared to the rent charged for no less than three (3) comparable units in the same market area. SNRHA will develop a range of prices for comparable units within this rent range. Interactive maps with satellite overlays will be used to identify and select the most similar unsubsidized units in closest proximity to the subject unit, and comparable unit data characteristics will be used to select the most similar units. Because units may be similar, but not exactly like the unit proposed for HCV assistance, SNRHA may make adjustments to the range of prices to account for these differences.

## **Units That Must Not Be Used as Comparables**

Comparable units must represent unrestricted market rents. Therefore, units that receive some form of federal, state, or local assistance that imposes rent restrictions cannot be considered comparable units. These include units assisted by HUD through any of the following programs:



Section 8 project-based assistance, Section 236 and Section 221(d)(3) Below Market Interest Rate (BMIR) projects, HOME or Community Development Block Grant (CDBG) program-assisted units in which the rents are subsidized; units subsidized through federal, state, or local tax credits; units subsidized by the Department of Agriculture rural housing programs, and units that are rent-controlled by local ordinance.

Note: Notice PIH 2011-46 issued August 17, 2011, provides further guidance on the issue of what constitutes an assisted unit.

### **Rents Charged for Other Units on the Premises**

The Request for Tenancy Approval (HUD-52517) requires owners to provide information, on the form itself, about the rent charged for other unassisted comparable units on the premises if the premises include more than 4 units.

By accepting SNRHA payment each month the owner certifies that the rent is not more than the rent charged for comparable unassisted units on the premises. If asked to do so, the owner must give SNRHA information regarding rents charged for other units on the premises.

Information is gathered on unassisted rental units in SNRHA's market area, and each unit is rated, using SNRHA's rent reasonableness system. Using an automated method, the average rents are identified for units of like size and type within the same market area. Attempts will be made to localize the unit within the same census tract or the adjoining census tract. As many defined factors of the items listed above on the unit to be assisted will be compared, to those factors of comparable unassisted units in the database. The average will be adjusted up or down based on the estimated dollar value of the comparable items in comparison with the total database.

The unit and the comparables shall be maintained in the file.

## **EXHIBIT 8-1: OVERVIEW OF HUD HOUSING QUALITY STANDARDS**

Note: This document provides an overview of HQS. For more detailed information see the following documents:

- 24 CFR 982.401, Housing Quality Standards (HQS)
- Housing Choice Voucher Guidebook, Chapter 10.
- HUD Housing Inspection Manual for Section 8 Housing
- HUD Inspection Form, form HUD-52580 (3/01) and Inspection Checklist, form HUD-52580-A (9/00)

### **Sanitary Facilities**

The dwelling unit must include sanitary facilities within the unit. The sanitary facilities must be usable in privacy and must be in proper operating condition and adequate for personal cleanliness and disposal of human waste.

### **Food Preparation and Refuse Disposal**



The dwelling unit must have space and equipment suitable for the family to store, prepare, and serve food in a sanitary manner.

### **Space and Security**

The dwelling unit must provide adequate space and security for the family. This includes having at least one bedroom or living/sleeping room for each two persons.

### **Thermal Environment**

The unit must have a safe system for heating the dwelling unit. Air conditioning is not required but if provided must be in proper operating condition. The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Portable electric room heaters or kitchen stoves with built-in heating units are not acceptable as a primary source of heat for units located in climatic areas where permanent heat systems are required.

### **Illumination and Electricity**

Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants. The dwelling unit must have sufficient electrical sources so occupants can use essential electrical appliances. Minimum standards are set for different types of rooms. Once the minimum standards are met, the number, type and location of electrical sources are a matter of tenant preference.

### **Structure and Materials**

The dwelling unit must be structurally sound. Handrails are required when four or more steps (risers) are present, and protective railings are required when porches, balconies, and stoops are thirty inches or more off the ground. The elevator servicing the unit must be working [if there is one]. Manufactured homes must have proper tie-down devices capable of surviving wind loads common to the area.

### **Interior Air Quality**

The dwelling unit must be free of air pollutant levels that threaten the occupants' health. There must be adequate air circulation in the dwelling unit. Bathroom areas must have one openable window or other adequate ventilation. Any sleeping room must have at least one window. If a window was designed to be opened, it must be in proper working order.

### **Water Supply**

The dwelling unit must be served by an approved public or private water supply that is sanitary and free from contamination. Plumbing fixtures and pipes must be free of leaks and threats to health and safety.

### **Lead-Based Paint**

Lead-based paint requirements apply to dwelling units built prior to 1978 that are occupied or can be occupied by families with children less than six years of age, excluding zero bedroom dwellings. Owners must:

- Disclose known lead-based paint hazards to prospective tenants before the lease is signed,
- provide all prospective families with "Protect Your Family from Lead in Your Home",



- Stabilize deteriorated painted surfaces and conduct hazard reduction activities when identified by the PHA
- Notify tenants each time such an activity is performed
- Conduct all work in accordance with HUD safe practices
- As part of ongoing maintenance ask each family to report deteriorated paint.

For units occupied by environmental intervention blood lead level (lead poisoned) children under six years of age, a risk assessment must be conducted (paid for by the PHA). If lead hazards are identified during the risk assessment, the owner must complete hazard reduction activities.

See HCV GB p. 10-15 for a detailed description of these requirements. For additional information on lead-based paint requirements see 24 CFR 35, Subparts A, B, M, and R.

### **Access**

Use and maintenance of the unit must be possible without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire.

### **Site and Neighborhood**

The site and neighborhood must be reasonably free from disturbing noises and reverberations, excessive trash or vermin, or other dangers to the health, safety, and general welfare of the occupants.

### **Sanitary Condition**

The dwelling unit and its equipment must be in sanitary condition and free of vermin and rodent infestation. The unit must have adequate barriers to prevent infestation.

### **Smoke Detectors**

Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 (or its successor standards). If the dwelling unit is occupied by any person with a hearing impairment, smoke detectors must have an appropriate alarm system as specified in NFPA 74 (or successor standards).

### **Hazards and Health/Safety**

The unit, interior and exterior common areas accessible to the family, the site, and the surrounding neighborhood must be free of hazards to the family's health and safety.



## EXHIBIT 8-2: SUMMARY OF TENANT PREFERENCE AREAS RELATED TO HOUSING QUALITY

Note: This document provides an overview of unit and site characteristics and conditions for which the family determines acceptability. For more detailed information see the following documents:

- Housing Choice Voucher Guidebook, Chapter 10.
- HUD Housing Inspection Manual for Section 8 Housing
- HUD Inspection Form, form HUD-52580 (3/01) and Inspection Checklist, form HUD-52580-A (9/00)

Provided the minimum housing quality standards have been met, HUD permits the family to determine whether the unit is acceptable with regard to the following characteristics.

- *Sanitary Facilities.* The family may determine the adequacy of the cosmetic condition and quality of the sanitary facilities, including the size of the lavatory, tub, or shower; the location of the sanitary facilities within the unit; and the adequacy of the water heater.
  - *Food Preparation and Refuse Disposal.* The family selects size and type of equipment it finds acceptable. When the family is responsible for supplying cooking appliances, the family may choose to use a microwave oven in place of a conventional oven, stove, or range. When the owner is responsible for providing cooking appliances, the owner may offer a microwave oven in place of an oven, stove, or range only if other subsidized and unsubsidized units on the premises are furnished with microwave ovens only. The adequacy of the amount and type of storage space, the cosmetic conditions of all equipment, and the size and location of the kitchen are all determined by the family.
  - *Space and Security.* The family may determine the adequacy of room sizes and room locations. The family is also responsible for deciding the acceptability of the type of door and window locks, except for double cylinder dead bolts locks on doors which are prohibited.
  - *Energy conservation items.* The family may determine whether the amount of insulation, presence or absence of storm doors and windows and other energy conservation items are acceptable.
  - *Illumination and Electricity.* The family may determine whether the location and the number of outlets and fixtures (over and above those required to meet HQS standards) are acceptable or if the amount of electrical service is adequate for the use of appliances, computers, or stereo equipment.
- (6) *Structure and Materials.* Families may determine whether minor defects, such as lack of paint, or worn flooring or carpeting will affect the livability of the unit.
- (7) *Indoor Air.* Families may determine whether window and door screens, filters, fans, or other devices for proper ventilation are adequate to meet the family's needs. However, if screens are present they must be in good condition.
- (8) *Sanitary Conditions.* The family determines whether the sanitary conditions in the unit, including minor infestations, are acceptable.
- (9) *Neighborhood conditions.* Families may determine whether neighborhood conditions such as the presence of drug activity, commercial enterprises, and convenience to shopping will affect the livability of the unit.

Families have no discretion with respect to lead-based paint standards and smoke detectors.





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## Chapter 9

### GENERAL LEASING POLICIES REQUEST FOR APPROVAL OF TENANCY AND CONTRACT EXECUTION

#### INTRODUCTION [24 CFR 982.305(a)]

This Section covers the lease-up process from the family's submission of a Request for Tenancy Approval to execution of the HAP contract. SNRHA's program operations are designed to utilize available resources in a manner that is efficient and provide eligible families timely assistance based on the number of units that have been budgeted. SNRHA's objectives include maximizing HUD funds by providing assistance to as many eligible families and for as many eligible units as the budget will allow.

After families are issued a voucher, they may search for a unit anywhere within the jurisdiction of SNRHA, or outside of SNRHA's jurisdiction if they qualify for portability. The family must find an eligible unit under the program rules, with an owner/landlord who is willing to enter into a Housing Assistance Payments Contract with SNRHA. This Chapter defines the types of eligible housing, SNRHA's policies that pertain to initial inspections, lease requirements, owner disapproval, and the processing of Requests for Approval of Tenancy (RFTA).

Chapter 9 covers the lease-up process from the family's submission of a Request for Tenancy Approval to execution of the HAP contract.

In order for SNRHA to assist a family in a particular dwelling unit, or execute a Housing Assistance Payments (HAP) contract with the owner of a dwelling unit, SNRHA must determine that all the following program requirements are met:

- The unit itself must qualify as an eligible unit [24 CFR 982.305(a)]
- The unit must be inspected by the PHA and meet the Housing Quality Standards (HQS) [24 CFR 982.305(a)]
- The lease offered by the owner must be approvable and must include the required Tenancy Addendum [24 CFR 982.305(a)]
- The rent to be charged by the owner for the unit must be reasonable [24 CFR 982.305(a)]
- The owner must be an eligible owner, approvable by SNRHA, with no conflicts of interest [24 CFR 982.306]
- For families initially leasing a unit only: Where the gross rent of the unit exceeds the applicable payment standard for the family, the share of rent to be paid by the family cannot exceed 40 percent of the family's monthly adjusted income [24 CFR 982.305(a)]

#### 9-I.A. TENANT SCREENING

SNRHA has no liability or responsibility to the owner or other persons for the family's behavior or suitability for tenancy [24 CFR 982.307(a)(1)].



SNRHA may elect to screen applicants for family behavior or suitability for tenancy. See Chapter 3 for a discussion of SNRHA's policies with regard to screening applicant families for program eligibility [24 CFR 982.307(a)(1)].

The owner is responsible for screening and selection of the family to occupy the owner's unit. At or before SNRHA approval of the tenancy, SNRHA must inform the owner that screening and selection for tenancy is the responsibility of the owner [24 CFR 982.307(a)(2)]. SNRHA must also inform the owner or manager of their responsibility to comply with VAWA. [Pub.L. 109-162]

SNRHA must provide the owner with the family's current and prior address (as shown in SNRHA records); and the name and address (if known to SNRHA) of the landlord at the family's current and prior address. [24 CFR 982.307 (b)(1)].

SNRHA is permitted, but not required, to offer the owner other information in SNRHA's possession about the family's tenancy [24 CFR 982.307(b)(2)].

SNRHA's policy on providing information to the owner must be included in the family's briefing packet [24 CFR 982.307(b)(3)].

#### SNRHA Policy

SNRHA will not screen applicants for family behavior or suitability for tenancy.

SNRHA will not provide additional screening information to the owner.

### **9-I. B. REQUESTING TENANCY APPROVAL [Form HUD-52517]**

After the family is issued a voucher, the family must locate an eligible unit, with an owner or landlord willing to participate in the voucher program. Once a family finds a suitable unit and the owner is willing to lease the unit under the program, the owner and the family must request SNRHA to approve the assisted tenancy in the selected unit.

The owner and the family must submit all documents to SNRHA:

- Completed Request for Tenancy Approval (RFTA) – Form HUD-52517
- Copy of the proposed lease (signed by both parties with no effective date), including any addendum regarding utilities.
- W9 Form for legal owner (must include additional W-9 for payee, if other than owner)
- Direct Deposit Form- with voided check (must be pre-printed from bank or a statement from bank with business logo and information)
- Recorded Deed – staff will verify using Clark County Government websites
- Management Agreement, if applicable
- A Valid State-issued Business License, if applicable (Does not have to be for Nevada)
- Trust documents, if applicable to identify trustee bank assigned tax ID or EIN
- Side Payment/Program Abuse Form.

The RFTA contains important information about the rental unit selected by the family, including unit address, number of bedrooms, structure type, year constructed, utilities included in the rent,



and the requested beginning date of the lease, necessary for SNRHA to determine whether to approve the assisted tenancy in this unit.

Owners must certify that they are not the parent, child, grandparent, grandchild, sister or brother of any member of the family, unless SNRHA has granted a request for reasonable accommodation for a person with disabilities who is a member of the tenant household.

For units constructed prior to 1978, owners must either 1) certify that the unit, common areas, and exterior have been found to be free of lead-based paint by a certified inspector; or 2) attach a lead-based paint disclosure statement.

Both the RFTA and the proposed lease must be submitted no later than the expiration date stated on the voucher. [HCV GB p.8-15].

### SNRHA Policy

The RFTA must be signed by both the family and the owner.

The owner may submit the RFTA on behalf of the family.

Completed RFTA (including the proposed dwelling lease) must be submitted as hard copies, in-person. The original RFTA must be submitted.

The family may not submit, and SNRHA will not process, more than one (1) RFTA at a time.

When the family submits the RFTA SNRHA will review the RFTA for completeness.

If the RFTA is incomplete (including lack of signature or date by family, owner, or both and/or failure to include comparable unassisted unit information), or if the dwelling lease is not submitted with the RFTA, or other required documents are not attached, SNRHA will NOT accept the packet.

Missing information and/or missing documents will only be accepted as hard copies, in-person, by mail, or by fax prior to the original RFTA being accepted (i.e. owner faxing W9 and banking information).

When the family submits the RFTA and proposed lease, SNRHA will also review the terms of the RFTA for consistency with the terms of the proposed lease.

If the terms of the RFTA are not consistent with the terms of the proposed lease, SNRHA will notify the family and the owner of the discrepancies.

Corrections to the terms of the RFTA and/or the proposed lease will only be accepted as hard copies, in-person, by mail or by fax. The PHA will not accept corrections by phone.

Because of the time sensitive nature of the tenancy approval process, SNRHA will attempt to communicate with the owner and family by phone, fax, or email. SNRHA will use mail when the parties can't be reached by phone, fax, or email.

The original Request for Tenancy Approval (RFTA) and a signed copy of the proposed Lease with no commencement date, including the HUD prescribed tenancy addendum, must be submitted by the family during the term of the voucher. The family must submit



the Request for Tenancy Approval in the form and manner required by SNRHA. The lease dates must match the contract effective date and must be signed by both parties with no execution date at the time of submission.

The Request for Tenancy Approval must be signed by both the owner and Voucher holder. The owner must submit a “record deed” at the time the RFTA is submitted.

SNRHA will not permit the family to submit more than one RFTA at a time.

SNRHA will review the proposed lease and the Request for Approval of Tenancy documents to determine whether or not they are approvable. The Request will be approved if all of the following are true:

The unit is an eligible type of housing.

The unit meets HUD's Housing Quality Standards (and any additional criteria as identified in this Administrative Plan).

The rent is reasonable.

The Security Deposit is approvable in accordance with any limitations in this plan.

The proposed lease complies with HUD and SNRHA requirements (See Section C).

The owner is approvable, and there are no conflicts of interest or the owner has not been debarred (See Section I).

In addition to the above, at the time a family initially receives assistance (new admissions and moves); the family share of rent may not exceed 40 percent of their monthly adjusted income.

### ***Disapproval of RFTA***

If SNRHA determines that the request cannot be approved for any reason, the landlord and the family will be notified by phone or in writing.

When, for any reason, an RFTA is not approved, SNRHA will furnish another RFTA form to the family along with the notice of disapproval so that the family can continue to search for eligible housing, if there is time remaining on the voucher.

### **9-I.C. OWNER PARTICIPATION**

SNRHA does not formally approve an owner to participate in the HCV program. However, there are a number of criteria where SNRHA may deny approval of an assisted tenancy based on past owner behavior, conflict of interest, or other owner-related issues. No owner has a right to participate in the HCV program. [24 CFR 982.306(e)]

See Chapter 13 for a full discussion of owner qualification to participate in the HCV program.

### **9-I.D. ELIGIBLE UNITS**

There are a number of criteria that a dwelling unit must meet in order to be eligible for assistance under the voucher program. Generally, a family in possession of a voucher may choose any



available rental dwelling unit on the market in SNRHA's jurisdiction. This includes the dwelling unit they are currently occupying.

### **Ineligible Units [24 CFR 982.352(a)]**

SNRHA may not assist a unit under the voucher program if the unit is a public housing or Indian housing unit; a unit receiving project-based assistance under section 8 of the 1937 Act (42 U.S.C. 1437f); nursing homes, board and care homes, or facilities providing continual psychiatric, medical, or nursing services; college or other school dormitories; units on the grounds of penal, reformatory, medical, mental, and similar public or private institutions; a unit occupied by its owner or by a person with any interest in the unit.

### **SNRHA-Owned Units [24 CFR 982.352(b)]**

Otherwise eligible units that are owned or substantially controlled by SNRHA issuing the voucher may also be leased in the voucher program. In order for a SNRHA-owned unit to be leased under the voucher program, the unit must not be ineligible housing and SNRHA must inform the family, both orally and in writing, that the family has the right to select any eligible unit available for lease and that the family is free to select a SNRHA-owned unit without any pressure or steering by SNRHA.

#### SNRHA Policy

SNRHA does have eligible SNRHA-owned units available for leasing under the voucher program.

### **Special Housing Types [24 CFR 982 Subpart M]**

HUD regulations permit, but do not generally require, SNRHA to permit families to use voucher assistance in a number of special housing types in accordance with the specific requirements applicable to those programs. These special housing types include single room occupancy (SRO) housing, congregate housing, group home, shared housing, manufactured home space (where the family owns the manufactured home and leases only the space), cooperative housing and homeownership option. See Chapter 15 for specific information and policies on any of these housing types that SNRHA has chosen to allow.

The regulations do require SNRHA to permit use of any special housing type if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

### **Duplicative Assistance [24 CFR 982.352(c)]**

A family may not receive the benefit of HCV tenant-based assistance while receiving the benefit of any of the following forms of other housing subsidy, for the same unit or for a different unit:

- Public or Indian housing assistance;
- Other Section 8 assistance (including other tenant-based assistance);
- Assistance under former Section 23 of the United States Housing Act of 1937 (before amendment by the Housing and Community Development Act of 1974);
- Section 101 rent supplements;



- Section 236 rental assistance payments;
- Tenant-based assistance under the HOME Program;
- Rental assistance payments under Section 521 of the Housing Act of 1949 (a program of the Rural Development Administration);
- Any local or State rent subsidy;
- Section 202 supportive housing for the elderly;
- Section 811 supportive housing for persons with disabilities; (11) Section 202 projects for non-elderly persons with disabilities (Section 162 assistance); or
- Any other duplicative federal, State, or local housing subsidy, as determined by HUD. For this purpose, 'housing subsidy' does not include the housing component of a welfare payment, a social security payment received by the family, or a rent reduction because of a tax credit.

### **Housing Quality Standards (HQS) [24 CFR 982.305 and 24 CFR 982.401]**

In order to be eligible, the dwelling unit must be in decent, safe and sanitary condition. This determination is made using HUD's Housing Quality Standards (HQS) and/or equivalent state or local standards approved by HUD. See Chapter 8 for a full discussion of the HQS standards, as well as the process for HQS inspection at initial lease-up.

### **Unit Size**

In order to be eligible, the dwelling unit must be appropriate for the number of persons in the household. A family must be allowed to lease an otherwise acceptable dwelling unit with fewer bedrooms than the number of bedrooms stated on the voucher issued to the family, provided the unit meets the applicable HQS space requirements [24 CFR 982.402(d)]. The family must be allowed to lease an otherwise acceptable dwelling unit with more bedrooms than the number of bedrooms stated on the voucher issued to the family. See Chapter 7 for a full discussion of subsidy standards.

### **Rent Reasonableness [24 CFR 982.305 and 24 CFR 982.507]**

In order to be eligible, the dwelling unit must have a reasonable rent. The rent must be reasonable in relation to comparable unassisted units in the area and must not be in excess of rents charged by the owner for comparable, unassisted units on the premises. See Chapter 8 for a full discussion of rent reasonableness and the rent reasonableness determination process.

### **Rent Burden [24 CFR 982.508]**

Where a family is initially leasing a unit and the gross rent of the unit exceeds the applicable payment standard for the family, the dwelling unit rent must be at a level where the family's share of rent does not exceed 40 percent of the family's monthly adjusted income. See Chapter 5 for a discussion of calculation of gross rent, the use of payment standards, and calculation of family income, family share of rent and HAP.



## **9-I.E. LEASE AND TENANCY ADDENDUM**

The family and the owner must execute and enter into a written dwelling lease for the assisted unit. This written lease is a contract between the tenant family and the owner; SNRHA is not a party to this contract.

The tenant must have legal capacity to enter a lease under State and local law. 'Legal capacity' means that the tenant is bound by the terms of the lease and may enforce the terms of the lease against the owner [24 CFR 982.308(a)].

### **Lease Form and Tenancy Addendum [24 CFR 982.308]**

If the owner uses a standard lease form for rental to unassisted tenants in the locality or the premises, the lease must be in such standard form. If the owner does not use a standard lease form for rental to unassisted tenants, the owner may use another form of lease. The HAP contract prescribed by HUD contains the owner's certification that if the owner uses a standard lease form for rental to unassisted tenants, the lease is in such standard form.

All provisions in the HUD-required Tenancy Addendum must also be added word-for-word to the owner's standard lease form, for use with the assisted family. The Tenancy Addendum includes the tenancy requirements for the program and the composition of the household as approved by SNRHA. As a part of the lease, the tenant shall have the right to enforce the Tenancy Addendum against the owner and the terms of the Tenancy Addendum shall prevail over any other provisions of the lease.

#### SNRHA Policy

SNRHA does not provide a model or standard dwelling lease for owners to use in the HCV program.

### **Lease Information [24 CFR 982.308(d)]**

The assisted dwelling lease must contain all of the required information as listed below:

- The names of the owner and the tenant:
- The unit rented (address, apartment number, and any other information needed to identify the contract unit)
- The term of the lease (initial term and any provisions for renewal)
- The amount of the monthly rent to owner
- A specification of what utilities and appliances are to be supplied by the owner, and what utilities and appliances are to be supplied by the family. The owner and tenant must sign and date the lease

### **Term of Assisted Tenancy**

The initial term of the assisted dwelling lease must be for at least one (1) year [24 CFR 982.309]. The initial lease term is also stated in the HAP contract.

The HUD program regulations permit SNRHA to approve a shorter initial lease term if certain conditions are met.





### SNRHA Policy

SNRHA will not approve an initial lease term of less than one (1) year.

During the initial term of the lease, the owner may not raise the rent to tenant [24 CFR 982.309].

Any provisions for renewal of the dwelling lease will be stated in the dwelling lease [HCV Guidebook, pg. 8-22]. There are no HUD requirements regarding any renewal extension terms, except that they must be in the dwelling lease if they exist.

SNRHA may execute the HAP contract even if there is less than one year remaining from the beginning of the initial lease term to the end of the last expiring funding increment under the consolidated ACC. [24 CFR 982.309(b)].

### **Security Deposit [24 CFR 982.313 (a) and (b)]**

The owner may collect a security deposit from the tenant. SNRHA may prohibit security deposits in excess of private market practice, or in excess of amounts charged by the owner to unassisted tenants.

### SNRHA Policy

SNRHA will allow the owner to collect any security deposit amount the owner determines is appropriate as long as it does not exceed one month contract rent.

### **Separate Non-Lease Agreements between Owner and Tenant**

Owners may not demand or accept any rent payment from the family in excess of the rent to the owner minus SNRHA's housing assistance payments to the owner [24 CFR 982.451(b)(4)].

The owner may not charge the tenant extra amounts for items customarily included in rent in the locality, or provided at no additional cost to unsubsidized tenants in the premises [24 CFR 982.510(c)].

### SNRHA Policy

SNRHA permits owners and families to execute separate, non-lease agreements for services, appliances (other than range and refrigerator) and other items that are not included in the lease.

Any items, appliances, or other services that are customarily provided to unassisted families as part of the dwelling lease with those families, or are permanently installed in the dwelling unit must be included in the dwelling lease for the assisted family. These items, appliances or services cannot be placed under a separate non-lease agreement between the owner and family. Side payments for additional rent, or for items, appliances or services customarily provided to unassisted families as part of the dwelling lease for those families, are prohibited. Accepting side payments shall result in termination of the HAP Contract and termination of the family's assistance.

Any items, appliances, or other services that are not customarily provided to unassisted families as part of the dwelling lease with those families, are not permanently installed in the dwelling unit and where the family has the sole option of not utilizing the item, appliance or service, may be included in a separate non-lease agreement between the owner and the family.



The family is not liable and cannot be held responsible under the terms of the assisted dwelling lease for any charges pursuant to a separate non-lease agreement between the owner and the family. Non-payment of any charges pursuant to a separate non-lease agreement between the owner and the family cannot be a cause for eviction or termination of tenancy under the terms of the assisted dwelling lease.

Separate non-lease agreements that involve additional items, appliances or other services may be considered amenities offered by the owner and may be taken into consideration when determining the reasonableness of the rent for the property.

### **SNRHA Review of Lease**

SNRHA will review the dwelling lease for compliance with all applicable requirements.

#### SNRHA Policy

If the dwelling lease is incomplete or incorrect, SNRHA will notify the family and the owner of the deficiencies. Missing and corrected lease information will only be accepted as hard copies, in-person, by mail, or by fax. SNRHA will not accept missing and corrected information over the phone. The lease must be submitted with the RFTA. The lease must be signed by both parties with no effective date as the effective date shall be the date the unit passes HQS inspection or the date the tenant takes possession after a passed HQS inspection (whichever is later). Possession shall be defined as having keys or access to keys (i.e. via a lock box) which must be a written statement by both parties.

Because the initial leasing process is time-sensitive, SNRHA will attempt to communicate with the owner and family by phone, fax, or email. SNRHA will use mail when the parties can't be reached by phone, fax, or email.

SNRHA is permitted, but is not required, to review the lease to determine if the lease complies with State and local law and is permitted to decline to approve the tenancy if SNRHA determines that the lease does not comply with State or local law [24 CFR 982.308(c)]

#### SNRHA Policy

SNRHA will not review the owner's lease for compliance with state/local law but shall review to ensure the lease matches the RFTA and is in compliance with the HAP contract which requires content for appliances and utilities.

### **9-I.F. TENANCY APPROVAL [24 CFR 982.305]**

After receiving the family's Request for Tenancy Approval, with proposed dwelling lease, SNRHA must promptly notify the family and owner whether the assisted tenancy is approved.

Prior to approving the assisted tenancy and execution of a HAP contract, SNRHA must ensure that all required actions and determinations, discussed in Part I of this chapter have been completed.

These actions include ensuring that the unit is eligible; the unit has been inspected by SNRHA and meets the Housing Quality Standards (HQS); the lease offered by the owner is approvable and includes the required Tenancy Addendum; the rent to be charged by the owner for the unit must be reasonable; where the family is initially leasing a unit and the gross rent of the unit



exceeds the applicable payment standard for the family, the share of rent to be paid by the family does not exceed 40 percent of the family's monthly adjusted income [24 CFR 982.305(a)]; the owner is an eligible owner, not disapproved by SNRHA, with no conflicts of interest [24 CFR 982.306]; the family and the owner have executed the lease, including the Tenancy Addendum, and the lead-based paint disclosure information [24 CFR 982.305(b)].

#### SNRHA Policy

SNRHA will complete its determination within 10 business days of receiving all required information.

If the terms of the RFTA/proposed lease are changed for any reason, including but not limited to negotiation with SNRHA, SNRHA will obtain corrected copies of the RFTA and proposed lease, signed by the family and the owner.

Corrections to the RFTA/proposed lease will only be accepted as hard copies, in-person, by mail, or by fax. SNRHA will not accept corrections over the phone.

If SNRHA determines that the tenancy cannot be approved for any reason, the owner and the family will be notified and given the opportunity to address any reasons for disapproval. SNRHA will instruct the owner and family of the steps that are necessary to approve the tenancy.

Where the tenancy cannot be approved because the unit is not approvable, the family must continue to search for eligible housing within the timeframe of the issued voucher. No RFTA will be accepted after the voucher expires without a prior extension approved by a supervisor.

If the tenancy cannot be not approved due to rent affordability (including rent burden and rent reasonableness), SNRHA will attempt to negotiate the rent with the owner. If a new, approvable rent is negotiated, the tenancy will be approved. If the owner is not willing to negotiate an approvable rent, the family must continue to search for eligible housing within the timeframe of the issued voucher.

#### **9-I.G. HAP CONTRACT EXECUTION [24 CFR 982.305]**

The HAP contract is a written agreement between SNRHA and the owner of the dwelling unit occupied by a housing choice voucher assisted family. Under the HAP contract, SNRHA agrees to make housing assistance payments to the owner on behalf of a specific family occupying a specific unit and obliges the owner to comply with all program requirements.

The HAP contract format is prescribed by HUD.

If SNRHA has given approval for the family of the assisted tenancy, the owner and SNRHA execute the HAP contract.

The term of the HAP contract must be the same as the term of the lease [24 CFR 982.451(a)(2)].

SNRHA is permitted to execute a HAP contract even if the current funding availability does not extend for the full term of the HAP contract.



SNRHA must make a best effort to ensure that the HAP contract is executed before the beginning of the lease term. Regardless, the HAP contract must be executed no later than 60 calendar days from the beginning of the lease term.

SNRHA may not pay any housing assistance payment to the owner until the HAP contract has been executed. If the HAP contract is executed during the period of 60 calendar days from the beginning of the lease term, SNRHA will pay housing assistance payments after execution of the HAP contract (in accordance with the terms of the HAP contract), to cover the portion of the lease term before execution of the HAP contract (a maximum of 60 days).

Any HAP contract executed after the 60 day period is void, and SNRHA may not pay any housing assistance payment to the owner.

#### SNRHA Policy

The owner and the assisted family will execute the dwelling lease and the owner must provide a copy to SNRHA with the RFTA. SNRHA will ensure that both the owner and the assisted family receive copies of the dwelling lease.

The owner and SNRHA will execute the HAP contract. SNRHA will not execute a HAP contract until the owner has submitted an IRS form W-9. SNRHA will ensure that the owner receives a copy of the executed HAP contract.

SNRHA shall accept electronic signatures on HAP contracts and transfer of ownership/management documents.

See Chapter 13 for a discussion of the HAP contract and contract provisions.

#### **9-I.H. CHANGES IN LEASE OR RENT [24 CFR 982.308]**

If the tenant and the owner agree to any changes in the lease, such changes must be in writing, and the owner must immediately give SNRHA a copy of such changes. The lease, including any changes, must remain in accordance with the requirements of this chapter.

Generally, SNRHA approval of tenancy and execution of a new HAP contract are not required for changes in the lease. However, under certain circumstances, voucher assistance in the unit shall not be continued unless SNRHA has approved a new tenancy in accordance with program requirements and has executed a new HAP contract with the owner. These circumstances include:

- Changes in lease requirements governing tenant or owner responsibilities for utilities or appliances.
- Changes in lease provisions governing the term of the lease.
- The family moves to a new unit, even if the unit is in the same building or complex.

In these cases, if the HCV assistance is to continue, the family must submit a new Request for Tenancy Approval (RFTA) along with a new dwelling lease containing the altered terms. A new tenancy must then be approved in accordance with this chapter.

Where the owner is changing the amount of rent, the owner must notify SNRHA of any changes in the amount of the rent to owner at least 60 calendar days prior to the anniversary date of the HAP contract and the change must be approved by SNRHA before any such changes go into



effect [24 CFR 982.308(g)(4)]. SNRHA will agree to such an increase only if the amount of the rent to owner is considered reasonable according to the rent reasonableness standards discussed in

Chapter 8. If the requested rent is not found to be reasonable, the owner must either reduce the requested rent increase, or give the family notice in accordance with the terms of the lease.

No rent increase is permitted during the initial term of the lease [24 CFR 982.309(a)(3)].

#### SNRHA Policy

Where the owner is requesting a rent increase, SNRHA will determine whether the requested increase is reasonable within 10 business days of receiving the request from the owner. The owner will be notified of the determination in writing.

Rent increases will go into effect on the first of the month of the anniversary date of the HAP contract.

#### ***DISAPPROVAL OF PROPOSED RENT [24 CFR 982.502]***

In any of the programs if the proposed Gross Rent is not reasonable, at the family's request, SNRHA will negotiate with the owner to reduce the rent to a reasonable rent.

At the family's request, SNRHA will negotiate with the owner to reduce the rent or include some or all of the utilities in the rent to owner.

If the rent can be approved after negotiations with the owner and receiving written verification of the decrease, SNRHA will continue processing the Request for Approval of Tenancy and Lease. If the revised rent involves a change in the provision of utilities, a new Request for Approval of Tenancy must be submitted by the owner.

If the owner does not agree on the Rent to Owner after SNRHA has tried and failed to negotiate a revised rent, SNRHA will inform the family and owner that the lease is disapproved.

#### ***INFORMATION TO OWNERS [24 CFR 982.307(b), 982.54(d)(7)]***

In accordance with HUD requirements, SNRHA will furnish prospective owners who request the family's address information in writing from SNRHA with the family's current address as shown in SNRHA's records and, if known to SNRHA, the name and address of the landlord at the family's current and prior address.

SNRHA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

SNRHA will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, payment of utility bills, eviction history, respecting the rights of other residents, damage to units, drug-related criminal activity or other criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

A statement of SNRHA's policy on release of information to prospective landlords will be included in the briefing packet, which is provided to the family.



The information will be provided to the owner in writing.

Only a designated Housing Choice Voucher representative may provide this information. SNRHA's policy on providing information to owners is included in the briefing packet and will apply uniformly to all families and owners.

***OWNER DISAPPROVAL [24 CFR 982.306]***

See Chapter on "Owner Disapproval and Restriction."

***CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE***

When the family reports changes in factors that will affect the Total Family Share prior to the effective date of the HAP contract at admission, the information will be verified and the Total Family Share will be recalculated. If the family does not report any change, SNRHA need not obtain new verifications before signing the HAP Contract, even if verifications are more than 60 calendar days old.

***CONTRACT EXECUTION PROCESS [24 CFR 982.305(c)]***

SNRHA prepares the Housing Assistance Contract and lease for execution. The family and the owner will execute the Lease agreement, and the owner and SNRHA will execute the HAP Contract. Copies of the documents will be furnished to the parties who signed the respective documents. SNRHA will retain a copy of all signed documents.

SNRHA makes every effort to execute the HAP Contract immediately after receiving all required documentation, signed by all parties. The HAP Contract may not be executed more than 60 calendar days after commencement of the lease term and no payments will be made until the contract is executed. The effective date of the HAP contract must match the effective date of the lease and the date will be the later of the date the units passes an initial HQS inspection or the tenant takes possession of the unit.

The Housing Choice Voucher Supervisor, or higher supervisory position on the organization chart, is authorized to execute a contract on behalf of SNRHA:

If families lease properties owned by relatives, other than those prohibited under HUD regulations, the owner must have a different address than the assisted unit. Failure to notify SNRHA in writing of change of addresses may result in placing the vendor's direct deposit of HAP assistance on hold until such information is provided. SNRHA is required by law to provide all vendors with a 1099 each January and cannot comply with this federal law without updated addresses.

Unless their lease was effective prior to June 17, 1998, a family may not lease properties owned by a parent, child, grandparent, grandchild, sister or brother of any family member. SNRHA will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

Owners must provide an Employer Identification Number or Social Security Number on IRS Form W-9.



Owners must also submit proof of ownership of the property by submitting a recorded copy of Grant Deed and a copy of the Management Agreement if the property is managed by a management agent.

The owner must provide a home telephone number and business number if applicable.

*Foreign owners must provide a completed W8-ECI form.*

### ***LATE PAYMENT PENALTIES***

See Chapter on “Owner Disapproval and Restriction.”

To assist SNRHA in its outreach efforts to owners, and to provide better customer service, SNRHA will make automatic monthly HAP deposits into the bank account of the owner. If the owner agrees to such an arrangement with SNRHA, the date the bank shows as the deposit date, will be the official payment date of record and will be the determining factor in cases involving late payment penalties. SNRHA will not make late payments due to direct deposits being posted by the vendors financial institution late, but were transmitted by SNRHA on the correct date. For example, when the first (1<sup>st</sup>) or the 15<sup>th</sup> falls on a Saturday or Holiday and the banks post the deposit on the next business day.

SNRHA will not be obligated to pay any late payment penalty if HUD determines that late payment is due to factors beyond SNRHA’s control, such as a delay in the receipt of program funds from HUD. SNRHA will use administrative fee income or the administrative fee reserve as its only source for late payment penalty.

### **Extensions of Tenancy after Initial Notice to Vacate:**

If a family should request to extend tenancy beyond the initial date of vacate approved by the participant and owner/agent, both parties must sign a written extension of the vacate date and submit this document to SNRHA. The document must include a new vacate date and the tenancy may not extend beyond the expiration date of the issued voucher. Only one (1) extension will be granted by SNRHA to extend the vacate date. The participant must be occupying the unit during the time of extension request.



## Chapter 10

### MOVING WITH CONTINUED ASSISTANCE AND PORTABILITY

#### INTRODUCTION

Freedom of choice is a hallmark of the housing choice voucher (HCV) program. HUD regulations permit families to move with continued assistance to another unit within SNRHA's jurisdiction, or to a unit outside of SNRHA's jurisdiction under Portability procedures. The regulations also allow SNRHA the discretion to develop policies that define any limitations or restrictions on moves. This Chapter defines the procedures for moves, both within and outside of, SNRHA's jurisdiction, and the policies for restriction and limitations on moves.

Part I: Moving with Continued Assistance. This part covers the general rules that apply to all moves by a family assisted under SNRHA's HCV program, whether the family moves to another unit within SNRHA's jurisdiction or to a unit outside SNRHA's jurisdiction under portability.

Part II: Portability. This part covers the special rules that apply to moves by a family under portability, whether the family moves out of or into SNRHA's jurisdiction. This part also covers the special responsibilities that SNRHA has under portability regulations and procedures.

#### PART I: MOVING WITH CONTINUED ASSISTANCE

##### 10-I.A. ALLOWABLE MOVES

HUD lists five regulatory conditions and the statutory condition under VAWA in which an assisted family is allowed to move to a new unit with continued assistance. Permission to move is subject to the restrictions set forth in section 10-I.B.

- The family has a right to terminate the lease on notice to the owner (for the owner's breach or otherwise) and has given a notice of termination to the owner in accordance with the lease [24 CFR 982.314(b)(3)]. If the family terminates the lease on notice to the owner, the family must give SNRHA a copy of the notice at the same time [24 CFR 982.314(d)(1)]. SNRHA requires the family to provide staff with a signed Vacate Notice (60 days when the participant has a lease within a tax credit property).
- The Violence Against Women Reauthorization Act of 2005 provides that "a family may receive a voucher from a public housing agency and move to another jurisdiction under the tenant-based assistance program if the family has complied with all other obligations of the section 8 program and has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit" [Pub.L. 109-162]
- The lease for the family's unit has been terminated by mutual agreement of the owner and the family after the first year of the lease. [24 CFR 982.314(b)(1)(ii)].





### SNRHA Policy

If the family and the owner mutually agree to terminate the lease for the family's unit after the first year of the lease the family must use SNRHA's mutual agreement form. Mutual rescissions will only be allowed for a reasonable accommodation for a disabled family and SNRHA must receive written third party verification of the need to relocate from a qualified professional provider. The manager/owner must also agree with this move if during the first year of the lease after SNRHA 504 Officer approves the accommodation. VAWA moves are also covered with mutual rescissions. Bifurcation of the lease is required by law for VAWA participants. Additionally the person that is the "documented" victim of the violence, even if they are not the head (meaning they are co-head), shall receive the voucher if the family is spilt as a result of a VAWA action. The person shall be terminated who commits the violent act shall be removed from the household by termination from the program. Only one voucher shall be issued.

- SNRHA has terminated the HAP contract for the family's unit for the owner's breach [24 CFR 982.354(b)(1)(i)].
- SNRHA determines that the family's current unit does not meet the HQS space standards because of an increase in family size or a change in family composition. In such cases, SNRHA must issue the family a new voucher, and the family and PHA must try to find an acceptable unit as soon as possible. If an acceptable unit is available for the family, SNRHA must terminate the HAP contract for the family's old unit in accordance with the HAP contract terms and must notify both the family and the owner of the termination. The HAP contract terminates at the end of the calendar month that follows the calendar month in which SNRHA gives notice to the owner. [24 CFR 982.403(a) and (c)]
- The participant has been evicted by the courts.
- In compliance with 24CFR 982.311 (2), SNRHA shall allow overlapping HAP payments when a participant family moves from an assisted unit with continued assistance. The term of the assisted lease for the new unit may begin during the month family moves out of the first assisted unit. Overlapping of the last HAP payment for the month when the family moves out of the old unit and the first assistance payment for the new unit, is not considered to constitute a duplicate housing subsidy.

### **10-I.B. RESTRICTIONS ON MOVES**

A family's right to move is generally contingent upon the family's compliance with program requirements [24 CFR 982.1(b)(2)]. HUD specifies two conditions under which a SNRHA may deny a family permission to move and two ways in which a SNRHA may restrict moves by a family.

#### **Denial of Moves**

HUD regulations permit SNRHA to deny a family permission to move under the following conditions:



### ***Insufficient Funding***

SNRHA may deny a family permission to move if SNRHA does not have sufficient funding for continued assistance [24 CFR 982.354(e)(1)].

#### SNRHA Policy

SNRHA will deny a family permission to move on grounds that SNRHA does not have sufficient funding for continued assistance if (a) the move is initiated by the family, not the owner or SNRHA; (b) SNRHA can demonstrate that the move will, in fact, result in higher subsidy costs; and (c) SNRHA can demonstrate that the move would result in the termination of other participants during the calendar years due to lack of HAP funds include HAP reserves. If this occurs, SNRHA must provide written notification to the local HUD Office when it determines it is necessary to deny moves to a higher cost unit based on insufficient funding. The notification must include the following documentation:

1. A financial analysis that demonstrates insufficient funds are projected to meet the current calendar year projections of expenses. The projection must not include vouchers that have been issued but are yet under contract.
2. A statement certifying the PHA has ceased issuing vouchers and will not admit families from their waiting list while the limitations on moves to a higher cost unit is in place.
3. A copy of the PHA's policy stating how the PHA will address families who have been denied moves. The requirements of the policy are described below.

For moves within SNRHA's jurisdiction, a "higher cost unit" is defined as a unit in which the PHA would have to pay a higher subsidy amount due to an increase in the gross rent for the new unit. This policy applies to moves within SNRHA's jurisdiction as well as to moves outside its jurisdiction under portability.

### ***Repayment Agreements***

SNRHA shall deny moves under portability if the participant owes a debt to SNRHA, even if they are under a repayment agreement, unless the balance is paid in full prior to the voucher being issued and portability documents being submitted to the receiving PHA.

### ***Grounds for Denial or Termination of Assistance***

SNRHA has grounds for denying or terminating the family's assistance [24 CFR 982.314(e)(2)]. VAWA creates an exception to these restrictions for families who are otherwise in compliance with program obligations, but have moved to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence or stalking, and who reasonably believed he or she was imminently threatened by harm from further violence if they remained in the unit. [Pub.L. 109-162]

#### SNRHA Policy

If SNRHA has grounds for denying or terminating a family's assistance, SNRHA will act on those grounds in accordance with the regulations and policies set forth in Chapters 3 and 12, respectively.



SNRHA will grant a family permission to move if SNRHA has no grounds to deny or terminate the family's assistance for program violations, (a thorough definition of program violations can be found in the Administrative Plan). Further definition of a family's obligations include:

Family has provided a copy of the Vacate Notice, submitted to and signed by the current landlord. If the owner refuses to sign, the family shall mail a certified notice to the owner and provide a record to SNRHA. The family may not send a certified mailing prior to first attempting to contact the owner/agent and allow them at least seven (7) business days to sign the Vacate Notice.

The family has not received a notice of cancellation from the Housing Authority.

However, in addition, if the calculations reveal that the subsidy amount to be paid to the new owner on behalf of the family would be zero AND the family has been zero to HAP for six consecutive months prior to the effective date of the new contract, SNRHA would not render any assistance should the family proceed with the move.

### **Restrictions on Elective Moves [24 CFR 982.354(c)]**

HUD regulations permit SNRHA to prohibit any elective move by a participant family during the family's initial lease term. They also permit SNRHA to prohibit more than one elective move by a participant family during any 12-month period.

#### SNRHA Policy

SNRHA will deny a family permission to make an elective move during the family's initial lease term. This policy applies to moves within or outside of SNRHA's jurisdiction.

SNRHA will also deny a family permission to make more than one elective move during any 12-month period. This policy applies to all assisted families residing in SNRHA's jurisdiction.

SNRHA will consider exceptions to these policies for the following reasons:

To protect the health or safety of a family member (e.g., lead-based paint hazards, domestic violence).

The unit becomes in violation of HQS and the contract is terminated as a result of said violations;

Due to the sale of the unit and the new owner does not wish to continue the contract; (unless the new owner request to continue the HAP and signs the required forms) or the unit was foreclosed on and then Nevada laws and HUD regulations come into play.

SNRHA receives a written statement from the District Attorney's Office verifying that the participant has been placed under the witness protection or victim protection program;

Mutual rescissions will only be allowed as a reasonable accommodation for a disabled family for which written third party verification of the need to relocate from a qualified professional provider. The owner/manager must approve the move by signing a mutual



rescission form, after SNRHA approves the reasonable accommodation if they are willing to allow the move. Owners or managers with leases with HCV participants who are approved VAWA clients must bifurcate the lease in compliance with Federal law.

- The family must provide a written 30 day notice to the property owner/agent and SNRHA prior to moving from the unit. Failure to provide to both parties and receive approval from SNRHA prior to moving will lead to termination of their assistance;
- The owner has given the family a notice to vacate, has commenced an action to evict the family or has obtained a court judgment or other process allowing the owner to evict the family. If SNRHA receives a judgment which is not paid within the required timeframe or a summary of eviction, the family shall be terminated from the program even if they have moved to another unit. To lessen the impact of this occurrence and the negative impact to new owners, the family shall not be issued a voucher for 30 days of any notice served relating to a lease violation that is for cause.
- The family has given proper notice of lease termination (if the family has a right to terminate the lease on notice to owner) for owner breach or otherwise.

## **10-I.C. MOVING PROCESS**

### **Notification**

If a family wishes to move to a new unit, the family must notify SNRHA and the owner before moving out of the assisted unit or terminating the lease on notice to the owner [24 CFR 982.354(d)(2)]. If the family wishes to move to a unit outside SNRHA's jurisdiction under portability, the notice to SNRHA must specify the area where the family wishes to move [24 CFR 982.354(d)(2), Notice PIH 2012-42]. The notices must be in writing [24 CFR 982.5].

### **Approval**

#### SNRHA Policy

Upon receipt of a family's notification that they wish to move, SNRHA will determine whether the move is approvable in accordance with the regulations and policies set forth in sections 10-I.A and 10-I.B. SNRHA will schedule an appointment with the family to come in to receive a moving packet or complete port out documents. SNRHA shall require families to provide a signed SNRHA Vacate Notice which is signed by the family and owner/manager. If the owner refuses to sign the Vacate Notice (60 days for tax credit properties) Intent Form and the tenant has completed the first year of the lease and has not signed a new lease for an additional year, the participant shall send the notice via certified mail and provide staff with a copy of proof of mailing before a moving voucher can be issued. The Vacate Notice must be signed and dated by both parties with an effective date. An extension of this notice must also be signed and dated by both parties and submitted to SNRHA.

## **Reexamination of Family Income and Composition**



### SNRHA Policy

For families approved to move to a new unit within SNRHA's jurisdiction, SNRHA will perform a new annual reexamination in accordance with the policies set forth in Chapter 11 of this plan.

### **Voucher Issuance and Briefing**

#### SNRHA Policy

For families approved to move to a new unit within SNRHA's jurisdiction, SNRHA will issue a new voucher within 10 calendar days of SNRHA's written approval to move. No briefing is required for these families. However, staff will remind them of move requirements when the voucher is issued to move. SNRHA will follow the policies set forth in Chapter 7 on voucher term, extension, and expiration. If a family does not locate a new unit within the term of the voucher and any extensions, the family may remain in its current unit with continued voucher assistance if the owner agrees and SNRHA approves. Otherwise, the family will lose its assistance.

For families moving into or families approved to move out of the PHA's jurisdiction under portability, SNRHA will follow the policies set forth in Part II of this chapter.

### **Housing Assistance Payments [24 CFR 982.311(d)]**

When a family moves out of an assisted unit, SNRHA may not make any housing assistance payment to the owner for any month **after** the month the family moves out. The owner may keep the housing assistance payment for the month when the family moves out of the unit.

If a participant family moves from an assisted unit with continued tenant-based assistance, the term of the assisted lease for the new assisted unit may begin during the month the family moves out of the first assisted unit. Overlap of the last housing assistance payment (for the month when the family moves out of the old unit) and the first assistance payment for the new unit, is not considered to constitute a duplicative housing subsidy.

### ***Notice Requirements***

Briefing sessions emphasize the family's responsibility to give the owner and SNRHA proper written notice of any intent to move.

The family must give the owner the required number of days' notice of their intent to vacate as specified in the lease in writing or a written notice when not specified in the lease. The family must give a copy to SNRHA simultaneously utilizing SNRHA's "Vacate Notice." This notice must be signed by both parties; or if the owner refuses to sign, the participant can provide SNRHA proof of their attempts to notify their owner by submitting a copy of their mailed Vacate Notice and a copy of their certified mail receipt. Therefore, the family must be otherwise eligible to move and a moving voucher will be issued.

### ***Time of Contract Change***

A move within the same building or project, or between buildings owned by the same owner, will be processed like any other move.



In a move, assistance stops at the old unit at the end of the month in which the tenant ceased to occupy, unless proper notice was given to end a lease midmonth. Assistance will start on the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the family moves.

## **PART II: PORTABILITY**

### **10-II.A. OVERVIEW**

Within the limitations of the regulations and this plan, a participant family or an applicant family that has been issued a voucher has the right to use tenant-based voucher assistance to lease a unit anywhere in the United States providing that the unit is located within the jurisdiction of a PHA administering a tenant-based voucher program [24 CFR 982.353(b)]. The process by which a family obtains a voucher from one PHA and uses it to lease a unit in the jurisdiction of another

PHA is known as portability. The first PHA is called the **initial PHA**. The second is called the **receiving PHA**.

The receiving PHA has the option of administering the family's voucher for the initial PHA or absorbing the family into its own program. Under the first option, the receiving PHA bills the initial PHA for the family's housing assistance payments and the fees for administering the family's voucher. Under the second option, the receiving PHA pays for the family's assistance out of its own program funds, and the initial PHA has no further relationship with the family.

The same PHA commonly acts as the initial PHA for some families and as the receiving PHA for others. Each role involves different responsibilities. The PHA will follow the rules and policies in section 10-II.B when it is acting as the initial PHA for a family. It will follow the rules and policies in section 10-II.C when it is acting as the receiving PHA for a family.

In administering portability, the initial PHA and the receiving PHA must comply with financial procedures required by HUD, including the use of HUD-required forms [24 CFR 982.355(e)(5)].

PHAs must also comply with billing and payment deadlines, HUD may reduce an administrative fee to an initial or receiving PHA if the PHA does not comply with HUD portability requirements [24 CFR 982.355 (e)(7)].

SNRHA shall not deny a victim of domestic violence that is eligible under VAWA the access to portability.

According to HUD Final Rule on Streamlining Portability, published March 28, 2012, and revised August 20, 2015 (effective September 21, 2015); the following applies to the entire HCV program and is not limited to families exercising portability:

**Mandatory Voucher Suspension:** The rule requires suspension or "tolling" of the voucher term upon a family's submission of a Request for Tenancy Approval (RFTA.) Under the current rule, suspension is optional. The mandatory suspension begins when the family submits the RFTA and ends when the family is notified in writing of the approval or denial of the tenancy by using the [Notice of Cancellation of RFTA](#) form.



**Briefing Requirements:** The final rule requires the benefits of living in low-poverty census tracts must be explained to all families, including those who currently live in higher poverty areas. The required explanation of how portability works must now be given to all families, not just those who are eligible to exercise portability on initial voucher issuance.

HUD's Final Rule indicates the major changes to existing portability requirements and processes include:

**Notification of Insufficient Funding:** The rule adds a requirement that PHA's must notify the HUD field office within 10 business days of denying a move under portability due to insufficient funding.

**Voucher Term:** The voucher issued by the Receiving PHA (RHA) must have an expiration date at least 30 days after the expiration date of the voucher issued by the Initial PHA (IHA.) While the RHA may provide additional search time according to its existing policies, the billing deadline of 90 days after the expiration of the IHA's voucher remains in effect.

**Administrative Fees:** The final rule provides the administrative fee for portability is the lesser of 80 percent of the IHA's administrative fee (prorated if applicable) or 100 percent of the RHA's administrative fee. In no event will the RHA receive more than its own administrative fee.

**Rescreening:** The preamble to the rule states that RHAs "should be allowed" to apply their own screening standards to incoming portable families, and information on how rescreening may affect a family's assistance should be included in the briefing packet. HUD did not make any regulatory changes supporting this guidance. HUD did not make any regulatory changes supporting this guidance. SNRHA shall rescreen all incoming portability clients in accordance with its screening Policies.

## 10-II.B. INITIAL PHA ROLE

### Allowable Moves under Portability

A family may move with voucher assistance only to an area where there is at least one PHA administering a voucher program [24 CFR 982.353(b)]. If there is more than one PHA in the area, The initial PHA provides the family with the contact information for the receiving PHAs that serve the area, and the family selects the receiving PHA. The family must inform the initial PHA which PHA it has selected. If the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family (24 CFR 982.255(b)).

Applicant families that have been issued vouchers as well as participant families may qualify to lease a unit outside SNRHA's jurisdiction under portability. The initial PHA, in accordance with HUD regulations and PHA policy, determines whether a family qualifies.



### ***Applicant Families***

Under HUD regulations, most applicant families qualify to lease a unit outside the PHA's jurisdiction under portability. However, HUD gives SNRHA discretion to deny a portability move by an applicant family for the same two reasons that it may deny any move by a participant family: insufficient funding and grounds for denial or termination of assistance. [If a PHA intends to deny a family permission to move under portability due to insufficient funding, the PHA must notify HUD within 10 business days of the determination to deny the move \[24 CFR 982.355\(e\)\].](#)

#### SNRHA Policy

In determining whether or not to deny an applicant family permission to move under portability because SNRHA lacks sufficient funding or has grounds for denying assistance to the family, the initial SNRHA will follow the policies established in section 10-I.B of this chapter. If the PHA does deny the move due to insufficient funding, the PHA will notify HUD in writing within 10 business days of the PHA's determination to deny the move.

In addition, SNRHA may establish a policy denying the right to portability to nonresident applicants during the first 12 months after they are admitted to the program [24 CFR 982.353(c)].

#### SNRHA Policy

If neither the head of household nor the spouse/cohead of an applicant family had a domicile (legal residence) in SNRHA's jurisdiction at the time the family's application for assistance was submitted, the family must live in SNRHA's jurisdiction with voucher assistance for at least 12 months before requesting portability.

SNRHA will consider exceptions to this policy for purposes of reasonable accommodation (see Chapter 2).

### ***Participant Families***

The Initial SNRHA must not provide portable assistance for a participant if a family has moved out of its assisted unit in violation of the lease [24 CFR 982.353(b)]. VAWA creates an exception to this prohibition for families who are otherwise in compliance with program obligations but have moved to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if they remained in the unit.

#### SNRHA Policy

SNRHA will determine whether a participant family may move out of SNRHA's jurisdiction with continued assistance in accordance with the regulations and policies set forth here and in sections 10-I.A and 10-I.B of this chapter. SNRHA will notify the family of its determination in accordance with the approval policy set forth in section 10-I.C of this chapter.

### **Determining Income Eligibility**





### ***Applicant Families***

An applicant family may lease a unit in a particular area under portability only if the family is income eligible for admission to the voucher program in that area [24 CFR 982.353(d)(3)]. The family must specify the area to which the family wishes to move [2012-42 24 CFR 982.355(c)(1)].

The initial PHA is responsible for determining whether the family is income eligible in the area to which the family wishes to move [24 CFR 982.353(d)(1), 24CFR 982.355 (9)]. If the applicant family is not income eligible in that area, the PHA must inform the family that it may not move there and receive voucher assistance [Notice PIH 2012-42].

### ***Participant Families***

The income eligibility of a participant family is not redetermined if the family moves to a new jurisdiction under portability [24 CFR 982.353(d)(2),

### **Reexamination of Family Income and Composition**

No new reexamination of family income and composition is required for an applicant family.

#### SNRHA Policy

For a participant family approved to move out of its jurisdiction under portability, SNRHA generally will conduct a reexamination of family income and composition only if the family's annual reexamination must be completed on or before the initial billing deadline specified on form HUD-52665, Family Portability Information.

SNRHA will make any exceptions to this policy necessary to remain in compliance with HUD regulations.

SNRHA shall inform the receiving PHA of the incoming port family and confirm if they are absorbing or billing and shall send all required documents including an EIV. The EIV shall be sent in a confidential envelop.

### **Briefing**

The regulations and policies on briefings set forth in Chapter 7 of this plan require SNRHA to provide information on portability to all applicant families that qualify to lease a unit outside SNRHA's jurisdiction under the portability procedures. Therefore, no special briefing is required for these families.

#### SNRHA Policy

No formal briefing will be required for a participant family wishing to move outside SNRHA's jurisdiction under portability. However, SNRHA will provide the family with the same oral and written explanation of portability that it provides to applicant families selected for admission to the program (see Chapter 7).

SNRHA will provide the name, address, and phone of the contact for the PHA in the jurisdiction to which they wish to move. **If there is more than one PHA with jurisdiction over the area to which the family wishes to move, the PHA will advise the family that the**



family must select the receiving PHA and notify the initial PHA of which receiving PHA was selected. The PHA will further inform the family that if the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family.

SNRHA will advise the family that they will be under the RHA's policies and procedures, including screening, subsidy standards, voucher extension policies, and payment standards.

### **Voucher Issuance and Term**

An applicant family has no right to portability until after the family has been issued a voucher [24 CFR 982.353(b)]. In issuing vouchers to applicant families, SNRHA will follow the regulations and procedures set forth in Chapter 7. A new voucher is not required for portability purposes.

#### SNRHA Policy

For families approved to move under portability, SNRHA will issue a new voucher within 10 calendar days of SNRHA's receiving a Vacate or other written notice which is approvable to port out.

The initial term of the voucher will be 60 calendar days, 90 calendar days for disabled families.

If the family moving under portability is living in a unit where HAP has been abated because of the failure to complete the HQS repairs, or the client previously vacated their unit due to unsafe condition, the voucher issuance date will be the effective date of that action.

### **Voucher Extensions and Expiration**

#### SNRHA Policy

SNRHA will **not approve** extensions of a voucher issued to an applicant or a participant's family porting out of SNRHA's jurisdiction except under the following circumstances: (a) the family decides to return to the initial PHA's jurisdiction and search for a unit there and their voucher has not expired, or (b) the family decides to search for a unit in a third PHA's jurisdiction and their voucher has not expired. In such cases, the policies on voucher extensions set forth in Chapter 7, section 5-II.E, of this plan will apply, including the requirement that the family apply for an extension in writing prior to the expiration of the initial voucher term.

To receive or continue receiving assistance under the initial PHA's voucher program, a family that moves to another PHA's jurisdiction under portability must be under HAP contract in the receiving PHA's jurisdiction within 90 calendar days following the expiration date of the initial PHA's voucher term (including any extensions). (See below under "Initial Billing Deadline" for one exception to this policy.)

### **Initial Contact with the Receiving PHA**



After approving a family's request to move under portability, the initial PHA must promptly notify the receiving PHA via email or other confirmed delivery method to expect the family [24 CFR 982.355(c)(3), 24 CFR 9682.355(c)(7)]. The initial PHA must also advise the family how to contact and request assistance from the receiving PHA [24 CFR 982.355(c)(6)].

### SNRHA Policy

Because the portability process is time-sensitive, SNRHA will notify the receiving PHA by fax to expect the family. The initial PHA will also ask the receiving PHA to provide any information the family may need upon arrival, including the name, fax, email and telephone number of the staff person responsible for business with incoming portable families and procedures related to appointments for voucher issuance. SNRHA will pass this information along to the family. SNRHA will also ask for the name, address, telephone number, fax and email of the person responsible for processing the billing information.

### **Sending Documentation to the Receiving PHA**

The initial SNRHA is required to send the receiving PHA the following documents:

- Form HUD-52665, Family Portability Information, with Part I filled out [Notice PIH 2012-42]
- A copy of the family's voucher [Notice PIH 2012-42]
- A copy of the family's most recent form HUD-50058, Family Report, or, if necessary in the case of an applicant family, family and income information in a format similar to that of form HUD-50058 [24 CFR 982.355(c)(7), Notice PIH 2012-42]
- Copies of the income verifications backing up the form HUD-50058 [24 CFR 982.355(c)(7), Notice PIH 2012-42] and EIV printout in a confidential envelop.
- Notification to confirm if the PHA is billing or absorbing.

### SNRHA Policy

In addition to these documents, SNRHA will provide the following information, if available, to the receiving PHA:

Last EIV print out

Social security numbers (SSNs)

Documentation of SSNs for all family members

Documentation of legal identity

Documentation of citizenship or eligible immigration status

Documentation of participation in the earned income disallowance (EID) benefit

Documentation of participation in a family self-sufficiency (FSS) program

SNRHA will notify the family in writing regarding any information provided to the receiving PHA [HCV GB, p. 13-3].

### **Initial Billing Deadline [Notice PIH 2012-42, Letter to Executive Directors 9-15-15]**



The deadline for submission of initial billing is 90 calendar days following the expiration date of the voucher issued to the family by the initial PHA. If the initial PHA does not receive a billing notice by the deadline and does not intend to honor a late billing submission, it must contact the receiving PHA to determine the status of the family. If the receiving PHA reports that the family is not yet under HAP contract, the initial PHA may refuse to accept a late billing submission. If the receiving PHA reports that the family is under HAP contract and the receiving PHA cannot absorb the family, the initial PHA must accept a late billing submission; however, it may report to HUD the receiving PHA's failure to comply with the deadline.

#### SNRHA Policy

If SNRHA has not received an initial billing notice from the receiving PHA within 90 days of expiration of the IHA's voucher, it will contact the receiving PHA via by phone, fax, or e-mail. If the PHA reports that the family is not yet under HAP contract, the PHA will inform the receiving PHA that it will not honor a late billing submission and will return any subsequent billings that it receives on behalf of the family. SNRHA will send the receiving PHA a written confirmation of its decision by mail.

SNRHA will allow an exception to this policy if the family includes a person with disabilities and the late billing is a result of a reasonable accommodation granted to the family by the receiving PHA.

#### **Monthly Billing Payments [24 CFR 982.355(e), Notice PIH 2012-42]**

If the receiving PHA is administering the family's voucher, [the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. When reimbursing for administrative fees, the initial PHA must promptly reimburse the receiving PHA for the lesser of 80 percent of the initial PHA ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill \[24 CFR 982.355\(e\)\(2\)\].](#)

The initial PHA is responsible for making billing payments in a timely manner. The first billing amount is due within 30 calendar days after the initial PHA receives Part II of form HUD-52665 from the receiving PHA. Subsequent payments must be **received** by the receiving PHA no later than the fifth business day of each month. The payments must be provided in a form and manner that the receiving PHA is able and willing to accept.

The initial PHA may not terminate or delay making payments under existing portability billing arrangements as a result of overleasing or funding shortfalls. The PHA must manage its tenant-based program in a manner that ensures that it has the financial ability to provide assistance for families that move out of its jurisdiction under portability and are not absorbed by receiving PHAs as well as for families that remain within its jurisdiction.

#### SNRHA Policy

SNRHA will mail monthly checks to make payments unless the receiving PHA notifies SNRHA of their direct deposit information.



## **Annual Updates of Form HUD-50058**

If SNRHA is being billed on behalf of a portable family, it should receive an updated form the HUD form-50058 each year from the receiving PHA. If SNRHA fails to receive an updated 50058 by the family's annual reexamination date, the initial PHA should contact the receiving PHA to verify the status of the family.

## **Subsequent Family Moves**

### ***Within the Receiving PHA's Jurisdiction [24 CFR 314(e)(1), Notice PIH 2005-1]***

The initial PHA has the authority to deny subsequent moves by portable families whom it is assisting under portability billing arrangements if it does not have sufficient funding for continued assistance.

#### SNRHA Policy

If SNRHA determines that it must deny moves on the grounds that it lacks sufficient funding (see section 10-I.B), it will notify all receiving PHAs with which it has entered into portability billing arrangements that they, too, must deny moves to higher cost units by portable families from SNRHA's jurisdiction.

SNRHA will allow exceptions to this policy for purposes of reasonable accommodation of a family member who is a person with disabilities.

### ***Outside the Receiving PHA's Jurisdiction [Notice PIH 2012-42]***

If the initial PHA is assisting a portable family under a billing arrangement and the family subsequently decides to move out of the receiving PHA's jurisdiction, the initial PHA is responsible for issuing the family a voucher while the family is either being assisted or has a voucher from the receiving PHA and, if the family wishes to port to another jurisdiction, sending form HUD-52665 and supporting documentation to the new receiving PHA. Any extensions of the initial PHA voucher necessary to allow the family additional search-time to return to the initial PHA's jurisdiction or to move to another jurisdiction would be at the discretion of the initial PHA.

## **Denial or Termination of Assistance [24 CFR 982.355(c)(17)]**

At any time, either the initial PHA or the receiving PHA may make a determination to deny or terminate assistance with the family in accordance with 24 CFR 982.552 and 24 CFR 982.553. (For SNRHA policies on denial and termination, see Chapters 3 and 12, respectively.)

## **10-II.C. RECEIVING PHA ROLE**

If a family has a right to lease a unit in the receiving PHA's jurisdiction under portability, the receiving PHA must provide assistance for the family [24 CFR 982.355(10)]. HUD may determine in certain instances that a PHA is not required to accept incoming portable families, such as a PHA in a declared disaster area. However, the PHA must have approval in writing from HUD before refusing any incoming portable families [24 CFR 982.355(b)]. Administration of the voucher must be in accordance with the receiving PHA's policies. This



requirement also applies to policies of Moving to Work agencies. The receiving PHA procedures and preferences for selection among eligible applicants do not apply to the family, and the receiving PHA waiting list is not used [24 CFR 982.355(c)(10)].

The family's unit, or voucher, size is determined in accordance with the subsidy standards of the receiving PHA [24 CFR 982.355(c)(12)], and the receiving PHA's policies on extensions of the voucher term apply [24 CFR 982.355 (c)(14)].

### **Responding to Initial PHA's Request [24 CFR 982.355(c)]**

The receiving PHA must respond via e-mail or other confirmed delivery method to the initial PHA's inquiry to determine whether the family's voucher will be billed or absorbed [(24 CFR 982.355(c)(3)]. . If the receiving PHA informs the initial PHA that it will be absorbing the voucher, the receiving PHA cannot reverse its decision at a later date **without consent of the initial PHA** (24 CFR 982.355(c)(4)).[Notice PIH 2012-42].

#### **SNRHA Policy**

SNRHA will use e-mail, when possible, to notify the initial PHA whether it will administer or absorb the family's voucher.

### **Initial Contact with Family**

When a family moves into SNRHA's jurisdiction under portability, the family is responsible for promptly contacting SNRHA and complying with SNRHA's procedures for incoming portable families . The family's failure to comply may result in denial or termination of the receiving PHA's voucher [24 CFR 982.355 (c)(8)].

If the voucher issued to the family by the initial PHA has expired, the receiving SNRHA must contact the initial PHA to determine if it will extend the voucher [24 CFR 982.355 (c)(13)].

When a portable family requests assistance from SNRHA, SNRHA must promptly inform the initial PHA whether SNRHA will bill the initial PHA for assistance on behalf of the portable family or will absorb the family into its own program [24 CFR 982.355(c)(5)]. If SNRHA initially bills the initial PHA for the family's assistance, it may later decide to absorb the family into its own program [Notice PIH 2012-42]. (See later under "Absorbing a Portable Family" for more on this topic.)

#### **SNRHA Policy**

SNRHA will notify the initial PHA whether it intends to bill the receiving PHA on behalf of the portable family or absorb the family into its own program. SNRHA will absorb all incoming FSS Portability Participants, if funding is available (See Chapter 18 – Family Self Sufficiency).

If for any reason the receiving SNRHA refuses to process or provide assistance to a family under the portability procedures, the family must be given the opportunity for an informal review or hearing [Notice PIH 2012-42]. (For more on this topic, see later under "Denial or Termination of Assistance.")

### **Briefing**



HUD allows SNRHA to require a briefing for an incoming portable family as long as the requirement does not unduly delay the family's search [Notice PIH 2012-42].

### SNRHA Policy

SNRHA will require the family to attend a briefing. SNRHA will provide the family with a briefing packet (as described in Chapter 7) and, in an individual briefing, will orally inform the family about the PHA's payment and subsidy standards, procedures for requesting approval of a unit, the unit inspection process, and the leasing process.

SNRHA will allow a one-on-one (1-on-1) briefing only as a reasonable accommodation which must be requested in writing from the applicant/participant and approved by SNRHA's HP management. **This also applies for clients needing LEP for languages other than a language provided by staff at general briefings.**

### **Income Eligibility and Reexamination**

PIH Notice 2012-42SNRHA does not redetermine eligibility for a portable family that was already receiving assistance in the initial PHA's voucher program [24 CFR 982.355(c)(9)]. **If the receiving PHA opts to conduct a new reexamination for a current participant family, the receiving PHA may not delay issuing the family a voucher or otherwise delay approval of a unit [24 CFR 982.355(c)(11)].**

### SNRHA Policy

For any family moving into its jurisdiction under portability, SNRHA will conduct a new reexamination of family income and composition. However, SNRHA will not delay issuing the family a voucher for this reason. Nor will SNRHA delay approving a unit for the family until the reexamination process is complete unless the family is an applicant and SNRHA cannot otherwise confirm that the family is income eligible for admission to the program in the area where the unit is located.

In conducting its own reexamination, SNRHA will rely upon any verification provided by the initial PHA to the extent that they (a) accurately reflect the family's current circumstances and (b) were obtained within the last 120 calendar days. Any new information may be verified by documents provided by the family and adjusted, if necessary, when third party verification is received. Criminal screening will be conducted but shall not delay the lease-up process of port-ins.

### **Voucher Issuance**

When a family moves into its jurisdiction under portability, SNRHA is required to issue the family a voucher [24 CFR 982.355(c)(13)]. The family must submit a request for tenancy approval to SNRHA during the term of the receiving PHA's voucher [24 CFR 982.355(c)(15)].

### ***Timing of Voucher Issuance***

HUD expects the receiving PHA to issue the voucher within two weeks after receiving the family's paperwork from the initial PHA if the information is in order, the family has contacted the receiving PHA, and the family complies with the receiving PHA's procedures [Notice PIH 2012-42].



### SNRHA Policy

When family ports into its jurisdiction, SNRHA will issue the family a voucher based on the paperwork provided by the initial PHA unless the family's paperwork from the initial PHA is incomplete, the family's voucher from the initial PHA has expired or the family does not comply with SNRHA's procedures. SNRHA will update the family's information when verification has been completed.

### ***Voucher Term***

The term of SNRHA's voucher may not expire before 30 calendar days from the expiration date of the initial PHA's voucher [24 CFR 982.355(c)(13)].

### SNRHA Policy

SNRHA's voucher will expire 30 calendar days from the expiration date of the initial PHA's voucher.

### ***Voucher Extensions [24 CFR 982.355(c)(14), Notice 2012-42]***

Once the receiving PHA issues the portable family a voucher, the receiving PHA's policies on extensions of the voucher term apply. The receiving PHA must inform the initial PHA of any extension granted to the term of the voucher. It must also bear in mind the billing deadline provided by the initial PHA. Unless willing and able to absorb the family, SNRHA should ensure that any voucher expiration date would leave sufficient time to process a request for tenancy approval, execute a HAP contract, and deliver the initial billing to the initial PHA.

### SNRHA Policy

SNRHA generally will not extend the term of the voucher that it issues to an incoming portable family unless the PHA plans to absorb the family into its own program, in which case it will follow the policies on voucher extension set forth in section 5-II.E.

SNRHA will consider an exception to this policy as a reasonable accommodation to a person with disabilities (see Chapter 2).

### ***Voucher Suspensions [24 CFR 982.303, 24 CFR 982.355(c)(15)]***

If the family submits a request for tenancy approval during the term of the receiving PHA's voucher, the PHA must suspend the term of that voucher. The term of the voucher stops from the date that the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied [24 CFR 982.4(b)] (see Section 5-II.E).

### **Notifying the Initial PHA**

SNRHA must promptly notify the initial PHA if the family has leased an eligible unit under the program or if the family fails to submit a request for tenancy approval for an eligible unit within the term of the receiving PHA's voucher [24 CFR 982.355(c)(8)]. SNRHA is required to use Part II of form HUD-52665, Family Portability Information, for this purpose [Notice PIH 2012-42].





(For more on this topic and the deadline for notification, see below under “Administering a Portable Family’s Voucher.”)

If an incoming portable family ultimately decides not to lease in the jurisdiction of SNRHA but instead wishes to return to the initial PHA’s jurisdiction or to search in another jurisdiction, SNRHA must refer the family back to the initial PHA. In such a case the voucher of record for the family is once again the voucher originally issued by the initial PHA. Any extension of search time provided by SNRHA’s voucher is only valid for the family’s search in SNRHA’s jurisdiction. [Notice PIH 2012-42]

### **Administering a Portable Family’s Voucher**

#### ***Portability Billing [24 CFR 982.355(e)]***

To cover assistance for a portable family that was not absorbed, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. The amount of the housing assistance payment for a portable family in the receiving PHA’s program is determined in the same manner as for other families in the receiving PHA’s program.

The receiving PHA may bill the initial PHA for the lesser of 80 percent of the initial PHA’s ongoing administrative fee or 100 percent of the receiving PHA’s ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill (i.e., the receiving PHA may bill for the lesser of 80 percent of the initial PHA’s prorated ongoing administrative fee or 100 percent of the receiving PHA’s ongoing administrative fee).

If both PHAs agree, the PHAs may negotiate a different amount of reimbursement.

#### **SNRHA Policy**

Unless the PHA negotiates a different amount of reimbursement with the initial PHA, the PHA will bill the initial PHA the maximum amount of administrative fees allowed, ensuring any administrative fee proration has been properly applied.

#### ***Initial Billing Deadline***

If a portable family’s search for a unit is successful and SNRHA intends to administer the family’s voucher, SNRHA must submit its initial billing notice (Part II of form HUD-52665) (a) no later than 10 business days following the date the receiving PHA **executes** a HAP contract on behalf of the family **and** (b) in time that the notice will be **received** no later than 60 calendar days following the expiration date of the family’s voucher issued by the initial PHA [Notice PIH 2012-42]. A copy of the family’s form HUD-50058, Family Report, completed by the receiving PHA must be attached to the initial billing notice. SNRHA may send these documents by mail, fax or e-mail.

#### **SNRHA Policy**



SNRHA will send its initial billing notice by fax or e-mail, if necessary, to meet the billing deadline.

If SNRHA fails to send the initial billing within 10 business days following the date the HAP contract is executed, it is required to absorb the family into its own program unless (a) the initial PHA is willing to accept the late submission or (b) HUD requires the initial PHA to honor the late submission (e.g., because SNRHA is over leased) [Notice PIH 2012-42].

### ***Ongoing Notification Responsibilities [Notice PIH 2012-42, HUD-52665]***

**Annual Reexamination.** SNRHA must send the initial PHA a copy of a portable family's updated form HUD-50058 after each annual reexamination for the duration of time SNRHA is billing the initial PHA on behalf of the family, regardless of whether there is a change in the billing amount.

#### SNRHA Policy

SNRHA will send a copy of the updated HUD-50058 by regular mail at the same time SNRHA and owner are notified of the reexamination results.

**Change in Billing Amount.** SNRHA is required to notify the initial PHA, using form the HUD Form -52665, of any change in the billing amount for the family as a result of:

- A change in the HAP amount (because of a reexamination, a change in the applicable payment standard, a move to another unit, etc.)
- An abatement or subsequent resumption of the HAP payments
- Termination of the HAP contract
- Payment of a damage/vacancy loss claim for the family
- Termination of the family from the program

The timing of the notice of the change in the billing amount should correspond with the notification to the owner and the family in order to provide the initial PHA with advance notice of the change. Under no circumstances should the notification be later than 10 business days following the effective date of the change in the billing amount.

### ***Late Payments [Notice PIH 2012-42]***

If the initial PHA fails to make a monthly payment for a portable family by the fifth business day of the month, SNRHA must promptly notify the initial PHA in writing of the deficiency. The notice must identify the family, the amount of the billing payment, the date the billing payment was due, and the date the billing payment was received (if it arrived late). SNRHA must send a copy of the notification to the Office of Public Housing (OPH) in the HUD area office with jurisdiction over SNRHA. If the initial PHA fails to correct the problem by the second month following the notification, SNRHA may request by memorandum to the director of the OPH with jurisdiction over SNRHA that HUD transfer the unit in question. A copy of the initial notification and any subsequent correspondence between the PHAs on the matter must be attached. The receiving PHA must send a copy of the memorandum to the initial PHA. If the



OPH decides to grant the transfer, the billing arrangement on behalf of the family ceases with the transfer, but the initial PHA is still responsible for any outstanding payments due to SNRHA

### ***Overpayments [Notice PIH 2012-42]***

In all cases where SNRHA has received billing payments for billing arrangements no longer in effect, SNRHA is responsible for returning the full amount of the overpayment (including the portion provided for administrative fees) to the initial PHA.

In the event that HUD determines billing payments have continued for at least three months because SNRHA failed to notify the initial PHA that the billing arrangement was terminated, SNRHA must take the following steps:

- Return the full amount of the overpayment, including the portion provided for administrative fees, to the initial PHA.
- Once full payment has been returned, notify the Office of Public Housing in the HUD area office with jurisdiction over SNRHA of the date and the amount of reimbursement to the initial PHA.

At HUD's discretion, SNRHA will be subject to the sanctions spelled out in Notice PIH 2012-42.

### **Denial or Termination of Assistance**

At any time, SNRHA may make a determination to deny or terminate assistance to a portable family for family action or inaction [24 CFR 982.355(c)(17)].

In the case of a termination, SNRHA should provide adequate notice of the effective date to the initial PHA to avoid having to return a payment. In no event should SNRHA fail to notify the initial PHA later than 10 business days following the effective date of the termination of the billing arrangement. [HUD-52665 Notice PIH 2012-42]

#### SNRHA Policy

If SNRHA elects to deny or terminate assistance for a portable family, SNRHA will notify the initial PHA within 10 business days after the informal review or hearing if the denial or termination is upheld. SNRHA will base its denial or termination decision on the policies set forth in Chapter 3 or Chapter 12, respectively. The informal review or hearing will be held in accordance with the policies in Chapter 16. SNRHA will furnish the initial PHA with a copy of the review or hearing decision.

### **Absorbing a Portable Family**

SNRHA may absorb an incoming portable family into its own program when SNRHA executes a HAP contract on behalf of the family or at any time thereafter providing that SNRHA has funding available under its annual contributions contract (ACC) and (b) absorbing the family will not result in over leasing [24 CFR 982.355(d)(1), Notice PIH 2012-42].

If SNRHA absorbs a family from the point of admission, the admission will be counted against the income targeting obligation of SNRHA [24 CFR 982.201(b)(2)(vii)].

If SNRHA absorbs a family after providing assistance for the family under a billing arrangement with the initial PHA, HUD encourages SNRHA to provide adequate advance notice to the initial



PHA to avoid having to return an overpayment. SNRHA must specify the effective date of the absorption of the family. [Notice PIH 2012-42]

### SNRHA Policy

If SNRHA decides to absorb a portable family upon the execution of a HAP contract on behalf of the family, SNRHA will notify the initial PHA by the initial billing deadline specified on form HUD-52665. The effective date of the HAP contract will be the effective date of the absorption.

If SNRHA decides to absorb a family after that, it will provide the initial PHA with 30 calendar days advance notice.

Following the absorption of an incoming portable family, the family is assisted with funds available under the consolidated ACC for SNRHA's voucher program [24 CFR 982.355(d)], and SNRHA becomes the initial PHA in any subsequent moves by the family under portability [24 CFR 982.355 (e)(4)].

### **OUTGOING PORTABILITY [24 CFR 982.353, 982.355]**

Within the confines of the regulations and this policy, a participant family has the right to receive tenant-based voucher assistance to lease a unit outside SNRHA's jurisdiction, anywhere in the United States, in the jurisdiction of a PHA with a tenant-based program. When a family requests to move outside of SNRHA's jurisdiction, the request must specify the area to which the family wants to move.

### **Restrictions on Portability**

A family is permitted to move only once in a 12-month period. This includes incoming and outgoing ports.

If neither the head nor spouse had a domicile (legal residence) in SNRHA's jurisdiction at the date of their initial application for assistance, the family will not be permitted to exercise portability during the initial 12-month period after admission to the program.

**NOTE:** Local government defines legal domicile.

Following the initial 12-month period, SNRHA will not permit families to exercise portability:

- If the family is in violation of a family obligation.
- If the family owes money to SNRHA.
- If the family has moved out of its assisted unit in violation of the lease.
- If the family has not lived in their unit for 12 months.
- If the family has been served an eviction notice for cause or judgment.



## Chapter 11

### REEXAMINATIONS

#### INTRODUCTION

In accordance with HUD requirements, SNRHA will reexamine the income and household composition of all families at least annually. Families will be provided accurate annual and interim rent adjustments. Recertifications and interim examinations will be processed in a manner that ensures families are given reasonable notice of rent increases. All annual activities will be coordinated in accordance with HUD regulation. It is a HUD requirement that families report all changes in household composition. It also explains the interim reporting requirements for families, and the standards for timely reporting. Interim reexaminations are also needed in certain situations.

This chapter discusses both annual and interim reexaminations, and the recalculation of family share and subsidy that occurs as a result. HUD regulations and SNRHA's policies concerning reexaminations are presented in three parts:

Part I: Annual Reexaminations. This part discusses the process for conducting annual reexaminations.

Part II: Interim Reexaminations. This part details the requirements for families to report changes in family income and composition between annual reexaminations.

Part III: Recalculating Family Share and Subsidy Amount. This part discusses the recalculation of family share and subsidy amounts based on the results of annual and interim reexaminations.

Policies governing reasonable accommodation, family privacy, required family cooperation, and program abuse, as described elsewhere in this plan, apply to both annual and interim reexaminations.

#### **PART I: ANNUAL REEXAMINATIONS [24 CFR 982.516]**

##### **11-I.A. OVERVIEW**

SNRHA must conduct a reexamination of family income and composition at least annually. This includes gathering and verifying current information about family composition, income, and expenses. Based on this updated information, the family's income and rent must be recalculated. This part discusses the schedule for annual reexaminations, the information to be collected and verified, and annual reexamination effective dates.

With HUD's final rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," SNRHA may implement tri-annual reexaminations (or once every three [3] years.) SNRHA will continue to conduct annual reexaminations at this time.



## 11-I.B. SCHEDULING ANNUAL REEXAMINATIONS

SNRHA must establish a policy to ensure that the annual reexamination for each family is completed *within* a 12-month period, and may require reexaminations more frequently [HCV GB p. 12-1].

### SNRHA Policy

SNRHA will begin the annual reexamination process 120 calendar days in advance of its scheduled effective date. Generally, SNRHA will schedule annual reexamination effective dates to coincide with the family's anniversary date.

*Anniversary date* is defined as 12 months from the effective date of the family's last annual reexamination or, during a family's first year in the program, from the effective date of the family's initial examination (admission).

If the family moves to a new unit, SNRHA will perform a new annual reexamination.

SNRHA also may schedule an annual reexamination for completion prior to the anniversary date for administrative purposes.

### **Notification of and Participation in the Annual Reexamination Process**

SNRHA is required to obtain the information needed to conduct annual reexaminations. How that information will be collected is left to the discretion of SNRHA.

### SNRHA Policy

Families generally are required to participate in an annual reexamination interview, which must be attended by the head of household, spouse, or co-head and all family members 18 and older. SNRHA conducts re-certifications for the elderly and disabled via mail unless they fail to return the recertification packet within the required timeframe. In those cases, the family will be sent an appointment letter. If participation in an in-person interview poses a hardship because of a family member's disability, the family should contact SNRHA to request a reasonable accommodation (See Chapter 2).

Notification of annual reexamination interviews will be sent by first-class mail and will contain the date, time, and location of the interview. In addition, it will inform the family of the information and documentation that must be brought to the interview.

If the family is unable to attend a scheduled interview, the family should contact SNRHA in advance of the interview to schedule a new appointment. If a family does not attend the scheduled interview, SNRHA will send a second notification with a new interview appointment time.

If a family fails to attend two scheduled interviews without SNRHA approval, or if the notice is returned by the post office, a notice of termination (See Chapter 12) will be sent to the family's address of record.



An advocate, interpreter, or other assistant may assist the family in the interview process. The family and SNRHA must execute a certification attesting to the role and assistance of any such third party.

### **11-I.C. CONDUCTING ANNUAL REEXAMINATIONS**

As part of the annual reexamination process, families are required to provide updated information to SNRHA regarding the family's income, expenses, and composition [24 CFR 982.551(b)].

#### SNRHA Policy

Families will be asked to bring all required information (as described in the reexamination notice) to the reexamination appointment. The required information will include a SNRHA-designated reexamination form, an Authorization for the Release of Information/Privacy Act Notice, as well as supporting documentation related to the family's income, expenses, family composition and other required forms.

Any required documents or information that the family is unable to provide at the time of the interview must be provided within 14 calendar days of the interview. If the family is unable to obtain the information or materials within the required time frame, the family may request an extension.

If the family does not provide the required documents or information within the required time frame (plus any extensions), the family will be sent a notice of termination (See Chapter 12).

The information provided by the family generally must be verified in accordance with the policies in Chapter 6. Unless the family reports a change, or the agency has reason to believe a change has occurred in information previously reported by the family, certain types of information that are verified at admission typically do not need to be re-verified on an annual basis. These include:

- Legal identity
- Age
- Social security numbers
- A person's disability status
- Citizenship or immigration status –except for expired status

If adding a new family member due to birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency to the unit causes overcrowding according to the Housing Quality Standards (HQS) (see Chapter 8), SNRHA must issue the family a new voucher, and the family must try to find an acceptable unit as soon as possible. If an acceptable unit is not available for rental by the family, SNRHA must terminate the HAP contract in accordance with its terms [24 CFR 982.403].

**SNRHA will not increase the** voucher size when adding other adults to the family that are 18 or older or children that are not foster youth.



SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

#### **11-I.D. DETERMINING ONGOING ELIGIBILITY OF CERTAIN STUDENTS [24 CFR 982.552(b)(5)]**

Section 327 of Public Law 109-115 established new restrictions on the ongoing eligibility of certain students (both part- and full-time) who are enrolled in institutions of higher education.

If a student enrolled in an institution of higher education is under the age of 24, is not a veteran, is not married, and does not have a dependent child, the student's eligibility must be reexamined along with the income eligibility of the student's parents on an annual basis. In these cases, both the student and the student's parents must be income eligible for the student to continue to receive HCV assistance. If, however, a student in these circumstances is determined independent from his or her parents in accordance with PHA policy, the income of the student's parents will not be considered in determining the student's ongoing eligibility.

Students who reside with parents in an HCV assisted unit are not subject to this provision. It is limited to students who are receiving assistance on their own, separately from their parents.

##### SNRHA Policy

During the annual reexamination process, SNRHA will determine the ongoing eligibility of each student who is subject to the eligibility restrictions in 24 CFR 5.612 by reviewing the student's individual income as well as the income of the student's parents. If the student has been determined "independent" from his/her parents based on the policies in Sections 3-II.E, the parents' income will not be reviewed.

If the student is no longer income eligible based on his/her own income or the income of his/her parents, the student's assistance will be terminated.

If the student continues to be income eligible based on his/her own income and the income of his/her parents (if applicable), SNRHA will process a reexamination in accordance with the policies in this chapter.

#### **11-I.E. EFFECTIVE DATES**

SNRHA must establish policies concerning the effective date of changes that result from an annual reexamination [24 CFR 982.516].

##### SNRHA Policy

In general, an *increase* in the family share of the rent that results from an annual reexamination will take effect on the first day of the family's anniversary date, and the family will be notified at least 30 calendar days in advance.

If less than 30 calendar days remain before the scheduled effective date, the increase will take effect on the first of the month following the end of the 30-day notice period by completing an adjustment to make up the difference.





If a family moves to a new unit, the increase will take effect on the effective date of the new lease and HAP contract, and no 30-day notice is required.

If SNRHA chooses to schedule an annual reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date will be determined by SNRHA, but will always allow for the 30-day notice period.

If the family causes a delay in processing the annual reexamination, *increases* in the family share of the rent will be applied retroactively, to the scheduled effective date of the annual reexamination. The family will be responsible for any overpaid subsidy and may be offered a repayment agreement in accordance with the policies in Chapter 14.

In general, a *decrease* in the family share of the rent that results from an annual reexamination will take effect on the first day of the month of the family's anniversary date.

If a family moves to a new unit, the decrease will take effect on the effective date of the new lease and HAP contract.

If SNRHA chooses to schedule an annual reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date will be determined by SNRHA.

If the family causes a delay in processing the annual reexamination, *decreases* in the family share of the rent will be applied prospectively, from the first day of the month following completion of the reexamination processing.

Delays in reexamination processing are considered to be caused by the family if the family fails to provide information requested by SNRHA by the date specified, and this delay prevents SNRHA from completing the reexamination as scheduled.

### **Reexamination Notice to the Family**

SNRHA will maintain a reexamination tracking system and the household will be notified by mail of the date and time for their interview at least 60 calendar days in advance of the anniversary date, unless it has been rescheduled or file reinstated. SNRHA has developed a computerized tracking report to ensure all annual re-certifications are completed prior to the last annual date.

If requested as an accommodation by a person with a disability, SNRHA will provide the notice in an accessible format. SNRHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

### **Completion of Annual Recertification**

SNRHA will have all recertifications for families completed no later than one (1) calendar month prior to the effective date of the annual reexamination. This includes notifying the family of any changes in rent at least one (1) calendar month before the scheduled date of the change in family rent.



## **Collection of Information [24 CFR 982.516(f)]**

SNRHA has established appropriate recertification procedures necessary to ensure that the income data provided by families is complete and accurate.

SNRHA will require the family to complete an Application for Continued Occupancy form prior to all recertification interviews.

## **PART II: INTERIM REEXAMINATIONS [24 CFR 982.516]**

### **11-II.A. OVERVIEW**

Family circumstances may change throughout the period between annual reexaminations. HUD and SNRHA policies dictate what kinds of information about changes in family circumstances must be reported, and under what circumstances SNRHA must process interim reexaminations to reflect those changes. HUD regulations also permit SNRHA to conduct interim reexaminations of income or family composition at any time. When an interim reexamination is conducted, only those factors that have changed are verified and adjusted [HCV GB, p. 12-10].

In addition to specifying what information the family must report, HUD regulations permit the family to request an interim determination if other aspects of the family's income or composition changes. SNRHA must complete the interim reexamination within a reasonable time after the family's request.

This part includes HUD and SNRHA policies describing what changes families are required to report, what changes families may choose to report, and how SNRHA will process both SNRHA and family initiated interim reexaminations.

### **11-II.B. CHANGES IN FAMILY AND HOUSEHOLD COMPOSITION**

SNRHA must adopt policies prescribing when and under what conditions the family must report changes in family composition. However, due to family obligations under the program, SNRHA has limited discretion in this area.

#### SNRHA Policy

SNRHA will conduct interim reexaminations to account for any changes in income that are downward that occur between annual reexaminations. The interim will not be processed until the change is properly verified. Upon receipt of proper verification, the interim will be processed. Changes will be effective the first of the month following the month in which SNRHA receives written notice of the change.

If necessary, the change will be processed retroactively to be effective the first of the month following the month of receipt of written notice of the change.



Increases in income will be processed at the next annual reexamination except for the following families:

- Zero income families reporting income
- Families receiving only non-earned income who begin to earn income
- Families qualifying for the earned income disallowance (EID), but only when the EID family's share of rent will change as a result of the increase or
- FSS program participants.

All changes must be reported within 10 calendar days. In the above cases, SNRHA will process the interim to be effective the first of the month following 30 calendar day notice. In all other cases, SNRHA will note the information in the tenant's file, but will not conduct an interim reexamination.

SNRHA will conduct an interim for all changes in household composition. All changes must be reported within 10 calendar days.

### **New Family Members Not Requiring Approval**

The addition of a family member as a result of birth, adoption, or court-awarded custody does not require SNRHA approval. However, the family is required to promptly notify SNRHA of the addition within 10 calendar days and submit copies of documents and birth certificates; social security 24 CFR 982.551(h)(2)].

#### SNRHA Policy

The family must inform SNRHA of the birth, adoption or court-awarded custody of a child within 10 calendar days and submit all required documents. Notifications must be done in writing.

### **New Family and Household Members Requiring Approval**

With the exception of children who join the family as a result of birth, adoption, or court-awarded custody, a family must request SNRHA's approval to add a new family member [24 CFR 982.551(h)(2)] or other household member (live-in aide or foster child) [24 CFR 982.551(h)(4)]. This request must be submitted in writing prior to allowing the person to move into the unit.

When any new family member is added, SNRHA must conduct a reexamination to determine any new income or deductions associated with the additional family member, and to make appropriate adjustments in the family share of the rent and the HAP payment [24 CFR 982.516(e)]. If an adult, a criminal background check will be completed. SNRHA will not increase the voucher size when adding an adult nor will SNRHA approve an addition which will result in overcrowding for any addition.

If a change in family size causes a violation of Housing Quality Standards (HQS) space standards (see Chapter 8), SNRHA must issue the family a new voucher, and the family and SNRHA must try to find an acceptable unit as soon as possible. If an acceptable unit is available for rental by the family, SNRHA must terminate the HAP contract in accordance with its terms [24 CFR 982.403].



### SNRHA Policy

Families must request PHA approval to add a new family member, live-in aide, foster child, or foster adult in writing. This includes any person not on the lease who is expected to stay in the unit for more than 30 consecutive days, or 60 cumulative days, within a twelve month period, and therefore no longer qualifies as a “guest.” Requests must be made in writing and approved by SNRHA prior to the individual moving in the unit.

SNRHA will not approve the addition of a new family or household member unless the individual meets the PHA’s eligibility criteria (see Chapter 3).

SNRHA will not approve the addition of a foster child or foster adult if it will cause a violation of HQS space standards.

If SNRHA determines an individual meets SNRHA’s eligibility criteria as defined in Chapter 3, SNRHA will provide written approval to the family. If the approval of a new family member or live-in aide will cause overcrowding according to HQS standards, the approval letter will explain that the family will be issued another voucher and will be required to move.

If SNRHA determines that an individual does not meet SNRHA’s eligibility criteria as defined in Chapter 3, SNRHA will notify the family in writing of its decision to deny approval of the new family or household member and the reasons for the denial. Families must report in writing marriages/separations and divorces within 10 calendar days.

### **Departure of a Family or Household Member**

Families must promptly (defined as within 10 calendar days) notify SNRHA if any family member no longer lives in the unit [24 CFR 982.551(h)(3)]. Because household members are considered when determining the family unit (voucher) size [24 CFR 982.402], SNRHA also needs to know when any live-in aide, foster child, or foster adult ceases to reside in the unit. Failure to report this may result in termination of assistance.

### SNRHA Policy

If a household member ceases to reside in the unit, the family must inform SNRHA within 10 calendar days in writing. This requirement also applies to a family member who has been considered temporarily absent at the point that the family concludes the individual is permanently absent.

If a live-in aide, foster child, or foster adult ceases to reside in the unit, the family must inform SNRHA within 10 calendar days in writing.

### **11-II.C. CHANGES AFFECTING INCOME OR EXPENSES**

Interim reexaminations can be scheduled either because SNRHA has reason to believe that changes in income or expenses may have occurred, or because the family reports a change. When a family reports a change, SNRHA may take different actions depending on whether the family reported the change voluntarily, or because it was required to do so.

### **SNRHA-Initiated Interim Reexaminations**



SNRHA-initiated interim reexaminations are those that are scheduled based on circumstances or criteria defined by SNRHA. They are not scheduled because of changes reported by the family.

### SNRHA Policy

SNRHA will conduct interim reexaminations in each of the following instances:

- For families receiving the Earned Income Disallowance (EID), SNRHA will conduct an interim reexamination at the start and conclusion of the second 12 month exclusion period (50 percent phase-in period).
- If the family has reported zero income, SNRHA will conduct an interim reexamination every 6 months as long as the family continues to report that they have no income.
- Families that report zero income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, and other subsistence of expenses in writing. SNRHA will require a printout of utility bills for the past 12 months to be submitted at interim evaluations for participants claiming zero income. The average for the last three months of utility bill payments over the amount of the family's Utility Reimbursement Payment, will be averaged, annualized and the results analyzed to determine the possibility of un-reported or under-reported income.
- When the amounts indicate that the family has received monies from outside sources, or that an outside source has paid the family's bills on their behalf, SNRHA will call the family into an interview to discuss how the family has made the payments. When it is discovered that an outside source has provided money to the family, or has paid the bills on the family's behalf, SNRHA will send third party verification to the providing party to verify whether the income is sporadic or recurring in order to determine whether the amount is to be included in the family's annual income. SNRHA will also verify no other income has been received via third party verification at the 180 calendar day interim examinations being sent to such agencies as the unemployment department, welfare, and child support, and will perform credit checks to identify reoccurring payments. EIV printouts will also be reviewed for all interim reexaminations.

If the family's expenses exceed their known income, SNRHA will make inquiry of the head of household as to the nature of the family's resources and terminate the family for fraud, or offer a repayment agreement when documented evidence indicates the family has unreported income, which includes receiving funds from other parties or individuals that has not been reported. Failure to enter into a repayment agreement and pay the required 25% within the established guidelines shall result in the termination of the subsidy. Only two (2) repayment agreements will ever be approved for any one HCV household. The second cannot be approved unless the first has been paid in full. Repeating this action after the 2<sup>nd</sup> violation of unreported income will result in termination from the HCV program.



- If at the time of the annual reexamination, it is not feasible to anticipate a level of income for the next 12 months (e.g. seasonal or cyclic income), SNRHA will schedule an interim reexamination to coincide with the end of the period for which it is feasible to project income.
- If at the time of the annual reexamination, tenant-provided documents were used on a provisional basis due to the lack of third-party verification, and third-party verification becomes available, SNRHA will conduct an interim reexamination.
- SNRHA may conduct an interim reexamination at any time in order to correct an error in a previous reexamination, or to investigate a tenant fraud complaint.

### **Family-Initiated Interim Reexaminations**

SNRHA must adopt policies prescribing when and under what conditions the family must report changes in family income or expenses [24 CFR 982.516(c)]. In addition, HUD regulations require that the family be permitted to obtain an interim reexamination any time the family has experienced a change in circumstances since the last determination [24 CFR 982.516(b)(2)].

### **Required Reporting**

HUD regulations give SNRHA the freedom to determine the circumstances under which families will be required to report changes affecting income.

#### SNRHA Policy

Families are required to report all increases in income, including new employment, within 10 calendar days of the date the change takes effect.

Families are required to report any other changes in income or expenses and family composition within 10 calendar days in writing.

If the family's Total Tenant Payments (TTP) is the minimum rent and/or the family has requested a hardship exemption, the family must report any increase in income. SNRHA will adjust the rent at the end of the hardship period.

Families are required to report all changes in income and family composition within 10 calendar days of the change.

### **Optional Reporting**

The family may request an interim reexamination any time the family has experienced a change in circumstances since the last determination [24 CFR 982.516(b)(2)]. SNRHA must process the request if the family reports a change that will result in a reduced family income [HCV GB, p. 12-9].

If a family reports a decrease in income from the loss of welfare benefits due to fraud or non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program, the family's share of the rent will not be reduced [24 CFR 5.615]. For more information regarding the requirement to impute welfare income see Chapter 5.

#### SNRHA Policy



If a family reports a change that would result in an increase in the family share of the rent, but will not go into effect until the annual date, SNRHA will note the information in the tenant file and send a no change letter.

If a family reports a change that would result in a decrease in the family share of rent, SNRHA will conduct an interim reexamination. See Section 11-II.D. for effective dates.

## **11-II.D. PROCESSING THE INTERIM REEXAMINATION**

### **Method of Reporting**

#### SNRHA Policy

The family shall notify SNRHA of changes only in writing within 10 calendar days of any change in family composition (including marriage) or income. Generally, the family will not be required to attend an interview for an interim reexamination. However, if SNRHA determines that an interview is warranted, the family may be required to attend.

Based on the type of change reported, SNRHA will determine the documentation the family will be required to submit. The family must submit any required information or documents within 14 business days of receiving a request from SNRHA. This time frame may be extended for good cause with SNRHA's approval. SNRHA will accept required documentation by mail, fax, e-mail, or in person.

### **Effective Dates**

SNRHA must establish the time frames in which any changes that result from an interim reexamination will take effect [24 CFR 982.516(d)]. The changes may be applied either retroactively or prospectively, depending on whether there is to be an increase or a decrease in the family share of the rent, and whether the family reported any required information within the required time frames [HCV GB, p. 12-10].

#### SNRHA Policy

If the family share of the rent is to *increase*:

The increase generally will be effective on the first of the month following 30 days' notice to the family.

If a family fails to report a change within the required time frames, or fails to provide all required information within the required time frames, the increase will be applied retroactively, to the date it would have been effective had the information been provided on a timely basis. The family will be responsible for any overpaid subsidy and may be offered a repayment agreement in accordance with the policies in Chapter 14.

If the family share of the rent is to *decrease*:



The decrease will be effective on the first day of the month following the month in which the change was reported and all required documentation was submitted. In cases where the change cannot be verified until after the date the change would have become effective, the change will be made retroactively.

## **OTHER INTERIM REPORTING ISSUES**

An interim reexamination does not affect the date of the annual recertification.

### SNRHA Policy

A verification used for purposes of completing the interim may be used for completing the family's annual recertification if the verification is current within 120 calendar days of the scheduled annual recertification effective date, unless SNRHA has reason to believe the situation has changed.

SNRHA may conduct the interim recertification by mail as a reasonable accommodation for a participant with a disability and elderly participants. (See Chapter 1, "Statement of Policies and Objectives")

### **SNRHA Staff Errors**

If SNRHA makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted, if necessary, to correct the error, but the family will not be charged retroactively. Families will be given decreases, when applicable, retroactive to when the decrease for the change would have been effective if calculated correctly.

## **CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.518]**

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

"Mixed" families who were participants as of June 19, 1995, shall continue receiving full assistance if they meet all of the following criteria:

- SNRHA implemented the Non-Citizen Rule prior to November 29, 1996 AND
- The head of household or spouse is a U.S. citizen or has eligible immigrant status; AND
- All members of the family other than the head, the spouse, parents of the head or the spouse, and children of the head or spouse are citizens or eligible immigrants. The family may change the head of household to qualify under this provision.

If the family moved in on or after November 29, 1996, mixed families may receive prorated assistance only.

## **MISREPRESENTATION OF FAMILY CIRCUMSTANCES**

If any participant deliberately misrepresents the information on which eligibility or tenant rent is established, SNRHA may terminate assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Chapter 16.)

## **PART III: RECALCULATING FAMILY SHARE AND SUBSIDY AMOUNT**





### **11-III.A. OVERVIEW**

After gathering and verifying required information for an annual or interim reexamination, SNRHA must recalculate the family share of the rent and the subsidy amount, and notify the family and owner of the changes [24 CFR 982.516(d)(2), HCV 12-6 and 12-10]. While the basic policies that govern these calculations are provided in Chapter 6, this part lays out policies that affect these calculations during a reexamination.

### **11-III.B. CHANGES IN PAYMENT STANDARDS AND UTILITY ALLOWANCES**

In order to calculate the family share of the rent and HAP amount correctly, changes in payment standards, subsidy standards, or utility allowances may need to be updated and included in SNRHA's calculations.

Specific policies governing how subsidy standards, payment standards, and utility allowances are applied are discussed below.

#### **Payment Standards [24 CFR 982.505]**

The family share of the rent and HAP calculations must use the correct payment standard for the family, taking into consideration the family unit size, the size of unit, and the area in which the unit is located [HCV GB, p. 12-5]. See Chapter 6 for information on how to select the appropriate payment standard.

When SNRHA changes its payment standards or the family's situation changes, new payment standards are applied at the following times:

- If SNRHA's payment standard amount changes during the term of the HAP contract, the date on which the new standard is applied depends on whether the standard has increased or decreased:
  - If the payment standard amount has *increased*, the increased payment standard will be applied at the *first annual* reexamination following the effective date of the increase in the payment standard.
  - If the payment standard amount has *decreased*, the decreased payment standard will be applied at the *second annual* reexamination following the effective date of the decrease in the payment standard.
- If the family moves to a new unit, or a new HAP contract is executed due to changes in the lease (even if the family remains in place) the current payment standard applicable to the family will be used when the new HAP contract is processed.

#### **Subsidy Standards [24 CFR 982.505(c)(4)]**

If there is a change in the family unit size that would apply to a family during the HAP contract term, either due to a change in family composition, or a change in SNRHA's subsidy standards (see Chapter 6), the new family unit size must be used to determine the payment standard



amount for the family at the family's *first annual* reexamination following the change in family unit size.

#### SNRHA Policy

Family composition changes resulting in a change in voucher size: Although SNRHA will conduct interims for all changes in family composition, the voucher size will not be adjusted until the family's first annual reexamination following the family composition change.

(Exception: see 24 CFR 982.403 for violations of the HQS space standards.)

#### **Utility Allowances [24 CFR 982.517(d)]**

The family share of the rent and HAP calculations must reflect any changes in the family's utility arrangement with the owner, or in SNRHA's utility allowance schedule [HCV GB, p. 12-5]. Chapter 14 discusses how utility allowance schedules are established.

When there are changes in the utility arrangement with the owner, SNRHA must use the utility allowances in effect at the time the new lease and HAP contract are executed.

At reexamination, SNRHA must use SNRHA current utility allowance schedule [24 CFR 982.517(d)(2)].

#### SNRHA Policy

Revised utility allowances will be applied to a family's rent and subsidy calculations at the first reexamination after the allowance is adopted.

#### **11-III.C. NOTIFICATION OF NEW FAMILY SHARE AND HAP AMOUNT**

SNRHA must notify the owner and family of any changes in the amount of the HAP payment [HUD-52641, HAP Contract]. The notice must include the following information [HCV GB, p. 12-6]:

- The amount and effective date of the new HAP payment
- The amount and effective date of the new family share of the rent
- The amount and effective date of the new tenant rent to owner

The family must be given an opportunity for an informal hearing regarding SNRHA's determination of their annual or adjusted income, and the use of such income to compute the housing assistance payment [24 CFR 982.555(a)(1)(i)] (see Chapter 14).

#### SNRHA Policy

The notice to the family will include the annual and adjusted income amounts that were used to calculate the family share of the rent and the housing assistance payment. The notice also will state the procedures for requesting an informal hearing.

#### **11-III.D. DISCREPANCIES**



During an annual or interim reexamination, SNRHA may discover that information previously reported by the family was in error, or that the family intentionally misrepresented information. In addition, SNRHA may discover errors made by SNRHA. When errors resulting in the overpayment or underpayment of subsidy are discovered, corrections will be made in accordance with the policies in Chapter 14.



## Chapter 12

### DENIAL OF ASSISTANCE AND TERMINATION OF ASSISTANCE AND TENANCY

#### INTRODUCTION

HUD regulations specify the reasons for which a PHA can deny or terminate a family's assistance, and the ways in which such terminations must take place. They also dictate the circumstances under which an owner may terminate the tenancy of an assisted family. This chapter presents the policies that govern denials of assistance, voluntary and involuntary terminations of assistance, and termination of tenancy by the owner. It is presented in three parts:

Part I: Grounds for Denial of Assistance. This part discusses reasons why a family's application for assistance may be denied, including mandatory denials, and discusses SNRHA policy as relates to denials of assistance.

Part II: Termination of Assistance. This part discusses various reasons that a family's assistance may be terminated, including voluntary termination by the family, termination because the family no longer qualifies to receive subsidy, and termination by the PHA based on the family's behavior. It also covers denial of applicant's assistance.

Part III: Approach to Termination of Assistance. This part describes the policies that govern how an involuntary termination takes place. It specifies the alternatives that the PHA may consider in lieu of termination, the criteria the PHA must use when deciding what action to take, and the steps the PHA must take when terminating a family's assistance.

Part IV: Termination of Tenancy by the Owner. This part presents the policies that govern the owner's right to terminate an assisted tenancy.

#### PART I: GROUNDS FOR DENIAL OF ASSISTANCE

##### 12-I.A. OVERVIEW

HUD requires SNRHA to terminate or deny assistance for certain offenses and when the family no longer requires assistance. HUD permits SNRHA to terminate or deny assistance for certain other actions family members take or fail to take. In addition, a family may decide to stop receiving HCV assistance at any time by notifying SNRHA.

A family that does not meet the eligibility criteria discussed in Chapter 3, Parts I and II, must be denied assistance.

In addition, HUD requires or permits SNRHA to deny assistance based on certain types of current or past behaviors of family members.



### **Forms of Denial [24 CFR 982.552(a)(2); HCV GB, p. 5-35]**

Denial of assistance includes any of the following:

- Not placing the family's name on the waiting list
- Denying or withdrawing a voucher
- Not approving a request for tenancy or refusing to enter into a HAP contract
- Refusing to process a request for or to provide assistance under portability procedures

### **Prohibited Reasons for Denial of Program Assistance [24 CFR 982.202(b), Pub.L. 109-162]**

HUD rules prohibit denial of program assistance to the program based on any of the following criteria:

- Age, disability, race, color, religion, sex, or national origin. (See Chapter 2 for additional information about fair housing and equal opportunity requirements.)
- Where a family lives prior to admission to the program
- Where the family will live with assistance under the program. Although eligibility is not affected by where the family will live, there may be restrictions on the family's ability to move outside SNRHA's jurisdiction (See Chapter 10, Portability.)
- Whether members of the family are unwed parents, recipients of public assistance, or children born out of wedlock
- Whether the family includes children
- Whether a family decides to participate in a family self-sufficiency program
- Whether or not a qualified applicant has been a victim of domestic violence, dating violence, or stalking

### **12-I.B. MANDATORY DENIAL OF ASSISTANCE [24 CFR 982.553(a)]**

HUD requires SNRHA to deny assistance in the following cases:

- Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity. HUD permits, but does not require, SNRHA to admit an otherwise-eligible family if the household member has completed a SNRHA-approved drug rehabilitation program or the circumstances which led to eviction no longer exist (e.g., the person involved in the criminal activity no longer lives in the household).
- SNRHA determines if any household member is currently engaged in the use of illegal drugs.

#### SNRHA Policy

*Currently engaged in* is defined as any use of illegal drugs during the previous six months.



- SNRHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Any household member that has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing (including Public Housing, Section 8 Tenant-Based or Project-Based Units.)
- Any household member is subject to a lifetime registration requirement under a state sex offender registration program. Criminal Sexual Convictions – Applicants, participant and/or their household members who have been convicted of criminal sexual conduct or are required to register in the State of Nevada as a sex offender, will be prohibited from participation in the public housing program.
- Sex offenses, include but are not limited to sexual assault, incest, statutory sexual seduction, open and gross lewdness or child abuse and are required by law to register as a sex offender will be prohibited from participation in the Housing Choice Voucher Program.
- Failure of the family to provide verification of social security numbers for all family members in compliance with HUD Rent Refinement Rule. Notice PIH 2012-10

## **12-I.C. CRITERIA FOR DECIDING TO DENY ASSISTANCE**

### **Evidence [24 CFR 982.553(c)]**

#### SNRHA Policy

SNRHA will use the concept of the preponderance of the evidence as the standard for making all admission decisions.

*Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not.

Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Consider all evidence. In determining whether an issue has been proved by a preponderance of the evidence, you should consider all of the evidence, regardless of who produced it.

Equally balanced. If the weight of the evidence is equally balanced, or if you are unable to determine which side of an issue has the preponderance, the party who has the burden of proof has not established such issue by a preponderance of the evidence.

### **Consideration of Circumstances [24 CFR 982.552(c)(2)]**

HUD authorizes SNRHA to consider all relevant circumstances when deciding whether to deny assistance based on a family's past history except in the situations for which denial of assistance is mandated (see Section 3-III.B).



## SNRHA Policy

SNRHA will consider the following factors prior to making its decision:

The seriousness of the case, especially with respect to how it would affect other residents.

The effects that denial of assistance may have on other members of the family who were not involved in the action or failure.

The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities, or (as discussed further in section 3-III.G) a victim of domestic violence, dating violence, or stalking.

The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future.

In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully, unless there is a reoccurring offense within the past twelve months.

SNRHA will require the applicant/participant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

SNRHA will consider all credible evidence, including but not limited to, any record of convictions or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A conviction will be given more weight. The SNRHA will also consider evidence from treatment providers or community-based organizations providing services to household members.

SNRHA will also consider good cause reasons for missing an appointment or failing to timely provide information. However, only two appointments shall be scheduled. Said reasons include documented hospitalization, travel or incarceration for non-felony charges.

SNRHA has no discretion when denying assistance to an applicant whom has failed to establish citizenship or eligible status, or has been evicted from any Public Housing Program under the 1937 Act; Sex offender; Illegal drug use, other criminal activity, and alcohol abuse that would threaten other residents unless they can demonstrate to SNRHA that the person engaging in the activity has been rehabilitated, or that the situation no longer exists, and there have been no repeat incidents in the past 12 months.



### **Removal of a Family Member's Name from the Application [24 CFR 982.552(c)(2)(ii)]**

HUD permits PHAs to impose as a condition of admission, a requirement that family members who participated in or were culpable for an action or failure to act which results in the denial of assistance, to not reside in the unit.

#### SNRHA Policy

As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the assisted unit.

After admission to the program, the family must present evidence of the former family member's current address upon SNRHA request.

### **Reasonable Accommodation [24 CFR 982.552(c)(2)(iv)]**

If the family includes a person with disabilities, SNRHA's decision concerning denial of admission is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

#### SNRHA Policy

If the family indicates the behavior of a family member with a disability is the reason for the proposed denial of assistance, SNRHA will determine whether the behavior is related to the disability. If so, upon the family's request, SNRHA will determine whether alternative measures are appropriate as a reasonable accommodation. SNRHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of assistance. See Chapter 2 and Addendum A, for a discussion of reasonable accommodation.

## **12-I.D. DENIAL OF ASSISTANCE TO AN APPLICANT [24 CFR 982.552; 982.553]**

**(Some areas of this section also apply to participants)**

#### SNRHA Policy

### ***1. PERMANENT PROHIBITION***

Applicants/participants and incoming clients under portability, and/or their household members who have been convicted of criminal sexual conduct, including but not limited to sexual assault, incest, statutory sexual seduction, open and gross lewdness or child abuse and are required by law to register as a sex offender will be prohibited from participation in the Section 8-HCV Program.

SNRHA will permanently deny admission to a HCV applicant/participant convicted of manufacturing or producing methamphetamine on the premises of assisted housing developments in violation of any Federal or State Law. "Premises" is defined as the building or complex in which the dwelling unit is located, including common areas and ground. Such individuals are permanently barred from receiving Federal Housing Assistance.





Any applicant or incoming port who owes any PHA a debt, including debts owed to HCV Project-based programs or any other federal housing program unless said person has a current repayment agreement for which they are in full-compliance with the terms of the agreement.

Fails to provide social security numbers and verification for all family members claiming to be citizens or have eligible immigration status.

Has been evicted from a federally subsidized housing program for a period of five (5) years or owes a debt to a public housing program or other assisted housing property;

Has made fraudulent representations on his/her public housing application.

Has engaged in or threatened abusive or violent behavior toward SNRHA personnel;

SNRHA has no discretion when denying assistance to an applicant who has failed to establish citizenship or eligible immigration status.

## **2. Criminal Conduct of an Applicant or Member of the Applicant's Household**

SNRHA will consult local and federal law enforcement databases to determine whether an applicant or household member, 18 years of age or older, has a criminal record. For purposes of this section, criminal record includes convictions.

SNRHA may deny assistance to an applicant if the preponderance (i.e. majority) of verifiable evidence (i.e., Scope/NCIC criminal records, police reports, reports from parole/probation officers or landlord references) indicates that an applicant and/or household members have engaged in drug-related or violent criminal activity that otherwise adversely affects the health, safety or welfare of the public.

If on probation or parole for any conviction, assistance will be denied, until discharged from probation, parole, or completion of sentence for one year prior to admissions to the HCV Program or port-in date. For purposes of this section, the "completion of sentence" shall mean the date of discharge from parole and/or probation or, in the case of a sentence that did not impose parole or probation, the date of release from prison/jail or the date of completion of court-ordered classes, community service, and/or final payment of court-ordered fines/restitution.

Applicants and/or household members whose records reflect criminal convictions or documented controlled substance or alcohol addiction shall be evaluated in accordance with the standards below:

- a. **Convictions for Possession and/or Use of Controlled Substance** - Applicants and/or household members who have been convicted of possession of a controlled substance that was due to the applicant and/or household members' addiction rather than sale or distribution, may be eligible for admission to the public housing program, if the applicant and/or household member submits verifiable documentation evidencing completion or on-going participation in a certified drug rehabilitation program, and the



conviction did not occur within the year immediately preceding the date of admission of the applicant into the public housing program.

**b. Termination of Assistance Due to Alcohol Abuse** - SNRHA may deny assistance to an applicant when, through verifiable evidence, SNRHA determines that:

The applicant and/or household member has a pattern of abuse of alcohol; and

The abuse interferes with the health, safety or right to peaceful enjoyment of the community surrounding their current residence.

**Mitigating Circumstances.** SNRHA may elect not to deny assistance to an applicant due to alcohol abuse, if the applicant produces verifiable evidence that:

He/she or his/her household member has successfully completed an alcohol rehabilitation program; or

He/she or his/her household member is currently enrolled in and is regularly attending an alcohol rehabilitation program.

**c. Other Felony Convictions** - Applicants and/or members of their household who have felony criminal convictions, for offenses other than those referenced above, shall be barred from admission for the time periods listed below and must demonstrate that they have not incurred any new convictions for a minimum period of one (1) year from the last date completion of their sentence.

### **3. SEX OFFENDERS**

#### **A. PERMANENT BAN**

**Sex Offenders Subject to Lifetime Registration** – The following Applicants and/or any member of the applicants' household (collectively referred to as "Applicants" will be prohibited from participation in any SNRHA housing program (this includes port-ins):

1. Applicants who have been convicted of a crime for which the person is subject to a lifetime sex offender registration requirement in Nevada; and
2. Applicants who have been convicted of a crime for which the person is subject to a lifetime sex offender registration requirement by **ANY** state convicting the person.

Applicants/participants commit fraud by: (1) failing to disclose to SNRHA that the Applicants/participants are subject to a sex offender registration requirement, or (2) misleading SNRHA in any way regarding the Applicants'/Participant's status relating to a sex offender registration requirement.

These requirements apply to participants who are found to be Sex Offenders subject to Life Time Registration.



***If convicted of a sexual crime in any court of law and subject to any sex offender registration requirement. These applicants, including (for port-ins) and participants, shall be barred permanently effective from the date required to register as a sex offender.***

**B. TEN YEAR ADMISSION BAR PERIOD**

Persons with convictions of one of the following offenses will be barred from admission to and continued occupancy in the public housing program for a period of 10 years.

Murder or attempted murder

Rape (not resulting in offender being a registered as a sex offender)

Child Molestation (not resulting in offender being registered as a sex offender)

Kidnapping, attempted kidnapping

Sexual assault attempted sexual assault

Child molestation

Child pornography

**C. FIVE YEAR PROHIBITION**

Persons with convictions of one of the following offenses will be barred from admission to or porting in from another PHA for a period of 5 years.

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied assistance.

(Five years from the date of conviction: Persons convicted of *Drug-related criminal activity*, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100], including:

Trafficking in controlled substances; and

Sale of controlled substances

***Exception:*** Applicants, including incoming families under portability and/or household members, who have been convicted of possession of a controlled substance that was due to the applicant and/or household members' addiction rather than sale or distribution, may be eligible for admission to the HCV program, if the applicant and/or household member submits verifiable documentation evidencing completion or on-going participation in a certified drug rehabilitation program, and the conviction did not occur within the year immediately preceding the date of admission of the applicant into the HCV program AND there has been no other offenses that would bar admission for two(2) years or more.

Five years from the date of conviction: Persons convicted of *Violent criminal activity*, defined by HUD as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100] including:



- Driving under the influence causing personal injury
- Voluntary manslaughter
- Involuntary manslaughter
- Robbery
- Attempted robbery with a deadly weapon
- Mayhem or attempted mayhem
- Convicted of Arson
- Battery with substantial bodily harm (with a deadly weapon)
- Robbery or attempted robbery with the use of a deadly weapon
- Trafficking in controlled substance
- Sale of controlled substance
- Felony Hit and Run
- DUI 3<sup>rd</sup> Offense
- Under the Influence of Controlled Substance
- Grand Larceny
- Arson, attempted arson
- Illegal Mfg of Controlled Substance
- Assault with a Deadly Weapon
- Possession of an Unregistered Firearm (2<sup>nd</sup> or other offense)
- Possession of controlled substance with intent to sell

Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or

Criminal activity that may threaten the health or safety of property owners and management staff, and persons performing contract administration functions or other responsibilities on behalf of SNRHA (including a SNRHA employee or a SNRHA contractor, subcontractor, or agent).

***Immediate vicinity means within a three-block radius of the premises.***

Evidence of such criminal activity includes, but is not limited to:

Any conviction for drug-related or violent criminal activity within the past 5 years.



Any record of eviction from public or privately-owned housing as a result of criminal activity within the past 5 years.

A conviction for drug-related or violent criminal activity will be given more weight.

**Previously Assisted Families:**

If the family's assistance was terminated for the following reasons the family will be denied assistance for five years:

Any family member has been evicted from federally assisted housing within the last five years.

Any PHA has ever terminated assistance under the program for any member of the family for violation of family obligations.

Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program within the last five years.

A family member has engaged in or threatened violent or abusive behavior toward SNRHA personnel within the last five years.

*Abusive or violent behavior towards SNRHA personnel* includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

*Threatening* refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

In making its decision to deny assistance for all the above-noted timeframes, SNRHA will consider the factors discussed in Section 12-II.B. Upon consideration of such factors, SNRHA may, on a case-by-case basis, decide to reduce the period of ineligibility.

**D. THREE YEAR PROHIBITION**

Persons with convictions of one of the following offenses will be barred from admission to or porting in from another PHA into the HCV program for a period of three (3) years:

Assault and battery

Coercion

Prostitution (third and further offences)

Abuse and neglect of children (2nd offense)

Open and gross lewdness (2nd offense) - if a sex offender, the three year bar does not apply. Sex offenders are barred forever.

Abuse and exploitation of older persons

Harassment and stalking (2nd offense)



Discharging a firearm out of a motor vehicle

Burglary

**E. TWO YEAR PROHIBITION**

Any family allowing an ineligible person (relating to citizenship) to live in the assisted unit without informing SNRHA must be terminated for 24 months.

Possession of controlled substance

Any other criminal activity which, if repeated after admission, may threaten the health, safety, or right to peaceful enjoyment of the premises of other residents, neighbors, or persons living in the immediate vicinity.

Other criminal activity which, if repeated after admission, may threaten the health or safety of the property's owner, property management staff, SNRHA staff, or other individuals working in the immediate vicinity.

**F. ONE YEAR PROHIBITION**

***Gross Misdemeanor Convictions***

Persons with gross misdemeanor convictions for the offenses listed below shall be barred from the program admission and continued occupancy for a period of one (1) year from the date of conviction, and must demonstrate an absence of criminal activity for a minimum period of one year preceding the date of the application for admission or port in date.

Open or gross lewdness – First Offense

Aiming firearm at a human being

Discharging a weapon where a person might be endangered

Changing/altering the serial number of a firearm

Discharging a firearm in or upon a public street

Carrying a concealed weapon

Possession of Burglary Tools

Possession of an Unregistered Firearm - First Offense

Conspiracy to Commit a Crime

**Misdemeanor Convictions**

Persons with misdemeanor convictions, for the offenses listed below, shall be barred from program admission, including port-ins from other HAs into HCV program for a period of one (1) year.

Public intoxication



Prostitution (first and second offense)  
Petty larceny  
Battery  
Domestic violence  
Disorderly conduct  
Possession of drugs not to be introduced into interstate commerce  
Abuse and neglect of children (first offense, even if no physical injury resulted to child)  
Harassment/stalking  
Trespassing  
Loitering  
DUI – First or Second offense  
Violating a Protective Order  
Resisting a Police Officer  
Possession of drug paraphernalia;

### ***Probation and Parole***

Even if a person has served time in jail and has now been released on probation or parole, they cannot be admitted into HCV program, unless a year has passed since the completion of their probation or parole. If the only sentence was probation or parole, a year must have elapsed, without incident, since its completion to be considered eligible for housing.

A person who is released from jail with no probation or parole requirement would have to operate on the outside for one year with no further evidence of the prohibited activities as listed in the one year bar in order to be considered for admission.

A person who has been convicted of any crime involving bodily injury would not be considered for admission until a year has passed since full repaying of the social debt, including probation or parole. *This section applies to incoming ports also.*

SNRHA may elect not to terminate or deny assistance to a family who is currently under the following types of court probations, commonly called: Bench Probation, Summary Probation, Conditional Probation, or Informal Probation; as long as the family member produces verifiable evidence that:

- He/She has successfully completed all court ordered obligations.

### ***Other Felony Criminal Convictions***



Applicants, incoming clients under portability (including prior SNRHA clients who ported out and leased with the receiving PHA) and/or members of their household who have felony criminal convictions, for offenses other than those referenced above, shall be barred from admission for the time periods listed and must demonstrate that they have not incurred any new convictions for a minimum period of one (1) year from the last date of their sentence.

For purposes of this section, the “last date of sentence” shall mean the date of discharge from parole and/or probation or, in the case of a sentence that did not impose parole or probation, the date of release from prison/jail or the date of completion of court-ordered community service and/or final payment of court-ordered fines/restitution.

Persons with outstanding warrants are barred from admission until the warrants have been satisfied by the issuing legal jurisdiction. Applicants or port-in client must provide documentation that the warrant has been satisfied within 30 calendar days of notification to prevent denial of assistance.

### **12-I.E. USE OF FBI AND LAW ENFORCEMENT RECORDS**

SNRHA will check criminal history for all applicants and incoming ports who are 18 years or older to determine whether any member of the family has engaged in violent or drug related criminal activity or other criminal activity which is prohibit as an admission criterion.

Verification of any past activity will be done prior to final eligibility for admissions. For incoming ports, lease-up shall not be held up awaiting criminal screening results, but termination shall occur for participants porting in that cannot pass SNRHA’s criminal screening requirements.

SNRHA has contracted with the Nevada State Highway Patrol, an FBI approved channeling agent, to process and funnel requests in order to obtain National Crime Information Center (NCIC) data for the purpose of accessing FBI criminal records.

SNRHA acknowledges a name check only may result in an inconclusive result without a positive fingerprint comparison. The results of an inconclusive name check will not be used to deny an applicant admission to the HCV program.

If the channeling agency indicates to SNRHA that there is a criminal history record indexed in the Interstate Identification Index which might belong to the applicant/participant, SNRHA must submit an applicant fingerprint card to the FBI through the appropriate channel in order to verify whether the criminal record is in fact the applicant’s/participant’s. Should the applicant instead elect to withdraw their application, no further action will be necessary.

To gain the full content of the NCIC data through the FBI approved channeling agent, SNRHA will submit an applicant/participant fingerprint card to the channeling agent.

Applicants and Incoming Port clients shall be required to have prints done when Metropolitan Police Department has indicated crimes may have been committed out of SNRHA’s jurisdiction.

### ***Confidentially of Criminal Records***





SNRHA will ensure any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

All criminal reports, while needed by the Director of Housing Programs (DHP) or their designee for screening for criminal behavior, will be housed in a locked file cabinet with access restricted to individuals responsible for such screening.

SNRHA shall shred these documents within 30 calendar days.

INFORMAL REVIEW mention is in chapter 14.

## **PART II: GROUNDS FOR TERMINATION OF ASSISTANCE**

### **12-II.A. FAMILY NO LONGER REQUIRES ASSISTANCE [24 CFR 982.45]**

As a family's income increases, the amount of SNRHA subsidy goes down. If the amount of HCV assistance provided by the HAP drops to zero and remains at zero for 180 consecutive calendar days the family's assistance terminates automatically.

#### SNRHA Policy

If a participating family receiving zero assistance experiences a change in circumstances that would cause the HAP payment to rise above zero, the family must notify SNRHA of the changed circumstances and request an interim reexamination before the expiration of the 180 calendar day period.

### **12-II.B. FAMILY CHOOSES TO TERMINATE ASSISTANCE**

The family may request SNRHA terminate the family's assistance at any time.

#### SNRHA Policy

The request to terminate assistance should be made in writing and signed by the head of household, spouse, or co head. Before terminating the family's assistance, SNRHA will provide proper notice by notifying the family of the cancellation of assistance in writing. The owner/agent shall receive a 30 calendar day notice of cancellation of the contract, unless the family vacates the unit prior to the end of the month.

### **12-II.C. MANDATORY TERMINATION OF ASSISTANCE**

HUD requires SNRHA to terminate assistance in the following circumstances.

#### **Eviction [24 CFR 982.552(b)(2), Pub.L. 109-162]**

SNRHA must terminate assistance whenever a family is evicted from a unit assisted under the HCV program for a serious or repeated violation of the lease. Incidents of actual or threatened



violence, dating violence, or stalking may not be construed as serious or repeated violations of the lease by the victim or threatened victim of such violence or stalking.

### SNRHA Policy

A family will be considered *evicted* if the family moves after a legal eviction order has been issued, whether or not physical enforcement of the order was necessary.

If a family moves after the owner has given the family an eviction notice for serious or repeated lease violations but before a legal eviction order has been issued, termination of assistance is not mandatory. However, SNRHA will determine whether the family has committed serious or repeated violations of the lease based on available evidence and may terminate assistance or take any of the alternative measures described in Section 12-II.C and other factors as described in Sections 12-II.E. SNRHA shall not issue a voucher to move if SNRHA has received a notice of proceeding for an eviction for 30 days from the date of the notice.

Serious and repeated lease violations will include, but not be limited to:

- Nonpayment of rent,
- Disturbance of neighbors,
- Destruction of property,
- Living or housekeeping habits that cause damage to the unit or premises,
- Subleasing the unit,
- Criminal activity on or near the premises
- Failure to repay judgments in a previously assisted HCV unit.

Generally, the criterion to be used is whether the reason for the eviction was through no fault of the tenant or guests.

### **Failure to Provide Consent [24 CFR 982.552(b)(3)]**

SNRHA must terminate assistance if any family member fails to sign and submit any consent form they are required to sign for a reexamination. See Chapter 6 for a complete discussion of consent requirements.

### **Failure to Document Citizenship [24 CFR 982.552(b)(4) and [24 CFR 5.514(c)]**

SNRHA must terminate assistance if (1) a family fails to submit required documentation within the required timeframe concerning any family member's citizenship or immigration status; (2) a family submits evidence of citizenship and eligible immigration status in a timely manner, but United States Citizenship and Immigration Services (USCIS) primary and secondary verification does not verify eligible immigration status of the family; or (3) a family member, as determined by SNRHA, has knowingly permitted another individual who is not eligible for assistance to reside (on a permanent basis) in the unit.



For (3) above, such termination must be for a period of at least 24 months. This does not apply to ineligible noncitizens already in the household where the family's assistance has been prorated. See Chapter 6 for a complete discussion of documentation requirements.

#### **Failure to Provide Social Security Documentation [24 CFR 5.218(c)]**

SNRHA must terminate assistance or deny assistance, if a participant or applicant family fails to provide the documentation required by SNRHA to verify social security numbers in compliance with HUD Rent Refinement Rule effective January 2010.

#### **Methamphetamine Manufacture or Production [24 CFR 982.553(b)(1)(ii)]**

SNRHA must terminate assistance if any household member has ever been convicted of the manufacture or production of methamphetamine on the premises of federally-assisted housing.

#### **Failure of Students to Meet Ongoing Eligibility Requirements [24 CFR 982.552(b)(5) and FR 4/10/06]**

If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, does not have dependent children, and is not residing with his/her parents in an HCV assisted household, SNRHA must terminate the student's assistance if, at the time of reexamination, either the student's income or the income of the student's parents (if applicable) exceeds the applicable income limit.

If a participant household consists of both eligible and ineligible students, the eligible students shall not be terminated, but must be issued a voucher to move with continued assistance in accordance with program regulations and SNRHA policies, or must be given the opportunity to lease in place if the terminated ineligible student members elect to move out of the assisted unit.

### **12-II.D. MANDATORY POLICIES AND OTHER AUTHORIZED TERMINATIONS**

#### **Mandatory Policies [24 CFR 982.553(b) and 982.551(l)]**

HUD requires SNRHA to establish policies permitting SNRHA to terminate assistance if SNRHA determines that:

- Any household member is currently engaged in any illegal use of a drug, or has a pattern of illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents
- Any household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents
- Any household member has violated the family's obligation not to engage in any drug-related criminal activity
- Any household member has violated the family's obligation not to engage in violent criminal activity
- For the purpose of determining a violation, SNRHA will not consider a family to be engaged in violent criminal activity if the family member is a victim in accordance with the Violence against Women Act (VAWA). However, nothing should be considered to limit the termination of the person who engages in the criminal act.



## ***Use of Illegal Drugs and Alcohol Abuse***

### **SNRHA Policy**

SNRHA will terminate a family's assistance if any household member is currently engaged in any illegal use of a drug, or has a pattern of illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. SNRHA does not allow the use or cultivation (growth) of marijuana in any subsidized housing, even for medical reasons and regardless of state laws.

SNRHA will terminate assistance if any household member's abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

*Currently engaged in* is defined as any use of illegal drugs during the previous 12 months.

SNRHA will consider all credible evidence, including but not limited to, any record of convictions or eviction of household members related to the use of illegal drugs or abuse of alcohol.

### ***Drug-Related and Violent Criminal Activity [24 CFR 5.100]***

*Drug* means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

*Drug-related criminal activity* is defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.

*Violent criminal activity* means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

### **SNRHA Policy**

SNRHA will terminate a family's assistance if any household member has violated the family's obligation not to engage in any drug-related or violent criminal activity during participation in the HCV program.

SNRHA will consider all credible evidence, including but not limited to, any record of convictions of household members related to drug-related or violent criminal activity, and any eviction or notice to evict based on drug-related or violent criminal activity.

### ***Other Authorized Reasons for Termination of Assistance [24 CFR 982.552(c), Pub.L. 109-162]***

HUD permits SNRHA to terminate assistance under a number of other circumstances. It is left to the discretion of SNRHA whether such circumstances in general warrant consideration for the termination of assistance. The Violence Against Women Reauthorization Act of 2005 explicitly prohibits SNRHA's from considering incidents or actual threatened domestic violence, dating violence, or stalking as reasons for terminating the assistance of a victim of such violence.



### SNRHA Policy

SNRHA **will not** terminate a family's assistance because of the family's failure to meet its obligations under the Family Self-Sufficiency or Welfare to Work program.

SNRHA **will** terminate a family's assistance if:

The family has failed to comply with any family obligations under the program. See Exhibit 12-1 for a listing of family obligations and related SNRHA policies.

Any family member has been evicted from federally-assisted housing in the last five years.

Any PHA has ever terminated assistance under the program for any member of the family within the last five years.

Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.

The family owes past due rent or other past due amounts, including in connection with HCV or public housing assistance under the 1937 Act.

Breach of repayment agreement, unless the family repays the full amount of the debt no later than 14 calendar days from notification from SNRHA. This does not apply if the family is current with payments under an approved repayment agreement.

The family has breached the terms of a repayment agreement entered into with any PHA, or refuses to enter into a repayment agreement.

The family does not provide information that SNRHA or HUD determines is necessary in determining program eligibility.

The family does not provide complete and true information to SNRHA.

Fails to meet eligibility requirements concerning individuals enrolled at an institution of higher education as noted in 24 CFR 5.612

Has made fraudulent misrepresentation on his/her application for HCV assistance.

The family failed to disclose and verify social security numbers and submit and sign consent forms for obtaining information.

Fails to establish citizenship or eligible immigration status for at least one family member.

The family failed to keep scheduled eligibility appointments with SNRHA staff

Fails to appear to a scheduled briefing to issue a voucher

A family member engages in or threatens violent or abusive behavior toward SNRHA personnel.



*Abusive or violent behavior towards SNRHA personnel* includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate shall be considered abusive or violent behavior.

*Threatening* refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

SNRHA **shall** deny assistance or continued assistance to an applicant, participant and/or port-in client that:

- Does not submit a RFTA prior to the voucher expiring
- Is over income –applicants only
- Refuses to cooperate with SNRHA during the initial certification process or with portability procedures
- Fails to take immediate possession of the unit. Immediate is defined as within 15 calendar days of the date that the unit has passed the initial HQS inspection.
- Is fleeing a felony
- Has an outstanding felony warrant
- Persons with outstanding warrants are barred from admission until the warrants have been satisfied within 30 calendar days of notification or
- Other criminal activities that are listed within this document as reasons to deny admissions.

### ***Family Absence from the Unit [24 CFR 982.312]***

The family may be absent from the unit for brief periods. SNRHA must establish a policy on how long the family may be absent from the assisted unit. However, the family may not be absent from the unit for a period of more than 180 consecutive calendar days for any reason. Absence in this context means that no member of the family is residing in the unit.

#### SNRHA Policy

If the assisted family is absent from the unit for more than 180 consecutive calendar days (for any reason), the family's assistance will be terminated. Families must notify SNRHA in writing if they will be out of the unit for any reason for more than 30 consecutive calendar days and receive written approval prior to the 30<sup>th</sup> day. This cannot be approved more than twice within one year. Notice of termination will be sent in accordance with Section 12-II.E.

### ***Other Reasons for Termination***

- Failure or refuses to supply any information that SNRHA or HUD determines necessary for the administration of the Section 8 Program, including but not limited to, submissions of required evidence of citizenship or eligible immigration status;
- Failure to supply information requested by SNRHA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.



- Failure to report or disclose income after signing a zero income verification form within 10 calendar days as noted in the zero income certification form.
- Failure to appear or re-schedule, prior to the appointment time and date, at a required re-examination appointment, unless due to documented hospitalization, travel or incarceration for reasons other than reasons which would result in termination of assistance.
- Failure or refuses to notify SNRHA of an eviction notice and/or that the family has moved from the assisted residence prior to receiving written approval from SNRHA;
- Failure or refuses to utilize the assisted residence as a primary residence;
- Failure or refuses to report changes in income or family composition in writing within 10 calendar days to SNRHA, including marriages.
- Failure or refuses to promptly notify SNRHA that a family member no longer resides in the unit;
- Failure to submit written 30 day notice to owner and SNRHA prior to moving.
- Fraud related to any Housing Program
- Failure to provide verifications within required timeframes
- Failure to enter into a repayment agreement within the required timeframes or paid debt in full and in compliance with the terms of the repayment agreement.
- Dual subsidy for any household member
- Permits persons, other than or in addition to members of the assisted family, to reside in the unit without prior approval from SNRHA;
- Fails or refuses to allow SNRHA to inspect the assisted unit at reasonable times and after 48 hours notice;
- Fails or refuses to pay any utilities that the owner is not required to pay for;
- Fails or refuses to maintain any appliances, in a safe condition, that the owner is not required to maintain;
- Fails or refuses to correct/repair life threatening caused damage to the leased premises for which the family is responsible within 24 hours of the occurrence, including reconnecting utilities.
- Fails or refuses to correct/repair family caused damages to the leased premises - beyond normal wear and tear that result in an HQS breach within 30 calendar days of the occurrence of said damage;
- Fails or refuses to comply with all other family obligations, set forth in 24 CFR 982.552.
- Makes side payments of higher rents than approved to landlords/managers.
- SNRHA will terminate participants that received court evictions, or repeat documented violations of the lease and/ or documented cases of program fraud. Any awarded judgment or



special inspections conducted by SNRHA's HQS Inspectors or documentation provided by the landlord/manager will be used as supportive documentation for terminating assistance due to serious or repeated violations of the lease, inclusive of non-payment of rent. This action may be taken even when the participant has moved to another unit.

- Failure to report income (including funds provided for paying utilities on the next annual after an interim for zero income has been completed).
- Failure to pay a judgment for damages.
- Repeated criminal activities at the unit are considered a serious lease violation or any convictions that are listed in our five year bar from admissions including fugitive felons.
- Repeated late payments to the lender for participants under the HCV Homeownership Program shall result in the participant's termination. Repeated is defined as "submitting payments more than 30 calendar days late more than 3 times in a calendar year." The family will be referred to post-counseling if late payments are verified. If the family refuses to attend, the family shall be terminated. If the payments are not paid –in full or the participant cannot enter into a repayment agreement with their lender and provide a copy within 45 calendar days of the notice from SNRHA, the assistance shall be terminated the first of the month following the deadline.
- Failure to allow entrance for annual HQS Inspections. Only one Inspection will be rescheduled.

### ***Criminal Conduct by Family Members:***

SNRHA shall terminate assistance to a participant family if any member of the family is verified to have engaged in criminal activity involving drugs or violence. Additionally, SNRHA shall terminate fugitive felons and other felons, if identified after reports of possible criminal activities; receiving a report with documentation of fugitive felon status or warrant from the HUD's OIG office and/or additional criminal screenings. This includes persons convicted of felony crimes that have warrants issued for their arrest that are unresolved or persons found to have committed criminal acts that result in felony convictions for at least five years from the date of the conviction.

### **1. Termination of Assistance Due to Possession of Controlled Substances**

A determination to terminate assistance due to a family member's illegal use or possession for personal use of a controlled substance must be based upon conduct that occurred within one year before SNRHA notifies the family of its decision to terminate.

### **2. Termination of Assistance Due to Alcohol Abuse**

SNRHA shall terminate assistance to a family when, through verifiable evidence, SNRHA determines that:





- A family member has a pattern of abuse of alcohol; and
- The family member abuses alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the community surrounding the assisted unit.

**a. Mitigating Circumstances**

SNRHA may elect not to terminate assistance to a family due to alcohol abuse if the family member produces verifiable evidence that:

- He/she has successfully completed an alcohol rehabilitation program; or
- He/she is currently enrolled in and is regularly attending an alcohol rehabilitation program and program staff will verify that he/she is unlikely to threaten the health, safety or right to peaceful enjoyment of others.

If the family member has caused prior incidents of interference with the health, safety or right to peaceful enjoyment as a result of alcohol abuse, while on the Section 8 Program, the above-referenced mitigating factors will not be considered.

**3. Evidence of Criminal Activity**

In determining whether to terminate assistance to a family, based on drug related criminal activity, SNRHA may terminate assistance if the preponderance (i.e. majority) of verifiable evidence (i.e. criminal record, police records, reports from parole/probation officers/copies of warrants for arrest or landlords) indicates that a family member engaged in such activity, regardless of whether the family member was arrested or convicted.

**4. Falsification or Fraud by Family Members:**

SNRHA shall terminate assistance to a participant family that has submitted false, fraudulent or intentionally misleading information to SNRHA in order to obtain assistance and/or during the term of their Housing Assistance Payment (HAP) Contract.

**a. Ownership Interest in the Assisted Unit**

SNRHA will terminate assistance to a participant family when, through verifiable evidence, SNRHA determines that:

- A family member has an ownership interest in the assisted unit; or
- The family has permitted the Owner, of the assisted unit, to reside therein.

When the above-referenced determinations are made, SNRHA shall refer the matter forthwith to the Office of the Inspector General (OIG) for criminal investigation. The referral to the OIG shall not preclude, postpone, or otherwise interfere with SNRHA's administrative termination process.

**b. False, Misleading or Fraudulent Information**

SNRHA may terminate assistance to a participant family when, through verifiable evidence, SNRHA verifies:

- The family willfully misrepresented income on a zero income certification; or



- The family misrepresented facts that caused SNRHA to overpay assistance.

### **1. Mitigating Circumstances**

If a family misrepresented facts that caused SNRHA to overpay assistance, SNRHA may choose to continue assistance if the family enters into a repayment agreement within fourteen (14) calendar days of the date of SNRHA's determination.

### **c. Business Activity in the Assisted Unit**

SNRHA shall terminate assistance to a participant family when SNRHA verifies that the assisted unit is being used primarily for business purposes.

In making this determination, SNRHA shall consider whether the business activity resulted in the inability of the family member to utilize critical living space such as, bedrooms and bathrooms.

#### **1. Illegal Business Activity**

When SNRHA verifies the participant is conducting an illegal business at the assisted unit, the family's assistance shall be terminated.

For purposes of this Section, an illegal business is one that violates the State of Nevada criminal code.

### ***False or Incomplete Citizenship/Eligible Non-Citizen Information***

When SNRHA has clear, concrete, or substantial documentation (such as a permanent resident card or information from another agency) that contradicts the declaration of citizenship made by an applicant or participant, an investigation will be conducted and the individual will be given an opportunity to present relevant information.

If the individual is unable to verify his/her citizenship, SNRHA will not give him/her an opportunity to provide a new declaration as an eligible immigrant nor opportunity to elect not to contend his/her status.

SNRHA will then verify eligible status, deny, terminate, or prorate as applicable.

SNRHA will deny or terminate assistance based on the submission of false information or misrepresentation.

### **Procedure for Denial or Termination -INS**

If the family (or any member) claimed eligible immigrant status and the INS primary and secondary verifications failed to document the status, the family may make an appeal to the INS and request a hearing with SNRHA either after the INS appeal or in lieu of the INS appeal.

After SNRHA has made a determination of ineligibility, the family will be notified of the determination and the reasons and informed of the option for prorated assistance (if applicable).

### ***Insufficient Funding [24 CFR 982.454]***



SNRHA may terminate HAP contracts if SNRHA determines, in accordance with HUD requirements, that funding under the consolidated ACC is insufficient to support continued assistance for families in the program.

### SNRHA Policy

SNRHA will determine whether there is sufficient funding to pay for currently assisted families according to the policies in Part VIII of Chapter 16. If SNRHA determines there is a shortage of funding, prior to terminating any HAP contracts, SNRHA will determine if any other actions can be taken to reduce program costs. If after implementing all reasonable cost cutting measures there is not enough funding available to provide continued assistance for current participants, SNRHA will terminate HAP contracts as a last resort.

Prior to terminating any HAP contracts, SNRHA will inform the local HUD field office. SNRHA will terminate the minimum number needed in order to reduce HAP costs to a level within SNRHA's annual budget authority.

If SNRHA must terminate HAP contracts due to insufficient funding, SNRHA will do so in accordance with the following criteria and instructions:

SNRHA will terminate assistance to the most recent non-disabled or non-elderly family that has become a participant in the program, until such time as SNRHA has sufficient funds to assist. Families comprising the required number of special purpose voucher will be the last to be terminated. The family will not be required to reapply for the program when sufficient funds become available, but will be provided the opportunity to be assisted. The reinstatement for families shall be done in reserve order of SNRHA's list of termination of assistance for the lack of sufficient funds.

In the event SNRHA decides to stop issuing vouchers as a result of a funding shortfall, and SNRHA is not assisting the number of special purpose vouchers (NED families, HUD-VASH families, and Family Unification Program (FUP) families, when SNRHA resumes issuing vouchers, it will issue vouchers first to the special purpose vouchers, when applicable.

## **PART III: APPROACH TO TERMINATION OF ASSISTANCE**

### **12-III.A. OVERVIEW**

SNRHA is required by regulation to terminate a family's assistance if certain program rules are violated. For other types of offenses, the regulations give SNRHA the discretion to either terminate the family's assistance or to take another action. This part discusses the various actions SNRHA may choose to take when it has discretion, and outlines the criteria SNRHA will use to



make its decision about whether or not to terminate assistance. It also specifies the requirements for the notice that must be provided before terminating assistance.

### **12-III.B. METHOD OF TERMINATION [24 CFR 982.552(a)(3)]**

The way in which SNRHA terminates assistance depends upon individual circumstances. HUD permits SNRHA to terminate assistance by:

- Terminating housing assistance payments under a current HAP contract,
- Refusing to approve a request for tenancy or to enter into a new HAP contract, or
- Refusing to process a request for or to provide assistance under portability procedures.

### **12-III.C. ALTERNATIVES TO TERMINATION OF ASSISTANCE**

#### **Repayment of Family Debts**

##### SNRHA Policy

If a family owes amounts to SNRHA, as a condition of continued assistance, SNRHA will require the family to repay the full amount or to enter into a repayment agreement, within 14 calendar days of receiving notice from SNRHA of the amount owed. See Chapter 14 for policies on repayment agreements.

### **12-III.D. CRITERIA FOR DECIDING TO TERMINATE ASSISTANCE**

#### **Evidence**

For criminal activity, HUD permits SNRHA to terminate assistance if a *preponderance of the evidence* indicates that a household member has engaged in the activity, regardless of whether the household member has been convicted [24 CFR 982.553(c)].

##### SNRHA Policy

SNRHA will use the concept of the preponderance of the evidence as the standard for making all termination decisions.

*Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

### **Consideration of Circumstances [24 CFR 982.552(c)(2)(i)]**

SNRHA is permitted, but not required, to consider all relevant circumstances when determining whether a family's assistance should be terminated.

##### SNRHA Policy

SNRHA will consider the following factors when making its decision to terminate assistance:



In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully

SNRHA will require the participant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

In the case of program abuse, the dollar amount of the overpaid assistance and whether or not a false certification was signed by the family or if the family signs a repayment agreement and pays the required down payment within the required timeframe.

#### **Reasonable Accommodation [24 CFR 982.552(c)(2)(iv)]**

If the family includes a person with disabilities, SNRHA's decision to terminate the family's assistance is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

#### SNRHA Policy

If a family indicates that the behavior of a family member with a disability is the reason for a proposed termination of assistance, SNRHA will determine whether the behavior is related to the disability. If so, upon the family's request, SNRHA will determine whether alternative measures are appropriate as a reasonable accommodation. SNRHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed termination of assistance. See Chapter 2 for a discussion of reasonable accommodation.

#### **12-III.E. TERMINATING THE ASSISTANCE OF DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING VICTIMS AND PERPETRATORS [Pub.L. 109-162, Pub.L. 109-271]**

The Violence Against Women Reauthorization Act of 2005 (VAWA) provides that "criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be a cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that domestic violence, dating violence, or stalking."

VAWA also gives SNRHA's the authority to "terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant."

VAWA does not limit the authority of SNRHA to terminate the assistance of any participant if the PHA "can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant is not evicted or terminated from assistance."



## **Victim Documentation**

### SNRHA Policy

When a participant family is facing assistance termination because of the actions of a participant, household member, guest, or other person under the participant's control and a participant or immediate family member of the participant's family claims that she or he is the victim of such actions and that the actions are related to domestic violence, dating violence, or stalking, the PHA will require the individual to submit documentation affirming that claim.

The documentation must include:

A signed statement by the victim that provides the name of the perpetrator and certifies that the incidents in question are bona fide incidents of actual or threatened domestic violence, dating violence, or stalking, or

One of the following:

A police or court record documenting the actual or threatened abuse, or

A statement signed by an employee, agent, or volunteer of a victim service provider; an attorney; a medical professional; or another knowledgeable professional from whom the victim has sought assistance in addressing the actual or threatened abuse. The professional must attest under penalty of perjury that the incidents in question are bona fide incidents of abuse, and the victim must sign or attest to the statement. Either must include the perpetrator's name.

The required certification and supporting documentation must be submitted to SNRHA within 14 calendar days after SNRHA issues their written request. The 14 calendar day deadline may be extended at SNRHA's discretion. If the individual does not provide the required certification and supporting documentation within 14 calendar days, or the approved extension period, SNRHA may proceed with assistance termination.

If SNRHA can demonstrate an actual and imminent threat to other participants or those employed at or providing service to the property if the participant's tenancy is not terminated, SNRHA will bypass the standard process and proceed with the immediate termination of the family's assistance.

### **Terminating the Assistance of a Domestic Violence Perpetrator**

Although VAWA provides assistance termination protection for victims of domestic violence, it does not provide protection for perpetrators. VAWA gives the PHA the explicit authority to "terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others...without terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant." This authority supersedes any local, state, or other federal law to the contrary. However, if SNRHA chooses to exercise this authority, it must follow any procedures prescribed by HUD or by applicable local, state, or federal law regarding termination of assistance [Pub. L. 109-271].



### SNRHA Policy

When the actions of a participant or other family member (s) result in the SNRHA decision to terminate the family's assistance and another family member claims that the actions involve criminal acts of physical violence against family members or others, SNRHA will request that the victim submit the above required certification and supporting documentation in accordance with the stated time frame. If the certification or supporting documentation are submitted within the required time frame, or any approved extension period, SNRHA will terminate the perpetrator's assistance. If the victim does not provide the certification and supporting documentation, as required, SNRHA will proceed with termination of the family's assistance.

If SNRHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if the participant's tenancy is not terminated, SNRHA will bypass the standard process and proceed with the immediate termination of the family's assistance.

### **SNRHA Confidentiality Requirements**

All information provided to SNRHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared data base nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

### **12-III.F. TERMINATION NOTICE [HCV GB, p. 15-7]**

If a family's assistance is to be terminated, whether voluntarily or involuntarily, SNRHA must give the family and the owner written notice that specifies:

- The reasons for which assistance has been terminated.
- The effective date of the termination.
- The family's right to an informal hearing as described in Chapter 14.

If a criminal record is the basis of the termination, a copy of the record must accompany the notice. A copy of the criminal record also must be provided to the subject of the record [24 CFR 982.553(d)].

### SNRHA Policy

When termination is initiated by SNRHA, the notice to terminate will be sent to the family and the owner at least 30 calendar days prior to the effective date of the termination. However, if a family vacates the unit without informing SNRHA, 30 days' notice will not be given. In these cases, the notice to terminate will be sent at the time SNRHA learns the family has vacated the unit. Overpayments shall be recaptured.

Termination notices due to deceased single household members will be effective on the last day of the month in which the participants dies in compliance with HUD guidance. Any overpayments must be returned.



When a family requests to be terminated from the program they must do so in writing to SNRHA (see section 12-I.C.). SNRHA will then send a confirmation notice to the family and the owner within 10 calendar days of the family's request, but no later than the termination effective date (as requested by the family).

### **Notice of Termination Based on Citizenship Status [24 CFR 5.514 (c) and (d)]**

SNRHA must terminate assistance if (1) a family fails to submit required documentation within the required timeframe concerning any family member's citizenship or eligible immigration status; (2) evidence of citizenship and eligible immigration status is submitted timely, but USCIS primary and secondary verification does not verify eligible immigration status of a family; or (3) SNRHA determines that a family member has knowingly permitted another individual who is not eligible for assistance to reside (on a permanent basis) in the unit. For (3) above, such termination must be for a period of at least 24 months.

The notice of termination must advise the family of the reasons their assistance is being terminated, that they may be eligible for probation of assistance, the criteria and procedures for obtaining relief under the provisions for preservation of families, that they have the right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or a written explanation in support of the appeal, and that they have the right to request an informal hearing with the PHA either upon completion of the USCIS appeal or in lieu of the USCIS appeal. Informal hearing procedures are contained in Chapter 14.

#### SNRHA Policy

The notice to terminate will be sent to the family and the owner at least 30 calendar days prior to the effective date of the termination.

### **12-III.G. HOW TERMINATION OF ASSISTANCE AFFECTS THE HAP CONTRACT AND LEASE**

When the family's assistance is terminated, the lease and HAP contract terminate automatically [Form HUD-52641].

The owner may offer the family a separate unassisted lease [HCV GB, p. 15-8].

## **PART IV: TERMINATION OF TENANCY BY THE OWNER**

### **12-IV.A. OVERVIEW**

Termination of an assisted tenancy is a matter between the owner and the family; SNRHA is not directly involved. However, the owner is under some constraints when terminating an assisted tenancy and the reasons for which a tenancy is terminated dictate whether assistance also will be terminated.

### **12-IV.B. GROUNDS FOR OWNER TERMINATION OF TENANCY [24 CFR 982.310 and Form HUD-52641-A, Tenancy Addendum, Pub.L. 109-162]**





During the term of the lease, the owner is not permitted to terminate the tenancy except for serious or repeated violations of the lease, certain violations of state or local law, or other good cause.

### **Serious or Repeated Lease Violations**

The owner is permitted to terminate the family's tenancy for serious or repeated violations of the terms and conditions of the lease, including failure to pay rent or other amounts due under the lease, except when the violations are related to incidents of actual or threatened domestic violence, dating violence, or stalking against that participant. This includes failure to pay rent or other amounts due under the lease. However, SNRHA's failure to make a HAP payment to the owner is not a violation of the lease between the family and the owner.

### **Violation of Federal, State, or Local Law**

The owner is permitted to terminate the tenancy if a family member violates federal, state, or local law that imposes obligations in connection with the occupancy or use of the premises.

### **Criminal Activity or Alcohol Abuse**

The owner may terminate tenancy during the term of the lease if any *covered person*, meaning any member of the household, a guest or another person under the tenant's control commits any of the following types of criminal activity (for applicable definitions see 24 CFR 5.100):

- Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of the premises by, other residents (including property management staff residing on the premises);
- Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of their residences by, persons residing in the immediate vicinity of the premises;
- Any violent criminal activity on or near the premises; or
- Any drug-related criminal activity on or near the premises.
- Fleeing to avoid prosecution, custody, or confinement after conviction for a crime or an attempt to commit a crime that is a felony under the laws of the place from which the individual flees, or that, in the case of the State of New Jersey, is a high misdemeanor; or
- Violating a condition of probation or parole imposed under federal or state law.

Violent criminal activity does not include victims of domestic violence that are covered under the Violence Against Women Act. (VAWA).

**Owner Termination of Tenancy:** The owner may terminate tenancy during the term of the lease if any member of the household is:

The owner may terminate tenancy for criminal activity by a household member in accordance with this section if the owner determines that the household member has committed the criminal activity, regardless of whether the household member has been convicted for such activity.

The owner may terminate tenancy during the term of the lease if any member of the household has engaged in abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents unless said termination violates the VAWA.



### ***Evidence of Criminal Activity***

The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person if the owner determines they have engaged in the criminal activity, regardless of conviction and without satisfying the standard of proof used for a criminal conviction, except in certain incidents where the criminal activity directly relates to domestic violence, dating violence, sexual assault, or stalking and the tenant or an affiliated individual is the victim or threatened victim of the domestic violence, dating violence, sexual assault, or stalking. (See Section 12-II.E.).

### **Other Good Cause**

During the initial lease term, the owner may not terminate the tenancy for “other good cause” unless the owner is terminating the tenancy because of something the family did or failed to do. During the initial lease term or during any extension term, other good cause includes the disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises.

After the initial lease term, “other good cause” for termination of tenancy by the owner includes:

- Failure by the family to accept the offer of a new lease or revision;
- The owner's desire to use the unit for personal or family use, or for a purpose other than as a residential rental unit; or
- A business or economic reason for termination of the tenancy (such as sale of the property, renovation of the unit, or desire to lease the unit at a higher rent).

After the initial lease term, the owner may give the family notice at any time, in accordance with the terms of the lease.

Note: Other good cause does not include vacating a property that has been foreclosed upon during the lease term prior to the sale of that property. However, the new owner of the property may terminate the tenancy effective the date of transfer of the unit if the owner will occupy the unit as a primary residence and has provided the tenant a notice to vacate at least 90 calendar days before the effective date of such notice (Notice PIN 2010-49). Further information on the protection afforded to tenants in the event of foreclosure can be found in Section 13-II.G.

### **12-IV.C. EVICTION [24 CFR 982.310(e) and (f) and Form HUD-52641-A, Tenancy Addendum]**

The owner must give the tenant a written notice that specifies the grounds for termination of tenancy during the term of the lease. The tenancy does not terminate before the owner has given this notice, and the notice must be given at or before commencement of the eviction action.

The notice of grounds may be included in, or may be combined with, any owner eviction notice to the tenant.

Owner eviction notice means a notice to vacate, or a complaint or other initial pleading used under state or local law to commence an eviction action. The owner may only evict the tenant from the unit by instituting a court action. The owner must give SNRHA a copy of any eviction



notice at the same time the owner notifies the family. The family is also required to give SNRHA a copy of any eviction notice (see Chapter 5).

SNRHA Policy 24 CFR 982.310, 982.455]

If the eviction action is finalized in court, the owner must provide SNRHA with documentation related to the eviction, including notice of the eviction date, as soon as possible, but no later than 5 business days following the court-ordered eviction.

If the owner wishes to terminate the lease, the owner is required under the lease, to provide proper notice as stated in the lease.

During the term of the lease, the owner may not terminate the tenancy except for the grounds stated in the HUD regulations.

During the term of the lease the owner may only evict for:

Serious or repeated violations of the lease, including but not limited to failure to pay rent or other amounts due under the lease, or repeated violation of the terms and conditions of the lease;

Violations of federal, state or local law that imposes obligations on the tenant in connection with the occupancy or use of the premises; or Criminal activity by the tenant, any member of the household, a guest or another person under the tenant's control that threatens the health, safety or right to peaceful enjoyment of the premises by the other residents, or persons residing in the immediate vicinity of the premises or any drug-related criminal activity on or near the premises.

Other good cause:

During the initial term of the lease, the owner may not terminate the tenancy for “other good cause” unless the owner is terminating the tenancy because of something the family did or failed to do (see 982.310)

The owner must provide the tenant a written notice specifying the grounds for termination of tenancy, at or before the commencement of the eviction action and shall provide SNRHA with a copy of all notices to the participant. The notice may be included in, or may be combined with, any owner eviction notice to the tenant.

SNRHA requires the owner specify the section of the lease that has been violated and cite some or all of the ways in which the tenant has violated that section as documentation for SNRHA’s decision regarding termination of assistance.

Housing assistance payments are paid to the owner under the terms of the HAP Contract. If the owner has begun eviction and the family continues to reside in the unit, SNRHA must continue to make housing assistance payments to the owner until the owner has obtained a court judgment, affidavit of eviction, summary of eviction or other process allowing the owner to evict the tenant. No voucher shall be issued to the participant to move for a period of 30 calendar days from the date of the original notice and the participant shall be terminated if an unpaid judgment within 30 calendar days or affidavit of eviction or summary of eviction is provided by the court as these shall be considered as serious lease violations.



SNRHA will continue housing assistance payments until the family moves or is evicted from the unit. If the action is finalized in court, the owner must provide SNRHA with the documentation, including notice of the lock-out date, if applicable. SNRHA shall terminate the participant, even if the family has moved to another unit.

SNRHA must continue making housing assistance payments to the owner in accordance with the Contract as long as the tenant continues to occupy the unit and the Contract is not violated. By accepting funds paid via direct deposit from SNRHA, the owner certifies that the tenant is still in the unit, the rent is reasonable and s/he is in compliance with the contract.

If an eviction is due to no cause of the family, and if SNRHA has no other grounds for termination of assistance, SNRHA may issue a new voucher so that the family can move with continued assistance.

#### **12-IV.D. DECIDING WHETHER TO TERMINATE TENANCY [24 CFR 982.310(h), Pub.L. 109-162]**

An owner who has grounds to terminate a tenancy is not required to do so, and may consider all of the circumstances relevant to a particular case before making a decision. These might include:

- The nature of the offending action
- The seriousness of the offending action;
- The effect on the community of the termination, or of the owner's failure to terminate the tenancy;
- The extent of participation by the leaseholder in the offending action;
- The effect of termination of tenancy on household members not involved in the offending activity;
- The demand for assisted housing by families who will adhere to lease responsibilities;
- The extent to which the leaseholder has shown personal responsibility and taken all reasonable steps to prevent or mitigate the offending action;
- The effect of the owner's action on the integrity of the program.

The owner may require a family to exclude a household member in order to continue to reside in the assisted unit, where that household member has participated in or been culpable for action or failure to act that warrants termination.

In determining whether to terminate tenancy for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the owner may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully (42 U.S.C. 13661). For this purpose, the owner may require the tenant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.



The owner's termination of tenancy actions must be consistent with the fair housing and equal opportunity provisions in 24 CFR 5.105.

An owner's decision to terminate tenancy for incidents related to domestic violence, dating violence, or stalking is limited by the Violence Against Women Reauthorization Act of 2005 (VAWA). (See Section 12-II.E.)

#### **12-IV.E. EFFECT OF TENANCY TERMINATION ON THE FAMILY'S ASSISTANCE**

If a termination is not due to a serious or repeated violation of the lease, and if SNRHA has no other grounds for termination of assistance, SNRHA may issue a new voucher so that the family can move with continued assistance (see Chapter 10).



## **EXHIBIT 12-1: STATEMENT OF FAMILY OBLIGATIONS**

Following is a listing of a participant family's obligations under the HCV program:

- The family must supply any information SNRHA or HUD determines to be necessary, including submission of required evidence of citizenship or eligible immigration status.
- The family must supply any information requested by SNRHA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition.
- The family must disclose and verify social security numbers and sign and submit consent forms for obtaining information.
- Any information supplied by the family must be true and complete.
- The family is responsible for any Housing Quality Standards (HQS) breach by the family caused by failure to pay tenant-provided utilities or appliances, or damages to the dwelling unit or premises beyond normal wear and tear caused by any member of the household or guest.

### SNRHA Policy

Damages beyond normal wear and tear will be considered to be damages which could be assessed against the security deposit.

- The family must allow SNRHA to inspect the unit at reasonable times and after reasonable notice, as described in Chapter 8 of this plan.
- The family must not commit any serious or repeated violation of the lease.

### SNRHA Policy

SNRHA will determine if a family has committed serious or repeated violations of the lease based on available evidence, including but not limited to, a court-ordered eviction, or an owner's notice to evict.

Serious and repeated lease violations will include, but not be limited to, nonpayment of rent, disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises and criminal activity. Generally, the criterion to be used is whether the reason for the eviction was through no fault of the tenant or guests.

- The family must notify SNRHA and the owner before moving out of the unit or terminating the lease.

### SNRHA Policy

The family must comply with lease requirements regarding written notice to the owner. The family must provide written notice to the PHA at the same time the owner is notified.

- The family must promptly give SNRHA a copy of any owner eviction notice.
- The family must use the assisted unit for residence by the family. The unit must be the family's only residence.



The composition of the assisted family residing in the unit must be approved by SNRHA. The family must promptly notify SNRHA in writing of the, birth, adoption, or court-awarded custody of a child. The family must request SNRHA approval to add any other family member as an occupant of the unit.

#### SNRHA Policy

The request to add a family member must be submitted in writing and approved prior to the person moving into the unit. SNRHA will determine eligibility of the new member in accordance with the policies in Chapter 3.

- The family must promptly notify SNRHA in writing if any family member no longer lives in the unit.
- If SNRHA has given approval, a foster child or a live-in aide may reside in the unit. SNRHA has the discretion to adopt reasonable policies concerning residency by a foster child or a live-in aide, and to define when SNRHA consent may be given or denied. For policies related to the request and approval/disapproval of foster children, foster adults, and live-in aides, see Chapter 3 (Sections I.K and I.M), and Chapter 11 (Section II.B).
- The family must not sublease the unit, assign the lease, or transfer the unit.

#### SNRHA Policy

Subleasing includes receiving payment to cover rent and utility costs by a person living in the unit who is not listed as a family member.

- The family must supply any information requested by SNRHA to verify that the family is living in the unit or information related to family absence from the unit.
- The family must promptly notify SNRHA when the family is absent from the unit.

#### SNRHA Policy

Notice is required under this provision only when all family members will be absent from the unit for an extended period. An extended period is defined as any period greater than 30 calendar days. Written notice must be provided to SNRHA at the start of the extended absence. No absences from the unit shall be approved for more than 30 consecutive days unless it is approved as a reasonable accommodation for medical treatments and cannot be approved more than twice within 12 months.

- The family must pay utility bills and provide and maintain any appliances that the owner is not required to provide under the lease [Form HUD-52646, Voucher].
- The family must not own or have any interest in the unit, (other than in a cooperative and owners of a manufactured home leasing a manufactured home space or HCV Homeownership).
- Family members must not commit fraud, bribery, or any other corrupt or criminal act in connection with the program. (See Chapter 16, Program Integrity for additional information).



- Family members must not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 for HUD and SNRHA policies related to drug-related and violent criminal activity.
- Members of the household must not engage in abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 for a discussion of HUD and SNRHA policies related to alcohol abuse.
- An assisted family or member of the family must not receive HCV program assistance while receiving another housing subsidy, for the same unit or a different unit under any other federal, state or local housing assistance program.
- A family must not receive HCV program assistance while residing in a unit owned by a parent, child, grandparent, grandchild, sister or brother of any member of the family, unless SNRHA has determined (and has notified the owner and the family of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities. [Form HUD-52646, Voucher]





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## Chapter 13

### OWNERS

#### INTRODUCTION

Owners play a central role in the HCV program by supplying decent, safe, and sanitary housing for participating families.

The term “owner” refers to any person or entity with the legal right to lease or sublease a unit to a participant in the HCV program [24 CFR 982.4(b)]. The term “owner” includes a principal or other interested party [24 CFR 982.453; 24 CFR 982.306(f)], such as a designated agent of the owner.

Owners have numerous responsibilities under the program, including screening and leasing to families, maintaining the dwelling unit, enforcing the lease, and complying with various contractual obligations. However, this chapter is not meant to be an overview of all aspects of owner participation in the HCV program.

It is the policy of SNRHA to recruit owners to participate in the Housing Choice Voucher program. SNRHA will provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of SNRHA. The regulations define when SNRHA must disallow an owner participation in the program, and they provide SNRHA discretion to disapprove or otherwise restrict the participation of owners in certain categories. This Chapter describes the criteria for owner disapproval, and the various penalties for owner violations.

The chapter is organized in two parts:

Part I: Owners in the HCV Program. This part discusses the role of an owner in SNRHA'S HCV program and highlights key owner rights and responsibilities.

Part II: HAP Contracts. This part explains provisions of the HAP contract and the relationship between the PHA and the owner as expressed in the HAP contract.

For detailed information about HCV program responsibilities and processes, including PHA policies in key areas, owners will need to refer to several other chapters in this plan. Where appropriate, Chapter 13 will reference the other chapters.

#### **PART I. OWNERS IN THE HCV PROGRAM**

##### **13-I.A. OWNER RECRUITMENT AND RETENTION [HCV GB, pp. 2-4 to 2-6]**

###### **Recruitment**

SNRHA is responsible for ensuring very low income families have access to all types and ranges of affordable housing in SNRHA’s jurisdiction, particularly housing outside areas of poverty or minority concentration. A critical element in fulfilling this responsibility is for SNRHA to ensure that a sufficient number of owners, representing all types and ranges of affordable housing in SNRHA’s jurisdiction, are willing to participate in the HCV program.



To accomplish this objective, SNRHA must identify and recruit new owners to participate in the program.

### SNRHA Policy

SNRHA will conduct owner outreach to ensure that owners are familiar with the program and its advantages. SNRHA will actively recruit property owners with property located outside areas of poverty and minority concentration. These outreach strategies will include:

Distributing printed material about the program to property owners and managers.

Contacting property owners and managers by phone or in-person.

Holding owner recruitment/information meetings at least once a year or as necessary to recruit.

Coordinating inspection and leasing activities among SNRHA, the owner, and the family.

Participating in community based organizations comprised of private property and apartment owners and managers.

Developing working relationships with owners and real estate brokers associations.

Outreach strategies will be monitored for effectiveness, and adapted accordingly.

### **Retention**

In addition to recruiting owners to participate in the HCV program, SNRHA must also provide the kind of customer service that will encourage participating owners to remain active in the program.

### SNRHA Policy

All SNRHA activities that may affect an owner's ability to lease a unit will be processed as rapidly as possible, in order to minimize vacancy losses for owners.

SNRHA will provide owners with a handbook that explains the program, including HUD and SNRHA policies and procedures, in easy-to-understand language.

SNRHA will give special attention to helping new owners succeed through activities such as:

Provide new owners with SNRHA owner's handbook which covers all program rules and provides a contact for additional questions.

Providing the owner with a designated SNRHA contact person (The OS assigned to the participant).

Coordinating inspection and leasing activities between SNRHA, the owner, and the family.

Providing other written information about how the program operates, including answers to frequently asked questions.



Additional services may be undertaken on an as-needed basis, and as resources permit.

### **13-I.B. BASIC HCV PROGRAM REQUIREMENTS**

HUD requires SNRHA to aid families in their housing search by providing the family with a list of landlords or other parties known to SNRHA who may be willing to lease a unit to the family, or to help the family find a unit. Although SNRHA cannot maintain a list of owners that are pre-qualified to participate in the program, owners may indicate to SNRHA their willingness to lease a unit to an eligible HCV family, or to help the HCV family find a unit [24 CFR 982.301(b)(11)].

#### SNRHA Policy

Owners that wish to indicate their willingness to lease a unit to an eligible HCV family or to help the HCV family find a unit must notify SNRHA via GoSection8.com website. Landlords may input new listing via the internet at SNRHA.org at any time. SNRHA shall not refer any client to any one owner. The family must select their unit

When a family approaches an owner to apply for tenancy, the owner is responsible for screening the family and deciding whether to lease to the family, just as the owner would with any potential tenant. SNRHA has no liability or responsibility to the owner or other persons for the family's behavior or suitability for tenancy. See Chapters 3 and 6 for more detail on tenant family screening policies and process.

If the owner is willing, the family and the owner must jointly complete a Request for Tenancy Approval (RFTA, Form HUD 52517), which constitutes the family's request for assistance in the specified unit, and which documents the owner's willingness to lease to the family and to follow the program's requirements. When submitted to SNRHA, this document is the first step in the process of obtaining approval for the family to receive the financial assistance it will need in order to occupy the unit. Also submitted with the RFTA is a copy of the owner's proposed dwelling lease, including the HUD-required Tenancy Addendum (Form HUD-52641-A) and all other required documents listed on the RFTA checklist packet. See Chapter 9 for more detail on request for tenancy approval policies and process.

#### SNRHA POLICY

SNRHA also requires the owner to submit the following documents:

Also submitted with the RFTA is a copy of the owner's proposed dwelling lease, which must be signed with no effective date as the effective date will be entered after a passed HQS Inspection;

A completed ACH form with a voided check or deposit slip;

Recorded deed;

Management agreement or power of attorney (if applicable) and;

W-9 or W-8ECI.

SNRHA will make those individuals providing W-8ECI forms aware that when the IRS assigns a taxpayer number, it is to be provided to SNRHA.



HUD regulations stipulate that an assisted tenancy can be approved only under certain conditions.

The owner must be qualified to participate in the program [24 CFR 982.306]. Some owners are precluded from participating in the program, or from renting to a particular family, either because of their past history with this or another federal housing program, or because of certain conflicts of interest. Owner qualifications are discussed later in this chapter.

The selected unit must be of a type that is eligible for the program [24 CFR 982.305(a)]. Certain types of dwelling units cannot be assisted under the HCV program. Other types may be assisted under certain conditions. In addition, the owner must document legal ownership of the specified unit. See Chapter 9 for more detail on unit eligibility policies and process.

The selected unit must meet HUD's Housing Quality Standards (HQS) and/or equivalent state or local standards approved by HUD [24 CFR 982.305(a)]. The PHA will inspect the owner's dwelling unit at various stages of HCV program participation, to ensure that the unit continues to meet HQS requirements. See Chapter 8 for a discussion of the HQS standards, as well as the process for HQS inspections at initial lease-up and throughout the family's tenancy.

SNRHA must determine that the cost of the unit is reasonable [24 CFR 982.305(a)]. The rent must be reasonable in relation to comparable unassisted units in the area and must not be in excess of rents charged by the owner for comparable, unassisted units on the premises. See Chapter 8 for a discussion of requirements and policies on rent reasonableness, rent comparability and the rent reasonableness determination process.

At initial lease-up of a unit, SNRHA must determine that the share of rent to be paid by the family does not exceed 40 percent of the family's monthly adjusted income [24 CFR 982.305(a)]. See Chapter 6 for a discussion of the calculation of family income, family share of rent and HAP.

The dwelling lease must comply with all program requirements [24 CFR 982.308]. Owners are encouraged to use their standard leases when renting to an assisted family. However, the HCV program requires that the Tenancy Addendum, which helps standardize the tenancy requirements for all assisted families, be added word-for-word to that lease. See Chapter 9 for a discussion of the dwelling lease and tenancy addendum, including lease terms and provisions.

SNRHA and the owner enter into a formal contractual relationship by executing the Housing Assistance Payment (HAP) Contract (Form HUD-52641). The HAP contract format is prescribed by HUD. See Chapter 9 for a discussion of the HAP contract execution process. Specific HAP contract provisions and responsibilities are discussed later in this Chapter.

### **13-I.C. OWNER RESPONSIBILITIES [24 CFR 982.452, Pub.L. 109-162]**

The basic owner responsibilities in the HCV program are outlined in the regulations as follows:

- Complying with all of the owner's obligations under the Housing Assistance Payments (HAP) contract and the lease
- Performing all management and rental functions for the assisted unit, including selecting a voucher-holder to lease the unit, and deciding if the family is suitable for tenancy of the unit



- Maintaining the unit in accordance with the Housing Quality Standards (HQS), including performance of ordinary and extraordinary maintenance
- Complying with equal opportunity requirements
- Preparing and furnishing to SNRHA information required under the HAP contract and Administrative Plan
- Collecting from the family any security deposit, the tenant's contribution to rent (that part of rent to owner not covered by the housing assistance payment from SNRHA), and any charges for unit damage by the family.
- Enforcing tenant obligations under the dwelling lease
- Paying for utilities and services (unless paid by the family under the lease)
- Allowing reasonable modifications to a dwelling unit occupied or to be occupied by a disabled person [24 CFR 100.203]
- Ensuring no side-payment agreement are signed
- Comply with the Violence Against Women Reauthorization Act of 2005 (VAWA) when screening and terminating tenants.

### **13-I.D. OWNER QUALIFICATIONS**

SNRHA does not formally approve an owner to participate in the HCV program. However, there are a number of criteria where SNRHA may deny approval of an assisted tenancy based on past owner behavior, conflict of interest, or other owner-related issues. No owner has a right to participate in the HCV program [24 CFR 982.306(e)].

#### **Owners Barred from Participation [24 CFR 982.306(a) and (b)]**

SNRHA must not approve the assisted tenancy if SNRHA has been informed that the owner has been debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24. HUD may direct SNRHA not to approve a tenancy request if a court or administrative agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirements, or if such an action is pending.

#### **1. Mandatory Owner Disapproval:**

##### **a. Owners are under HUD's Debarment, Suspension or Limited Denial of Participation:**

SNRHA must disapprove the Housing Choice Voucher Program participation of an owner when, through verifiable evidence, SNRHA determines that the owner is debarred, suspended or subject to a limited denial of participation pursuant to 24 CFR Part 24. SNRHA will use SAM.gov to determine if landlords and/or designated agents are federally debarred as well as its internal listing.

##### **b. A Familial Relationship exists between the owner and Prospective Tenant:**

SNRHA must disapprove the Housing Choice Voucher Program participation of an owner when, through verifiable evidence, SNRHA determines that the Owner is seeking



to lease his/her unit to his/her individually or as a beneficiary of a trust or his/her joint tenant or tenant in common.

c. Resident Ownership

SNRHA must disapprove the Housing Choice Voucher Program participation of an Owner when, through verifiable evidence, SNRHA determines that the Owner is seeking to lease his/her unit to his/her parent, child, grandparent, grandchild, sister or brother. SNRHA will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

2. HUD Directed Owner Disapproval

When directed by HUD, SNRHA must not approve an Owner to participate in the Housing Choice Voucher Program if:

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

3. SNRHA Discretionary Owner Disapproval:

In its administrative discretion SNRHA may deny approval to lease a unit from an owner for any of the following reasons:

- a. The owner has violated obligations under a housing assistance payments contract under Housing Choice Voucher of the 1937 Act (42 U.S.C. 1437f);
- b. The owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;

The owner has engaged in drug trafficking;

- d. The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs, or with applicable housing standards for units leased Housing Choice Voucher assistance or leased under any other federal housing program which has resulted in three (3) units being abated resulting in terminations of HAP contracts for non-compliance.
- e. The owner has a history or practice of renting units that fail to meet State or local housing codes; or
- f. The owner has not paid State or local real estate taxes, fines or assessments.
- g. The owner refuses or has a history of refusing to take action to terminate tenancy for activity engaged in by the tenant, tenant's household members, guests or any other person under the tenant's control that:
  - (i) threatens the health or safety of, or right to peaceful enjoyment of the immediate vicinity surrounding community by residents, owners or SNRHA employees; and
  - (ii) in drug-related or violent criminal activity.



- h. The owner has charged and collected side payments from a participant in SNRHA's Housing Choice Voucher Program will be barred from entering into any new Housing Assistance Payments (HAP) for a period of 3 years from the date of the last HAP payment made to said landlord under current contracts.
  - i. The owner owes a pass debt that is outstanding with SNRHA. The debt must be paid in full prior to entering into a new contract.
4. Breach of Housing Assistance Payment Contract
- a. Owner Breach:

Any of the actions, listed below, constitute breach of the HAP Contract by the Owner:

- Violation of any obligation expressed in the HAP Contract, including, but not limited to, failure to maintain the unit in accordance with the HQS - unless said failure is the result of uncorrected tenant caused damage, beyond normal wear and tear.
- Violation of any obligation expressed in any other HAP Contract.
- The commission of fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- Involvement in drug trafficking.

SNRHA's rights and remedies against the owner under the HAP Contract include:

- Recovery of overpayment in small claims court;
- Abatement or partial reduction of housing assistance payments; and
- Termination of the HAP Contract.

#### **Leasing to Relatives [24 CFR 982.306(d), HCV GB p. 11-2]**

SNRHA must not approve an RTA if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family. SNRHA may make an exception as a reasonable accommodation for a family member with a disability. The owner is required to certify that no such relationship exists. This restriction applies at the time that the family receives assistance under the HCV program for occupancy of a particular unit. Current contracts on behalf of owners and families that are related may continue, but any new leases or contracts for these families may not be approved.

#### **Conflict of Interest [24 CFR 982.161; HCV GB p. 8-19]**

SNRHA must not approve a tenancy in which any of the following classes of persons has any interest, direct or indirect, during tenure or for one year thereafter:

- Any present or former member or officer of SNRHA (except a participant commissioner)





- Any employee of SNRHA, or any contractor, subcontractor or agent of SNRHA, who formulates policy or who influences decisions with respect to the programs
- Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs
- Any member of the Congress of the United States

HUD may waive the conflict of interest requirements, except for members of Congress, for good cause. SNRHA must submit a waiver request to the appropriate HUD Field Office for determination.

Any waiver request submitted by SNRHA include [HCV Guidebook pp.11-2 and 11-3]:

- Complete statement of the facts of the case;
- Analysis of the specific conflict of interest provision of the HAP contract and justification as to why the provision should be waived;
- Analysis of and statement of consistency with state and local laws. The local HUD office, the PHA, or both parties may conduct this analysis. Where appropriate, an opinion by the state's attorney general should be obtained;
- Opinion by the local HUD office as to whether there would be an appearance of impropriety if the waiver were granted;
- Statement regarding alternative existing housing available for lease under the HCV program or other assisted housing if the waiver is denied;
- If the case involves a hardship for a particular family, statement of the circumstances and discussion of possible alternatives;
- If the case involves a public official or member of the governing body, explanation of his/her duties under state or local law, including reference to any responsibilities involving the HCV program;
- If the case involves employment of a family member by SNRHA assistance under the HCV program for an eligible SNRHA employee, explanation of the responsibilities and duties of the position, including any related to the HCV program;
- If the case involves an investment on the part of a member, officer, or employee of the PHA, description of the nature of the investment, including disclosure/divestiture plans.

Where SNRHA has requested a conflict of interest waiver, SNRHA may not execute the HAP contract until HUD has made a decision on the waiver request.

#### SNRHA Policy

In considering whether to request a conflict of interest waiver from HUD, SNRHA will consider factors for waiving the requirement; consistency with state and local laws; the existence of alternative housing available to families; the individual circumstances of a particular family; the specific duties of individuals whose positions present a possible conflict of interest; the nature of any financial investment in the property and plans for disclosure/divestiture; and the possible appearance of impropriety.



## **Owner Actions That May Result in Disapproval of a Tenancy Request [24 CFR 982.306(c)]**

HUD regulations permit SNRHA, at SNRHA's discretion, to refuse to approve a request for tenancy if the owner has committed any of a number of different actions.

If SNRHA disapproves a request for tenancy because an owner is not qualified, it may not terminate the HAP contract for any assisted families that are already living in the owner's properties unless the owner has violated the HAP contract for those units [HCV GB p. 11-4].

### SNRHA Policy

SNRHA will refuse to approve a request for tenancy if SNRHA becomes aware that any of the following are true:

The owner has violated obligations under a HAP contract under Section 8 of the 1937 Act (42 U.S.C. 1437f);

The owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;

The owner has engaged in any drug-related criminal activity or any violent criminal activity;

The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs, or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing program;

The owner has a history or practice of failing to terminate tenancy of tenants of units assisted under Section 8-HCV program or any other federally assisted housing program for activity engaged in by the tenant, any member of the household, a guest or another person under the control of any member of the household that:

Threatens the right to peaceful enjoyment of the premises by other residents;

Threatens the health or safety of other residents, of employees of the PHA, or of owner employees or other persons engaged in management of the housing;

Threatens the health or safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or (iv) Is drug-related criminal activity or violent criminal activity;

The owner has a history or practice of renting units that fail to meet state or local housing codes; or



The owner has not paid state or local real estate taxes and/or business fees, fines, or assessment.

The owner signs a side payment agreement.

The owner or manager acting on behalf of the owner engages in or threatens violent or abusive behavior toward SNRHA personnel.

Abusive or violent behavior towards SNRHA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimate shall be considered abusive or violent behavior. This (these) action (s) shall also be reasons for termination of Housing Assistance Payment (HAP) Contracts.

In considering whether to disapprove owners for any of the discretionary reasons listed above, SNRHA will consider any mitigating factors. Such factors may include, but are not limited to, the seriousness of the violation in relation to program requirements, the impact on the ability of families to lease units under the program, health and safety of participating families, among others. Upon consideration of such circumstances, SNRHA may, on a case-by-case basis, choose to approve an owner.

### **Legal Ownership of Unit**

The following represents SNRHA policy on legal ownership of a dwelling unit to be assisted under the HCV program.

#### SNRHA Policy

SNRHA will only enter into a contractual relationship with the legal owner of a qualified unit. No tenancy will be approved without acceptable documentation of legal ownership. SNRHA requires a recorded deed and all other documents to ensure HAP payments are going to rightful owners/agents.

### **13-I.E. NON-DISCRIMINATION [HAP Contract – Form HUD-52641]**

The owner must not discriminate against any person because of race, color, religion, sex, sexual orientation, marital status, national origin, age, familial status, or disability, in connection with any actions or responsibilities under the HCV program and the HAP contract with SNRHA.

The owner must cooperate with SNRHA and with HUD in conducting any equal opportunity compliance reviews and complaint investigations in connection with the HCV program and the HAP contract with SNRHA.

See Chapter 2 for a more thorough discussion of Fair Housing and Equal Opportunity requirements in the HCV program.

## **PART II. HAP CONTRACTS**

### **13-II.A. OVERVIEW**

The HAP contract represents a written agreement between SNRHA and the owner of the dwelling unit occupied by a HCV assisted family. The contract spells out the owner's



responsibilities under the program, as well as SNRHA's obligations. Under the HAP contract, SNRHA agrees to make housing assistance payments to the owner on behalf of a specific family occupying a specific unit.

The HAP contract is used for all HCV program tenancies except for assistance under the Section 8 homeownership program and assistance to families that own a manufactured home and lease the space. See Chapter 15 for a discussion of any special housing types included in SNRHA's HCV program.

If SNRHA has given approval for the family of the assisted tenancy, the owner and the PHA execute the HAP contract. See Chapter 9 for a discussion of the leasing process, including provisions for execution of the HAP contract.

### **13-II.B. HAP CONTRACT CONTENTS**

The HAP contract format is required by HUD, specifically Housing Assistance Payment (HAP) Contract, Form HUD-52641.

The HAP contract contains three parts:

Part A of the contract includes basic **contract information** about the name of the tenant family, address of the contract unit, names of all household members, first and last dates of initial lease term, amount of initial monthly rent to owner, amount of initial housing assistance payment, utilities and appliances to be supplied by owner and tenant, signatures of SNRHA and owner [HCV Guidebook, pp 11-10 and 11-11].

In general, the HAP contract cannot be modified. However, SNRHA does have the discretion to add language to Part A of the HAP contract which prohibits the owner from collecting a security deposit in excess of private market practices or in excess of amounts charged to unassisted tenants. SNRHA policy on the amount of security deposit an owner may collect is found in chapter 9.

In addition, PHAs have the discretion to add language to Part A of the HAP contract that defines when the housing assistance payment by SNRHA is deemed received by the owner.

#### SNRHA Policy

SNRHA will make automatic monthly HAP deposits into the bank account of the owner. The date the bank shows as the deposit date will be the official payment date of record and will be the determining factor in cases involving late payment penalties. SNRHA will not make late payments due to direct deposits being posted by the vendor's financial institution late if payments were transmitted by SNRHA on the correct date. For example, when the first (1<sup>st</sup>) or the 15th falls on a Saturday or Holiday and the banks post the deposit on the next business day.

SNRHA will not be obligated to pay any late payment penalty if HUD determines that late payment is due to factors beyond SNRHA's control, such as a delay in the receipt of program funds from HUD.

SNRHA will use administrative fee income or the administrative fee reserve as its only source for late payment penalty.



Part B is the body of the contract. It describes in detail program requirements affecting the owner and owner roles and responsibilities under the HCV program. Most of the requirements contained in Part B of the HAP contract are outlined elsewhere in this plan. Topics addressed in Part B include:

- Lease of Contract Unit
- Maintenance, Utilities, and Other Services
- Term of HAP Contract
- Provision and Payment of Utilities and Appliances
- Rent to Owner: Reasonable Rent
- SNRHA Payment to Owner
- Prohibition of Discrimination
- Owner's Breach of HAP Contract
- SNRHA and HUD Access to Premises and Owner's Records
- Exclusion of Third Party Rights
- Conflict of Interest
- Assignment of the HAP Contract
- Written Notices
- Entire Agreement Interpretation

Part C of the contract includes the Tenancy Addendum (Form HUD-52641-A). The addendum sets forth the tenancy requirements for the program and the composition of the household, as approved by SNRHA. The owner must sign the HUD Tenancy Addendum with the prospective tenant, and the tenant has the right to enforce the Tenancy Addendum against the owner. The terms of the Tenancy Addendum prevail over any other provisions of the lease.

### **13-II.C. HAP CONTRACT PAYMENTS**

#### **General**

During the term of the HAP contract, and subject to the provisions of the HAP contract, SNRHA must make monthly HAP payments to the owner on behalf of the family, at the beginning of each month. If a lease term begins after the first of the month, the HAP payment for the first month is prorated for a partial month.

The amount of the HAP payment is determined according to the policies described in Chapter 6, and is subject to change during the term of the HAP contract. SNRHA must notify the owner and the family in writing of any changes in the HAP payment.

HAP payments can be made only during the lease term, and only while the family is residing in the unit.



The monthly HAP payment by SNRHA is credited toward the monthly rent to owner under the family's lease. The total of the rent paid by the tenant, plus SNRHA HAP payment, should be equal to the rent specified in the lease (the rent to owner).

All HAP shall be paid via direct deposits only. There are no exceptions.

The family is not responsible for payment of the HAP payment, and SNRHA is not responsible for payment of the family share of rent.

The family's share of the rent cannot be more than the difference between the total rent to the owner and the HAP payment. The owner may not demand or accept any rent payment from the tenant in excess of this maximum [24 CFR 982.451(b)(4)]. The owner may not charge the tenant extra amounts for items customarily included in rent in the locality, or provided at no additional cost to unsubsidized tenants in the premises [24 CFR 982.510(c)]. See chapter 9 for a discussion of separate, non-lease agreements for services, appliances and other items that are not included in the lease.

If the owner receives any excess HAP from SNRHA, the excess amount must be returned immediately. If SNRHA determines that the owner is not entitled to all or a portion of the HAP, SNRHA may deduct the amount of overpayment from any amounts due to the owner, including amounts due under any other Section 8 HCV contract. See Chapter 16 for additional detail on owner reimbursement of HAP overpayments.

### **Owner Certification of Compliance**

Unless the owner complies with all provisions of the HAP contract, the owner is not entitled to receive housing assistance payments under the HAP contract [HAP Contract – Form HUD-52641].

By accepting the direct deposit from SNRHA, the owner certifies to compliance with the terms of the HAP contract. This includes certification that the owner is maintaining the unit and premises in accordance with HQS; that the contract unit is leased to the tenant family and, to the best of the owner's knowledge, the family resides in the unit as the family's only residence; the rent to owner does not exceed rents charged by the owner for comparable unassisted units on the premises; and that the owner does not receive (other than rent to owner) any additional payments or other consideration for rent of the contract unit during the HAP term.

### **Late HAP Payments [24 CFR 982.451(a)(5)]**

SNRHA is responsible for making HAP payments promptly when due to the owner, in accordance with the terms of the HAP contract. After the first two calendar months of the HAP contract term, the HAP contract provides for penalties if SNRHA fails to make the HAP payment on time.

Penalties for late HAP payments can only be imposed if 1) the penalties are in accordance with generally accepted local rental market practices and law governing penalties for late payment by tenants; 2) it is the owner's normal business practice to charge late payment penalties for both assisted and unassisted families; and 3) the owner charges the assisted family for late payment of the family's share of the rent.



SNRHA is not required to pay a late payment penalty if HUD determines that the payment is late for reasons beyond the PHA's control. In addition, late payment penalties are not required if SNRHA intentionally delays or denies payment as a remedy to an owner breach of the HAP contract [HCV Guidebook p. 11-7].

### **Termination of HAP Payments [24 CFR 982.311(b)]**

SNRHA must continue making housing assistance payments to the owner in accordance with the HAP contract as long as the tenant continues to occupy the unit and the HAP contract is not violated.

HAP payments terminate when the HAP contract terminates or when the tenancy is terminated in accordance with the terms of the lease.

If the owner has initiated eviction proceedings against the family and the family continues to reside in the unit, SNRHA must continue to make housing assistance payments to the owner until the owner has obtained a court judgment or other process allowing the owner to evict the tenant.

### SNRHA Policy

The owner must inform SNRHA when the owner has initiated eviction proceedings against the family and the family continues to reside in the unit.

The owner must inform SNRHA when the owner has obtained a court judgment or other process allowing the owner to evict the tenant, and provide SNRHA with a copy of such judgment or determination.

After the owner has obtained a court judgment or other process allowing the owner to evict the tenant, SNRHA will continue to make HAP payments to the owner until the family actually moves from the unit or until the family is physically evicted from the unit, whichever is earlier. The owner must inform SNRHA of the date when the family actually moves from the unit or the family is physically evicted from the unit. In cases where the family moves and an eviction is received or a judgment that is not paid within 30 calendar days, the assistance shall be terminated.

### **13-II.D. BREACH OF HAP CONTRACT [24 CFR 982.453]**

Any of the following actions by the owner constitutes a breach of the HAP contract:

- If the owner violates any obligations under the HAP contract including failure to maintain the unit in accordance with HQS
- If the owner has violated any obligation under any other HAP contract under Section 8
- If the owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program
- For projects with mortgages insured by HUD or loans made by HUD, if the owner has failed to comply with the regulations for the applicable program; or if the owner has committed fraud, bribery or any other corrupt or criminal act in connection with the mortgage or loan
- If the owner has engaged in drug-related criminal activity



- If the owner has committed any violent criminal activity

If SNRHA determines that a breach of the HAP contract has occurred, it may exercise any of its rights and remedies under the HAP contract.

SNRHA rights and remedies against the owner under the HAP contract include recovery of any HAP overpayment, suspension of housing assistance payments, abatement or reduction of the housing assistance payment, termination of the payment or termination the HAP contract.

SNRHA may also obtain additional relief by judicial order or action.

SNRHA must notify the owner of its determination and provide in writing the reasons for the determination. The notice may require the owner to take corrective action by an established deadline. SNRHA must provide the owner with written notice of any reduction in housing assistance payments or the termination of the HAP contract.

### SNRHA Policy

Before SNRHA revokes a remedy against an owner, SNRHA will evaluate all information and documents available to determine if the contract has been breached.

If relevant, SNRHA will conduct an audit of the owner's records pertaining to the tenancy or unit.

If it is determined that the owner has breached the contract, SNRHA will consider all of the relevant factors including the seriousness of the breach, the effect on the family, the owner's record of compliance and the number and seriousness of any prior HAP contract violations.

## **13-II.E. HAP CONTRACT TERM AND TERMINATIONS**

The term of the HAP contract runs concurrently with the term of the dwelling lease [24 CFR 982.451(a)(2)], beginning on the first day of the initial term of the lease and terminating on the last day of the term of the lease, including any lease term extensions.

The HAP contract and the housing assistance payments made under the HAP contract terminate if [HCV Guidebook pp.11-4 and 11-5, pg. 15-3]:

- The owner or the family terminates the lease;
- The lease expires;
- SNRHA terminates the HAP contract;
- SNRHA terminates assistance for the family;
- The family moves from the assisted unit. In this situation, the owner is entitled to keep the housing assistance payment for the month when the family moves out of the unit.
- 180 calendar days have elapsed since SNRHA made the last housing assistance payment to the owner;





- The family is absent from the unit for longer than the maximum period permitted by SNRHA.
- The Annual Contributions Contract (ACC) between the PHA and HUD expires
- SNRHA elects to terminate the HAP contract.
- Owner fails to submit required documents to SNRHA when there's a change of ownership/management that has lapsed 60 days of said change. The family will be issued a voucher to move and SNRHA shall not be responsible for any payments to the new owner/agent.

#### SNRHA Policy

SNRHA may elect to terminate the HAP contract in each of the following situations:

Available program funding is not sufficient to support continued assistance for families in the program [24 CFR 982.454];

The unit does not meet HQS size requirements due to change in family composition [24 CFR 982.403] – see chapter 8;

The unit does not meet HQS [24 CFR 982.404] – see Chapter 8;

The family breaks up [HUD Form 52641] – see Chapter 3;

The owner breaches the HAP contract [24 CFR 982.453(b)] – see Section 13-II.D.

If SNRHA terminates the HAP contract, SNRHA must give the owner and the family written notice. The notice must specify the reasons for the termination and the effective date of the termination. Once a HAP contract is terminated, no further HAP payments may be made under that contract [HCV Guidebook pg.15-4].

#### SNRHA Policy

In all cases, the HAP contract terminates at the end of the calendar month that follows the calendar month in which SNRHA gives written notice to the owner. The owner is not entitled to any housing assistance payment after this period, and must return to SNRHA any housing assistance payment received after this period.

If the family moves from the assisted unit into a new unit, even if the new unit is in the same building or complex as the assisted unit, the HAP contract for the assisted unit terminates. A new HAP contract would be required [HCV GB, p. 11-17].

When the family moves from an assisted unit into a new unit, the term of the HAP contract for the new unit may begin in the same month in which the family moves out of its old unit. This is not considered a duplicative subsidy [HCV GB, p. 8-22].

### **13-II.F. CHANGE IN OWNERSHIP / ASSIGNMENT OF THE HAP CONTRACT [HUD-52641]**

The HAP contract cannot be assigned to a new owner without the prior written consent of SNRHA and the execution of a transfer of ownership document.



An owner under a HAP contract must notify SNRHA in writing prior to a change in the legal ownership of the unit. The new owner/agent must supply all information as requested by SNRHA.

Prior to approval of assignment to a new owner, the new owner must agree to be bound by and comply with the HAP contract. The agreement between the new owner and SNRHA must be in writing and in a form that SNRHA finds acceptable. The new owner must provide SNRHA with a copy of the executed agreement and recorded deed.

#### SNRHA Policy

Assignment of the HAP contract will be approved only if the new owner is qualified to become an owner under the HCV program according to the policies in Section 13-I.D. of this chapter.

The new owner must provide all required documents and a recorded deed prior to SNRHA making payments to a new vendor.

The new owner must complete any changes utilizing SNRHA's Landlord Portal by accessing the website at [www.snvrha.org](http://www.snvrha.org). SNRHA will not accept hand-carried, faxed, or mailed documents.

SNRHA required documents include but are not limited to:

- A recorded deed;
- A copy of the owner's IRS Form W-9/W-8, Request for Taxpayer Identification Number and Certification, or the social security number of the new owner;
- Authorization Agreement for Deposit (ACH Credits) and voided check/deposit slip
- Statement of Property Ownership/Authorization
- A valid State-issued Business License, if applicable
- A Property Management Agreement, if applicable
- Additional documents may be required if applicable (i.e. court documents for receivership, trust, probate, mergers, etc.), and
- A signed agreement to comply with the terms of the HAP contract.

If the new owner does not agree to an assignment of the HAP contract, or fails to provide the necessary documents, SNRHA will terminate the HAP contract with the old owner. If the new owner wants to offer the family a new lease, and the family elects to stay with continued assistance, SNRHA will process the leasing in accordance with the policies in Chapter 9.

Failure of the new owner to provide all documents as proof of ownership shall result in SNRHA issuing the family a voucher to move. No HAP payments shall be released to the new owner for the period of time in which he/she failed to provide documents.

#### **13-II.G. FORECLOSURE (HUD 52641 and Notice PIH 2010-49)**

Families receiving HCV assistance are entitled to certain protections set forth under the Protecting tenants at Foreclosure Act (PTFA). Specifically, the HAP contract now contains language stating that in the case of any foreclosure, the immediate successor in interest in the property pursuant to the foreclosure will assume such interest subject to the lease between the



prior owner and the tenant, and the HAP contract between the prior owner and SNRHA for the occupied unit. This provision of the HAP contract does not affect any state or local law that provides longer time periods or other additional protections for tenants.

If SNRHA learns that a property is in foreclosure, it must take the following actions:

- Make all reasonable efforts to determine the status of the foreclosure and ownership of the property. (Further guidance on how to obtain this information can be found in Notice PIH (2010-49).
- Continue to make payments to the original owner until ownership legally transfers in accordance with the HAP contract.
- Attempt to obtain a written acknowledgement of the assignment of the HAP contract from the successor in interest. The written agreement should include a request for the owner information, such a tax identification number, and payment instructions from the new owner. Even if the new owner does not acknowledge the assignment of the HAP contract in writing, the assignment is still effective by operation of law.
- Inform the tenant that they must continue to pay rent in accordance with the lease, and if the successor in interest refuses to accept payments or cannot be identified, the tenant should pay rent into escrow. Failure to pay rent may constitute an independent ground for eviction.

SNRHA Policy:

SNRHA shall provide all HCV applicants that have been issued a voucher with information regarding the PTFA and to participant's head of household at annual recertification.



## Chapter 14

### PROGRAM ADMINISTRATION

#### INTRODUCTION

This chapter discusses administrative policies and practices that are relevant to the activities covered in this plan. The policies are discussed in seven parts as described below:

Part I: Administrative Fee Reserve. This part describes SNRHA's policies with regard to oversight of expenditures from its administrative fee reserve.

Part II: Setting Program Standards and Schedules. This part describes what payment standards are, and how they are updated, as well as how utility allowances are established and revised.

Part III: Informal Reviews and Hearings. This part outlines the requirements and procedures for informal reviews and hearings, and for informal hearings regarding citizenship status.

Part IV: Owner or Family Debts to SNRHA. This part describes policies for recovery of monies SNRHA has overpaid on behalf of families, or to owners, and describes the circumstances under which the PHA will offer repayment agreements to owners and families. Also discussed are the consequences for failure to make payments in accordance with a repayment agreement.

Part V: Section 8 Management Assessment Program (SEMAP). This part describes what the SEMAP scores represent, how they are established, and how those scores affect SNRHA.

Part VI: Record-Keeping. All aspects of the program involve certain types of record-keeping. This part outlines the privacy rights of applicants and participants and record retention policies SNRHA will follow.

Part VII: Reporting and Record Keeping for Children with Environmental Intervention Blood Lead Level. This part describes SNRHA's responsibilities for reporting, data collection, and record keeping relative to children with environmental intervention blood lead levels that are less than six years of age, and are receiving HCV assistance.

Part VIII: Determination of Insufficient Funding. This part describes SNRHA's policies for determining if there is sufficient funding to issue vouchers, to approve moves to higher cost units or areas, and to continue assistance for all participant families.

#### **PART I: ADMINISTRATIVE FEE RESERVE [24 CFR 982.155]**

SNRHA must maintain an administrative fee reserve for the program to pay program administrative expenses in excess of administrative fees paid by HUD for a SNRHA fiscal year. Since FFY 2004, the use of administrative fee reserves, called Unrestricted Net Assets, is restricted to activities related to rental assistance under the Section 8 program, including development activities.



If SNRHA has not adequately administered any Section 8 program, HUD may prohibit use of funds in the administrative fee reserve, and may direct SNRHA to use funds in the reserve to improve administration of the program or to reimburse ineligible expenses. HUD also may prohibit use of the funds for certain purposes.

HUD requires the SNRHA Board of Commissioners or other authorized officials to establish the maximum amount that may be charged against the administrative fee reserve without specific approval.

#### SNRHA Policy

Expenditures from the administrative fee reserve will be made in accordance with all applicable Federal requirements. Expenditures will not exceed \$25,000 per occurrence nor more than \$100,000 in the aggregate for each fiscal year without the prior approval of the SNRHA Board of Commissioners. Payments to participants or landlords that occur due to staff error in rent calculation will be paid from the Administrative fee reserve with the written approval of the Director of Housing Program or their designee. HCV administrative fee can only be utilized for the administration of the HCV Program or development related directly to the HCV Program.

## **PART II: SETTING PROGRAM STANDARDS AND SCHEDULES**

### **14-II.A. OVERVIEW**

Although many of the program's requirements are established centrally by HUD, the HCV program's regulations recognize that some flexibility is required to allow SNRHA to adapt the program to local conditions. This part discusses how SNRHA establishes and updates certain schedules and standards that are used to administer the program locally. Details about how these schedules are applied to individual families are provided in other chapters. The schedules and standards discussed here include:

- *Payment Standards*, which dictate the maximum subsidy a family can receive (application of the payment standards is discussed in Chapter 7); and
- *Utility Allowances*, which specify how a family's payment should be adjusted to account for tenant-paid utilities (application of utility allowances is discussed in Chapter 7).

#### SNRHA Policy

Copies of the payment standard and utility allowance schedules are available for review in SNRHA's offices during normal business hours and will be posted on SNRHA's website.

Families, owners, and members of the public may submit written comments on the schedules discussed in this part, at any time, for consideration during the next revision cycle.

SNRHA will retain documentation to support its annual review of payment standards and utility allowance schedules for at least 3 years.



## 14-II.B. PAYMENT STANDARDS [24 CFR 982.503; HCV GB, Chapter 7]

The payment standard sets the maximum subsidy payment a family can receive from SNRHA each month [24 CFR 982.505(a)]. Payment standards are based on fair market rents (FMRs) published annually by HUD. FMRs are set at a percentile within the rent distribution of standard quality rental housing units in each FMR area. For most jurisdictions FMRs are set at the 40th percentile of rents in the market area.

SNRHA must establish a payment standard schedule that establishes payment standard amounts for each FMR area within SNRHA's jurisdiction, and for each unit size within each of the FMR areas. For each unit size, SNRHA may establish a single payment standard amount for the whole FMR area, or may set different payment standards for different parts of the FMR area. Unless HUD grants an exception, SNRHA is required to establish a payment standard within a "basic range" established by HUD – between 90 and 110 percent of the published FMR for each unit size.

### Updating Payment Standards

When HUD updates its FMRs, SNRHA must update its payment standards if the standards are no longer within the basic range [24 CFR 982.503(b)]. HUD may require SNRHA to make further adjustments if it determines that rent burdens for assisted families in SNRHA's jurisdiction are unacceptably high [24 CFR 982.503(g)].

#### SNRHA Policy

SNRHA will review the appropriateness of the payment standards on an annual basis when the new FMR is published. In addition to ensuring the payment standards are always within the "basic range" SNRHA will consider the following factors when determining whether an adjustment should be made to the payment standard schedule:

**Funding Availability:** SNRHA will review the budget to determine the impact projected subsidy adjustments will have on funding available for the program and the number of families served. SNRHA will compare the number of families who could be served under revised payment standard amounts with the number assisted under current payment standard amounts.

**Rent Burden of Participating Families:** Rent burden will be determined by identifying the percentage of families, for each unit size, that are paying more than 30 percent of their monthly adjusted income as the family share. When 40 percent or more of families, for any given unit size, are paying more than 30 percent of adjusted monthly income as the family share, SNRHA will consider increasing the payment standard. In evaluating rent burdens, SNRHA will not include families renting a larger unit than their family unit size.

**Quality of Units Selected:** SNRHA will review the quality of units selected by participant families when making the determination of the percent of income families are paying for housing, to ensure that payment standard increases are only made when needed to reach the mid-range of the market.



**Changes in Rent to Owner:** SNRHA may review a sample of the units to determine how often owners are increasing or decreasing rents and the average percent of increases/decreases by bedroom size.

**Unit Availability:** SNRHA will review the availability of units for each unit size, particularly in areas with low concentrations of poor and minority families.

**Lease-up Time and Success Rate:** SNRHA will consider the percentage of families that are unable to locate suitable housing before the voucher expires and whether families are leaving the jurisdiction to find affordable housing.

Changes to payment standard amounts will be effective February 1, of each year after FMRs are posted by HUD, unless the current payment standard is out of the 'basic range' (90% - 110% of FMR). In that case the Payment Standard shall be effective December 1.

If SNRHA has already processed reexaminations that will be effective on or after December 1st, and the effective date of the payment standards is December 1st, SNRHA will make retroactive adjustments to any such reexaminations if the new payment standard amount is higher than the one used by SNRHA at the time the reexamination was originally processed.

#### **Exception Payment Standards [982.503(c)]**

According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," the PHA may establish an exception payment standard of not more than 120 percent of the published FMR (fair market rent) if required as a reasonable accommodation in accordance with 24 CFR part 8 for a family that includes a person with a disability. Any unit approved under an exception payment standard must still meet the reasonable rent requirements found at 24 CFR 982.507.

SNRHA must request HUD approval to establish payment standards that are higher than the basic range. At HUD's sole discretion, HUD may approve a payment standard amount that is higher than the basic range for a designated part of the FMR area. HUD may approve an exception payment standard amount (in accordance with program requirements) for all units, or for all units of a given size, leased by program families in the exception area. Any PHA with jurisdiction in the exception area may use the HUD-approved exception payment standard amount. The total population of all HUD-approved exception areas in an FMR area may not include more than 50 percent of the population of the FMR area.

#### **Unit-by-Unit Exceptions [24 CFR 982.503(c)(2)(ii)]**

Unit-by-unit exceptions to SNRHA's payment standards generally are not permitted. However, an exception may be made as a reasonable accommodation for a family that includes a person with disabilities. (See Chapter 2 for a discussion of reasonable accommodations.) This type of exception does not affect SNRHA's payment standard schedule.

When needed as a reasonable accommodation, SNRHA may make an exception to the payment standard without HUD approval if the exception amount does not exceed 110 percent of the applicable FMR for the unit size [HCV GB 7-9]. SNRHA may request HUD approval for an



exception to the payment standard for a particular family if the required amount falls between 110 and 120 percent of the FMR.

#### SNRHA Policy

A family that requires a reasonable accommodation may request a higher payment standard at the time the Request for Tenancy Approval (RFTA) is submitted. The family must document the need for the exception which shall be verified via third party verification. In order to approve an exception, or request an exception from HUD, the PHA must determine that:

There is a shortage of affordable units that would be appropriate for the family;

The family's TTP would otherwise exceed 40 percent of adjusted monthly income; and

The rent for the unit is reasonable.

#### **"Success Rate" Payment Standard Amounts [24 CFR 982.503(e)]**

If a substantial percentage of families have difficulty finding a suitable unit, SNRHA may request a "success rate payment standard" that applies to the entire jurisdiction. If approved by HUD, a success rate payment standard allows SNRHA to set its payment standards at 90-110 percent of a higher FMR (the 50<sup>th</sup>, rather than the 40<sup>th</sup> percentile FMR). To support the request, SNRHA must demonstrate that during the most recent 6-month period for which information is available:

- Fewer than 75 percent of families who were issued vouchers became participants;
- SNRHA had established payment standards for all unit sizes, and for the entire jurisdiction, at 110 percent of the published FMR; and
- SNRHA had a policy of allowing voucher holders who made sustained efforts to locate units at least 90 calendar days to search for a unit.

Although HUD approves the success rate payment standard for all unit sizes in the FMR area, SNRHA may choose to adjust the payment standard for only some unit sizes in all, or a designated part, of the PHA's jurisdiction within the FMR area.

#### **Decreases in the Payment Standard below the Basic Range [24 CFR 982.503(d)]**

SNRHA must request HUD approval to establish a payment standard amount that is lower than the basic range. At HUD's sole discretion, HUD may approve establishment of a payment standard lower than the basic range. HUD will not approve a lower payment standard if the family share for more than 40 percent of program participants exceeds 30 percent of adjusted monthly income.

#### **14-II.C. UTILITY ALLOWANCES [24 CFR 982.517]**

A SNRHA-established utility allowance schedule is used in determining family share and SNRHA subsidy. SNRHA must maintain a utility allowance schedule for (1) all tenant-paid utilities, (2) the cost of tenant-supplied refrigerators and ranges, and (3) other tenant-paid housing services such as trash collection.





The utility allowance schedule must be determined based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality. In developing the schedule, SNRHA must use normal patterns of consumption for the community as a whole, and current utility rates.

The utility allowance must include the utilities and services that are necessary in the locality to provide housing that complies with housing quality standards. Costs for telephone, cable/satellite television, and internet services are not included in the utility allowance schedule.

In the utility allowance schedule, SNRHA must classify utilities and other housing services according to the following general categories: space heating; air conditioning; cooking; water heating; water; sewer; trash collection; other electric; cost of tenant-supplied refrigerator; cost of tenant-supplied range; and other specified housing services.

The cost of each utility and housing service must be stated separately by unit size and type. Chapter 18 of the *HCV Guidebook* provides detailed guidance to SNRHA about establishing utility allowance schedules.

### **Air Conditioning**

An allowance for air-conditioning must be provided when the majority of housing units in the market have central air-conditioning or are wired for tenant-installed air conditioners.

#### SNRHA Policy

SNRHA has included an allowance for air-conditioning in its utility allowance schedule. Central air-conditioning or a portable air conditioner must be present in a unit before SNRHA will apply this allowance to a family's rent and subsidy calculations.

### **Reasonable Accommodation**

HCV program regulations require SNRHA to approve a utility allowance amount higher than shown on SNRHA's schedule if a higher allowance is needed as a reasonable accommodation for a family member with a disability. For example, if a family member with a disability requires such an accommodation, SNRHA will approve an allowance for air-conditioning, even if SNRHA has determined that an allowance for air-conditioning generally is not needed (See Chapter 2 for policies regarding the request and approval of reasonable accommodations).

### **Utility Allowance Revisions**

SNRHA must review its schedule of utility allowances each year, and must revise the schedule if there has been a change of 10 percent or more in any utility rate since the last time the allowance for that utility was revised.

SNRHA must maintain information supporting its annual review of utility allowance and any revisions made in its utility allowance schedule.

## **PART III: INFORMAL REVIEWS AND HEARINGS**

### **14-III.A. OVERVIEW**

When SNRHA makes a decision that has a negative impact on a family, the family is often entitled to appeal the decision. For applicants, the appeal takes the form of an informal review;



for participants, or for applicants denied admission because of citizenship issues, the appeal takes the form of an informal hearing.

SNRHA is required to include in their administrative plans, informal review procedures for applicants, and informal hearing procedures for participants [24 CFR 982.54(d)(12) and (13)].

#### **14-III.B. INFORMAL REVIEWS**

Informal reviews are provided for program applicants. An applicant is someone who has applied for admission to the program, but is not yet a participant in the program. Informal reviews are intended to provide a “minimum hearing requirement” [24 CFR 982.554], and need not be as elaborate as the informal hearing requirements. (Federal Register Volume 60, No. 127, p 36490).

##### **Decisions Subject to Informal Review**

SNRHA must give an applicant the opportunity for an informal review of a decision denying assistance [24 CFR 982.554(a)]. Denial of assistance may include any or all of the following [24 CFR 982.552(a)(2)]:

- Denying listing on the SNRHA waiting list
- Denying or withdrawing a voucher
- Refusing to enter into a HAP contract or approve a lease
- Refusing to process or provide assistance under portability procedures
- Denial of assistance based on an unfavorable history that may be the result of domestic violence, dating violence or stalking. (See Section 3-III.G.)

Informal reviews are *not* required for the following reasons [24 CFR 982.554(c)]:

- Discretionary administrative determinations by SNRHA
- General policy issues or class grievances
- A determination of the family unit size under the SNRHA subsidy standards
- A SNRHA determination not to grant approval of the tenancy
- A SNRHA determination that the unit is not in compliance with the HQS
- A SNRHA determination that the unit is not in accordance with the HQS due to family size or composition

##### SNRHA Policy

SNRHA will only offer an informal review to applicants for whom assistance is being denied. Denial of assistance includes: denying listing on the SNRHA waiting list; denying or withdrawing a voucher; refusing to enter into a HAP contract or approve a lease; refusing to process or provide assistance under portability procedures.

##### **Notice to the Applicant [24 CFR 982.554(a)]**

SNRHA must give an applicant prompt notice of a decision denying assistance. The notice must contain a brief statement of the reasons for the SNRHA’s decision, and must also state that the



applicant may request an informal review of the decision within 10 calendar days from the date of SNRHA's notification of denial of assistance letter. The notice must describe how to obtain the informal review.

The informal review will be scheduled within 10 calendar days from the date the request is received.

### **Scheduling an Informal Review**

#### SNRHA Policy

A request for an informal review must be made in writing and delivered to SNRHA either in person or by first class mail, in writing by the close of the business day, no later than 10 calendar days from the date of SNRHA's denial of assistance notice.

Except as provided in Section 3-III.G, SNRHA must schedule and send written notice of the informal review within 10 business days of the family's request.

### **Informal Review Procedures [24 CFR 982.554(b)]**

#### SNRHA Policy

The person conducting the review will make a recommendation to SNRHA, but SNRHA is responsible for making the final decision as to whether assistance should be granted or denied.

The Informal Review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person.

The Informal Review may be conducted by an employee other than the person who made the decision or a subordinate of that person or an individual from outside SNRHA.

The applicant will be given the option of presenting oral or written objections to the decision. Both SNRHA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

### **Informal Review Decision [24 CFR 982.554(b)]**

SNRHA must notify the applicant of SNRHA's final decision, including a brief statement of the reasons for the final decision.

#### SNRHA Policy

In rendering a decision, SNRHA will evaluate the following matters:

Whether or not the grounds for denial were stated factually in the Notice.

The validity of grounds for denial of assistance. If the grounds for denial are not specified in the regulations, then the decision to deny assistance will be overturned.

The validity of the evidence. SNRHA will evaluate whether the facts presented prove the grounds for denial of assistance. If the facts prove that there are grounds for denial, and the denial is required by HUD, SNRHA will uphold the decision to deny assistance.



If the facts prove the grounds for denial, and the denial is discretionary, SNRHA will consider the recommendation of the person conducting the informal review in making the final decision whether to deny assistance.

SNRHA will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice will be mailed within 10 calendar days of the informal review, to the applicant and his or her representative, if any, along with proof of mailing.

If the decision to deny is overturned as a result of the informal review, processing for admission will resume.

If the family fails to appear for their informal review, the denial of admission will stand and the family will be so notified.

All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

#### **14-III.C. INFORMAL HEARINGS FOR PARTICIPANTS [24 CFR 982.555, Pub.L. 109-162]**

SNRHA must offer an Informal Hearing for certain SNRHA determinations relating to the individual circumstances of a participant family. A participant is defined as a family that has been admitted to the SNRHA HCV program and is currently assisted in the program. The purpose of the informal hearing is to consider whether SNRHA's decisions related to the family's circumstances were in accordance with the law, HUD regulations and SNRHA policies.

SNRHA is not permitted to terminate a family's assistance until the time allowed for the family to request an informal hearing has elapsed, and any requested hearing has been completed. SNRHA will provide a 30 day notice or more prior to termination unless the family has been confirmed as a skip or a deceased person. This shall provide adequate time for the participant to request a hearing and a hearing to be scheduled. Deceased clients with no eligible remaining family member shall have the contract terminated the last day of the month in which the death occurred. Termination of assistance for a participant may include any or all of the following:

- Refusing to enter into a HAP contract or approve a lease
- Terminating housing assistance payments under an outstanding HAP contract
- Refusing to process or provide assistance under portability procedures
- Skipping –defined as a family who moves from the assisted unit without prior appropriate notice to the owner and the approval of SNRHA. This must be a written approval or proof of certified mailing if the owner cannot be reach or refusing to sign and the lease is now a month to month lease. SNRHA must also receive this notice and approve by issuances of a voucher prior to the move.

#### **Decisions Subject to Informal Hearing**

Circumstances for which SNRHA must give a participant family an opportunity for an informal hearing are as follows:



- A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment
- A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the SNRHA utility allowance schedule
- A determination of the family unit size under SNRHA's subsidy standards
- A determination to terminate assistance for a participant family because of the family's actions or failure to act
- A determination to terminate assistance because the participant has been absent from the assisted unit for longer than the maximum period permitted under SNRHA policy and HUD rules
- A determination to terminate a family's Family Self Sufficiency contract, withhold supportive services, or propose forfeiture of the family's escrow account [24 CFR 984.303(i)]
- A determination to deny admission based on an unfavorable history that may be the result of domestic violence, dating violence, or stalking.
- A determination that the family is an ineligible student under the student rule provisions
- A determination that the family is not protected under the VAWA requirements.

Circumstances for which an informal hearing is not required are as follows:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- Establishment of the SNRHA schedule of utility allowances for families in the program
- A SNRHA determination not to approve an extension or suspension of a voucher term
- A SNRHA determination not to approve a unit or tenancy
- A SNRHA determination that a unit selected by the applicant is not in compliance with the HQS
- A SNRHA determination that the unit is not in accordance with HQS because of family size
- A determination by SNRHA to exercise or not to exercise any right or remedy against an owner under a HAP contract

### SNRHA Policy

SNRHA will only offer participants the opportunity for an informal hearing when required to by the regulations.

### **Informal Hearing Procedures**

#### ***Notice to the Family* [24 CFR 982.555(c)]**



When SNRHA makes a decision that is subject to informal hearing procedures, SNRHA must inform the family of its right to an informal hearing at the same time that it informs the family of the decision to terminate or take other adverse actions for which hearings are allowed.

For decisions related to the family's annual or adjusted income, the determination of the appropriate utility allowance, and the determination of the family unit size, SNRHA must notify the family that they may ask for an explanation of the basis of the determination, and that if they do not agree with the decision, they may request an informal hearing on the decision.

For decisions related to the termination of the family's assistance, or the denial of a family's request for an exception to SNRHA's subsidy standards, the notice must contain a brief statement of the reasons for the decision, a statement that if the family does not agree with the decision, the family may request an informal hearing on the decision, and a statement of the deadline for the family to request an informal hearing.

#### SNRHA Policy

In cases where SNRHA makes a decision for which an informal hearing must be offered, the notice to the family will include all of the following:

- The proposed action or decision of SNRHA.

- A brief statement of the reasons for the decision including the regulatory reference.

- The date the proposed action will take place.

- A statement of the family's right to an explanation of the basis for SNRHA's decision.

- A statement that if the family does not agree with the decision the family may request an informal hearing of the decision.

- A deadline for the family to request the informal hearing.

- To whom the hearing request should be addressed.

- A copy of SNRHA's hearing procedures.

- That disabled clients have the right to request a reasonable accommodation.

#### ***Scheduling an Informal Hearing [24 CFR 982.555(d)]***

When an informal hearing is required, SNRHA must proceed with the hearing in a reasonably expeditious manner upon the request of the family.

#### SNRHA Policy

A request for an informal hearing must be made in writing and delivered to the PHA either in person or by first class mail, by the close of the business day, no later than 10 calendar days from the date of SNRHA's decision or notice to terminate assistance.

SNRHA must schedule and send written notice of the informal hearing to the family within 10 calendar days of the family's request.



If a family does not appear at a scheduled hearing and has not rescheduled the hearing in advance, SNRHA's prior decision will stand and no further hearings will be scheduled. The decision to terminate shall stand.

The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family. Requests to reschedule a hearing must be made in writing prior to the hearing date. At its discretion, SNRHA may request documentation of the "good cause" prior to rescheduling the hearing.

If the family does not appear at the scheduled time, and was unable to reschedule the hearing in advance due to unforeseen circumstances, the family must contact SNRHA within 24 hours of the scheduled hearing date, excluding weekends and holidays. SNRHA will reschedule the hearing only if the family can show good cause for the failure to appear, or if it is needed as a reasonable accommodation for a person with disabilities.

The Hearing Officer may ask the family for additional information and/or might adjourn the Hearing in order to reconvene at a later date, before reaching a decision. However, the delay cannot exceed seven (7) calendar days from the date of the hearing.

If the family misses an appointment or deadline ordered by the Hearing Officer, the action of SNRHA shall take effect and another hearing will not be granted.

#### ***Pre-Hearing Right to Discovery [24 CFR 982.555(e)]***

Participants and SNRHA are permitted pre-hearing discovery rights. The family must be given the opportunity to examine before the hearing any SNRHA documents that are directly relevant to the hearing, if requested. The family must be allowed to copy any such documents at their own expense. If SNRHA does not make the document available for examination upon request of the family, SNRHA may not rely on the document at the hearing.

The SNRHA hearing procedures may provide that SNRHA must be given the opportunity to examine at SNRHA offices before the hearing, any family documents that are directly relevant to the hearing. SNRHA must be allowed to copy any such document at the SNRHA's expense. If the family does not make the document available for examination upon request of SNRHA, the family may not rely on the document at the hearing.

For the purpose of informal hearings, *documents* include records and regulations.

#### **SNRHA Policy**

The family will be allowed to copy any documents related to the hearing at a cost of \$1.00 per page after the first 25 pages. The family must request discovery of SNRHA documents no later than 12:00 p.m. on the business day prior to the scheduled hearing date

SNRHA must be given an opportunity to examine at SNRHA offices before the hearing any family documents that are directly relevant to the hearing. Whenever a participant requests an informal hearing, SNRHA will automatically mail a letter to the participant



requesting a copy of all documents that the participant intends to present or utilize at the hearing. The participant must make the documents available no later than 12:00 pm on the business day prior to the scheduled hearing date.

***Participant's Right to Bring Counsel [24 CFR 982.555(e)(3)]***

At its own expense, the family may be represented by a lawyer or other representative at the informal hearing.

***Informal Hearing Officer [24 CFR 982.555(e)(4)]***

Informal hearings will be conducted by a person or persons approved by SNRHA, other than the person who made or approved the decision or a subordinate of the person who made or approved the decision.

SNRHA Policy

SNRHA may use staff or contract out for hearing officers.

***Attendance at the Informal Hearing***

SNRHA Policy

Hearings may be attended by a hearing officer and the following applicable persons:

A SNRHA representative(s) and any witnesses for SNRHA

The participant and any witnesses for the participant

The participant's counsel or other representative

Any other person approved by SNRHA as a reasonable accommodation for a person with a disability

***Conduct at Hearings***

The person who conducts the hearing may regulate the conduct of the hearing in accordance with SNRHA's hearing procedures [24 CFR 982.555(4)(ii)].

SNRHA Policy

The hearing officer is responsible to manage the order of business and to ensure that hearings are conducted in a professional and businesslike manner. Attendees are expected to comply with all hearing procedures established by the hearing officer and guidelines for conduct. Any person demonstrating disruptive, abusive or otherwise inappropriate behavior will be excused from the hearing at the discretion of the hearing officer.

***Evidence [24 CFR 982.555(e)(5)]***

SNRHA and the family must be given the opportunity to present evidence and question any witnesses. In general, all evidence is admissible at an informal hearing. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

SNRHA Policy





Any evidence to be considered by the hearing officer must be presented at the time of the hearing. There are four categories of evidence.

**Oral evidence:** the testimony of witnesses

**Documentary evidence:** a writing which is relevant to the case, for example, a letter written to SNRHA. Writings include all forms of recorded communication or representation, including letters, words, pictures, sounds, videotapes or symbols or combinations thereof.

**Demonstrative evidence:** Evidence created specifically for the hearing and presented as an illustrative aid to assist the hearing officer, such as a model, a chart or other diagram.

**Real evidence:** A tangible item relating directly to the case.

*Hearsay Evidence* is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter. Even though evidence, including hearsay, is generally admissible, hearsay evidence alone cannot be used as the sole basis for the hearing officer's decision.

If either SNRHA or the family fail to comply with the discovery requirements described above, the hearing officer will refuse to admit such evidence.

Other than the failure of a party to comply with discovery, the hearing officer has the authority to overrule any objections to evidence.

### ***Hearing Officer's Decision [24 CFR 982.555(e)(6)]***

The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing. A copy of the hearing decision must be furnished promptly to the family.

#### SNRHA Policy

In rendering a decision, the hearing officer will consider the following matters:

**SNRHA Notice to the Family:** The hearing officer will determine if the reasons for SNRHA's decision are factually stated in the Notice.

**Discovery:** The hearing officer will determine if SNRHA and the family were given the opportunity to examine any relevant documents in accordance with SNRHA policy.

**SNRHA Evidence to Support the PHA Decision:** The evidence consists of the facts presented. Evidence is not conclusion and it is not argument. The hearing officer will evaluate the facts to determine if they support SNRHA's conclusion.

**Validity of Grounds for Termination of Assistance (when applicable):** The hearing officer will determine if the termination of assistance is for one of the grounds specified in the HUD regulations and SNRHA policies. If the grounds for



termination are not specified in the regulations or in compliance with SNRHA policies, then the decision of SNRHA will be overturned.

The hearing officer will issue a written decision to the family and SNRHA no later than 10 calendar days after the hearing. The report will contain the following information:

**Hearing information:**

- Name of the participant;
- Date, time and place of the hearing;
- Name of the hearing officer;
- Name of the SNRHA representative; and
- Name of family representative (if any).

**Background:** A brief, impartial statement of the reason for the hearing.

**Summary of the Evidence:** The hearing officer will summarize the testimony of each witness and identify any documents that a witness produced in support of his/her testimony and that are admitted into evidence.

**Findings of Fact:** The hearing officer will include all findings of fact, based on a preponderance of the evidence. *Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

**Conclusions:** The hearing officer will render a conclusion derived from the facts that were found to be true by a preponderance of the evidence. The conclusion will result in a determination of whether these facts uphold SNRHA's decision.

**Order:** The hearing report will include a statement of whether SNRHA's decision is upheld or overturned. If it is overturned, the hearing officer will instruct SNRHA to change the decision in accordance with the hearing officer's determination. In the case of termination of assistance, the hearing officer will instruct SNRHA to restore the participant's program status.

***Procedures for Rehearing or Further Hearing***

SNRHA Policy

The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision. If the family misses an appointment or deadline ordered by the hearing officer, the action of SNRHA will take effect and another hearing will not be granted.

In addition, within 10 calendar days after the date the hearing officer's report is mailed to SNRHA and the participant, SNRHA or the participant may request a rehearing or a



further hearing. Such request must be made in writing and postmarked or hand-delivered to the hearing officer and to the other party within the 10 calendar day period. The request must demonstrate cause, supported by specific references to the hearing officer's report, why the request should be granted.

A rehearing or a further hearing may be requested for the purpose of rectifying any obvious mistake of law made during the hearing or any obvious injustice not known at the time of the hearing.

It shall be within the sole discretion of SNRHA to grant or deny the request for further hearing or rehearing. A further hearing may be limited to written submissions by the parties, in the manner specified by the hearing officer.

### ***SNRHA Notice of Final Decision [24 CFR 982.555(f)]***

SNRHA is not bound by the decision of the hearing officer for matters in which SNRHA is not required to provide an opportunity for a hearing, decisions that exceed the authority of the hearing officer, decisions that conflict with or contradict HUD regulations, requirements, or are otherwise contrary to Federal, State or local laws.

HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," **states the Hearing Officer's decision will be binding on the PHA unless SNRHA's Board of Commissioners determines that:**

- (1) The grievance does not concern PHA actions or failure to act in accordance with or involving the complainant's rights, duties, welfare, or status; or**
- (2) The decision of the hearing officer is contrary to applicable Federal, State, local laws, HUD regulations, or requirement of the annual contribution contract between HUD and the PHA.**

**A decision by the hearing officer or a member of the Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or in part will not constitute a waiver of, nor affect in any manner whatsoever, any rights the complainant may have to a trial de novo or judicial review in any judicial proceeding, which may thereafter be brought in the matter.**

If SNRHA determines it is not bound by the hearing officer's decision in accordance with HUD regulations, SNRHA must promptly notify the family of the determination and the reason for the determination.

### **SNRHA Policy**

SNRHA will mail a "Notice of Final Decision" including the hearing officer's report, to the participant and their representative. This Notice will be sent by first-class mail, postage pre-paid with an affidavit of mailing enclosed. The participant will be mailed the original "Notice of Final Decision" and a copy of the proof of mailing. A copy of the



“Notice of Final Decision” along with the original proof mailing will be maintained in SNRHA’s file.

#### **14-III.D. HEARING AND APPEAL PROVISIONS FOR NON-CITIZENS [24 CFR 5.514]**

Denial or termination of assistance based on immigration status is subject to special hearing and notice rules. Applicants who are denied assistance due to immigration status are entitled to an informal hearing, not an informal review.

Assistance to a family may not be delayed, denied, or terminated on the basis of immigration status at any time prior to a decision under the United States Citizenship and Immigration Services (USCIS) appeal process. Assistance to a family may not be terminated or denied while the PHA hearing is pending, but assistance to an applicant may be delayed pending the completion of the informal hearing.

A decision against a family member, issued in accordance with the USCIS appeal process or the SNRHA informal hearing process, does not preclude the family from exercising the right, that may otherwise be available, to seek redress directly through judicial procedures.

#### **Notice of Denial or Termination of Assistance [24 CFR 5.514(d)]**

As discussed in Chapters 3 and 12, the notice of denial or termination of assistance for noncitizens must advise the family:

- That financial assistance will be denied or terminated, and provide a brief explanation of the reasons for the proposed denial or termination of assistance.
- The family may be eligible for proration of assistance.
- In the case of a participant, the criteria and procedures for obtaining relief under the provisions for preservation of families [24 CFR 5.514 and 5.518].
- That the family has a right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or explanation in support of the appeal.
- That the family has a right to request an informal hearing with the PHA either upon completion of the USCIS appeal or in lieu of the USCIS appeal.
- For applicants, assistance may not be delayed until the conclusion of the USCIS appeal process, but assistance may be delayed during the period of the informal hearing process.

#### **USCIS Appeal Process [24 CFR 5.514(e)]**

When SNRHA receives notification that the USCIS secondary verification failed to confirm eligible immigration status, the PHA must notify the family of the results of the USCIS verification. The family will have 30 calendar days from the date of the notification to request an appeal of the USCIS results. The request for appeal must be made by the family in writing directly to the USCIS. The family must provide SNRHA with a copy of the written request for appeal and the proof of mailing.

#### **SNRHA Policy**



SNRHA will notify the family in writing of the results of the USCIS secondary verification within 10 calendar days of receiving the results.

The family must provide SNRHA with a copy of the written request for appeal and proof of mailing within 10 calendar days of sending the request to the USCIS.

The family must forward to the designated USCIS office any additional documentation or written explanation in support of the appeal. This material must include a copy of the USCIS document verification request (used to process the secondary request) or such other form

specified by the USCIS, and a letter indicating that the family is requesting an appeal of the USCIS immigration status verification results.

The USCIS will notify the family, with a copy to SNRHA, of its decision. When the USCIS notifies SNRHA of the decision, SNRHA must notify the family of its right to request an informal hearing.

#### SNRHA Policy

SNRHA will send written notice to the family of its right to request an informal hearing within 10 calendar days of receiving notice of the USCIS decision regarding the family's immigration status.

### **Informal Hearing Procedures for Applicants [24 CFR 5.514(f)]**

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, the family may request SNRHA provide a hearing. The request for a hearing must be made either within 30 calendar days of receipt of the SNRHA notice of denial, or within 30 calendar days of receipt of the USCIS appeal decision.

The informal hearing procedures for applicant families are described below.

#### ***Informal Hearing Officer***

SNRHA must provide an informal hearing before an impartial individual, other than a person who made or approved the decision under review, and other than a person who is a subordinate of the person who made or approved the decision. See Section 14-III.C. for a listing of positions that serve as informal hearing officers.

#### ***Evidence***

The family must be provided the opportunity to examine and copy at the family's expense, and at a reasonable time in advance of the hearing, any documents in the possession of SNRHA pertaining to the family's eligibility status, or in the possession of the USCIS (as permitted by USCIS requirements), including any records and regulations that may be relevant to the hearing.

#### SNRHA Policy

The family will be allowed to obtain a copy of any family documents related to the hearing at a cost of \$1.00 per page after the first 25 pages. If a third party requests the documents, they must pay \$1.00 per page starting with the first page and have a written



release of information signed by the participant. The family must request discovery of SNRHA documents no later than 12:00 p.m. on the business day prior to the hearing.

The family must be provided the opportunity to present evidence and arguments in support of eligible status. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The family must also be provided the opportunity to refute evidence relied upon by SNRHA, and to confront and cross-examine all witnesses on whose testimony or information the SNRHA relies.

### ***Representation and Interpretive Services***

The family is entitled to be represented by an attorney or other designee, at the family's expense, and to have such person make statements on the family's behalf.

The family is entitled to arrange for an interpreter to attend the hearing, at the expense of the family, or SNRHA, as may be agreed upon by the two parties.

### ***Recording of the Hearing***

The family is entitled to have the hearing recorded by audiotape at their expense.

HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," states the hearing officer must maintain a log of all hearings. HUD shall provide the details of that log at a future date and SNRHA shall ensure compliance. HUD has also clarified that any party may obtain a copy of the hearing transcript *at their own expense*. Therefore, SNRHA shall ensure all hearings are taped. The Hearing Officer's decision will be binding on the PHA unless SNRHA's Board of Commissioners determines that:

- (1) The grievance does not concern PHA actions or failure to act in accordance with or involving the complainant's rights, duties, welfare, or status; or
- (2) The decision of the hearing officer is contrary to applicable Federal, State, local laws, HUD regulations, or requirement of the annual contribution contract between HUD and the PHA.

A decision by the hearing officer or a member of the Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or in part will not constitute a waiver of, nor affect in any manner whatsoever, any rights the complainant may have to a trial de novo or judicial review in any judicial proceeding, which may thereafter be brought in the matter.

Per HUD's Final Rule, hearings may not be postponed more than (5) five business days and all parties must be advised.

### ***Hearing Decision***



SNRHA must provide the family with a written final decision, based solely on the facts presented at the hearing, within 10 calendar days of the date of the informal hearing. The decision must state the basis for the decision.

### **Informal Hearing Procedures for Residents [24 CFR 5.514(f)]**

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, the family may request SNRHA provide a hearing. The request for a hearing must be made either within 30 calendar days of receipt of the PHA notice of termination, or within 30 calendar days of receipt of the USCIS appeal decision.

For the informal hearing procedures that apply to participant families whose assistance is being terminated based on immigration status, see Section 14-III.C.

### **Retention of Documents [24 CFR 5.514(h)]**

SNRHA must retain for a minimum of 5 years the following documents that may have been submitted to SNRHA by the family, or provided to the PHA as part of the USCIS appeal or the SNRHA informal hearing process:

- The application for assistance
- The form completed by the family for income reexamination
- Photocopies of any original documents, including original USCIS documents
- The signed verification consent form
- The USCIS verification results
- The request for a USCIS appeal
- The final USCIS determination
- The request for an informal hearing
- The final informal hearing decision



## **PART IV: OWNER OR FAMILY DEBTS TO SNRHA**

### **14-IV.A. OVERVIEW**

SNRHA is required to include in the administrative plan policies concerning repayment by a family of amounts owed to the PHA [24 CFR 982.54]. This part describes SNRHA's policies for recovery of monies that have been overpaid on behalf of families, or to owners.

#### SNRHA Policy

When an action or inaction of an owner or participant results in the overpayment of housing assistance, SNRHA holds the owner or participant liable to return any overpayments to SNRHA.

SNRHA will enter into repayment agreements in accordance with the policies contained in this part as a means to recover overpayments. A repayment agreement may be executed depending on the cause for the overpayment and the amount of monies owed to SNRHA.

When an owner or participant refuses to repay monies owed to SNRHA, SNRHA will utilize other available collection alternatives including, but not limited to, the following:

- Owner – collect from future payments for other clients to same vendor

- Collection agencies

- Small claims court

- Civil law suit

- State income tax set-off program

- Abatements

- Office of the Inspector General

- Office of the Attorney General

### **14-IV.B. REPAYMENT POLICY**

#### **Repayment Agreement [24 CFR 792.103]**

The term *repayment agreement* refers to a formal document signed by a tenant or owner and provided to SNRHA in which a tenant or owner acknowledges a debt in a specific amount and agrees to repay the amount due at specific time periods.

#### **Owner Debts to the PHA**

##### SNRHA Policy

Any amount due to SNRHA by an owner must be repaid by the owner within 30 calendar days of the SNRHA determination of the debt.





If the owner fails to repay the debt within the required time frame and is entitled to future HAP payments, SNRHA will reduce the future HAP payments by the amount owed until the debt is paid in full.

If the owner is not entitled to future HAP payments SNRHA will offer to enter into a repayment agreement in accordance with the policies below.

If the owner refuses to repay the debt, enter into a repayment agreement, or breaches a repayment agreement, SNRHA will ban the owner from future participation in the program and pursue other modes of collection.

## **Family Debts to SNRHA**

### SNRHA Policy

Any amount due to SNRHA by an HCV participant must be repaid by the family. If the family is unable to repay the debt within 30 calendar days, SNRHA will offer to enter into a repayment agreement in accordance with the policies below.

If the family refuses to repay the debt, enter into a repayment agreement, or breaches a repayment agreement, SNRHA will terminate the assistance upon notification to the family and pursue other modes of collection.

## **Repayment Agreement [24 CFR 792.103]**

The term *repayment agreement* refers to a formal document signed by a tenant or owner and provided to SNRHA in which a tenant or owner acknowledges a debt in a specific amount and agrees to repay the amount due at specific time periods.

### Change of Head of Household (HoH)

In the event the HoH changes, and in order to retain the voucher and subsidy, the debt will be incurred by the new HoH.

The new HOH will resign a repayment agreement with the incurred current balance.

## **Repayment Agreement Guidelines**

- Payment Agreements will be executed between SNRHA and the head of household, co-head, or spouse.
- The Repayment Agreement must be executed by the Housing Programs Deputy Director or his/her designee.
- Payments may only be made by money order or cashier's check.
- The agreement will be in default when one payment is delinquent by the 10<sup>th</sup> of the month, and the family's assistance will be terminated unless SNRHA receives the balance of the Repayment Agreement in full within 14 calendar days of the date on the notice of default. Partial payments shall be accepted to pay off debt but shall not prevent termination.



- Payment Agreements must be in writing.
- Length of Payment Agreements not to exceed one year.
- Only two Repayment Agreements may be executed during the term of the family's participation. The second cannot be entered into unless the first was paid in full in compliance with the terms of the Agreement.

### ***Down Payment Requirement***

#### **SNRHA Policy**

Prior to the execution of a repayment agreement, the owner or family must pay 25 percent of the balance owed to SNRHA with balance due within 11 additional months. Minimal payments as outlined below and are due each month by the 10<sup>th</sup>.

The minimum monthly amount of monthly payment for any payment agreement is \$25.

| <b>BALANCE DUE</b> | <b>PAYMENT DUE</b>                                                           |
|--------------------|------------------------------------------------------------------------------|
| \$25-\$100         | \$25 down and \$25 per month                                                 |
| \$101-\$500        | 25% down and balance within 11 months with minimum payment of \$35 per month |
| \$501-\$1000       | 25% down and balance within 11 months with minimum payment of \$50 per month |
| \$1001+            | 25% down and balance within 11 months with minimum payment of \$75 per month |

### ***Execution of the Agreement***

#### **SNRHA Policy**

The head of household and spouse/co-head (if applicable) must sign the repayment agreement.

### ***Due Dates***

#### **SNRHA Policy**

All payments are due by the close of business on the 10<sup>th</sup> day of the month. If the 10<sup>th</sup> does not fall on a business day, the due date is the close of business on the first business day after the 10<sup>th</sup>.

### ***Non-Payment***

#### **SNRHA Policy**



The agreement will be in default when one payment is delinquent by the 10<sup>th</sup> of the month, and the family's assistance will be terminated unless SNRHA receives the balance of the Repayment Agreement in full within 14 calendar days of the date on the notice of default. Partial payments shall be accepted to pay off debt but shall not prevent termination.

If the payment is not received by the due date of the delinquency notice, it will be considered a breach of the agreement and SNRHA will terminate assistance upon written notification to the family.

### ***No Offer of Repayment Agreement***

#### **SNRHA Policy**

SNRHA will not enter into a repayment agreement if there is already a repayment agreement in place with the family or owner OR if the family has had two previous repayment agreements.

### ***WRITING OFF DEBTS***

Debts will be written off if:

- The debtor's whereabouts are unknown and the debt is more than one year old.
- A determination is made that the debtor is judgment proof.
- The debtor is deceased.
- The debtor is confined to an institution indefinitely or for more than one year.
- The amount is \$10.00 or less
- The debtor cannot be located
- The debt is more than six years old and is not a judgment.

## **PART V: MANAGEMENT ASSESSMENT (SEMAP)**

### **14-V.A. OVERVIEW**

The Section 8 Management Assessment Program (SEMAP) is a tool that allows HUD to measure SNRHA performance in key areas to ensure program integrity and accountability. SEMAP scores translate into a rating for each PHA as high performing, standard, or troubled. Scores on individual SEMAP indicators, as well as overall SEMAP ratings, can affect the PHA in several ways.

- High-performing PHAs can be given a competitive advantage under notices of funding availability [24 CFR 985.103].
- PHAs with deficiencies on one or more indicators are required to correct the deficiencies and report to HUD [24 CFR 985.106].



- PHAs with an overall rating of “troubled” are subject to additional HUD oversight, including on-site reviews by HUD staff, a requirement to develop a corrective action plan, and monitoring to ensure the successful implementation of the corrective action plan. In addition, PHAs that are designated “troubled” may not use any part of the administrative fee reserve for other housing purposes [24 CFR 985.107].
- HUD may determine that a PHA's failure to correct identified SEMAP deficiencies or to prepare and implement a corrective action plan required by HUD constitutes a default under the ACC [24 CFR 985.109].

#### **14-V.B. SEMAP CERTIFICATION [24 CFR 985.101]**

SNRHA must submit the HUD-required SEMAP certification form within 60 calendar days after the end of its fiscal year. The certification must be approved by a SNRHA board resolution and signed by the SNRHA executive director. If SNRHA is a unit of local government or a state, a resolution approving the certification is not required, and the certification must be executed by the Section 8 program director.

PHAs with less than 250 voucher units are only required to be assessed every other PHA fiscal year. HUD will assess such PHAs annually if the PHA elects to have its performance assessed on an annual basis; or is designated as “troubled” [24 CFR 985.105].

Failure of SNRHA to submit its SEMAP certification within the required time frame will result in an overall performance rating of “troubled.”

SNRHA's SEMAP certification is subject to HUD verification by an on-site confirmatory review at any time.

Upon receipt of SNRHA's SEMAP certification, HUD will rate SNRHA's performance under each SEMAP indicator in accordance with program requirements.

#### **HUD Verification Method**

Several of the SEMAP indicators are scored based on a review of a quality control sample selected for this purpose. SNRHA or the Independent Auditor must select an unbiased sample that provides an adequate representation of the types of information to be assessed, in accordance with SEMAP requirements [24 CFR 985.2].

If the HUD verification method for the indicator relies on data in the Form-50058 module (formerly known as MTCS) in the PIH Information Center (PIC), and HUD determines that those data are insufficient to verify the PHA's certification on the indicator due to SNRHA's failure to adequately report family data, HUD will assign a zero rating for the indicator [24 CFR 985.3].

#### **14-V.C. SEMAP INDICATORS [24 CFR 985.3 and form HUD-52648]**

The table below lists each of the SEMAP indicators, contains a description of each indicator, and explains the basis for points awarded under each indicator.



A PHA that expends less than \$300,000 in Federal awards and whose Section 8 programs are not audited by an independent auditor, is not rated under SEMAP indicators 1-7.

| <b>SEMAP Indicators</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Indicator 1: Selection from the waiting list</b><br/> <b>Maximum Score: 15</b></p> <ul style="list-style-type: none"> <li>• This indicator shows whether the PHA has written policies in its administrative plan for selecting applicants from the waiting list and whether the PHA follows these policies when selecting applicants for admission from the waiting list.</li> <li>• Points are based on the percent of families that are selected from the waiting list in accordance with the PHA's written policies, according to the PHA's quality control sample.</li> </ul>                                 |
| <p><b>Indicator 2: Rent reasonableness</b><br/> <b>Maximum Score: 20</b></p> <ul style="list-style-type: none"> <li>• This indicator shows whether the PHA has and implements a reasonable written method to determine and document for each unit leased that the rent to owner is reasonable based on current rents for comparable unassisted units</li> <li>• Points are based on the percent of units for which the PHA follows its written method to determine reasonable rent and has documented its determination that the rent to owner is reasonable, according to the PHA's quality control sample.</li> </ul> |
| <p><b>Indicator 3: Determination of adjusted income</b><br/> <b>Maximum Score: 20</b></p> <ul style="list-style-type: none"> <li>• This indicator measures whether the PHA verifies and correctly determines adjusted income for each assisted family, and where applicable, uses the appropriate utility allowances for the unit leased in determining the gross rent.</li> <li>• Points are based on the percent of files that are calculated and verified correctly, according to the PHA's quality control sample.</li> </ul>                                                                                       |
| <p><b>Indicator 4: Utility allowance schedule</b><br/> <b>Maximum Score: 5</b></p> <ul style="list-style-type: none"> <li>• This indicator shows whether the PHA maintains an up-to-date utility allowance schedule.</li> <li>• Points are based on whether the PHA has reviewed the utility allowance schedule and adjusted it when required, according to the PHA's certification.</li> </ul>                                                                                                                                                                                                                         |
| <p><b>Indicator 5: HQS quality control inspections</b><br/> <b>Maximum Score: 5</b></p> <ul style="list-style-type: none"> <li>• This indicator shows whether a PHA supervisor reinspects a sample of units under contract during the PHA fiscal year, which meets the minimum sample size requirements for quality control of HQS inspections.</li> <li>• Points are based on whether the required quality control reinspections were completed, according to the PHA's certification.</li> </ul>                                                                                                                      |
| <p><b>Indicator 6: HQS enforcement</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

**Maximum Score: 10**

- This indicator shows whether, following each HQS inspection of a unit under contract where the unit fails to meet HQS, either any cited life-threatening deficiencies are corrected within 24 hours from the inspection and all other deficiencies are corrected within no more than 30 calendar days from the inspection or any PHA-approved extension, or the PHA took appropriate action.
- Points are based on whether the PHA took appropriate action when the responsible party failed to correct all HQS deficiencies in accordance with required time frames, according to the PHA's certification.

**Indicator 7: Expanding housing opportunities****Maximum Points: 5**

- Only applies to PHAs with jurisdiction in metropolitan FMR areas.
- This indicator shows whether the PHA has adopted and implemented a written policy to encourage participation by owners of units located outside areas of poverty or minority concentration; informs voucher holders of the full range of areas where they may lease units both inside and outside the PHA's jurisdiction; and supplies a list of landlords or other parties who are willing to lease units or help families find units, including units outside areas of poverty or minority concentration.
- Points are based on whether the PHA has adopted and implemented written policies in accordance with SEMAP requirements, according to the PHA's certification.

**Indicator 8: FMR limit and payment standards****Maximum Points: 5 points**

- This indicator shows whether the PHA has adopted a payment standard schedule that establishes payment standard amounts by unit size for each FMR area in the PHA's jurisdiction, that are within the basic range of 90 to 110 percent of the published FMR.
- Points are based on whether the PHA has appropriately adopted a payment standard schedule(s), according to the PHA's certification.

**Indicator 9: Annual reexaminations****Maximum Points: 10**

- This indicator shows whether the PHA completes a reexamination for each participating family at least every 12 months.
- Points are based on the percent of reexaminations that are not overdue, according to data from PIC.

**Indicator 10: Correct tenant rent calculations****Maximum Points: 5**

- This indicator shows whether the PHA correctly calculates the family's share of the rent to owner.
- Points are based on the percent of correct calculations of family share of the rent, according to data from PIC.

**Indicator 11: Pre-contract HQS inspections****Maximum Points: 5**

- This indicator shows whether newly leased units pass HQS inspection on or before the effective date of the assisted lease and HAP contract.
- Points are based on the percent of newly leased units that passed HQS inspection prior to the effective date of the lease and HAP contract, according to data from PIC.

**Indicator 12: Annual HQS inspections****Maximum Points: 10**

- This indicator shows whether the PHA inspects each unit under contract at least annually.
- Points are based on the percent of annual HQS inspections of units under contract that are not overdue, according to data from PIC.

**Indicator 13: Lease-up****Maximum Points: 20 points**

- This indicator shows whether the PHA enters HAP contracts for the number of units or funding reserved under ACC for at least one year.
- Points are based on the percent of units leased during the last completed PHA fiscal year, or the percent of allocated budget authority that has been expended by the PHA, according to data reported to HUD via the PHA's Voucher Management System (VMS) reporting.

**Indicator 14: Family self-sufficiency (FSS) enrollment and escrow account balances****Maximum Points: 10**

- Only applies to PHAs with mandatory FSS programs.
- This indicator shows whether the PHA has enrolled families in the FSS program as required, and measures the percent of current FSS participants that have had increases in earned income which resulted in escrow account balances.
- Points are based on the percent of mandatory FSS slots that are filled and the percent of families with escrow account balances, according to data from PIC.

**Success Rate of Voucher Holders****Maximum Points: 5**

- Only applies to PHAs that have received approval to establish success rate payment standard amounts, and isn't effective until the second full PHA fiscal year following the date of HUD approval of success rate payment standard amounts.
- This indicator shows whether voucher holders were successful in leasing units with voucher assistance.
- Points are based on the percent of families that were issued vouchers, and that became participants in the voucher program.

**Deconcentration Bonus Indicator****Maximum Points: 5**

- Submission of data for this indicator is mandatory for a PHA using one or more payment



standard amount(s) that exceed(s) 100 percent of the published FMR set at the 50 percentile rent, starting with the second full PHA fiscal year following initial use of payment standard amounts based on the FMRs set at the 50<sup>th</sup> percentile.

- Additional points are available to PHAs that have jurisdiction in metropolitan FMR areas and that choose to submit the required data.
- Points are based on whether the data that is submitted meets the requirements for bonus points.

## **PART VI: RECORD KEEPING**

### **14-VI.A. OVERVIEW**

SNRHA must maintain complete and accurate accounts and other records for the program in accordance with HUD requirements, in a manner that permits a speedy and effective audit. All such records must be made available to HUD or the Comptroller General of the United States upon request.

In addition, SNRHA must ensure that all applicant and participant files are maintained in a way that protects an individual's privacy rights.

### **14-VI.B. RECORD RETENTION [24 CFR 982.158]**

During the term of each assisted lease, and for at least three years thereafter, SNRHA must keep:

- A copy of the executed lease;
- The HAP contract; and
- The application from the family.

In addition, SNRHA must keep the following records for at least three years:

- Records that provide income, racial, ethnic, gender, and disability status data on program applicants and participants;
- An application from each ineligible family and notice that the applicant is not eligible;
- HUD-required reports;
- Unit inspection reports;
- Lead-based paint records as required by 24 CFR 35, Subpart B.
- Accounts and other records supporting SNRHA budget and financial statements for the program;
- Records to document the basis for SNRHA determination that rent to owner is a reasonable rent (initially and during the term of a HAP contract); and





- Other records specified by HUD.
- EIV print outs must be destroyed within 3 years of the date printed.

If an informal hearing to establish a family's citizenship status is held, longer retention requirements apply for some types of documents. For specific requirements, see Section 14-III.D., Retention of Documents.

## **14-VI.C. RECORDS MANAGEMENT**

SNRHA must maintain applicant and participant files and information in accordance with the regulatory requirements described below.

### SNRHA Policy

All applicant and participant information will be kept in a secure location and access will be limited to authorized SNRHA staff.

SNRHA staff will not discuss personal family information unless there is a business reason to do so. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action.

### **Privacy Act Requirements [24 CFR 5.212 and Form-9886]**

The collection, maintenance, use, and dissemination of social security numbers (SSN), employer identification numbers (EIN), any information derived from these numbers, and income information of applicants and participants must be conducted, to the extent applicable, in compliance with the Privacy Act of 1974, and all other provisions of Federal, State, and local law.

Applicants and participants, including all adults in the household, are required to sign a consent form, HUD-9886, Authorization for Release of Information. This form incorporates the Federal Privacy Act Statement and describes how the information collected using the form may be used, and under what conditions HUD or the PHA may release the information collected.

### **Upfront Income Verification (UIV) Records**

In accessing UIV data through HUD's Enterprise Income Verification (EIV) System, SNRHA is required to adopt and follow specific security procedures to ensure that all EIV data is protected in accordance with Federal laws, regardless of the media on which the data is recorded (e.g. electronic, paper). These requirements are contained in the HUD issued document, *Enterprise Income Verification (EIV) System, Security Procedures for Upfront Income Verification data*.

### SNRHA Policy

SNRHA has adopted and implemented EIV security procedures as required by HUD.

### **Criminal Records**

SNRHA may only disclose the criminal conviction records which SNRHA receives from a law enforcement agency to officers or employees of the PHA, or to authorized representatives of SNRHA who have a job-related need to have access to the information [24 CFR 5.903(e)].



SNRHA must establish and implement a system of records management that ensures that any criminal record received by SNRHA from a law enforcement agency is maintained confidentially, not misused or improperly disseminated, and destroyed, once the purpose for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the SNRHA action without institution of a challenge or final disposition of any such litigation [24 CFR 5.903(g)].

SNRHA must establish and implement a system of records management that ensures that any sex offender registration information received by SNRHA from a State or local agency is maintained confidentially, not misused or improperly disseminated, and destroyed, once the purpose for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the SNRHA action without institution of a challenge or final disposition of any such litigation. This requirement does not apply to information that is public information, or is obtained by a SNRHA other than under 24 CFR 5.905.

### **Medical/Disability Records**

SNRHA is not permitted to inquire about the nature or extent of a person's disability. SNRHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If SNRHA receives a verification document that provides such information, SNRHA should not place this information in the tenant file. The PHA should destroy the document.

## **PART VII: REPORTING AND RECORD KEEPING FOR CHILDREN WITH ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL**

### **14-VII.A. OVERVIEW**

SNRHA has certain responsibilities relative to children with environmental intervention blood lead levels that are receiving HCV assistance. The notification, verification, and hazard reduction requirements are discussed in Chapter 8. This part deals with the reporting requirements, and data collection and record keeping responsibilities SNRHA is subject to.

### **14-VII.B. REPORTING REQUIREMENT [24 CFR 35.1225(e)]**

SNRHA must report the name and address of a child identified as having an environmental intervention blood lead level to the public health department within 5 business days of being so notified by any other medical health care professional.

#### SNRHA Policy

SNRHA will provide the public health department written notice of the name and address of any child identified as having an environmental intervention blood lead level.

### **14-VII.C. DATA COLLECTION AND RECORD KEEPING [24 CFR 35.1225(f)]**

At least quarterly, SNRHA must attempt to obtain from the public health department(s) with a similar area of jurisdiction, the names and/or addresses of children less than 6 years old with an identified environmental intervention blood lead level.



If SNRHA obtains names and addresses of environmental intervention blood lead level children from the public health department(s), SNRHA must match this information with the names and addresses of families receiving HCV assistance, unless the public health department performs such a procedure. If a match occurs, SNRHA must carry out the notification, verification, and hazard reduction requirements discussed in Chapter 8, and the reporting requirement discussed above.

At least quarterly, SNRHA must also report an updated list of the addresses of units receiving assistance under the HCV program to the same public health department(s), unless the public health department(s) states that it does not wish to receive such a report.

#### SNRHA Policy

SNRHA shall submit a listing of units with children age 6 and under for cross referencing.

### **PART VIII: DETERMINATION OF INSUFFICIENT FUNDING**

#### **14-VIII.A. OVERVIEW**

The HCV regulations allow SNRHA to deny families permission to move (which includes portability) and to terminate Housing Assistance Payments (HAP) contracts if funding under the consolidated ACC is insufficient to support continued assistance [24 CFR 982.354(e)(1) and 982.454]. If a PHA denies a family a portability move based on insufficient funding, SNRHA is required to notify the local HUD office within 10 business days [24 CFR 982.354]. Insufficient funding may also impact SNRHA's ability to issue vouchers to families on the waiting list. This part discusses the methodology SNRHA will use to determine whether or not SNRHA has sufficient funding to issue vouchers, approve moves, and to continue subsidizing all families currently under a HAP contract.

#### **14-VIII.B. METHODOLOGY**

##### SNRHA Policy

SNRHA will determine whether there is adequate funding to issue vouchers, approve moves to higher cost units and areas, and continue subsidizing all current participants by comparing SNRHA's annual budget authority to the annual total HAP needs on a monthly basis. The total HAP needs for the calendar year will be projected by establishing the actual HAP costs year to date. To that figure, SNRHA will add anticipated HAP expenditures for the remainder of the calendar year. Projected HAP expenditures will be calculated by multiplying the projected number of units leased per remaining months by the most current month's average HAP. The projected number of units leased per month will take into account the average monthly turnover of participant families. If the total annual HAP needs equal or exceed the annual budget authority, or if



SNRHA cannot support the cost of the proposed subsidy commitment (voucher issuance or move) based on the funding analysis, SNRHA will be considered to have insufficient funding.

## **PART IX: NOTIFICATION REGARDING APPLICABLE PROVISIONS OF THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2005 (VAWA)**

### **14-IX.A. NOTIFICATION TO PARTICIPANTS [Pub.L. 109-162]**

VAWA requires SNRHA to notify public housing program participants of their rights under this law, including their right to confidentiality and the limits thereof.

#### SNRHA Policy

SNRHA will provide all participants with notification of their protections and rights under VAWA at the time of admission and at annual reexaminations.

The notice will explain the protections afforded under the law, inform the participant of SNRHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

SNRHA will also include in all assistance termination notices a statement explaining assistance termination protection provided by VAWA (see Section 12-II.E).

### **14-IX.B. NOTIFICATION TO APPLICANTS**

#### SNRHA Policy

SNRHA will provide all applicants with notification of their protections and rights under VAWA at the time they request an application for housing assistance.

The notice will explain the protections afforded under the law, inform each applicant of SNRHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

SNRHA will also include in all notices of denial a statement explaining the protection against denial provided by VAWA (see section 3-III.G).

### **14-IX.C. NOTIFICATION TO OWNERS AND MANAGERS [Pub.L. 109-162]**

VAWA requires SNRHA to notify owners and managers of their rights and responsibilities under this law.

#### SNRHA Policy

SNRHA may utilize any or all of the following means to notify owners and managers of their VAWA responsibilities:

As appropriate in day to day interactions with owners and managers.

Inserts in HAP payments, 1099s, owner workshops, classes, orientations, and/or newsletters.



Signs in SNRHA lobby and/or mass mailings which include model VAWA certification forms.

#### **14-IX.D. CERTIFICATION OF DOMESTIC VIOLENCE, DATING, OR STALKING**

If a participant asserts VAWA's protection, staff can ask the participant to certify that he or she is a victim of domestic violence, dating violence, or stalking. You are not required to demand official documentation and may rely upon the victim's statement alone. SNRHA shall allow 14 days business days for the participant to submit their documentation. An extension of this timeline shall be provide up to another 10 calendar days if requested. A participant can certify that he or she is a victim by providing any one of the following three documents:

- A completed, signed HUD –approved certification form. HUD 50066. This form is available online at <http://www.hud.gov/offices/adm/hudclips/>.
- A statement from the victim service provider, attorney or medical professional who has helped the victim address incidents of domestic, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. **Both the victim and the professional must sign the statement under penalty of perjury.**
- A police or court record, such as a protective order.

Confidentiality:

SNRHA must keep confidential any information a tenant provides to certify that he or she is a victim of domestic violence, dating violence, or stalking. This information cannot be entered into a shared data base or reveal it to outside entities unless:

- **The participant provides written permission releasing the information.**
- **The information is required for use in an eviction proceeding, such as to evict the abuser.**
- **Release of the information is otherwise required by law.**
- **VAWA and Other Laws**

VAWA does not replace any federal, state or local laws that provide greater protection for victims of domestic violence, dating violence or stalking.

#### **Copies of Documents Cost:**

The family shall be allowed to obtain a copy of any family documents in their file at a cost of \$1.00 per page after the first 25 pages. If a third party requests the documents, they must pay \$1.00 per page starting with the first page and have a written release of information signed by the participant. Requests for copies of documents must be submitted in writing and SNRHA will have four (4) business days to process the request. Documents must be picked up within three (3) days of the date they are completed and shall not be given out prior to payment. Payments must be made via a money order or cashier's check; or if from a legal representative, a check from the company shall be acceptable.



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## Chapter 17

### PROJECT-BASED VOUCHERS

#### INTRODUCTION

This chapter describes HUD regulations and SNRHA policies related to the project-based voucher (PBV) program in nine parts:

Part I: General Requirements. This part describes general provisions of the PBV program including maximum budget authority requirements, relocation requirements, and equal opportunity requirements.

Part II: PBV Owner Proposals. This part includes policies related to the submission and selection of owner proposals for PBV assistance. It describes the factors SNRHA will consider when selecting proposals, the type of housing that is eligible to receive PBV assistance, the cap on assistance at projects receiving PBV assistance, subsidy layering requirements, site selection standards, and environmental review requirements.

Part III: Dwelling Units. This part describes requirements related to housing quality standards, the type and frequency of inspections, and housing accessibility for persons with disabilities.

Part IV: Rehabilitated and Newly Constructed Units. This part describes requirements and policies related to the development and completion of rehabilitated and newly constructed housing units that will be receiving PBV assistance.

Part V: Housing Assistance Payments Contract. This part discusses HAP contract requirements and policies including the execution, term, and termination of the HAP contract. In addition, it describes how the HAP contract may be amended and identifies provisions that may be added to the HAP contract at SNRHA's discretion.

Part VI: Selection of PBV Program Participants. This part describes the requirements and policies governing how SNRHA and the owner will select a family to receive PBV assistance.

Part VII: Occupancy. This part discusses occupancy requirements related to the lease, and describes under what conditions families are allowed or required to move. In addition, exceptions to the occupancy cap (which limits PBV assistance to 25 percent of the units in any project) are also discussed.

Part VIII: Determining Rent to Owner. This part describes how the initial rent to owner is determined, and how rent will be re-determined throughout the life of the HAP contract. Rent reasonableness requirements are also discussed.

Part IX: Payments to Owner. This part describes the types of payments owners may receive under this program.

Part X: Rental Assistance Demonstration (RAD) Program.



## **PART I: GENERAL REQUIREMENTS**

### **17-I.A. OVERVIEW [24 CFR 983.5]**

The project-based voucher (PBV) program allows SNRHA that already administer a tenant-based voucher program under an annual contributions contract (ACC) with HUD to take up to 20 percent of its voucher program budget authority and attach the funding to specific units rather than using it for tenant-based assistance [24 CFR 983.6]. SNRHA may only operate a PBV program if doing so is consistent with SNRHA's Annual Plan, and the goal of deconcentrating poverty and expanding housing and economic opportunities [42 U.S.C. 1437f(o)(13)]. The PHA may not commit PBV until or unless it has followed the proposal selection requirements defined in 24 CFR 983.51 (Notice PIH 2011-54).

#### SNRHA Policy

SNRHA will operate a project-based voucher program using up to 20 percent of its budget authority for project-based assistance.

PBV assistance may be attached to existing housing or newly constructed or rehabilitated housing [24 CFR 983.52]. If PBV units are already selected for project-based assistance either under an agreement to enter into HAP Contract (Agreement) or a HAP contract, SNRHA is not required to reduce the number of these units if the amount of budget authority is subsequently reduced. However, SNRHA is responsible for determining the amount of budget authority that is available for project-based vouchers and ensuring that the amount of assistance that is attached to units is within the amounts available under the ACC [24 CFR 983.6].

While HUD's permission is not required to operate a PBV program, before SNRHA issues a Request for Proposal or makes a selection, SNRHA must submit the following information to HUD field office for review (24 CFR 983.6 (d)).

- The total amount of annual budget authority
- The percentage of annual budget authority to be project-based
- The total amount of the annual budget authority the PHA is planning to project-base pursuant to the selection and the number of units that such budget authority will support.

### **17-I.B. TENANT-BASED VS. PROJECT-BASED VOUCHER ASSISTANCE [24 CFR 983.2]**

Much of the tenant-based voucher program regulations also apply to the PBV program. Consequently, many of SNRHA policies related to tenant-based assistance also apply to PBV assistance. The provisions of the tenant-based voucher regulations that do not apply to the PBV program are listed at 24 CFR 983.2.

#### SNRHA Policy

Except as otherwise noted in this chapter, or unless specifically prohibited by PBV program regulations, SNRHA policies for the tenant-based voucher program contained in this administrative plan also apply to the PBV program and its participants.





### **17-I.C. RELOCATION REQUIREMENTS [24 CFR 983.7]**

Any persons displaced as a result of implementation of the PBV program must be provided relocation assistance in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)[42 U.S.C. 4201-4655] and implementing regulations at 49 CFR part 24.

The cost of required relocation assistance may be paid with funds provided by the owner, local public funds, or funds available from other sources. SNRHA may not use voucher program funds to cover relocation costs, except SNRHA may use their administrative fee reserve to pay for

relocation expenses after all other program administrative expenses are satisfied, and provided that payment of the relocation benefits is consistent with state and local law. Use of the administrative fee for these purposes must also be consistent with other legal and regulatory requirements, including the requirement in 24 CFR 982.155 and other official HUD issuances.

The acquisition of real property for a PBV project is subject to the URA and 49 CFR part 24, subpart B. It is the responsibility of SNRHA to ensure the owner complies with these requirements.

### **17-I.D. EQUAL OPPORTUNITY REQUIREMENTS [24 CFR 983.8]**

SNRHA must comply with all equal opportunity requirements under federal law and regulations in its implementation of the PBV program. This includes the requirements and authorities cited at 24 CFR 5.105(a). In addition, SNRHA must comply with the SNRHA Plan Certification on Civil Rights and Affirmatively Furthering Fair Housing, submitted in accordance with 24 CFR 903.7(o).

## **PART II: PBV OWNER PROPOSALS**

### **17-II.A. OVERVIEW**

SNRHA must describe the procedures for owner submission of PBV proposals and for SNRHA selection of PBV proposals [24 CFR 983.51]. Before selecting a PBV proposal, SNRHA must determine that the PBV proposal complies with HUD program regulations and requirements, including a determination that the property is eligible housing [24 CFR 983.53 and 983.54], complies with the cap on the number of PBV units per project [24 CFR 983.56 as amended by 73 FR 71038], and meets the site selection standards [24 CFR 983.57].

### **17-II.B. OWNER PROPOSAL SELECTION PROCEDURES [24 CFR 983.51]**

SNRHA must select PBV proposals in accordance with the selection procedures in the SNRHA administrative plan. SNRHA must select PBV proposals by either of the following two methods.

- SNRHA request for PBV Proposals. SNRHA may solicit proposals by using a request for proposals to select proposals on a competitive basis in response to SNRHA's request. SNRHA may not limit proposals to a single site or impose restrictions that explicitly or practically preclude owner submission of proposals for PBV housing on different sites.



- SNRHA may select proposal that were previously selected based on a competition. This may include selection of a proposal for housing assisted under a federal, state, or local government housing assistance program that was subject to a competition in accordance with the requirements of the applicable program, community development program, or supportive services program that requires competitive selection of proposals (e.g., HOME, and units for which competitively awarded LIHTCs have been provided), where the proposal has been selected in accordance with such program's competitive selection requirements within three years of the PBV proposal selection date, and the earlier competitive selection proposal did not involve any consideration that the project would receive PBV assistance.

### **Solicitation and Selection of PBV Proposals [24 CFR 983.51 (c)]**

SNRHA procedures for selecting PBV proposals must be designed and actually operated to provide broad public notice of the opportunity to offer PBV proposals for consideration by SNRHA. The public notice procedures may include publication of the public notice in a local newspaper of general circulation and other means designed and actually operated to provide broad public notice. The public notice of SNRHA's request for PBV proposals must specify the submission deadline. Detailed application and selection information must be provided at the request of interested parties.

#### SNRHA Policy

#### SNRHA Request for Proposals for Rehabilitated and Newly Constructed Units

SNRHA will advertise its request for proposals (RFP) for rehabilitated and newly constructed housing in the following newspapers and trade journals.

Las Vegas Review Journal/Sun

El Mundo

Las Vegas Asian Journal

Asian-American Times

El Tiempo

In addition, SNRHA will post the RFP and proposal submission and rating and ranking procedures on its electronic web site.

SNRHA will publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for three consecutive weeks. The advertisement will specify the number of units SNRHA estimates that it will be able to assist under the funding SNRHA is making available. Proposals will be due in the SNRHA office by close of business 30 calendar days from the date of the last publication.

In order for the proposal to be considered, the owner must submit the proposal to SNRHA by the published deadline date, and the proposal must respond to all requirements as outlined in the RFP. Incomplete proposals will not be reviewed.

SNRHA will rate and rank proposals for rehabilitated and newly constructed housing using the following criteria:



Owner experience and capability to build or rehabilitate housing as identified in the RFP;

Extent to which the project furthers the SNRHA goal of deconcentrating poverty and expanding housing and economic opportunities;

If applicable, the extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and

Projects with less than 25 percent of the units assisted will be rated higher than projects with 25 percent of the units assisted. In the case of projects for occupancy by the elderly, persons with disabilities or families needing other services, SNRHA will rate partially assisted projects on the percent of units assisted. Projects with the lowest percent of assisted units will receive the highest score.

#### SNRHA Requests for Proposals for Existing Housing Units

SNRHA will advertise its request for proposals (RFP) for existing housing in the following newspapers and trade journals.

Las Vegas Review Journal/Sun

El Mundo

Las Vegas Asian Journal

Asian-American Times

El Tiempo

In addition, SNRHA will post the notice inviting such proposal submission and the rating and ranking procedures on its electronic web site.

SNRHA will periodically publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for three consecutive weeks. The advertisement will specify the number of units SNRHA estimates that it will be able to assist under the funding SNRHA is making available. Owner proposals will be accepted on a first-come first-served basis and will be evaluated using the following criteria:

Experience as an owner in the tenant-based voucher program and owner compliance with the owner's obligations under the tenant-based program;

Extent to which the project furthers the SNRHA goal of deconcentrating poverty and expanding housing and economic opportunities;

If applicable, extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and

Extent to which units are occupied by families that are eligible to participate in the PBV program.

#### SNRHA Selection of Proposals Subject to a Previous Competition under a Federal, State, or Local Housing Assistance Program

SNRHA will accept proposals for PBV assistance from owners that were competitively selected under another federal, state or local housing assistance program, including projects that were competitively awarded Low-Income Housing Tax Credits on an ongoing basis.



SNRHA may periodically advertise that it is accepting proposals, in the following newspapers and trade journals:

Las Vegas Review Journal/Sun

El Mundo

Las Vegas Asian Journal

In addition to, or in place of advertising, SNRHA may also directly contact specific owners that have already been selected for Federal, state, or local housing assistance based on a previously held competition, to inform them of available PBV assistance.

Proposals will be reviewed on a first-come first-served basis. SNRHA will evaluate each proposal on its merits using the following factors:

- Extent to which the project furthers the SNRHA goal of deconcentrating poverty and expanding housing and economic opportunities; and
- Extent to which the proposal complements other local activities such as the redevelopment of a public housing site under the HOPE VI program, the HOME program, CDBG activities, other development activities in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community.

#### **SNRHA-owned Units [24 CFR 983.51(e) , 983.59, and Notice PIH 2015-05]**

A SNRHA-owned unit may be assisted under the PBV program only if the HUD field office or HUD-approved independent entity reviews the selection process and determines SNRHA-owned units were appropriately selected based on the selection procedures specified in SNRHA's administrative plan. If SNRHA selects a proposal for housing that is owned or controlled by SNRHA, SNRHA must identify the entity that will review the SNRHA proposal selection process and perform specific functions with respect to rent determinations and inspections.

In the case of SNRHA-owned units, the term of the HAP contract and any HAP contract renewal must be agreed upon by the PHA and a HUD-approved independent entity (such as a licensed, state-certified appraiser.) In addition, an independent entity must determine the rent to owner, the redetermined rent to owner, and reasonable rent. Housing Quality Standards (HQS) inspections must also be conducted by an independent entity. If the SNRHA selects a proposal for housing that is owned or controlled by the PHA, the PHA must identify the entity that will review the PHA proposal selection process and perform specific functions with respect to rent determination and inspections.

Noncompetitive selections must also be reviewed to ensure that the selection was done properly particularly in regards to low-income housing tax credit (LIHTC) project applications not receiving the benefit of a commitment of PBV's by the PHA and that the comparable competition was held with three years of the project selection.

Prior to the submitting a proposal for PHA-owned units, the PHA must determine if there is any entity that is approvable by HUD and will be willing to perform required duties. In addition, housing quality standards inspections must be conducted by an independent entity.

The independent entity that performs these program services may be the unit of general local government for SNRHA's jurisdiction (unless SNRHA is itself the unit of general local



government or an agency of such government) or another HUD-approved public or private independent entity.

#### SNRHA Policy

SNRHA may submit a proposal for project-based housing that is owned or controlled by SNRHA. If the proposal for SNRHA-owned housing is selected, SNRHA will use another entity to review SNRHA's selection and to administer the PBV program. SNRHA will obtain HUD approval of entity prior to selecting the proposal for SNRHA-owned housing.

SNRHA may only compensate the independent entity and appraiser from SNRHA ongoing administrative fee income (including amounts credited to the administrative fee reserve). The

SNRHA may not use other program receipts to compensate the independent entity and appraiser for their services. SNRHA, the independent entity, and appraiser may not charge the family any fee for the appraisal or the services provided by the independent entity.

#### **SNRHA Notice of Owner Selection [24 CFR 983.51(d)]**

SNRHA must give prompt written notice to the party that submitted a selected proposal and must also give prompt public notice of such selection. Public notice procedures may include publication of public notice in a local newspaper of general circulation and other means designed and actually operated to provide broad public notice.

#### SNRHA Policy

Within 10 business days of SNRHA making the selection, SNRHA will notify the selected owner in writing of the owner's selection for the PBV program. SNRHA will also notify in writing all owners that submitted proposals that were not selected and advise such owners of the name of the selected owner.

In addition, SNRHA will publish its notice for selection of PBV proposals for two (2) consecutive days in the same newspapers and trade journals SNRHA used to solicit the proposals. The announcement will include the name of the owner that was selected for the PBV program. SNRHA will also post the notice of owner selection on its electronic web site.

SNRHA will make available to any interested party its rating and ranking sheets and documents that identify SNRHA's basis for selecting the proposal. These documents will be available for review by the public and other interested parties for one (1) month after publication of the notice of owner selection. SNRHA will not make available sensitive owner information that is privileged, such as financial statements and similar information about the owner.

SNRHA will make these documents available for review at SNRHA during normal business hours. The cost for reproduction of allowable documents will be \$.25 per page.

### **17-II.C. HOUSING TYPE [24 CFR 983.52]**



SNRHA may attach PBV assistance for units in existing housing or for newly constructed or rehabilitated housing developed under and in accordance with an agreement to enter into a housing assistance payments contract that was executed prior to the start of construction. A housing unit is considered an existing unit for purposes of the PBV program, if, at the time of notice of SNRHA selection, the units substantially comply with HQS. Units for which new construction or rehabilitation was started in accordance with PBV program requirements do not qualify as existing housing.

SNRHA must decide what housing type, new construction, rehabilitation, or existing housing, will be used to develop project-based housing. SNRHA's choice of housing type must be reflected in its solicitation for proposals.

## **17-IL.D. PROHIBITION OF ASSISTANCE FOR CERTAIN UNITS**

### **Ineligible Housing Types [24 CFR 983.53]**

SNRHA may not attach or pay PBV assistance to shared housing units; units on the grounds of a penal reformatory, medical, mental, or similar public or private institution; nursing homes or facilities providing continuous psychiatric, medical, nursing services, board and care, or intermediate care (except that assistance may be provided in assisted living facilities); units that are owned or controlled by an educational institution or its affiliate and are designated for occupancy by students; manufactured homes; and transitional housing. In addition, SNRHA may not attach or pay PBV assistance for a unit occupied by an owner and SNRHA may not select or enter into an agreement to enter into a HAP contract or HAP contract for a unit occupied by a family ineligible for participation in the PBV program.

### ***High-rise Elevator Projects for Families with Children [24 CFR 983.53(b)]***

SNRHA may use high-rise elevator buildings for families with children if it makes a determination that there is no practical alternative. SNRHA may make this initial determination for its project-based voucher program, in whole or in part, and need not review each project on a case-by-case basis.

#### SNRHA Policy

SNRHA will not use high-rise elevator projects for families with children.

### **Subsidized Housing [24 CFR 983.54]**

SNRHA may not attach or pay PBV assistance to units in any of the following types of subsidized housing:

- A public housing unit;
- A unit subsidized with any other form of Section 8 assistance;
- A unit subsidized with any governmental rent subsidy;
- A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing;
- A unit subsidized with Section 236 rental assistance payments (except that a SNRHA may attach assistance to a unit subsidized with Section 236 interest reduction payments);
- A Section 202 project for non-elderly with disabilities;



- Section 811 project-based supportive housing for persons with disabilities;
- Section 202 supportive housing for the elderly;
- A Section 101 rent supplement project;
- A unit subsidized with any form of tenant-based rental assistance;
- A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or SNRHA in accordance with HUD requirements.

### **17-II.E. SUBSIDY LAYERING REQUIREMENTS [24 CFR 983.55]**

SNRHA may provide PBV assistance only in accordance with HUD subsidy layering regulations [24 CFR 4.13] and other requirements.

The subsidy layering review is intended to prevent excessive public assistance by combining (layering) housing assistance payment subsidy under the PBV program with other governmental housing assistance from federal, state, or local agencies, including assistance such as tax concessions or tax credits.

A subsidy layering review is not required prior to execution of a HAP contract for an existing housing project if a subsidy layering review was previously conducted by a State or local agency.

SNRHA must submit the necessary documentation to HUD for a subsidy layering review. SNRHA may not enter into an agreement to enter into a HAP contract or a HAP contract until HUD (or an independent entity approved by HUD) has conducted any required subsidy layering review and determined that the PBV assistance is in accordance with HUD subsidy layering requirements.

The HAP contract must contain the owner's certification that the project has not received and will not receive (before or during the term of the HAP contract) any public assistance for acquisition, development, or operation of the housing other than assistance disclosed in the subsidy layering review in accordance with HUD requirements.

### **17-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT**

#### **25 Percent per Project Cap [24 CFR 983.56(a)]**

In general, SNRHA may not select a proposal to provide PBV assistance for units in a project or enter into an agreement to enter into a HAP or a HAP contract to provide PBV assistance for units in a project, if the total number of dwelling units in the project that will receive PBV assistance during the term of the PBV HAP contract is more than 25 percent of the number of dwelling units (assisted or unassisted) in the project.

#### **Exceptions to 25 Percent per Project Cap [24 CFR 983.56(b)]**

Exceptions are allowed and PBV units are not counted against the 25 percent per project cap if the units are *excepted units* in a multifamily building because they are specifically made available for elderly or disabled families or families receiving supportive services (also known as *qualifying families*).

SNRHA must include in SNRHA's administrative plan the type of services offered to families for a project to qualify for the exception and the extent to which such services will be provided.



It is not necessary that the services be provided at or by the project, if they are approved services. To qualify, a family must have at least one member receiving at least one qualifying supportive service. A SNRHA may not require participation in medical or disability-related services other than drug and alcohol treatment in the case of current abusers as a condition of living in an excepted unit, although such services may be offered.

If a family at the time of initial tenancy is receiving, and while the resident of an excepted unit has received, FSS supportive services or any other supportive services as defined in SNRHA's administrative plan, and successfully completes the FSS contract of participation or the supportive services requirement, the unit continues to count as an excepted unit for as long as the family resides in the unit.

SNRHA must monitor the excepted family's continued receipt of supportive services and take appropriate action regarding those families that fail without good cause to complete their supportive services requirement. SNRHA's administrative plan must state the form and frequency of such monitoring.

#### SNRHA Policy

SNRHA will provide PBV assistance for excepted units.

Supportive services include services such as employment and training, counseling, case management, financial, and social services, or other services as deemed appropriate for the population served, provided by SNRHA or other public or private agencies. At least one member of each family must participate in at least one session of a provided service.

#### **Promoting Partially-Assisted Projects [24 CFR 983.56(c)]**

SNRHA may establish local requirements designed to promote PBV assistance in partially assisted buildings. A *partially assisted project* is a building in which there are fewer units covered by a HAP contract than residential units [24 CFR 983.3].

SNRHA may establish a per-building cap on the number of units that will receive PBV assistance or other project-based assistance in a multifamily building containing excepted units or in a single-family project. SNRHA may also determine not to provide PBV assistance for excepted units, or SNRHA may establish a per-project cap of less than 25 percent.

#### SNRHA Policy:

SNRHA will provide assistance for excepted units. Beyond that, SNRHA will not impose any further cap on the number of PBV units assisted per project.

Supportive services include services such as employment and training, counseling, case management, financial, and social services, or other services as deemed appropriate for the population served, provided by SNRHA or other public or private agencies. At least one member of each family must participate in at least one session of a provided service.

## **17-II.G. SITE SELECTION STANDARDS**





## **Compliance with PBV Goals, Civil Rights Requirements, and HQS Site Standards [24 CFR 983.57(b)]**

SNRHA may not select a proposal for existing, newly constructed, or rehabilitated PBV housing on a site or enter into an agreement to enter into a HAP contract or HAP contract for units on the site, unless SNRHA has determined that PBV assistance for housing at the selected site is consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities. The standard for deconcentrating poverty and expanding housing and economic opportunities must be consistent with SNRHA's Plan under 24 CFR 903 and SNRHA's administrative plan.

In addition, prior to selecting a proposal, SNRHA must determine that the site is suitable from the standpoint of facilitating and furthering full compliance with the applicable Civil Rights Laws, regulations, and Executive Orders, and that the site meets the HQS site and neighborhood standards at 24 CFR 982.401(l).

### SNRHA Policy

It is SNRHA's goal to select sites for PBV housing that provide for deconcentrating poverty and expanding housing and economic opportunities. In complying with this goal SNRHA will limit approval of sites for PBV housing in census tracts that have poverty concentrations of 20 percent or less.

However, SNRHA will grant exceptions to the 20 percent standard where SNRHA determines the PBV assistance will complement other local redevelopment activities designed to deconcentrate poverty and expand housing and economic opportunities in census tracts with poverty concentrations greater than 20 percent, such as sites in:

- A census tract in which the proposed PBV development will be located in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community;

- A census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition and HOPE VI redevelopment;

- A census tract in which the proposed PBV development will be located is undergoing significant revitalization as a result of state, local, or federal dollars invested in the area;

- A census tract where new market rate units are being developed where such market rate units will positively impact the poverty rate in the area;

- A census tract where there has been an overall decline in the poverty rate within the past five years; or

- A census tract where there are meaningful opportunities for educational and economic advancement.

Under no circumstances will SNRHA approve PBV assistance in a census tract with a concentration factor greater than 75 percent of the community-wide poverty rate or forty percent, whichever is lower.

## **Existing and Rehabilitated Housing Site and Neighborhood Standards [24 CFR 983.57(d)]**



SNRHA may not enter into an agreement to enter into a HAP contract nor enter into a HAP contract for existing or rehabilitated housing until it has determined that the site complies with the HUD required site and neighborhood standards. The site must:

- Be adequate in size, exposure, and contour to accommodate the number and type of units proposed;
- Have adequate utilities and streets available to service the site;
- Promote a greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons;
- Be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services equivalent to those found in neighborhoods consisting largely of unassisted similar units; and
- Be located so that travel time and cost via public transportation or private automobile from the neighborhood to places of employment is not excessive.

#### **New Construction Site and Neighborhood Standards [24 CFR 983.57(e)]**

In order to be selected for PBV assistance, a site for newly constructed housing must meet the following HUD required site and neighborhood standards:

- The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed;
- The site must have adequate utilities and streets available to service the site;
- The site must not be located in an area of minority concentration unless SNRHA determines that sufficient, comparable opportunities exist for housing for minority families in the income range to be served by the proposed project outside areas of minority concentration or that the project is necessary to meet overriding housing needs that cannot be met in that housing market area;
- The site must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area.
- The site must promote a greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons;
- The neighborhood must not be one that is seriously detrimental to family life or in which substandard dwellings or other undesirable conditions predominate;
- The housing must be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services equivalent to those found in neighborhoods consisting largely of unassisted similar units; and
- Except for housing designed for elderly persons, the housing must be located so that travel time and cost via public transportation or private automobile from the neighborhood to places of employment is not excessive.

#### **17-II.H. ENVIRONMENTAL REVIEW [24 CFR 983.58]**



SNRHA activities under the PBV program are subject to HUD environmental regulations in 24 CFR parts 50 and 58. The *responsible entity* is responsible for performing the federal environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). SNRHA may not enter into an agreement to enter into a HAP contract nor enter into a HAP contract until it has complied with the environmental review requirements.

In the case of existing housing, the responsible entity that is responsible for the environmental review under 24 CFR part 58 must determine whether or not PBV assistance is categorically excluded from review under the National Environmental Policy Act and whether or not the assistance is subject to review under the laws and authorities listed in 24 CFR 58.5.

SNRHA may not enter into an agreement to enter into a HAP contract or a HAP contract with an owner, and SNRHA, the owner, and its contractors may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct real property or commit or expend program or local funds for PBV activities under this part, until the environmental review is completed.

SNRHA must supply all available, relevant information necessary for the responsible entity to perform any required environmental review for any site. SNRHA must require the owner to carry out mitigating measures required by the responsible entity (or HUD, if applicable) as a result of the environmental review.

## **PART III: DWELLING UNITS**

### **17-III.A. OVERVIEW**

This part identifies the special housing quality standards that apply to the PBV program, housing accessibility for persons with disabilities, and special procedures for conducting housing quality standards inspections.

### **17-III.B. HOUSING QUALITY STANDARDS [24 CFR 983.101]**

The housing quality standards (HQS) for the tenant-based program, including those for special housing types, generally apply to the PBV program. HQS requirements for shared housing, manufactured home space rental, and the homeownership option do not apply because these housing types are not assisted under the PBV program.

The physical condition standards at 24 CFR 5.703 do not apply to the PBV program.

### **Lead-based Paint [24 CFR 983.101(c)]**

The lead-based paint requirements for the tenant-based voucher program do not apply to the PBV program. Instead, The Lead-based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations at 24 CFR part 35, subparts A, B, H, and R, apply to the PBV program.

### **17-III.C. HOUSING ACCESSIBILITY FOR PERSONS WITH DISABILITIES**



The housing must comply with program accessibility requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8. SNRHA must ensure that the percentage of accessible dwelling units complies with the requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by HUD's regulations at 24 CFR 8, subpart C.

Housing first occupied after March 13, 1991, must comply with design and construction requirements of the Fair Housing Amendments Act of 1988 and implementing regulations at 24 CFR 100.205, as applicable. (24 CFR 983.102)

### **17-III.D. INSPECTING UNITS**

#### **Pre-selection Inspection [24 CFR 983.103(a)]**

SNRHA must examine the proposed site before the proposal selection date. If the units to be assisted already exist, SNRHA must inspect all the units before the proposal selection date, and must determine whether the units substantially comply with HQS. To qualify as existing housing, units must substantially comply with HQS on the proposal selection date. However, SNRHA may not execute the HAP contract until the units fully comply with HQS.

#### **Pre-HAP Contract Inspections [24 CFR 983.103(b)]**

SNRHA must inspect each contract unit before execution of the HAP contract. SNRHA may not enter into a HAP contract covering a unit until the unit fully complies with HQS.

#### **Turnover Inspections [24 CFR 983.103(c)]**

Before providing assistance to a new family in a contract unit, SNRHA must inspect the unit. SNRHA may not provide assistance on behalf of the family until the unit fully complies with HQS.

#### **Project Based Annual Inspections [24 CFR 983.103(d)]**

At least annually during the term of the HAP contract, SNRHA must inspect a random sample, consisting of at least 20 percent of the contract units in each building to determine if the contract units and the premises are maintained in accordance with HQS. Turnover inspections are not counted toward meeting this annual inspection requirement.

If more than 20 percent of the annual sample of inspected contract units in a building fails the initial inspection, SNRHA must inspect 100 percent of the contract units in the building.

#### **Other Inspections [24 CFR 983.103(e)]**

SNRHA must inspect contract units whenever needed to determine that the contract units comply with HQS and that the owner is providing maintenance, utilities, and other services in accordance with the HAP contract. SNRHA must take into account complaints and any other information coming to its attention in scheduling inspections.



SNRHA must conduct follow-up inspections needed to determine if the owner (or, if applicable, the family) has corrected an HQS violation, and must conduct inspections to determine the basis for exercise of contractual and other remedies for owner or family violation of HQS.

In conducting SNRHA supervisory quality control HQS inspections, SNRHA should include a representative sample of both tenant-based and project-based units.

### **Inspecting SNRHA-owned Units [24 CFR 983.103(f)]**

In the case of SNRHA-owned units, the inspections must be performed by an independent agency designated by SNRHA and approved by HUD. The independent entity must furnish a copy of each inspection report to SNRHA and to the HUD field office where the project is located. SNRHA must take all necessary actions in response to inspection reports from the independent agency, including exercise of contractual remedies for violation of the HAP contract by the SNRHA-owner.

## **PART IV: REHABILITATED AND NEWLY CONSTRUCTED UNITS**

### **17-IV.A. OVERVIEW [24 CFR 983.151]**

There are specific requirements that apply to PBV assistance for newly constructed or rehabilitated housing that do not apply to PBV assistance in existing housing. This part describes the requirements unique to this type of assistance.

Housing selected for this type of assistance may not at a later date be selected for PBV assistance as existing housing.

### **17-IV.B. AGREEMENT TO ENTER INTO HAP CONTRACT**

In order to offer PBV assistance in rehabilitated or newly constructed units, SNRHA must enter into an agreement to enter into HAP contract (Agreement) with the owner of the property. The Agreement must be in the form required by HUD [24 CFR 983.152(b)].

The PHA may not enter into an Agreement if **commencement of** construction or rehabilitation has **commenced** after proposal submission [24 CFR 983.152(c)]. Construction begins when excavation or site preparation (including clearing of the land) begins for the housing. Rehabilitation begins with the physical commencement of rehabilitation activity on the housing.

In the Agreement the owner agrees to develop the PBV contract units to comply with HQS, and SNRHA agrees that upon timely completion of such development in accordance with the terms of the Agreement, SNRHA will enter into a HAP contract with the owner for the contract units [24 CFR 983.152(b)].

### **Content of the Agreement [24 CFR 983.152(c)]**

At a minimum, the Agreement must describe the following features of the housing to be developed and assisted under the PBV program:

- Site and the location of the contract units;
- Number of contract units by area (size) and number of bedrooms and bathrooms;



- Services, maintenance, or equipment to be supplied by the owner without charges in addition to the rent;
- Utilities available to the contract units, including a specification of utility services to be paid by the owner and utility services to be paid by the tenant;
- An indication of whether or not the design and construction requirements of the Fair Housing Act and section 504 of the Rehabilitation Act of 1973 apply to units under the Agreement. If applicable, any required work item resulting from these requirements must be included in the description of work to be performed under the Agreement;
- Estimated initial rents to owner for the contract units;
- Description of the work to be performed under the Agreement. For rehabilitated units, the description must include the rehabilitation work write up and, where determined necessary by SNRHA, specifications and plans. For new construction units, the description must include the working drawings and specifications.
- Any additional requirements for quality, architecture, or design over and above HQS.

#### **Execution of the Agreement [24 CFR 983.153]**

The Agreement must be executed promptly after SNRHA notice of proposal selection to the selected owner. However, SNRHA may not enter into the Agreement with the owner until the subsidy layering review is completed. Likewise, SNRHA may not enter into the Agreement until the environmental review is completed and SNRHA has received environmental approval. The PHA may not enter into the Agreement if construction or rehabilitation has started after proposal submission.

#### **SNRHA Policy**

SNRHA will enter into the Agreement with the owner within 10 business days of receiving both environmental approval and notice that subsidy layering requirements have been met, and before construction or rehabilitation work is started.

#### **17-IV.C. CONDUCT OF DEVELOPMENT WORK**

##### **Labor Standards [24 CFR 983.154(b)]**

If an Agreement covers the development of nine or more contract units (whether or not completed in stages), the owner and the owner's contractors and subcontractors must pay Davis-Bacon wages to laborers and mechanics employed in the development of housing. The HUD-prescribed form of the Agreement will include the labor standards clauses required by HUD, such as those involving Davis-Bacon wage rates.

The owner, contractors, and subcontractors must also comply with the Contract Work Hours and Safety Standards Act, Department of Labor regulations in 29 CFR part 5, and other applicable federal labor relations laws and regulations. SNRHA must monitor compliance with labor standards.

##### **Equal Opportunity [24 CFR 983.154(c)]**



The owner must comply with Section 3 of the Housing and Urban Development Act of 1968 and the implementing regulations at 24 CFR part 135. The owner must also comply with federal equal employment opportunity requirements.

#### **Owner Disclosure [24 CFR 983.154(d) and (e)]**

The Agreement and HAP contract must include a certification by the owner that the owner and other project principals are not on the U.S. General Services Administration list of parties excluded from federal procurement and non-procurement programs.

The owner must also disclose any possible conflict of interest that would be a violation of the Agreement, the HAP contract, or HUD regulations.

#### **17-IV.D. COMPLETION OF HOUSING**

The Agreement must specify the deadlines for completion of the housing, and the owner must develop and complete the housing in accordance with these deadlines. The Agreement must also specify the deadline for submission by the owner of the required evidence of completion.

#### **Evidence of Completion [24 CFR 983.155(b)]**

At a minimum, the owner must submit the following evidence of completion to SNRHA in the form and manner required by SNRHA:

- Owner certification that the work has been completed in accordance with HQS and all requirements of the Agreement; and
- Owner certification that the owner has complied with labor standards and equal opportunity requirements in development of the housing.

At SNRHA's discretion, the Agreement may specify additional documentation that must be submitted by the owner as evidence of housing completion.

#### SNRHA Policy

SNRHA will determine the need for the owner to submit additional documentation as evidence of housing completion on a case-by-case basis depending on the nature of the PBV project. SNRHA will specify any additional documentation requirements in the Agreement to enter into HAP contract.

#### **SNRHA Acceptance of Completed Units [24 CFR 983.156]**

Upon notice from the owner that the housing is completed, SNRHA must inspect to determine if the housing has been completed in accordance with the Agreement, including compliance with HQS and any additional requirements imposed under the Agreement. SNRHA must also determine if the owner has submitted all required evidence of completion.

If the work has not been completed in accordance with the Agreement, SNRHA must not enter into the HAP contract.

If SNRHA determines the work has been completed in accordance with the Agreement and that the owner has submitted all required evidence of completion, SNRHA must submit the HAP contract for execution by the owner and must then execute the HAP contract.



## **PART V: HOUSING ASSISTANCE PAYMENTS CONTRACT (HAP)**

### **17-V.A. OVERVIEW**

SNRHA must enter into a HAP contract with an owner for units that are receiving PBV assistance. The purpose of the HAP contract is to provide housing assistance payments for eligible families. Housing assistance is paid for contract units leased and occupied by eligible families during the HAP contract term. The HAP contract must be in the form required by HUD [24 CFR 983.202].

### **17-V.B. HAP CONTRACT REQUIREMENTS**

#### **Contract Information [24 CFR 983.203]**

The HAP contract must specify the following information:

- The total number of contract units by number of bedrooms;
- The project's name, street address, city or county, state and zip code, block and lot number (if known), and any other information necessary to clearly identify the site and the building;
- The number of contract units in each building, the location of each contract unit, the area of each contract unit, and the number of bedrooms and bathrooms in each contract unit;
- Services, maintenance, and equipment to be supplied by the owner and included in the rent to owner;
- Utilities available to the contract units, including a specification of utility services to be paid by the owner (included in rent) and utility services to be paid by the tenant;
- Features provided to comply with program accessibility requirements of Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR part 8;
- The HAP contract term;
- The number of units in any project that will exceed the 25 percent per project cap, which will be set-aside for occupancy by qualifying families; and
- The initial rent to owner for the first 12 months of the HAP contract term.

#### **Execution of the HAP Contract [24 CFR 983.204]**

SNRHA may not enter into a HAP contract until each contract unit has been inspected and SNRHA has determined that the unit complies with the Housing Quality Standards (HQS). For existing housing, the HAP contract must be executed promptly after SNRHA selects the owner proposal and inspects the housing units. For newly constructed or rehabilitated housing the HAP contract must be executed after SNRHA has inspected the completed units and has determined that the units have been completed in accordance with the agreement to enter into HAP, and the owner furnishes all required evidence of completion.

#### SNRHA Policy

For existing housing, the HAP contract will be executed within 10 business days of SNRHA determining that all units pass HQS.





For rehabilitated or newly constructed housing, the HAP contract will be executed within 10 business days of SNRHA determining that the units have been completed in accordance with the agreement to enter into HAP, all units meet HQS, and the owner has submitted all required evidence of completion.

### **Term of HAP Contract [24 CFR 983.205]**

SNRHA may enter into a HAP contract with an owner for an initial term of no less than one year and no more than fifteen years for HAP contracts entered into on or after June 30, 2008.

#### SNRHA Policy

The term of all PBV HAP contracts will be negotiated with the owner on a case-by-case basis.

Within one year before expiration of the HAP contract, SNRHA may extend the term of the contract for an additional term of up to fifteen years if SNRHA determines an extension is appropriate to continue providing affordable housing for low-income families. The maximum term for all extensions is fifteen years and is subject to the same limitations that an extension is appropriate to continue providing affordable housing for low-income families. All extensions must be on the form and subject to the conditions prescribed by HUD at the time of the extension.

#### SNRHA Policy

When determining whether or not to extend an expiring PBV contract, SNRHA will consider several factors including, but not limited to:

- The cost of extending the contract and the amount of available budget authority;

- The condition of the contract units;

- The owner's record of compliance with obligations under the HAP contract and lease(s);

- Whether the location of the units continues to support the goals of deconcentrating poverty and expanding housing opportunities; and

- Whether the funding could be used more appropriately for tenant-based assistance.

### ***Termination by SNRHA [24 CFR 983.205(c)]***

The HAP contract must provide that the term of SNRHA's contractual commitment is subject to the availability of sufficient appropriated funding as determined by HUD or by SNRHA in accordance with HUD instructions. For these purposes, sufficient funding means the availability of appropriations, and of funding under the ACC from such appropriations, to make full payment of housing assistance payments payable to the owner for any contract year in accordance with the terms of the HAP contract.

If it is determined that there may not be sufficient funding to continue housing assistance payments for all contract units and for the full term of the HAP contract, SNRHA may terminate the HAP contract by notice to the owner. The termination must be implemented in accordance with HUD instructions.



### ***Termination by Owner [24 CFR 983.205(d)]***

If in accordance with program requirements the amount of rent to an owner for any contract unit is reduced below the amount of the rent to owner at the beginning of the HAP contract term, the owner may terminate the HAP contract by giving notice to SNRHA. In this case, families living in the contract units must be offered tenant-based assistance.

### **Remedies for HQS Violations [24 CFR 983.207(b)]**

SNRHA may not make any HAP payment to the owner for a contract unit during any period in which the unit does not comply with HQS. If SNRHA determines that a contract does not comply with HQS, SNRHA may exercise any of its remedies under the HAP contract, for any or all of the contract units. Available remedies include termination of housing assistance payments, abatement or reduction of housing assistance payments, reduction of contract units, and termination of the HAP contract.

#### SNRHA Policy

SNRHA will abate and terminate PBV HAP contracts for non-compliance with HQS in accordance with the policies used in the tenant-based voucher program. These policies are contained in Section 8-II.G., Enforcing Owner Compliance.

## **17-V.C. AMENDMENTS TO THE HAP CONTRACT**

### **Substitution of Contract Units [24 CFR 983.207(b)]**

At SNRHA's discretion and subject to all PBV requirements, the HAP contract may be amended to substitute a different unit with the same number of bedrooms in the same project for a previously covered contract unit. Before any such substitution can take place, SNRHA must inspect the proposed unit and determine the reasonable rent for the unit.

### **Addition of Contract Units [24 CFR 983.207(b)]**

At SNRHA's discretion and subject to the restrictions on the number of dwelling units that can receive PBV assistance per project and on the overall size of SNRHA's PBV program, a HAP contract may be amended during the three-year period following the execution date of the

HAP contract to add additional PBV units in the same project. This type of amendment is subject to all PBV program requirements except that a new PBV proposal is not required.

#### SNRHA Policy

SNRHA will consider adding contract units to the HAP contract when SNRHA determines that additional housing is needed to serve eligible low-income families. Circumstances may include, but are not limited to:

The local housing inventory is reduced due to a disaster (either due to loss of housing units, or an influx of displaced families); and

Voucher holders are having difficulty finding units that meet program requirements.



### **17-V.D. HAP CONTRACT YEAR, ANNIVERSARY, AND EXPIRATION DATES [24 CFR 983.206(c) and 983.302(e)]**

The HAP contract year is the period of 12 calendar months preceding each annual anniversary of the HAP contract during the HAP contract term. The initial contract year is calculated from the first day of the first calendar month of the HAP contract term.

The annual anniversary of the HAP contract is the first day of the first calendar month after the end of the preceding contract year.

There is a single annual anniversary and expiration date for all units under a particular HAP contract, even in cases where contract units are placed under the HAP contract in stages (on different dates) or units are added by amendment. The anniversary and expiration dates for all units coincide with the dates for the contract units that were originally placed under contract.

### **17-V.E. OWNER RESPONSIBILITIES UNDER THE HAP [24 CFR 983.209]**

When the owner executes the HAP contract the owner certifies that at such execution and at all times during the term of the HAP contract:

- All contract units are in good condition and the owner is maintaining the premises and contract units in accordance with HQS;
- The owner is providing all services, maintenance, equipment and utilities as agreed to under the HAP contract and the leases;
- Each contract unit for which the owner is receiving HAP, is leased to an eligible family referred by SNRHA, and the lease is in accordance with the HAP contract and HUD requirements;
- To the best of the owner's knowledge the family resides in the contract unit for which the owner is receiving HAP, and the unit is the family's only residence;
- The owner (including a principal or other interested party) is not the spouse, parent, child, grandparent, grandchild, sister, or brother of any member of a family residing in a contract unit;
- The amount of the HAP the owner is receiving is correct under the HAP contract;
- The rent for contract units does not exceed rents charged by the owner for comparable unassisted units;
- Except for HAP and tenant rent, the owner has not received and will not receive any other payment or consideration for rental of the contract unit; and
- The family does not own or have any interest in the contract unit.

### **17-V.F. ADDITIONAL HAP REQUIREMENTS**

#### **Housing Quality and Design Requirements [24 CFR 983.101(e) and 983.208(a)]**

The owner is required to maintain and operate the contract units and premises in accordance with HQS, including performance of ordinary and extraordinary maintenance. The owner must



provide all the services, maintenance, equipment, and utilities specified in the HAP contract with SNRHA and in the lease with each assisted family. In addition, maintenance, replacement and redecoration must be in accordance with the standard practice for the building as established by the owner.

SNRHA may elect to establish additional requirements for quality, architecture, or design of PBV housing. Any such additional requirements must be specified in the Agreement to enter into a HAP contract and the HAP contract. These requirements must be in addition to, not in place of, compliance with HQS.

#### SNRHA Policy

SNRHA will identify the need for any special features on a case-by-case basis depending on the intended occupancy of the PBV project. SNRHA will specify any

special design standards or additional requirements in the invitation for PBV proposals, the agreement to enter into HAP contract, and the HAP contract.

#### **Vacancy Payments [24 CFR 983.352(b)]**

At the discretion of SNRHA, the HAP contract may provide for vacancy payments to the owner for a SNRHA-determined period of vacancy extending from the beginning of the first calendar month after the move-out month for a period not exceeding two full months following the move-out month. The amount of the vacancy payment will be determined by SNRHA and cannot exceed the monthly rent to owner under the assisted lease, minus any portion of the rental payment received by the owner (including amounts available from the tenant's security deposit).

#### SNRHA Policy

SNRHA will decide on a case-by-case basis if SNRHA will provide vacancy payments to the owner. The HAP contract with the owner will contain any such agreement, including the amount of the vacancy payment and the period for which the owner will qualify for these payments. Vacancy payments shall only be made when SNRHA has not referred clients to management for a period of 30 calendar days.

## **PART VI: SELECTION OF PBV PROGRAM PARTICIPANTS**

### **17-VI.A. OVERVIEW**

Many of the provisions of the tenant-based voucher regulations [24 CFR 982] also apply to the PBV program. This includes requirements related to determining eligibility and selecting applicants from the waiting list. Even with these similarities, there are requirements that are unique to the PBV program. This part describes the requirements and policies related to eligibility and admission to the PBV program.

### **17-VI.B. ELIGIBILITY FOR PBV ASSISTANCE [24 CFR 983.251(a) and (b)]**

SNRHA may select families for the PBV program from those who are participants in SNRHA's tenant-based voucher program and from those who have applied for admission to the voucher program. For voucher participants, eligibility was determined at original admission to the voucher program and does not need to be redetermined at the commencement of PBV assistance.



For all others, eligibility for admission must be determined at the commencement of PBV assistance.

Applicants for PBV assistance must meet the same eligibility requirements as applicants for the tenant-based voucher program. Applicants must qualify as a family as defined by HUD and SNRHA, have income at or below HUD-specified income limits, and qualify on the basis of citizenship or the eligible immigration status of family members [24 CFR 982.201(a) and 24 CFR 983.2(a)]. In addition, an applicant family must provide social security information for family members [24 CFR 5.216 and 5.218] and consent to SNRHA's collection and use of family information regarding income, expenses, and family composition [24 CFR 5.230]. An applicant family must also meet HUD requirements related to current or past criminal activity.

### SNRHA Policy

SNRHA will determine an applicant family's eligibility for the PBV program in accordance with the policies in Chapter 3.

### **In-Place Families [24 CFR 983.251(b)]**

An eligible family residing in a proposed PBV contract unit on the date the proposal is selected by SNRHA is considered an "in-place family." These families are afforded protection from displacement under the PBV rule. If a unit to be placed under contract (either an existing unit or a unit requiring rehabilitation) is occupied by an eligible family on the date the proposal is selected, the in-place family must be placed on SNRHA's waiting list. Once the family's continued eligibility is determined (SNRHA may deny assistance to an in-place family for the grounds specified in 24 CFR 982.552 and 982.553), the family must be given an absolute selection preference and SNRHA must refer these families to the project owner for an appropriately sized PBV unit in the project. Admission of eligible in-place families is not subject to income targeting requirements.

This regulatory protection from displacement does not apply to families that are not eligible to participate in the program on the proposal selection date.

### **17-VI.C. ORGANIZATION OF THE WAITING LIST [24 CFR 983.251(c)]**

SNRHA may establish a separate waiting list for PBV units or it may use the same waiting list for both tenant-based and PBV assistance. SNRHA may also merge the PBV waiting list with a waiting list for other assisted housing programs offered by SNRHA. If SNRHA chooses to offer a separate waiting list for PBV assistance, SNRHA must offer to place applicants who are listed on the tenant-based waiting list on the waiting list for PBV assistance.

If SNRHA decides to establish a separate PBV waiting list, SNRHA may use a single waiting list for SNRHA's whole PBV program, or it may establish separate waiting lists for PBV units in particular projects or buildings or for sets of such units.

### SNRHA Policy



SNRHA will establish and manage separate waiting lists for individual projects or buildings that are receiving PBV assistance. SNRHA currently has waiting lists for the following PBV projects:

**Juan Garcia**

**Coronado**

**Landsman (Rental Assistance Demonstration [RAD] Program)**

**Vera Johnson B (Rental Assistance Demonstration [RAD] Program)**

**SNRHA will also establish and manage separate waiting lists for the following Rental Assistance Demonstration (RAD) Program conversion to PBV assistance properties:**

**Biegger Estates (Rental Assistance Demonstration [RAD] Program)**

**Rose Gardens (Rental Assistance Demonstration [RAD] Program)**

#### **17-VI.D. SELECTION FROM THE WAITING LIST [24 CFR 983.251(c)]**

Applicants who will occupy units with PBV assistance must be selected from SNRHA's waiting list. SNRHA may establish selection criteria or preferences for occupancy of particular PBV units. SNRHA may place families referred by the PBV owner on its PBV waiting list.

#### **Income Targeting [24 CFR 983.251(c)(6)]**

At least 75 percent of the families admitted to SNRHA's tenant-based and project-based voucher programs during SNRHA's fiscal year from the waiting list must be extremely-low income families. The income targeting requirement applies to the total of admissions to both programs.

#### **Units with Accessibility Features [24 CFR 983.251(c)(7)]**

When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, SNRHA must first refer families who require such features to the owner.

#### **Preferences [24 CFR 983.251(d)]**

SNRHA may use the same selection preferences that are used for the tenant-based voucher program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units. SNRHA must provide an absolute selection preference for eligible in-place families as described in Section 17-VI.B. above.

Although SNRHA is prohibited from granting preferences to persons with a specific disability, SNRHA may give preference to disabled families who need services offered at a particular project or site if the preference is limited to families (including individuals):

- With disabilities that significantly interfere with their ability to obtain and maintain themselves in housing;
- Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and
- For whom such services cannot be provided in a non-segregated setting.

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible disabled



persons who may benefit from services provided in the project. In these projects, disabled residents may not be required to accept the particular services offered as a condition of occupancy.

If SNRHA has projects with more than 25 percent of the units receiving project-based assistance because those projects include “excepted units” (units specifically made available for elderly or disabled families, or families receiving supportive services), SNRHA must give preference to such families when referring families to these units [24 CFR 983.261(b)].

#### SNRHA Policy

SNRHA will provide a selection preference when required by the regulation (e.g., eligible in-place families, qualifying families for “excepted units,” mobility impaired persons for accessible units). SNRHA will not offer any additional preferences for the PBV program or for particular PBV projects or units.

### **17-VI.E. OFFER OF PBV ASSISTANCE**

#### **Refusal of Offer [24 CFR 983.251(e)(3)]**

SNRHA is prohibited from taking any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:

- Refuse to list the applicant on the waiting list for tenant-based voucher assistance;
- Deny any admission preference for which the applicant qualifies;
- Change the applicant’s place on the waiting list based on preference, date, and time of application, or other factors affecting selection under SNRHA’s selection policy;
- Remove the applicant from the tenant-based voucher waiting list.

#### **Disapproval by Landlord [24 CFR 983.251(e)(2)]**

If a PBV owner rejects a family for admission to the owner’s units, such rejection may not affect the family’s position on the tenant-based voucher waiting list.

#### **Acceptance of Offer [24 CFR 983.252]**

##### ***Family Briefing***

When a family accepts an offer for PBV assistance, SNRHA must give the family an oral briefing. The briefing must include information on how the program works and the responsibilities of the family and owner. In addition to the oral briefing, SNRHA must provide a briefing packet that explains how SNRHA determines the total tenant payment for a family, the family obligations under the program, and applicable fair housing information.

##### ***Persons with Disabilities***

If an applicant family’s head or spouse is disabled, SNRHA must assure effective communication, in accordance with 24 CFR 8.6, in conducting the oral briefing and in providing the written information packet. This may include making alternative formats available (see Chapter 2). In addition, SNRHA must have a mechanism for referring a family that includes a member with mobility impairment to an appropriate accessible PBV unit.



### ***Persons with Limited English Proficiency***

SNRHA should take reasonable steps to assure meaningful access by persons with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166 (see Chapter 2).

### **17-VI.F. OWNER SELECTION OF RESIDENTS**

The owner is responsible for developing written tenant selection procedures that are consistent with the purpose of improving housing opportunities for very low-income families and reasonably related to program eligibility and an applicant's ability to fulfill their obligations under the lease. An owner must promptly notify in writing any rejected applicant of the grounds for any rejection [24 CFR 983.253(a)](2) and (a)(3).

#### **Leasing [24 CFR 983.253(a)]**

During the term of the HAP contract, the owner must lease contract units to eligible families that are selected and referred by SNRHA from SNRHA's waiting list. The contract unit leased to the family must be the appropriate size unit for the size of the family, based on SNRHA's subsidy standards.

#### **Filling Vacancies [24 CFR 983.254(a)]**

The owner must promptly notify SNRHA of any vacancy or expected vacancy in a contract unit. After receiving such notice, SNRHA must make every reasonable effort to promptly refer a sufficient number of families for the owner to fill such vacancies. SNRHA and the owner must make reasonable efforts to minimize the likelihood and length of any vacancy.

##### SNRHA Policy

The owner must notify SNRHA in writing (mail, fax, or e-mail) within 5 business days of learning about any vacancy or expected vacancy.

SNRHA will make every reasonable effort to refer families to the owner within 10 business days of receiving such notice from the owner.

#### **Reduction in HAP Contract Units Due to Vacancies [24 CFR 983.254(b)]**

If any contract units have been vacant for 120 or more calendar days since owner notice of the vacancy, SNRHA may give notice to the owner amending the HAP contract to reduce the number of contract units by subtracting the number of contract units (according to the bedroom size) that have been vacant for this period.

##### SNRHA Policy

If any contract units have been vacant for 120 calendar days, SNRHA will give notice to the owner that the HAP contract will be amended to reduce the number of contract units that have been vacant for this period. SNRHA will provide the notice to the owner within 10 business days of the 120<sup>th</sup> day of the vacancy. The amendment to the HAP contract will be effective the first day of the month following the date of SNRHA's notice.





## **17-VI.G. TENANT SCREENING [24 CFR 983.255]**

### **SNRHA Responsibility**

SNRHA is not responsible or liable to the owner or any other person for the family's behavior or suitability for tenancy. However, SNRHA may opt to screen applicants for family behavior or suitability for tenancy and may deny applicants based on such screening.

#### SNRHA Policy

SNRHA will not conduct screening to determine a PBV applicant family's suitability for tenancy. SNRHA shall screen for program eligibility. The management must determine tenancy screening requirements.

SNRHA must provide the owner with an applicant family's current and prior address (as shown in SNRHA records) and the name and address (if known by SNRHA) of the family's current landlord and any prior landlords.

In addition, SNRHA may offer the owner other information SNRHA may have about a family, including information about the tenancy history of family members or about drug trafficking and criminal activity by family members. SNRHA must provide applicant

families a description of SNRHA policy on providing information to owners, and SNRHA must give the same types of information to all owners.

#### SNRHA Policy

SNRHA will inform owners of their responsibility to screen prospective residents, and will provide owners with the required known name and address information, at the time of the turnover HQS inspection or before. SNRHA will not provide any additional information to the owner, such as tenancy history, criminal history, etc.

### **Owner Responsibility**

The owner is responsible for screening and selection of the family to occupy the owner's unit. When screening families the owner may consider a family's background with respect to the following factors:

- Payment of rent and utility bills;
- Caring for a unit and premises;
- Respecting the rights of other residents to the peaceful enjoyment of their housing;
- Drug-related criminal activity or other criminal activity that is a threat to the health, safety, or property of others; and
- Compliance with other essential conditions of tenancy.

## **PART VII: OCCUPANCY**

### **17-VII.A. OVERVIEW**



After an applicant has been selected from the waiting list, determined eligible by SNRHA, referred to an owner and determined suitable by the owner, the family will sign the lease and occupancy of the unit will begin.

#### **17-VII.B. LEASE [24 CFR 983.256]**

The tenant must have legal capacity to enter a lease under state and local law. *Legal capacity* means that the tenant is bound by the terms of the lease and may enforce the terms of the lease against the owner.

#### **Form of Lease [24 CFR 983.256(b)]**

The tenant and the owner must enter into a written lease agreement that is signed by both parties. If an owner uses a standard lease form for rental units to unassisted residents in the locality or premises, the same lease must be used for assisted residents, except that the lease must include a HUD-required tenancy addendum. The tenancy addendum must include, word-for-word, all provisions required by HUD.

If the owner does not use a standard lease form for rental to unassisted residents, the owner may use another form of lease, such as a SNRHA model lease. SNRHA may review the owner's lease form to determine if the lease complies with state and local law. If SNRHA determines

that the lease does not comply with state or local law, SNRHA may decline to approve the tenancy.

#### SNRHA Policy

SNRHA will not review the owner's lease for compliance with state or local law.

#### **Lease Requirements [24 CFR 983.256(c)]**

The lease for a PBV unit must specify all of the following information:

- The names of the owner and the tenant;
- The unit rented (address, apartment number, if any, and any other information needed to identify the leased contract unit);
- The term of the lease (initial term and any provision for renewal);
- The amount of the tenant rent to owner, which is subject to change during the term of the lease in accordance with HUD requirements;
- A specification of the services, maintenance, equipment, and utilities that will be provide by the owner; and
- The amount of any charges for food, furniture, or supportive services.

#### **Tenancy Addendum [24 CFR 983.256(d)]**

The tenancy addendum in the lease must state:

- The program tenancy requirements;
- The composition of the household as approved by SNRHA (the names of family members and any SNRHA-approved live-in aide);



- All provisions in the HUD-required tenancy addendum must be included in the lease. The terms of the tenancy addendum prevail over other provisions of the lease.

### **Initial Term and Lease Renewal [24 CFR 983.256(f) and 983.257(b)]**

The initial lease term must be for at least one year. Upon expiration of the lease, an owner may renew the lease, refuse to renew the lease for “good cause,” or refuse to renew the lease without good cause. If the owner refuses to renew the lease without good cause, SNRHA must provide the family with a tenant-based voucher and remove the unit from the PBV HAP contract.

### **Changes in the Lease [24 CFR 983.256(e)]**

If the tenant and owner agree to any change in the lease, the change must be in writing, and the owner must immediately give SNRHA a copy of all changes.

The owner must notify SNRHA in advance of any proposed change in the lease regarding the allocation of tenant and owner responsibilities for utilities. Such changes may only be made if approved by SNRHA and in accordance with the terms of the lease relating to its amendment. SNRHA must redetermine reasonable rent, in accordance with program requirements, based on any change in the allocation of the responsibility for utilities between the

owner and the tenant. The redetermined reasonable rent will be used in calculation of the rent to owner from the effective date of the change.

### **Owner Termination of Tenancy [24 CFR 983.257]**

With two exceptions, the owner of a PBV unit may terminate tenancy for the same reasons an owner may in the tenant-based voucher program (see Section 12-III.B. and 24 CFR 982.310). In the PBV program, terminating tenancy for “good cause” does not include doing so for a business or economic reason, or a desire to use the unit for personal or family use or other non-residential purpose.

### ***Non-Compliance with Supportive Services Requirement [24 CFR 983.257(c)]***

If a family is living in a project-based unit that is excepted from the 25 percent per project cap on project-basing because of participation in a supportive services program (e.g., Family Self-Sufficiency), and the family fails to complete its supportive services requirement without good cause, such failure is grounds for lease termination by the owner.

### ***Tenant Absence from the Unit [24 CFR 983.256(g) and 982.312(a)]***

The owner may specify in the lease a maximum period of tenant absence from the unit that is shorter than the maximum period permitted by SNRHA policy. According to program requirements, the family’s assistance must be terminated if they are absent from the unit for more than 180 consecutive calendar days.

### **Security Deposits [24 CFR 983.258]**



The owner may collect a security deposit from the tenant. SNRHA may prohibit security deposits in excess of private market practice, or in excess of amounts charged by the owner to unassisted residents.

#### SNRHA Policy

SNRHA will allow the owner to collect a security deposit amount the owner determines is appropriate.

When the tenant moves out of a contract unit, the owner, subject to state and local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid tenant rent, damages to the unit, or other amounts owed by the tenant under the lease.

The owner must give the tenant a written list of all items charged against the security deposit and the amount of each item. After deducting the amount used to reimburse the owner, the owner must promptly refund the full amount of the balance to the tenant.

If the security deposit does not cover the amount owed by the tenant under the lease, the owner may seek to collect the balance from the tenant. SNRHA has no liability or responsibility for payment of any amount owed by the family to the owner.

### **17-VII.C. MOVES**

#### **Overcrowded, Under-Occupied, and Accessible Units [24 CFR 983.259]**

If SNRHA determines that a family is occupying a wrong size unit, based on SNRHA's subsidy standards, or a unit with accessibility features that the family does not require, and the unit is needed by a family that does require the features, SNRHA must promptly notify the family and the owner of this determination, and SNRHA must offer the family the opportunity to receive continued housing assistance in another unit.

#### SNRHA Policy

SNRHA will notify the family and the owner of the family's need to move based on the occupancy of a wrong-size or accessible unit within 10 business days of SNRHA's determination. SNRHA will offer the family the following types of continued assistance in the following order, based on the availability of assistance:

- PBV assistance in the same building or project;
- PBV assistance in another project; and
- Tenant-based voucher assistance

If SNRHA offers the family a tenant-based voucher, SNRHA must terminate the housing assistance payments for a wrong-sized or accessible unit at expiration of the term of the family's voucher (including any extension granted by SNRHA).

If SNRHA offers the family another form of assistance that is not a tenant-based voucher, and the family does not accept the offer, does not move out of the PBV unit within a reasonable time as determined by SNRHA, or both, SNRHA must terminate the housing assistance payments for the unit at the expiration of a reasonable period as determined by SNRHA.

#### SNRHA Policy



When SNRHA offers a family another form of assistance that is not a tenant-based voucher, the family will be given 30 days from the date of the offer to accept the offer and move out of the PBV unit. If the family does not move out within this 30-day time frame, SNRHA will terminate the housing assistance payments at the expiration of this 30-day period.

SNRHA may make exceptions to this 30-day period if needed for reasons beyond the family's control such as death, serious illness, or other medical emergency of a family member.

### **Family Right to Move [24 CFR 983.260]**

The family may terminate the lease at any time after the first year of occupancy. The family must give advance written notice to the owner in accordance with the lease and provide a copy of such notice to SNRHA. If the family wishes to move with continued tenant-based assistance, the family must provide the manager with a Vacate Notice and be in good standing under their current lease (meaning not under an eviction not owing a debt to the PBV development). A copy of the notice shall be forwarded to SNRHA staff for placement on its tenant based PBV waitlist. SNRHA will notify families and management when there is no funding available for tenant-based vouchers as well as when funding becomes available again. The Vacate Notices shall not be accepted during a period of time when there has been written notice provided that there is not tenant-based funding available.

If the family terminates the lease in accordance with these requirements, SNRHA is required to offer the family the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If voucher or other comparable tenant-based assistance is not immediately available upon termination of the family's lease in the PBV unit, SNRHA must give the family priority to receive the next available opportunity for continued tenant-based assistance, when funding is available.

If the family terminates the assisted lease before the end of the first year, the family relinquishes the opportunity for continued tenant-based assistance.

### **17-VII.D. EXCEPTIONS TO THE OCCUPANCY CAP [24 CFR 983.261]**

SNRHA may not pay housing assistance under a PBV HAP contract for more than 25 percent of the number of dwelling units in a project unless the units are [24 CFR 983.56]:

- Specifically made available for elderly or disabled families; or
- Specifically made available for families receiving supportive services as defined by SNRHA. At least one member must be receiving at least one qualifying supportive service.

If a family at the time of initial tenancy is receiving and while the resident of an excepted unit has received Family Self-Sufficiency (FSS) supportive services or any other service as defined as defined by SNRHA and successfully completes the FSS contract of participation or the supportive services requirement, the unit continues to count as an excepted unit for as long as the family resides in the unit.

A family (or remaining members of a family) residing in an excepted unit that no longer meets the criteria for a "qualifying family" in connection with the 25 percent per project cap exception (e.g., the family does not successfully complete supportive services requirements, or due to a



change in family composition the family is no longer elderly or disabled), must vacate the unit within a reasonable period of time established by SNRHA, and SNRHA must cease paying housing assistance payments on behalf of the non-qualifying family.

If the family fails to vacate the unit within the established time, the unit must be removed from the HAP contract unless the project is partially assisted, and it is possible for the HAP contract to be amended to substitute a different unit in the building in accordance with program requirements; or the owner terminates the lease and evicts the family. The housing assistance payments for a family residing in an excepted unit that is not in compliance with its family obligations to comply with supportive services requirements must be terminated by SNRHA.

#### SNRHA Policy

SNRHA will not provide PBV assistance for excepted units.

### **PART VIII: DETERMINING RENT TO OWNER**

#### **17-VIII.A. OVERVIEW**

The amount of the initial rent to an owner of units receiving PBV assistance is established at the beginning of the HAP contract term. Although for rehabilitated or newly constructed housing, the agreement to enter into HAP Contract (Agreement) states the estimated amount of the initial rent to owner, the actual amount of the initial rent to owner is established at the beginning of the HAP contract term.

During the term of the HAP contract, the rent to owner is redetermined at the owner's request in accordance with program requirements, and at such time that there is a five percent or greater decrease in the published FMR.

#### **17-VIII.B. RENT LIMITS [24 CFR 983.301]**

Except for certain tax credit units (discussed below), the rent to owner must not exceed the lowest of the following amounts:

- An amount determined by SNRHA, not to exceed 110 percent of the applicable fair market rent (or any HUD-approved exception payment standard) for the unit bedroom size minus any utility allowance;
- The reasonable rent; or
- The rent requested by the owner.

#### **Certain Tax Credit Units [24 CFR 983.301(c)]**

For certain tax credit units, the rent limits are determined differently than for other PBV units. These different limits apply to contract units that meet all of the following criteria:

- The contract unit receives a low-income housing tax credit under the Internal Revenue Code of 1986;
- The contract unit is not located in a qualified census tract;
- There are comparable tax credit units of the same bedroom size as the contract unit in the same building, and the comparable tax credit units do not have any form of rental assistance other than the tax credit; and



- The tax credit rent exceeds a SNRHA-determined amount (not to exceed 110 percent of the fair market rent or any approved exception payment standard);

For contract units that meet all of these criteria, the rent to owner must not exceed the lowest of:

- 110 percent of the fair market rent or any approved exception payment standard minus the utility allowance for owner paid utilities;
- The reasonable rent; or
- The rent requested by the owner.

### ***Definitions***

A *qualified census tract* is any census tract (or equivalent geographic area defined by the Bureau of the Census) in which at least 50 percent of households have an income of less than 60 percent of Area Median Gross Income (AMGI), or where the poverty rate is at least 25 percent and where the census tract is designated as a qualified census tract by HUD.

*Tax credit rent* is the rent charged for comparable units of the same bedroom size in the building that also receive the low-income housing tax credit but do not have any additional rental assistance (e.g., tenant-based voucher assistance).

### **Use of FMRs, Exception Payment Standards, and Utility Allowances [24 CFR 983.301(f)]**

When determining the initial rent to owner, SNRHA must use the most recently published FMR in effect and the utility allowance schedule in effect at execution of the HAP contract. When redetermining the rent to owner, SNRHA must use the most recently published FMR and the utility allowance schedule in effect at the time of redetermination. At its discretion, SNRHA may for initial rent, use the amounts in effect at any time during the 30-day period immediately before the beginning date of the HAP contract, or for redeterminations of rent, the 30-day period immediately before the redetermination date.

Any HUD-approved exception payment standard amount under the tenant-based voucher program also applies to the project-based voucher program. HUD will not approve a different exception payment stand amount for use in the PBV program.

Likewise, SNRHA may not establish or apply different utility allowance amounts for the PBV program. The same utility allowance schedule applies to both the tenant-based and project-based voucher programs.

#### **SNRHA Policy**

Upon written request by the owner, SNRHA will consider using the FMR or utility allowances in effect during the 30-day period before the start date of the HAP, or redetermination of rent. The owner must explain the need to use the previous FMRs or utility allowances and include documentation in support of the request. SNRHA will review and make a decision based on the circumstances and merit of each request.

In addition to considering a written request from an owner, SNRHA may decide to use the FMR or utility allowances in effect during the 30-day period before the start date of the HAP, or redetermination of rent, if SNRHA determines it is necessary due to SNRHA budgetary constraints.

### **Redetermination of Rent [24 CFR 983.302]**



SNRHA must redetermine the rent to owner upon the owner's request or when there is a five percent or greater decrease in the published FMR.

### ***Rent Increase***

If an owner wishes to request an increase in the rent to owner from SNRHA, it must be requested at the annual anniversary of the HAP contract (see Section 17-V.D.). The request must be in writing and in the form and manner required by SNRHA. Rental increases must be submitted 60 calendar days prior to the anniversary date of the HAP contract for the participant.

SNRHA may only make rent increases in accordance with the rent limits described previously. There are no provisions in the PBV program for special adjustments (e.g., adjustments that reflect increases in the actual and necessary expenses of owning and maintaining the units which have resulted from substantial general increases in real property taxes, utility rates, or similar costs).

#### SNRHA Policy

An owner's request for a rent increase must be submitted to SNRHA 60 calendar days prior to the anniversary date of the HAP contract, and must include the new rent amount the owner is proposing.

SNRHA may not approve and the owner may not receive any increase of rent to owner until and unless the owner has complied with requirements of the HAP contract, including compliance with HQS. The owner may not receive any retroactive increase of rent for any period of noncompliance.

### ***Rent Decrease***

If there is a decrease in the rent to owner, as established in accordance with program requirements such as a change in the FMR or exception payment standard, or reasonable rent amount, the rent to owner must be decreased regardless of whether the owner requested a rent adjustment.

### ***Notice of Rent Change***

The rent to owner is redetermined by written notice by SNRHA to the owner specifying the amount of the redetermined rent. SNRHA notice of rent adjustment constitutes an amendment of the rent to owner specified in the HAP contract. The adjusted amount of rent to owner applies for the period of 12 calendar months from the annual anniversary of the HAP contract.

#### SNRHA Policy

SNRHA will provide the owner with at least 30 calendar days written notice of any change in the amount of rent to owner.

### **SNRHA-owned Units [24 CFR 983.301(g)]**

For SNRHA-owned PBV units, the initial rent to owner and the annual redetermination of rent at the anniversary of the HAP contract are determined by the independent entity approved by HUD. SNRHA must use the rent to owner established by the independent entity.





### **17-VIII.C. REASONABLE RENT [24 CFR 983.303]**

At the time the initial rent is established and all times during the term of the HAP contract, the rent to owner for a contract unit may not exceed the reasonable rent for the unit as determined by SNRHA, except where the PHA has elected within the HAP contract to not reduce rents below the initial rent under the initial HAP contract.

#### **When Rent Reasonable Determinations are Required**

SNRHA must redetermine the reasonable rent for a unit receiving PBV assistance whenever any of the following occur:

- There is a five percent or greater decrease in the published FMR in effect 60 calendar days before the contract anniversary (for the unit sizes specified in the HAP contract) as compared with the FMR that was in effect one year before the contract anniversary date;
- SNRHA approves a change in the allocation of responsibility for utilities between the owner and the tenant;
- The HAP contract is amended to substitute a different contract unit in the same project; or
- There is any other change that may substantially affect the reasonable rent.

#### **How to Determine Reasonable Rent**

The reasonable rent of a unit receiving PBV assistance must be determined by comparison to rent for other comparable unassisted units. When making this determination, SNRHA must consider factors that affect market rent. Such factors include the location, quality, size, type and age of the unit, as well as the amenities, housing services maintenance, and utilities to be provided by the owner.

#### ***Comparability Analysis***

For each unit, the comparability analysis must use at least three comparable units in the private unassisted market. This may include unassisted units in the premises or project that is receiving project-based assistance. The analysis must show how the reasonable rent was determined, including major differences between the contract units and comparable unassisted units, and must be retained by SNRHA. The comparability analysis may be performed by SNRHA staff or by another qualified person or entity. Those who conduct these analyses or are involved in determining the housing assistance payment based on the analyses may not have any direct or indirect interest in the property.

#### **SNRHA-owned Units**

For SNRHA-owned units, the amount of the reasonable rent must be determined by an independent agency approved by HUD in accordance with PBV program requirements. The independent entity must provide a copy of the determination of reasonable rent for SNRHA-owned units to SNRHA and to the HUD field office where the project is located.

#### **Owner Certification of Reasonable Rent**

By accepting each monthly housing assistance payment, the owner certifies that the rent to owner is not more than rent charged by the owner for other comparable unassisted units in the



premises. At any time, SNRHA may require the owner to submit information on rents charged by the owner for other units in the premises or elsewhere.

#### **17-VIII.D. EFFECT OF OTHER SUBSIDY AND RENT CONTROL**

In addition to the rent limits discussed in Section 17-VIII.B above, other restrictions may limit the amount of rent to owner in a PBV unit. In addition, certain types of subsidized housing are not even eligible to receive PBV assistance (see Section 17-II.D).

##### **Other Subsidy [24 CFR 983.304]**

At its discretion, a SNRHA may reduce the initial rent to owner because of other governmental subsidies, including tax credit or tax exemption, grants, or other subsidized financing.

For units receiving assistance under the HOME program, rents may not exceed rent limits as required by that program.

For units in any of the following types of federally subsidized projects, the rent to owner may not exceed the subsidized rent (basic rent) as determined in accordance with requirements for the applicable federal program:

- An insured or non-insured Section 236 project;
- A formerly insured or non-insured Section 236 project that continues to receive Interest Reduction Payment following a decoupling action;
- A Section 221(d)(3) below market interest rate (BMIR) project;
- A Section 515 project of the Rural Housing Service;
- Any other type of federally subsidized project specified by HUD.

##### ***Combining Subsidy***

Rent to owner may not exceed any limitation required to comply with HUD subsidy layering requirements.

##### **Rent Control [24 CFR 983.305]**

In addition to the rent limits set by PBV program regulations, the amount of rent to owner may also be subject to rent control or other limits under local, state, or federal law.

## **PART IX: PAYMENTS TO OWNER**

#### **17-IX.A. HOUSING ASSISTANCE PAYMENTS [24 CFR 983.351]**

During the term of the HAP contract, SNRHA must make housing assistance payments to the owner in accordance with the terms of the HAP contract. During the term of the HAP contract, payments must be made for each month that a contract unit complies with HQS and is leased to and occupied by an eligible family. The housing assistance payment must be paid to the owner



on or about the first day of the month for which payment is due, unless the owner and SNRHA agree on a later date.

Except for discretionary vacancy payments, SNRHA may not make any housing assistance payment to the owner for any month after the month when the family moves out of the unit (even if household goods or property are left in the unit).

The amount of the housing assistance payment by SNRHA is the rent to owner minus the tenant rent (total tenant payment minus the utility allowance).

In order to receive housing assistance payments, the owner must comply with all provisions of the HAP contract. Unless the owner complies with all provisions of the HAP contract, the owner does not have a right to receive housing assistance payments.

### **17-IX.B. VACANCY PAYMENTS [24 CFR 983.352]**

If an assisted family moves out of the unit, the owner may keep the housing assistance payment for the calendar month when the family moves out. However, the owner may not keep the payment if SNRHA determines that the vacancy is the owner's fault.

#### SNRHA Policy

If SNRHA determines that the owner is responsible for a vacancy and, as a result, is not entitled to the keep the housing assistance payment, SNRHA will notify the landlord of the amount of housing assistance payment that the owner must repay. SNRHA will require the owner to repay the amount owed in accordance with the policies in Section 16-IV.B.

At the discretion of SNRHA, the HAP contract may provide for vacancy payments to the owner. SNRHA may only make vacancy payments if:

- The owner gives SNRHA prompt, written notice certifying that the family has vacated the unit and identifies the date when the family moved out (to the best of the owner's knowledge);
- The owner certifies that the vacancy is not the fault of the owner and that the unit was vacant during the period for which payment is claimed;
- The owner certifies that it has taken every reasonable action to minimize the likelihood and length of vacancy; and
- The owner provides any additional information required and requested by SNRHA to verify that the owner is entitled to the vacancy payment.

The owner must submit a request for vacancy payments in the form and manner required by SNRHA and must provide any information or substantiation required by SNRHA to determine the amount of any vacancy payment.

#### SNRHA Policy

If an owner's HAP contract calls for vacancy payments to be made, and the owner wishes to receive vacancy payments, the owner must have properly notified SNRHA of the vacancy in accordance with the policy in Section 17-VI.F regarding filling vacancies.



In order for a vacancy payment request to be considered, it must be made within 10 business days of the end of the period for which the owner is requesting the vacancy payment. The request must include the required owner certifications and SNRHA may require the owner to provide documentation to support the request. If the owner does not provide the information requested by SNRHA within 10 business days of SNRHA's request, no vacancy payments will be made.

### **17-IX.C. TENANT RENT TO OWNER [24 CFR 983.353]**

The tenant rent is the portion of the rent to owner paid by the family. The amount of tenant rent is determined by SNRHA in accordance with HUD requirements. Any changes in the amount of tenant rent will be effective on the date stated in SNRHA notice to the family and owner.

The family is responsible for paying the tenant rent (total tenant payment minus the utility allowance). The amount of the tenant rent determined by SNRHA is the maximum amount the owner may charge the family for rental of a contract unit. The tenant rent covers all housing services, maintenance, equipment, and utilities to be provided by the owner. The owner may not demand or accept any rent payment from the tenant in excess of the tenant rent as determined by SNRHA. The owner must immediately return any excess payment to the tenant.

#### **Tenant and SNRHA Responsibilities**

The family is not responsible for the portion of rent to owner that is covered by the housing assistance payment and the owner may not terminate the tenancy of an assisted family for DF nonpayment by SNRHA.

Likewise, SNRHA is responsible only for making the housing assistance payment to the owner in accordance with the HAP contract. SNRHA is not responsible for paying the tenant's portion of rent, or any other claim by the owner, including damage to the unit. SNRHA may not use housing assistance payments or other program funds (including administrative fee reserves) to pay any part of the tenant rent or other claim by the owner.

#### **Utility Reimbursements [24 CFR 982.514(b)]**

If the amount of the utility allowance exceeds the total tenant payment, SNRHA must pay the amount of such excess to the tenant as a reimbursement for tenant-paid utilities, and the tenant rent to the owner must be zero.

SNRHA may pay the utility reimbursement directly to the family or to the utility supplier on behalf of the family. If SNRHA chooses to pay the utility supplier directly, SNRHA must notify the family of the amount paid to the utility supplier.

#### SNRHA Policy

SNRHA will make utility reimbursements to the family.

According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," the PHA may elect to establish policies regarding the frequency of utility reimbursement payments (URP) for payments made to the family,



1. The PHA will have the option of making URPs not less than each calendar-year quarter for reimbursements. In the event a family leaves the program in advance of its next quarterly reimbursement, the PHA would be required to reimburse the family for a prorated share of the applicable reimbursement. PHAs exercising this option must have a hardship policy in place for participants.
2. If the PHA elects to pay the utility supplier directly, the PHA must notify the family of the amount paid to the utility supplier.

At this time, SNRHA will continue issuing monthly checks for utility reimbursement.

#### **17-IX.D. OTHER FEES AND CHARGES [24 CFR 983.354]**

##### **Meals and Supportive Services**

With the exception of PBV assistance in assisted living developments, the owner may not require the tenant to pay charges for meals or supportive services. Non-payment of such charges is not grounds for termination of tenancy.

In assisted living developments receiving PBV assistance, the owner may charge for meals or supportive services. These charges may not be included in the rent to owner, nor may the value of meals and supportive services be included in the calculation of the reasonable rent. However, non-payment of such charges is grounds for termination of the lease by the owner in an assisted living development.

##### **Other Charges by Owner**

The owner may not charge extra amounts for items customarily included in rent in the locality or provided at no additional cost to unsubsidized residents in the premises.

#### **RENTAL ASSISTANCE DEMONSTRATION (RAD) PROGRAM:**

SNRHA will administer a HUD, RAD (Rental Assistance Demonstration) program. .

At the time of the RAD award the residents are temporarily housed at other public housing and market units.

Residents of record of the designated SNRHA RAD properties at the time of award will have the right of return to the property once construction and rehabilitation are completed. Residents will be offered units in accordance with their family composition at the time of reentry.

Units not occupied by returning residents will be occupied in accordance with the Administrative Plan eligibility, admission, and selection policies for the Project Based programs in Housing Choice Voucher (Section 8) program.

Existing residents are not subject to re-screening, income eligibility or income targeting provisions in order to return.



Existing residents who have been temporarily transferred, whose accounts reflect a security deposit will have the security deposit transferred at RAD closing, except in the case of the deposit being applied for unpaid rent or tenant caused damage. Tenant is responsible for payment of any remaining security deposit due.

Tenant monthly rent increases of greater than 10% or \$25 purely as a result of conversion will be phased in over 3 years or extended up to 5 years by the PHA. Increases will automatically be applied on the first day of the month of the effective date of recertification.

Renewal of Lease: Under current regulations at 24 CFR 982.257 (b)(c), upon lease expiration, SNRHA shall renew all leases unless cause exist.

Residents occupying the RAD, Project Based Conversion property may be eligible to receive a Section 8 voucher after 1 year of occupancy if regular tenant based vouchers are available and an appropriate 60-day written notice is provided to management. Tenant and tenant's household must be in good standing and meet eligibility requirements for the PHA's HCV (Section 8) program prior to being issued a voucher.

If the families are currently enrolled in PH Family Self-Sufficiency (FSS) after the RAD conversion, SNRHA shall enroll them in its HCV FSS program. Resident under RAD not enrolled in PH FSS at the time of conversion will not be eligible to participate in the program. Residents shall have the right to establish and operate a resident organization and be eligible for participation funding.

#### **Resident Procedural Rights [PIH-2012-32 (HA), REV-2]:**

The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner's lease, which includes the required tenancy addendum, as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program.

#### **Termination Notification:**

HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257 related to Project Owner termination of tenancy and eviction (which MTW agencies may not alter) the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall not be less than:

- a. A reasonable period of time, but not to exceed 30 days:
  - i. If the health or safety of other tenants, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or
  - ii. In the event of any drug-related or violent criminal activity or any felony conviction;
- b. 14 days in the case of nonpayment of rent; and
- c. 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.

#### **Grievance Process:**

Pursuant to requirements in the RAD Statute, HUD is establishing additional procedural rights to comply with section 6 of the Act. For issues related to tenancy and termination of assistance,



PBV program rules require the Project Owner to provide an opportunity for an informal hearing, as outlined in 24 CFR § 982.555. RAD will specify alternative requirements for 24 CFR § 982.555(b) in part, which outlines when informal hearings are not required, to require that:

- a. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi),<sup>26</sup> an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a Project Owner action in accordance with the individual's lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident's rights, obligations, welfare, or status.
  - i. For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i).
  - ii. For any additional hearings required under RAD, the Project Owner will perform the hearing.
- b. There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or contract administrator.
- c. The Project Owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).
- d. The Project Owner provides opportunity for an informal hearing before an eviction.

Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan.

### **Earned Income Disregard (EID) [24 CFR 5.617]:**

Residents who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID exclusion after conversion, in accordance with regulations at 24 CFR § 960.255. After conversion, no other residents will be eligible to receive the EID. If a tenant receiving the EID exclusion undergoes a break in employment, ceases to use the EID exclusion, or the EID exclusion expires in accordance with 24 CFR §960.255, the tenant will no longer receive the EID exclusion and the Owner will no longer be subject to the provisions of 24 CFR §960.255. Furthermore, residents whose EID ceases or expires after conversion shall not be subject to the rent phase-in provision, as described in Section 1.7.B.3; instead, the rent will automatically be adjusted to the appropriate rent level based upon tenant income at that time.

### **Earned Income Disregard (EID)**

With HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," **the requirements changed that families maintain continual employment in order to obtain EID benefits over a straight 24-month period. The Final Rule removes this requirement for continuous employment and benefits now applies**



for a straight 24 month period, with a clear start and end date, irrespective of whether a family maintains continual employment during the 24 months period. SNRHA shall not track start and stop time of employments but shall track start date, the 12-month date (on which the amount of the disregard may change from 100 percent to not less than 50% of earned income) and the 24-month end date. For families enrolled prior to the effective date of this regulation (March 8, 2016) the previous requirement shall continue.







## Chapter 18

### FAMILY SELF-SUFFICIENCY STATEMENT OF POLICIES

#### PURPOSE

The purpose of the Family Self Sufficiency Program (FSS) is to promote the development of local strategies to coordinate the use of Housing Choice Voucher (HCV) and Public Housing (PH) assistance with public and private resources to enable eligible families to achieve economic independence and self-sufficiency

The FSS is a program designed to promote employment and increase asset building among families living in assisted housing. The three main features of the FSS Program are: (1) case management; (2) delivery of the services; (3) the creation of an escrow account.

The FSS Program has been in existence since 1992; operating within the City of Las Vegas Housing Authority, City of North Las Vegas Housing Authority and the Housing Authority of the County of Clark, Nevada until the regionalization into Southern Nevada Regional Housing Authority (SNRHA) on January 1, 2010.

The local FSS Program is intended to serve as a catalyst for families to accept responsibility for themselves as they move toward achieving economic independence and self-sufficiency through the full utilization of resources made available through the FSS program.

In implementing its *Family Self-Sufficiency (FSS)* Program, SNRHA) is committed to providing the highest quality of housing and related non-housing services to its FSS Program Participants. Such non-housing services will take the form of a wide range of *supportive services* directly related to promoting the *economic self-sufficiency* of program participants. To encourage participants to reach their fullest economic potential, SNRHA will link community supportive services with an individual's educational, job training, and job placement goals. Goal setting will be facilitated by the staff of the agency's FSS program.

Each participant will develop their *Individual Training and Service Plan (ITSP)* with the assistance of their FSS Coordinator.

The FSS Coordinator will develop the ITSP with input from each participant.



## **PART I: INTRODUCTION**

### **BENEFITS OF OPERATING A VOLUNTARY FSS PROGRAM:**

An aggressive and innovative FSS program will yield numerous, positive benefits such as:

- A direct increase in the number of working families within SNRHA programs - participants who, initially, may have received welfare benefits will be encouraged to seek and maintain employment in order to graduate from the program.
- A reduction of under-employed families – participants who may have lacked the necessary job skills to reach economic independence will have access to appropriate training which will lead to greater employment opportunities.
- Encourage good working relationships with local service providers and other community agencies for the benefit of the residents and program participants.

### **PROGRAM COORDINATING COMMITTEE (PCC)**

The purpose of the SNRHA PCC is to assist with providing and/or securing public and private resources for the operation of the FSS programs and the development of the FSS Action Plan.

PCC membership is composed of a cross section of service providers, sponsors of skills-based training, community partners, employers, FSS program participants and SNRHA staff.

The PCC membership shall include the following:

- A PH resident and a Housing Choice Voucher (HCV) participant, who has currently or previously received public assistance, has successfully completed, or is currently enrolled in a self-sufficiency or welfare-to-work related program, and is in compliance with their program obligations;
- SNRHA FSS Coordinators
- Representatives from financial institutions
- Representative from local post-secondary educational institution
- Representative from local welfare agency
- Child care provider
- Representatives from non-profit service providers
- All Onsite Service Providers (at least one representative from each provider)

### **CERTIFICATION OF COORDINATION:**

The development and retention of viable, extensive partnerships with the public and private sector are paramount to the success of the FSS Program. The FSS Program Coordinating Committee and FSS Coordinators shall coordinate this endeavor.



## **GOALS AND OBJECTIVES:**

The Family Self-Sufficiency (FSS) program is intended to promote the development of local strategies to coordinate the use of Public Housing (PH) assistance and Housing Choice Vouchers (HCV) with public and private resources, to enable eligible families receive assistance under these programs to achieve economic independence and self-sufficiency.

The overall goal of the FSS Program is to assist and motivate low-income individuals and families by working together to overcome barriers, build self-esteem, and establish obtainable goals. The objective of the FSS Program is to reduce dependence of low-income families on welfare assistance, HCV and public housing assistance, and/or any other federal, state, or local rental or homeownership subsidies.

In order to obtain self-sufficiency, participating families are introduced to individualized case management where obstacles are identified so suitable goals can be set. Appropriate services are then identified to promote successful attainment of these goals. Participants shall be required to attend a set number of self-help workshops and seminars. Failure to attend required sessions can result in termination of the FSS contract, unless failure to attend is for good cause and prior notice was provided. Goals of the FSS Program are achieved through:

- One-on-one counseling to emphasize the importance of education and training to increase earning potential
- Career and personal counseling to set realistic goals and timeframes
- Strategies that encourage employment, entrepreneurship, and homeownership
- Referrals to community support services
- Incentives and recognition for achievements (i.e. escrow savings account, achievement highlights in the agency newsletter, and/or other communication tools.)

## **PROGRAM MEASUREMENTS**

The FSS Program will measure the success of the families who participate in the program and achieve self-sufficiency or accomplish similar goals, by tracking:

- Family members who seek and maintain suitable-employment
- Family members who get higher paying jobs
- Family members who get the GED or higher educational degrees
- Family members who no longer are receiving welfare benefits

## **PROGRAM SIZE**

The minimum program size for the FSS Program of Southern Nevada Regional Housing Authority (SNRHA) is 140 mandatory slots as of February 2016.



### **ESTIMATE OF POTENTIAL PARTICIPATING FAMILIES:**

SNRHA owns 2,882 Public Housing units and administers 11,013 Housing Choice Vouchers which together provide housing assistance to over 32,600 residents. The FSS Program is open to all adults, ages 18 and over, without regards to race, color, religion, sexual orientation, age, disability, familial status, or national origin.

### **SUPPORTIVE SERVICES NEEDS:**

The following represents some of the most needed supportive services for program participants:

- Education
  - High School Equivalency Test (HiSET) preparation
  - Postsecondary education preparation
  - English as a second language (ESL)
  - Computer training
  
- Life Skills
  - Domestic Violence awareness and prevention
  - Home Management
  - Self-Enrichment
  - Child Care
  - Parenting and Child Development
  - Transportation
  
- Financial Literacy
  - Credit Counseling
  - Budgeting
  - Asset Building
  - Debt Management
  - Homebuyer Education
  
- Employment
  - Vocational Training
  - Resume Building
  - Effective Job Search
  - Interview Skills and Techniques
  - Job Placement and Retention
  
- Healthcare
  - Affordable Health Care
  - Social Services
  - Addiction Prevention



## **INCENTIVES TO ENCOURAGE PARTICIPATION:**

SNRHA offers many incentives to encourage FSS Program participation, including the following services:

- Individual case management
- Links to community resources
  - Career assessment
  - Job skills/training
  - Financial management
  - Credit repair services
- Escrow account credits
- Homeownership opportunities

## **ASSURANCE OF NON-INTERFERENCE:**

- The decision, by a family to participate, or not, in the FSS Program, will not affect their right to admission in the Public Housing or Housing Choice Voucher Programs, or their right to occupancy in accordance with their lease.

## **FAMILY SELECTION PROCEDURES**

In accordance with applicable federal regulations, families are selected without regard to race, color, religion, sex, sexual orientation, marital status, handicap, familial status or national origin.

SNRHA observes all federal regulations related to FSS participation for all applicants.

After lease-up or occupancy, the participant/resident who has expressed an interest in participating in the FSS program is placed on the applicable FSS waiting list until there are available FSS slots available.

Applicants shall be selected in order of the date they were placed on the Interest List and the date of next annual re-examination. For the voucher FSS program, preference will be given to HCV Program FSS Port-in participants; then to those PH residents receiving HCV assistance as a result of demolition of their PH developments; then to Foster Care Youth preference holders.

Applicants will be denied participation if:

- They were previous participants in FSS and previously received escrow, violated the family obligations under HCV, or lease violations under PH the programs.
- Have an unpaid debt to any PHA and does not have a current repayment agreement that is compliant.

Applicants will be notified of their status within 15 calendar days. Each eligible head of household will be notified in writing or other communication method requested by a participant with a disability and given a date/time for their initial FSS program orientation session. This session may be conducted individually or in a group.

For each program applicant deemed ineligible for FSS program participation, the written notice



shall inform the family of reason(s) for denial with enough specificity to allow them the opportunity to provide specific written evidence of eligibility and inform them of their right to an informal review of the decision to be held conducted by the Director of Supportive Services.

Each family must complete a Pre-Assessment Form. The Pre-Assessment Form is a tool that will be used to establish a base level of need. It will be used, for case management purposes only, to determine the participant's level of education, job skills, prior work experience, and career interest and program readiness. It will not be used to screen-out any participant.

### **Portability:**

Portability members (Port-ins) from other FSS Programs will be welcomed into the SNRHA Family Self-Sufficiency Program, if open slots are available. If slots are not available, the family will be placed on the Interest Form List according to the date and time that the request was received. A new Contract of Participation (COP) will be executed for the remaining time of the initial contract. Exceptions to this policy in accordance with 24 CFR 984.306 regarding absorbing of FSS port-in clients. If SNRHA is absorbing under the HCV program, incoming HCV participants already enrolled in FSS and in good standing with the initial PHA will be absorbed, if funding is available.

The Head of Household (HOH) must sign the COP before other family members can participate.

The program participant must be:

- A current resident/participant, 18 years or older, in good standing with the SNRHA program under which they are a participant.
- Lease compliant (PH Residents)
- Current with community service hours (not applicable to HCV) or current on repayment agreement
- Not under eviction or termination.

SNRHA FSS Coordinators will use multiple methods to inform and recruit eligible program participants. Promotional materials are distributed to existing program participants and to applicants who are near completion in the lease-up process. These materials highlight program information and benefits, may include flyers, posters, FSS Brochure, and Interest Form. Several other outreach methods will be used to encourage FSS Program participation.

- The FSS informational brochures and interest forms will be available in SNRHA lobbies, administrative offices, management offices and /or distributed upon request
- The FSS department may mail brochures, annually to all eligible households
- FSS presentations may be conducted during any resident informational sessions

The FSS application process is as follows:

- The HOH must submit an interest form
- FSS Coordinators will verify the status of the resident, if lease compliant, the HOH will be placed on the interest list, in the YARDI system, by the date the interest form was received



- Eligible HOH will be invited, and must attend, an orientation session, if not; the family will be removed from the interest list. The orientation sessions will be held at various times on at least two different days, per month
- During the orientation session, detailed program information will be shared to assist the HOH in making the decision to participate
- If the HOH decides to participate, a Pre-Assessment Form must be completed
- If the HOH decides not to participate, the family will be removed from the Interest List

The Pre-Assessment Form is a tool that will be used to establish a base level of need. It will be used for case management purposes only, to determine the participant's level of education, job skills, prior work experience, career interest and program readiness. It will not be used to screen-out any participant.

The FSS enrollment criteria are as follows:

- The participant must be compliant with the terms of the lease or Housing Assistance Payment (HAP) agreement Family Obligations under the HCV program
- The HOH must have had an annual certification within the previous 120 days to begin the enrollment process.

## **ACTION PLAN**

SNRHA's FSS Program Action Plan will govern the operation of the FSS Program. This plan shall be updated annually and submitted to HUD each January.

## **INCREASING NUMBER OF WORKING FAMILIES**

In an effort to increase the number of working families within the agency's housing assistance programs, SNRHA will identify, mobilize, and link resources in a manner that will expand the Family Self-Sufficiency (FSS) Program to assist as many motivated and interested families as the program resources will accommodate.

SNRHA will implement this process as follows:

- Execute MOUs, if appropriate, with the initially targeted self-sufficiency partners, in order to have adequate services available to meet obligations to the motivated families as the families are selected for participation in the FSS program
- Develop and issue an FSS program booklet listing the basic program objectives, enrollment procedures, and primary service providers to all currently enrolled and interested families
- Coordinators shall identify resources to ensure families have tools to assist them in achieving their goals.

## **TARGETED SUPPORTIVE SERVICES TO BE PROVIDED**

The following forms of supportive services will be provided for the FSS Program participants through collaborative partnerships with area governmental, educational, and/or non-profit service providers:





- Childcare
- Transportation
- Remedial Education
- Secondary and Post-Secondary Education
- Job Readiness Training
- Jobs Referrals
- Homeownership Counseling
- Credit Counseling/Credit Repair
- Referrals to local supportive services; i.e. welfare; LIHEA; SSA and Medicaid

### **INCENTIVES TO ENCOURAGE PARTICIPATION**

SNRHA offers many incentives to encourage FSS Program participation, including the following:

- Individual case management
- Quarterly Meetings
- Links to community resources
  - Career assessment
  - Job skills/training
  - Financial management
  - Credit repair services
- Escrow account credits
- Homeownership opportunities

### **ASSURANCE OF NON-INTERFERENCE**

If a family decides not to participate in the FSS Program, that decision will not affect the family's right to admission in the Public Housing or HCV Programs or the right to occupancy in accordance with the lease.

### **METHOD FOR IDENTIFICATION OF SUPPORTIVE SERVICE NEEDS:**

The FSS Coordinator will provide on-going coordination and encouragement to the FSS Family. A critical factor in the provision of case management services is a regular communication between the Coordinators and their assigned families. All newly enrolled participants are required to meet with their Coordinator monthly, for the first three (3) months and quarterly thereafter. Assessment of the participant's needs and their on-going progress continues throughout the length of the FSS Contract of Participation (COP). Employment and career



development plans are made based on the assessment.

## **CONTRACT OF PARTICIPATION**

The COP will be discussed in detail with eligible family members, prior to being signed by the HOH. Other household members, 18 or older, may enroll in the FSS program at any time. These household members will be required to work one-on-one with the FSS Coordinator to develop and sign their own Individual Training and Service Plan (ITSP).

The enrollment process is complete once the HOH and the FSS Coordinator sign the COP.

The COP must include:

1. ITSP
2. A list of interim goals, one of which must be that all family members receiving Temporary Assistance to Needy Families (TANF), are off welfare assistance and remain independent for at least 12 consecutive months before the contract expires
3. Finals goals
4. The “seek and maintain suitable employment” clause which includes employment, interviews, and other activities related to job search. A determination of suitable employment shall be made by SNRHA based on the skills, education, and job training of the HOH and based on the available job opportunities within the jurisdiction served by SNRHA
5. Baseline information, annual income, earned income, and Total Tenant Payment (TTP)/30% of monthly adjusted income

After the initial activities have been completed, the FSS head of household will be required to sign an FSS Contract of Participation (HUD Form 52650).

The Contract of Participation will set forth the terms and conditions of participation in the FSS Program. It also includes the rights and responsibilities of the FSS family and SNRHA.

The *ITSP* will be an attachment to the FSS Contract. If the FSS participants are receiving benefits under the TANF program, SNRHA shall establish a goal that the family will become independent from TANF assistance at least one (1) year before the expiration of the term of the Contract of Participation. The Contract of Participation provides that one of the obligations of the FSS family is to comply with the terms of the HCV and/or PH requirements.

It is the responsibility of the FSS Coordinator to review the FSS Contract of Participation, in its entirety, with the participant. This will include a review of both the contract terms and the *ITSP*.

During this meeting, the participant will have the opportunity to amend any portion of the *ITSP* with the concurrence of the FSS Coordinator. Should the proposed changes substantially alter the participant's goals in a manner that does not meet the program objectives and/or the original selection criteria, such change may not be approved. FSS Coordinator determines the participant is no longer committed to the objectives of the FSS program the FSS Coordinator may terminate the FSS participant's enrollment process. Any terminations must be made in writing and the family must be advised of the procedures for obtaining an informal hearing under the public



housing or HCV program, as applicable.

The participant and FSS Coordinator will jointly execute the Contract of Participation. The original Contract, and any applicable attachments, will be maintained in the participant folder. At the close of this meeting, the participant will be provided with copies of the:

- Service Provider Referral Letters (original with copies to file)
- Contract of Participation and ITSP (copy)
- Escrow Worksheet (copy)

### **EMPLOYMENT AND EDUCATION REQUIREMENTS**

At any time the participant is not enrolled in an approved jobs training or educational program, the participant shall be required under the Contract of Participation to seek and maintain suitable employment of at least 20+ hours per week at minimum federal wages.

Only the head of household of the FSS family will be required to seek and maintain suitable employment. To *seek employment* means to provide evidence that he or she is actively completing/submitted job applications, participating in job interviews, and/or soliciting job leads through the Nevada Employment Services. The participant must complete and submit the Documentation of Search Form and submit monthly to the FSS Coordinator.

Determination of a participant's employability shall be made by SNRHA based on skills, education, prior work experience and or jobs training, as well as the perceived level of work opportunities based on individual attributes.

Alternatively, a participant may be enrolled in an educational program that is expected to result in the award of a diploma, certificate or degree. For anything other than remedial/basic education, the FSS participant must provide evidence that they are enrolled full-time in accordance with the institution's requirements for full time status for day students. The participant may also be required to periodically provide evidence that they are continually enrolled throughout the calendar year.

In summary, the FSS participant must be employed, in school/jobs training on a full time basis, or evidence a combination of school and work.

Participants must attend a FSS Support Group once every six (6) months.

Reasonable accommodations will be made upon request for FSS applicants with disabilities. SNRHA will work closely with heads of household who are disabled and may require a disability-specific jobs training program.

### **CONTRACT TERM**

The Contract of Participation (COP) shall provide that each FSS participant will be required to fulfill their FSS obligations in not more than five (5) years after the effective date of the contract.



This COP is a binding, five-year agreement between the Head of Household and the Southern Nevada Regional Housing Authority. This COP must:

- a. Help develop the Individual Training & Service Plan (ITSP).
- b. List interim and final goals – one of which must be that all family members are off welfare assistance and remain independent for at least one (1) year before contract expires, including any extensions.
- c. Include “seek and maintain suitable employment” clause which includes employment, interviews, and other activities related to job search. (An employment counselor will determine the definition of ‘suitable employment’ for occupations outside the norm.)
- d. Include baseline information – income, rent, and employment status.
- e. Interim goals may not be changed during the last six (6) months of the contract.

The COP will be discussed in detail with interested family members, prior to being signed by the HH; however, the family must be in compliance with all lease terms and conditions.

Other household members, 18 or older, may enroll in FSS at any time during the program. These household members will be required to work one-on-one with the FSS Coordinator to develop and sign their own ITSP.

During, the term of the COP, changes may be made to the ITSP and/or change of the FSS designated HH, by written request. The FSS Coordinator will forward the request as appropriate. Once the decision has been made, the Coordinator will respond in writing.

The participant will have ten (10) calendar days, to appeal the decision to the Director of Supportive Services (DSS) or designee. The participant shall have the opportunity to present written or oral objections.

### **Case Files**

The FSS Coordinator will maintain an individual case file on each FSS participant. The file will contain the following documents:

- Contract of Participation
- ITSP(s)
- Interest Form, FSS Pre-assessment & Assessment Forms
- Escrow Calculation and Tracking Forms
- Documentation of program participation
- Case notes detailing each contact with the participating family
- Extension and other related forms and letters
- Referral letters and other relevant correspondence
- Termination forms



- Extension approvals of approved changes to ITSPs

## **ESCROW ACCOUNT MANAGEMENT**

SNRHA shall maintain all FSS participant escrow accounts in accordance with HUD's regulations for recording program accounts. Escrow accounts are maintained on each participant. The escrow calculation allocates monthly savings amounts for each family, based on increases in their rent due to increased earned income (salary and wages.)

The annual or interim recertification exam determines when and how much change there will be to the Total Tenant Payment (the tenant's portion of the rent and utilities), which will then result in changes to the escrow accruals.

(Special Public Housing and HCV Notice: HUD approved income exclusions {earned income disallowance} will affect the FSS escrow account accruals.)

In an effort to maximize investment earnings, FSS escrow funds are combined and placed in a HUD approved investment instruments. The interest paid on the actual investment will be credited to the individual FSS escrow accounts at least annually.

If the FSS participant has not paid the family's contribution towards rent during the month in which such payment was due, or the other amounts, if any, due under the Public Housing lease and/or amounts due the SNHRA under the HCV program (e.g., repayment agreement), the balance in the account shall be reduced by that amount before prorating/calculating the interest income earned.

The participant will receive an escrow statement annually. This report will include the current monthly escrow credit along with the total escrow and interest accrual to date. These annual escrow reports serve both as a way to measure progress and as a motivator for pursuing self-sufficiency goals.

If the family is a HCV program port-in and SNRHA absorbs the family, the initial PHA must send the funds in the family's escrow account to SNRHA to administer.

A family in the SNRHA HCV program may port-out to the jurisdiction of a receiving PHA as long as the FSS participant has been in SNHRA's program for at least 12 months and as long as the receiving PHA has an FSS program and will accept the family.

If the receiving PHA has an FSS Program and will accept/absorb the family, then the receiving PHA will execute a new contract for the remaining time on the initial Contract. SNRHA will send the family's escrow funds to the receiving PHA and will close the contract at SNRHA.

If the receiving PHA does not have an FSS Program, then the family forfeits their FSS escrow account.

## **INTERIM ESCROW WITHDRAWALS:**

An HOH may be permitted to withdraw escrow funds for program and/or supportive services



expenses such as completion of his/her education, job training or start-up expenses for new business, however, the participant must:

- Have exhausted all other resources, and provided written acceptable verification
- Not owe a debt to SNRHA (unless the participant is current with a repayment agreement)
- Be in program compliance with both FSS and SNRHA
- Submit a written request and documentation of the need to the FSS Coordinator
- Have attended one FSS Support Group workshops within the last six months
- Be actively pursuing FSS goals
- Use the escrow funds for purposes of meeting ITSP goals only, otherwise, the participant will be terminated from the FSS program
- Provide receipts(s) verifying expenditure(s) within 30 days.

All written requests for interim disbursement will be submitted to the Director of Supportive Services (DSS), after the FSS Coordinator and the Resident Program Coordinator (RPC) have reviewed the request, to determine the adequacy of documentation and the level of need. The Coordinators must submit proof that other resources have been denied such as transportation cost, childcare, and care repairs if the family is eligible to receive from the Department of Welfare and Social Services (DWSS.) The DSS has final approval.

The FSS Coordinator will inform the participant of the request results.

- If the request is approved, the interim escrow distribution check will be prepared within 10 business days
- Within 10 business days after the escrow funds are received, the participant must provide documentation/receipts(s)
- Failure to provide documentation/receipts, participant will be terminated from the FSS program
- If the request is denied, the FSS Coordinator will mail to the participant, a written notification stating the reasons(s) for denial, or
- There is no appeal process for interim disbursement requests.

### **CONTRACT EXTENSION FOR GOOD CAUSE:**

SNRHA and the FSS participant must mutually agree to modify the Contract of Participation. However, no approvals for change of head of household shall be approved unless it is due to the death of the head of household as identified at the time of signing the COP or as a reasonable accommodation approved by SNRHA's 504 Coordinator.

The COP must be modified in writing with respect to changes to the participant's individual training and supportive service plan, the FSS contract, and/or the designated head of the family.

If an FSS service partner fails to deliver the supportive services pledged pursuant to a participant's ITSP, SNRHA shall make a good faith effort to obtain the same or similar services from another agency. If the absence of certain services will severely impact the participant's ability to achieve their original goals, the FSS Coordinator is authorized to assist the family in



modifying the ITSP, removing any contract obligation of the participant to receive unavailable services and revising, as appropriate, the contract terms.

Contract extensions may be approved up to two (2) years, for active FSS participants under the following conditions:

- Goals which have not been met due to circumstance beyond the control of the participant (i.e.: loss of employment, medical issues, death in the family, etc.)

To request a program extension, the FSS participant must submit a written request to the FSS Coordinator. The written request must include the reason(s) for requesting the extension and verification. To determine if an extension is warranted, the FSS Coordinator will review the request, program compliance and progress with the participant.

The FSS Coordinator will submit to the RPC, a written recommendation for review. The RPC will submit same to the DSS for final approval.

There is no grievance process available when an extension is denied.

#### **SUCCESSFUL COMPLETION OF THE PROGRAM:**

Successful completion of the FSS Program occurs at any time during the FSS COP, if the following conditions are met, and the participant:

- Has achieved all of his/her personal goals stated on the FSS COP; and
- SNRHA verifies family members have not received welfare cash assistance during the previous twelve (12) consecutive months; or
- 30% of the family's monthly adjusted income equals or is greater than the Fair Market Rent (FMR) amount for the unit size for which the family qualifies.

All members of the household with an ITSP must complete established goals in order for the family to graduate.

FSS participants may successfully complete the program in less than the five (5)-year COP if all other requirements are met. Successful program graduates are not required to leave subsidized housing.

The full balance of escrow, less any outstanding debt to SNRHA, will be given to the HOH within 30 days after the effective date of program completion.

There are no restrictions on the use of the escrow funds, and the U.S. Internal Revenue Service has ruled these funds are not subject to federal income tax.

Participants who have successfully completed the FSS program are not eligible for re-enrollment.



## CONTRACT TERMINATION

### **Voluntary:**

Participation in the FSS Program is voluntary. Participants may withdraw from the program at any time. This request will be honored without penalty regarding the family's housing status.

When SNRHA and family agree the FSS program ceases to meet the needs of the family, the FSS contract may be terminated. This must be indicated in writing and signed by both the head of household and a representative of SNRHA. This request will be honored without penalty regarding the family's housing status.

The family may reapply after one (1) year from the date of prior termination at any time in the future with acceptance being based on availability of space in the program. However, priority for participation will be for those who have not previously participated in FSS. Any amount in the family's FSS escrow account will be returned to SNRHA's appropriate program accounts.

### **Involuntary:**

Reasons for involuntary termination from the FSS program include, but are not limited to:

- Adverse loss of housing assistance
- Failure to fulfill responsibilities under the COP
- Failure to provide documentation/receipts for interim disbursements
- An act occurs that is inconsistent with the purpose of the FSS program.

### **Failure to Meet Contract Obligations/Involuntary Terminations**

The following actions are considered failure of the FSS participant to meet its obligations under the contract of participation *without good cause*, including the failure of an HCV program participant to comply with the contract requirements because the family has moved outside of the jurisdiction of SNRHA.

- Loss of Housing Choice Voucher or PH assistance
- Failure to complete activities on the ITSP on a repeated basis [more than (2) occurrences, as well as failure to attend appointments with FSS Coordinator]
- Failure to meet requirements for graduation within the five (5)-year term of the program or an approved extension, or
- Failure to complete 12 months of participation prior to porting-out

The family's FSS escrow account will be forfeited, however, the family may re-apply to the FSS Program after a minimum twelve months.

### **By Other Such Act as Deemed Inconsistent with the Objectives of the FSS Program**

This includes, but is not limited to, fraud, illegal activities or any activity that would normally result in eviction from public housing community or termination of the HCV housing assistance





payments. Any amount in the family's FSS escrow account will be returned to SNRHA's appropriate funds.

*Good Cause* shall be defined to mean circumstances beyond the control of the FSS family such as a serious illness or loss of employment by the head of household. These circumstances must be verified by third party methods. The participant must have demonstrated active participation and progress in the FSS program.

### **Grievance Procedure:**

In the event that the FSS Coordinator terminates a participant from the program, a termination letter will be mailed to the participant clearly stating the reason(s) for the decision. The participant will have 10 business days, from the date of the letter, to contact the Resident Program Coordinator (RPC) or designee.

Written decision notification from the RPC or designee shall be issued to the participant within 10 business days. If the participant does not agree with the decision of the RPC, they may request a review of the decision with the DSS.

If the participant does not agree with the decision of the DSS, they may request a hearing with the SNRHA Hearing Officer, according to the guidelines established in the Admissions and Occupancy Policy (ACOP) for Public Housing residents or Administrative Plan for Housing Choice Voucher participants.

### **CHANGES TO THE ACOP AND ADMINISTRATIVE PLAN:**

SNRHA recognizes that the implementation of the FSS Action Plan is a dynamic process, which may need to incorporate changes/revisions to current policies and procedures to be an effective working tool for staff.

SNRHA will review its approved ACOP Policy and Administrative Plan as needed, to ensure the FSS Action Plan is consistent with all program objectives. Any necessary changes will be made to SNRHA policy with prior public notices and Board approval.

### **BY OPERATION OF LAW**

If the FSS program itself is terminated by an act of law, all contracts will automatically expire. Any amount in the family's FSS escrow account will be returned to SNRHA's appropriate fund accounts.

All HCV program participants at their briefing will be provided with an FSS interest form to complete. PH residents shall be advised of the opportunity to participate in the FSS program during their initial leasing meeting.

Additional outreach will be done through newsletters and brochures are available in the lobby and SNRHA website ([www.snrha.org](http://www.snrha.org)).



## **PROGRAM ACCOUNTABILITY**

### **PENALTIES FOR FAILURE TO MEET OR EXCEED THE CONTRACT TERMS**

**The FSS Coordinator** shall clearly explain violations or non-compliance with the provisions of the Contract of Participation, which may include termination in the FSS program and forfeiture of escrow account.

### **PROGRAM ACCOUNTABILITY AND REPORTING**

#### **Service Partner Follow-Up**

Service providers will be asked to complete and return the bottom portion of the FSS Referral Form when the family has completed their initial intake activities with the service partner. The FSS Coordinator must contact any participant who fails to initially utilize the service provider(s) within 60 calendar days of the initial date of referral or within referral timeframe.

Service providers will be encouraged to contact the FSS Coordinator when the participant fails to follow through or encounters obstacles to service or program completing.

FSS participants are required to meet with their assigned case manager on a monthly basis for the first three (3) months of program activity. Thereafter, the case manager and participant will meet on a quarterly basis. If there are problems or if the case manager suspects non-compliance, the participant shall be placed on a monthly basis.

The participant's progress will be charted on their Individual Training and Service Plan (ITSP).

The ITSP will serve as a worksheet for tracking progress in the areas of education, job skills training, jobs placement, transportation, childcare, etc. Any necessary revisions to the ITSP will be made as a result of the progress (or lack thereof) documented through the ITSP. New referrals and or adjustments in interim goals may also occur.

Attendance at the scheduled meetings with the case manager is mandatory. Failure to maintain two (2) or more consecutive appointments is grounds for termination from the program. Only the Director of Supportive Services may grant a waiver as a reasonable accommodation or for other extreme circumstances.



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**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page  | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------|-------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALL     | ALL   | Change                | Entire Document will be updated with correct Revision Dates, CFR References, and Page Numbers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 4       | 4-5   | Add                   | Head, Spouse or co-head who is employed at least 20 hours per week <b>at the equivalent of minimum wage,</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 4       | 4-10  | Change                | The waiting list will be purged at least <del>bi</del> <b>tri</b> -annually ...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 4       | 4-12  | Change                | SNRHA staff will attempt to notify applicants by telephone <b>as a courtesy;</b> <del>and</del> all offers will be made in writing by first class mail.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4       | 4-12  | Change                | If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "good cause". The applicant will <del>not be removed from</del> <b>be returned to</b> the waiting list.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 6       | 6 - 5 | Change                | <b>The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.</b> <del>beginning on the date on which the increase is earned income begins and continuing for a cumulative 12-month period.</del> For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 <del>cumulative</del> <b>consecutive</b> calendar months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income <b>for the remaining 12 consecutive calendar months.</b>                                                                                                                                                                                                    |
| 6       | 6-6   | Change                | During the <del>cumulative</del> <b>initial</b> 12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6       | 6-6   | Change                | During the second and <del>final</del> <b>final</b> <del>cumulative</del> 12-month period after the expiration of the initial <del>cumulative</del> -12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 6       | 6-6   | Change                | <b>Maximum Two Four-Year Disallowance</b><br>The earned income disallowance is limited to a lifetime <del>48</del> 24 calendar month period.....phase- in exclusion during the <del>48</del> -24 month period ..... <del>If the period of increased income does not last for 12 consecutive months, the disallowance period may be resumed at any time within the 48-month period, and continued until the disallowance has been applied for a total of 12 months of each-</del>                                                                                                                                                                                                                                                                                                                                                                                               |
| 6       | 6-7   | Change                | <del>disallowance (the initial 12 month full exclusion and the second 12-month phase-in exclusion.</del> <b>If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.</b><br><del>No earned income disallowance will be applied after the 48-month period following the initial date the exclusion was applied.</del> <b>The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were "used".</b><br><b>Families that currently benefit from the IED, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48 month period, as was in effect prior to the effective date of this provision.</b> |
| 6       | 6-8   | Remove                | <del>Dates(s) earned income ended and resumed during the initial cumulative 12-month period of exclusion-</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 6       | 6-8   | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the initial exclusion of <b>100%</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**Southern Nevada Regional Housing Authority  
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| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6       | 6-8  | Remove                | <del>Date(s) earned income ended and resumed during the second cumulative 12-month period (phase in) of exclusion (if any)</del>                                                                                                                                                                                                                                                                                                        |
| 6       | 6-8  | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the phase in exclusion <b>of 50%</b> .                                                                                                                                                                                                                                                                                                                          |
| 6       | 6-8  | Change                | Ending date of the maximum <del>48 months (four year)</del> <b>24 month (2 Year)</b> disallowance period.                                                                                                                                                                                                                                                                                                                               |
| 6       | 6-8  | Remove                | <del>(48 months from the date of the initial earned income disallowance)</del>                                                                                                                                                                                                                                                                                                                                                          |
| 7       | 7-24 | Add                   | <b>Credit Card Statements will not be accepted as proof of payment of expenses</b>                                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-1  | Change                | submit the <del> requisite</del> <b>requested</b> 3rd party                                                                                                                                                                                                                                                                                                                                                                             |
| 8       | 8-2  | Change                | 1 transfer for every <del>50</del> <b>20</b> new move-ins                                                                                                                                                                                                                                                                                                                                                                               |
| 8       | 8-2  | Change                | Designated Senior Developments: 1 transfer for <del>50</del> <b>2</b> new move-ins                                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-3  | Add                   | <b>Good Standing criteria does not apply in the case of emergency transfers. Residents will be required to become compliant with all lease provisions upon completion of the Emergency Transfer to the new unit.</b>                                                                                                                                                                                                                    |
| 8       | 8-8  | Change                | <b>Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement. All applicable charges will be transferred to the resident's new account.</b>                                                                                                                                                                                                                                      |
| 8       | 8-8  | Addition              | The SNRHA will offer certain incentives to higher income families ( <b>Household income at or above 60% of AMI</b> ) willing to move into lower income projects...                                                                                                                                                                                                                                                                      |
| 8       | 8-9  | Change                | In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, <del>the losing manager</del> <b>both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from</b> will notify the resident of responsibility for the flat rent on the unit, in which they are transferring from, <del>until such time keys have been submitted.</del> |
| 8       | 8-9  | Add                   | with disabilities, <b>in accordance with SNRHA Reasonable Accommodation Policy and Procedures.</b>                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-10 | Change                | <b>For Otto Merida - Honolulu Street Family Apartments</b>                                                                                                                                                                                                                                                                                                                                                                              |
| 9       | 9-5  | Change                | Residents must advise the SNRHA when they will be absent from the unit for more than <del>30</del> <b>14</b> consecutive days                                                                                                                                                                                                                                                                                                           |
| 9       | 9-6  | Add                   | <b>If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See Page 6-16</b>                                                                                           |
| 9       | 9-7  | Change                | Tenant gave the required <del>30</del> <b>15</b> calendar days advance written notice                                                                                                                                                                                                                                                                                                                                                   |
| 9       | 9-8  | Change                | If any of the above items are found within a household the resident will be immediately billed <b>per labor established according to the Maintenance Charge List and added into the tenant's security deposit funds.</b> <del>thirty dollars (\$30) per room or affected area.</del>                                                                                                                                                    |

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9       | 9-11 | Change / Addition     | The premises listed below have been designated as smoke-free living environments:<br><b>• Lubertha Johnson Perry Plaza Senior Development</b><br><b>With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.</b><br>Residents, <b>staff</b> and guests are prohibited                                                                                |
| 10      | 10-1 | Change                | The SNRHA Pet Policy <b>Deposits, Fees, and Restrictions</b> does not apply to Assistance Animals...                                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-1 | Addition              | Families who choose to pay flat rent <b>or families who receive a verifiable fixed income</b> are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent <b>or fixed income</b> ...                                                                                                                                                                                                         |
| 11      | 11-2 | Addition              | choose flat rent <b>and families who receive fixed income</b> are to be recertified every three years.                                                                                                                                                                                                                                                                                                                                                    |
| 11      | 11-2 | Addition              | ...recertification will be conducted <b>at most 120 days prior</b> to be effective on August 1, the following year.)                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-2 | Addition              | and at the end of <b>second 12 month disallowance period</b> <del>the phase in period.</del>                                                                                                                                                                                                                                                                                                                                                              |
| 11      | 11-4 | Addition              | recertification, <b>they will receive a 30 day notice of lease termination for non-compliance of the recertification process.</b> <del>their housing subsidy will be removed and they will be charged the flat rent for their unit as of the effective date of the household's annual recertification.</del>                                                                                                                                              |
| 11      | 11-6 | Remove                | receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are <del>not</del> required to report their annual increase when it occurs. <del>The SNRHA will not increase the family's total tenant payment until their next regularly scheduled annual except when an interim recertification is necessary as a result of any other changes listed in the "Reporting Requirements" section of this chapter.</del> |
| 14      | 14-2 | Addition              | <b>HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR.(PIH-2015-12 HA)</b>                                                                                       |
| 14      | 14-2 | Change                | Participating in an educational or vocational training program designed to lead to employment. <b>As long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.</b> <del>30 hours per week</del>                                                                                                                                                         |



## Chapter 4

### TENANT SELECTION AND ASSIGNMENT PLAN

(Includes Preferences and Managing the Waiting List)

[24 CFR 960.204]

#### **INTRODUCTION**

It is the SNRHA policy that each applicant shall be assigned an appropriate place on a jurisdiction-wide waiting list unless the applicant has applied for a development subject to a site-based waiting list. Applicants will be listed in sequence based upon date and time the application is received, the size and type of unit they require, the site in which they wish to reside for applicable designated communities, and factors of preference or priority. In filling an actual or expected vacancy, the SNRHA will offer the dwelling unit to an applicant in the appropriate sequence, with the goal of accomplishing de-concentration of poverty and income-mixing objectives. The SNRHA will offer the unit until it is accepted. This Chapter describes the SNRHA policies with regard to the number of unit offers that will be made to applicants selected from the waiting list.

#### **SNRHA OBJECTIVES**

SNRHA policies will be followed consistently and will affirmatively further HUD's fair housing goals.

It is the SNRHA objective to ensure that families are placed in the proper order on the waiting list so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This chapter explains the policies for the management of the waiting list.

When appropriate units are available, families will be selected from the waiting list in sequence within their preference category and date and time sequence.

By maintaining an accurate waiting list, the SNRHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner. Based on the SNRHA turnover and the availability of appropriate sized units, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

#### **SITE-BASED/DESIGNATED WAITING LISTS**

Per the Quality Housing and Work Responsibility Act of 1998, SNRHA uses site-based/designated waiting lists.

#### **A. MANAGEMENT OF THE WAITING LIST**

The SNRHA will administer its waiting list as required by 24 CFR Part 5, Subparts E and F, Part 945 and 960.201 through 960.215. The waiting list will be maintained in accordance with the following guidelines:

The application will be a permanent part of the file.



All applicants in the pool will be maintained in order of preference. Applications equal in preference will be maintained by date and time sequence.

All applicants must meet applicable income eligibility requirements as established by HUD.

### **Opening and Closing the Waiting Lists**

The SNRHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part.

The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit, and the ability of the SNRHA to house an applicant in an appropriate unit within a reasonable period of time.

When the SNRHA opens the waiting list, the SNRHA will advertise the location(s), and program(s) for which applications are being accepted in the following newspapers:

Las Vegas Review Journal/Sun  
El Mundo  
Las Vegas Asian Journal  
Indian Voice  
The Challenger Rehabilitation, Disability Newspaper

To reach persons with disabilities, the SNRHA will provide separate notice to local organizations representing the interests and needs of the disabled. This will include notice to the following organizations:

Opportunity Village  
Nevada Disability Advocacy and Law Center Nevada  
Legal Services  
Help Them Walk Again  
Nevada Association for the Handicapped

The notice will contain:

- The dates, times, and the locations where families may apply.
- Any designated housing for which site-based waiting lists are applicable
- The programs for which applications will be taken.
- Limitations, if any, on whom may apply.

The notices will be made in an accessible format, if requested. They will provide potential applicants with information that includes the SNRHA address and telephone number, and how to submit an application.

### **When Application Taking is Suspended**

The SNRHA may suspend the acceptance of applications if there are enough applicants to fill anticipated openings for the next 12 to 24 months.





The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

During the period when the waiting list is closed, the SNRHA will not maintain a list of individuals who wish to be notified when the waiting list is open.

Suspension of application taking is announced in the same way as opening the waiting list. SNRHA will give at least five (5) days notice prior to opening or closing the list.

When the period for accepting applications is over, the SNRHA will add the new applicants to the list by:

- Unit size, local preference, and by date and time of application.

The SNRHA will update the waiting list at least annually by removing the names of those families who are no longer interested, no longer qualify for housing, or cannot be reached by mail. At the time of initial intake, the SNRHA will advise families of their responsibility to notify the SNRHA in writing when mailing address changes.

### **Limits on Who May Apply**

When the waiting list is open,

- Any family asking to be placed on the waiting list for Public Housing rental assistance will be given the opportunity to complete an application.

When the application is submitted to the SNRHA, it establishes the family's date and time of application for placement order on the waiting list with preference points determining the final rank.

### **Multiple Families in Same Household**

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

## **B. SITE BASED WAITING LISTS**

The SNRHA offers a system of site-based waiting lists for HUD-approved designated communities.

The SNRHA maintains separate site-based waiting lists for all current or future mixed financed properties, as well as all current or future RAD conversion Properties.

Applicants may choose which site-based waiting list they wish to be placed on, regardless of the application site. Applicants may designate the community or communities in which they seek to reside.

SNRHA will monitor its site-based wait list annually by comparing data in January to data in October to determine the level of change, if any, in the overall racial, ethnic and disability-related tenant composition at each SNRHA site by analyzing its data.



Every reasonable action will be taken by the SNRHA to assure that applicants can make informed choices regarding the community(s) in which they wish to reside. The SNRHA will disclose information to applicants regarding the location of available sites.

### **Monitoring Site-Based Waiting Lists**

The system of site-based waiting lists will be carefully monitored to assure that civil rights and fair housing are affirmatively furthered.

The SNRHA adoption of site-based waiting lists is not in violation of any court order or settlement agreement, and is not inconsistent with any pending complaint brought by HUD.

The SNRHA will monitor its system of site-based waiting list annually to assure that racial steering does not occur. If the SNRHA annual analysis of its site-based waiting list indicates that a pattern of racial steering is or may be occurring, the SNRHA will take corrective action.

The SNRHA will assess changes in racial, ethnic or disability-related tenant composition at each SNRHA site that has occurred during the implementation of the site-based waiting lists. The SNRHA will make this assessment based on MTCS data.

The SNRHA has established site-based waiting lists for the following properties:

Espinoza Terrace, Designated Elderly Development, Henderson

Hampton Court, Family Development, Henderson

Otto Merida Desert Villas, Family Development, Las Vegas

Landsman Gardens, Family development, Henderson

Vera Johnson B, Family Development, Las Vegas. Vera Johnson B will convert from Mixed Finance to RAD Project Based Voucher after construction.

Biegger Estates, Family Development, Las Vegas

Rose Gardens, Designated Elderly Development, Las Vegas

The SNRHA intends to make available dwelling units, in communities designated for elderly families only, to near-elderly families if there are an insufficient number of elderly families on the waitlist. Near elderly will be defined as families whose members are 55 years of age or older.

### **C. WAITING LIST PREFERENCES**

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

The SNRHA preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, and further de-concentration of poverty in public housing. When such matching is required or permitted by current law, the SNRHA will give preference to qualified families.



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

Among applicants with equal preference status, the waiting list will be organized by date and time.

**Local Preferences**

Local preferences will be used to select among applicants on the waiting list. A public hearing with an opportunity for public comment will be held before the SNRHA adopts any local reference.

The SNRHA uses the following Local Preferences:

**Homeless Referral Preference:** Families who are homeless (family lacks a fixed regular and adequate night time residence, or has a primary night time residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, such as welfare voucher hotels, congregate shelters or transitional housing designed for homeless persons, or a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings) and are participating in case management with an approved referral agency. This preference shall be limited to up to 150 referrals per year ..... **60 points**

Unit offers to applicants referred for this preference will be made as follows: for every two applicants from the waiting list receiving a unit offer, one applicant referred under this preference will receive a unit offer.

*Homeless Families that live with friends or relatives who are not currently in the transition system, will be encourage to apply to other available SNRHA programs that they may qualify for.*

**Federally Declared Disasters:** Victims who are holders of Section 8 Vouchers or other subsidized programs as defined as eligible units by HUD, in another jurisdiction within 120 days of the President declaring a federal disaster. .... **55 points**

**Working Preference:** Head, spouse or co-head who is employed at least 20 hours per week **at the equivalent of minimum wage**, or who are active participants in accredited educational and training programs designed to prepare the individual for the job market. This preference is extended equally to elderly families or disabled families, including but not limited to those whose head or spouse is receiving SSI, SSD, or who can be verified to be unable to work, if both the head of household and spouse is either elderly or disabled..... **30 points**

**Veteran preference** for veteran as defined by State. .... **6 points**

**Residency preferences** for head, co-head or spouse, who live, work, have been hired to work, or are enrolled full time in an accredited school in Clark County... **5 points**



**Disabled veteran** or family (defined as dependent son, daughter, and spouse) of a veteran with a service-connected disability. .... **.5 points**

**Family of** (defined as spouse) a **deceased veteran** with a service-connected death. .... **.4 points**

***FINAL VERIFICATION OF PREFERENCES [24 CFR 5.415]***

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the SNRHA will obtain necessary verifications of preference at the interview and by third party verification.

***PREFERENCE DENIAL [24 CFR 5.415]***

If the SNRHA denies a preference, the SNRHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal meeting with the Housing Programs Manager or Director of Housing Programs. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

**Treatment of Single Applicants**

Single applicants will be treated as any other eligible family on the SNRHA waiting list.

**Pulling from the Wait List**

SNRHA shall utilize income targeting to meet HUD's requirements that 40% of admissions have income of less than 30% of minimum income. Elderly and disabled families are given the working preference as required by HUD regulations. All preferences claimed are verified at final eligibility determination. If preferences claimed cannot be verified, the applicant is returned to the appropriate placement on our waiting list and a written notice explaining this action is sent to the applicant.

**D. VERIFICATION OF PREFERENCE QUALIFICATION [24 CFR 5.415]** The

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

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list and ranked without the Local Preference and given an opportunity for a review.

**Change in Circumstances**

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the SNRHA in writing when their circumstances change. When an applicant claims an additional preference, s/he will be placed on the waiting list in the proper order of their newly claimed preference.

If the family failed to report income changes during final eligibility and the verified



failure would have affected their eligibility for a local preference, the family will be returned to the waiting list.

**E. PREFERENCE DENIAL** [24 CFR 5.415]

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

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

**F. FACTORS OTHER THAN PREFERENCES THAT AFFECT SELECTION OF APPLICANTS**

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

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

**G. INCOME TARGETING**

The SNRHA will monitor its admissions to ensure that at least 40 percent of families admitted to public housing in each fiscal year shall have incomes that do not exceed 30% of area median income of the SNRHA jurisdiction.

Hereafter families whose incomes do not exceed 30% of area median income will be referred to as "extremely low income families."

The SNRHA shall have the discretion, at least annually, to exercise the "fungibility" provision of the QHWRRA by admitting less than 40 percent of "extremely low income families" to public housing in a fiscal year, to the extent that the SNRHA has provided more than 75 percent of newly available vouchers to "extremely low income families." This fungibility provision discretion by the SNRHA is also reflected in the SNRHA Administrative Plan.

The fungibility credits will be used to drop the annual requirement below 40 percent of admissions to public housing for extremely low income families by the lowest of the following amounts:



The number of units equal to 10 percent of the number of newly available vouchers in the fiscal year; or

The number of public housing units that 1) are in public housing communities located in census tracts having a poverty rate of 30% or more, and 2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

**The Fungibility Floor:** Regardless of the above two amounts, in a fiscal year, at least 30% of the SNRHA admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the SNRHA overall requirement for housing extremely low-income families to drop to 30% of its newly available units.

Fungibility shall only be utilized if the SNRHA is anticipated to fall short of its 40% goal for new admissions to public housing.

### **Low Income Family Admissions**

Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

## **H. UNITS DESIGNATED FOR THE ELDERLY**

In accordance with the 1996 Housing Act, Head or Spouse must be at least 62 years of age will be selected for admission to such units or buildings covered by a HUD-approved Allocation Plan, except for the units which are accessible, which may be offered to persons with disabilities.

The SNRHA will take the following action when processing families for developments designated for the elderly when there are insufficient elderly families who wish to reside in a development, near-elderly families (head or spouse ages 55-61) will be selected for this type of unit.

## **I. UNITS DESIGNATED FOR THE DISABLED**

SNRHA has no HUD-approved disabled-only designated developments.

## **J. MIXED POPULATION UNITS**

A mixed population community is a public housing community, or portion of a community that was reserved for elderly families and disabled families at its inception (and has retained that character).

In accordance with the 1992 Housing Act, elderly families whose head spouse or sole member is at least 62 years of age, and disabled families whose head, co-head or spouse or sole member is a person with disabilities, will receive equal preference to such units.

No limit will be established on the number of elderly or disabled families that may occupy a mixed population property. All other SNRHA preferences will be applied.



## **K. GENERAL OCCUPANCY UNITS**

General occupancy units are designed to house all populations of eligible families. In accordance with the SNRHA occupancy standards, eligible families not needing units designed with special features or units designed for special populations will be admitted to the SNRHA general occupancy units.

The SNRHA will use its local preference system as stated in this chapter for admission of eligible families to its general occupancy units.

## **L. DECONCENTRATION OF POVERTY AND INCOME-MIXING**

The SNRHA admission policy is designed to provide for de-concentration of poverty and income mixing by bringing higher income tenants into lower income communities and lower income tenants into higher income communities.

Gross annual income is used for income limits at admission and for income-mixing purposes.

Skipping of a family on the waiting list specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met.

The SNRHA will gather data and analyze, at least annually, the tenant characteristics of its public housing stock, including information regarding tenant incomes, to assist in the SNRHA de-concentration efforts.

The SNRHA will use the gathered tenant income information in its assessment of its public housing developments to determine the appropriate designation to be assigned to the community for the purpose of assisting the SNRHA in its de-concentration goals.

If the SNRHA annual review of tenant incomes indicates that there has been a significant change in the tenant income characteristics of a particular community, the SNRHA will evaluate the changes. The SNRHA will determine whether, based on the SNRHA methodology of choice, the community needs to be re-designated as a higher or lower income community or whether the SNRHA has met the de-concentration goals and the community needs no particular designation.

### **Deconcentration and Income-Mixing Goals**

Admission policies related to the de-concentration efforts of the SNRHA do not impose specific quotas. Therefore, the SNRHA will not set specific quotas, but will strive to achieve de-concentration and income mixing in its developments.

The SNRHA income-mixing goal is a long-range goal and may not be achieved in the first year of implementation. The SNRHA will use its annual analysis of its public housing stock and tenant incomes to provide benchmarks for the SNRHA.

The SNRHA income-mixing goal, in conjunction with the requirement to achieve income targeting, will be achieved via unit offer procedures described in Section P of this chapter.



## **Community Designation Methodology**

### **Aggregate Average Method**

The SNRHA will review the annual resident income of all family sites to develop an average annual income, which will be used as a baseline. Developments with an average annual income above that baseline will be considered higher income developments, and developments with an average annual income below the baseline will be considered lower income developments.

Upon analyzing its findings the SNRHA will apply the policies, measures and incentives listed in Section P of this chapter to bring higher income families into lower income developments.

### **SNRHA Incentives for Higher Income Families**

Covered in Section P of this Chapter.

### **M. REMOVAL FROM WAITING LIST AND PURGING** [24 CFR 960.204(a)]

The waiting list will be purged at least **tri**-annually by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within 14 calendar days, s/he will be removed from the waiting list. If a letter is returned by the Post Office, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. Failure to respond will result in removal from all waiting lists.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed period.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

The SNRHA allows a grace period of 7 calendar days after completion of the purge mailing. Applicants who respond during this grace period will not be withdrawn.

Applicants are notified with confirmation of the SNRHA receipt of their application that they are responsible for notifying the SNRHA within 10 calendar days, if they have a change of address.

### **N. OFFER OF ACCESSIBLE UNITS**

The SNRHA has units designed for persons with mobility, sight and hearing impairments, referred to as accessible units.

No non-mobility-impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, the SNRHA will offer such units:





First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA control who has a disability that requires the special features of the vacant unit.

Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, the SNRHA will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement. SNRHA will pay all reasonable and customary costs associated with the relocation of the non-disabled family.

The Authority will make modifications to the unit in keeping with the Section 504 Transition Plan as the need arises and until the agency determines that an adequate number of units have been rehabilitated in numbers sufficient to evidence compliance with the Plan See Chapter 9.

#### **O. PLAN FOR UNIT OFFERS**

The SNRHA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is to offer the family at the top of the waiting list for the appropriate bedroom size and unit type the oldest available unit five days prior to target-ready date.

Unit offers to promote income targeting are made in accordance with HUD regulations of the oldest eligible certified family to the appropriate bedroom size of the oldest ready and available unit. Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

#### **Number of Offers - Two Offers**

SNRHA will make two offers on an appropriate unit. If the second offer is rejected or the applicant fails to execute a lease within the required timeframes, the applicant will be withdrawn from our waiting list. Exceptions are incorrect unit offers and/or offers to non-disabled families of accessible units, or other “good cause” reason. The applicant shall be informed of this in writing.

#### **SNRHA Incentives for Higher Income Families**

The SNRHA will offer certain incentives to higher income families willing to move into lower income communities. If a higher income family agrees to move to an SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family’s choice. The move will be approved, according to the Occupancy Guidelines, only if the family has consistently been in lease compliance for two years following admission.

In addition, the SNRHA will target homeownership opportunities to higher income families moving into lower income communities.



## **P. CHANGES PRIOR TO UNIT OFFER**

### **Applicants with a Change in Family Size or Status**

Applicants must report changes in income, family composition, and address within ten (10) calendar days of the change prior to eligibility and after final eligibility. If the family did not report the change within the required time frame, the family will be withdrawn and determined ineligible and offered an opportunity for informal hearing.

Properly reported changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. The SNRHA shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit or if the family is no longer eligible for the program.

The family will take the appropriate place in the selection pool or waiting list according to the preference points on the date they first applied **if the appropriate waiting list was open at the time of initial application.**

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

Income changes properly reported after the unit is offered will be processed following lease-up procedures.

## **O. APPLICANT STATUS AFTER FINAL UNIT OFFER**

When an applicant rejects the final unit offer the SNRHA will remove the applicant's name from the waiting list. Removal from the waiting list means the applicant must reapply. Exceptions may be made in accordance with 504 regulations, for persons whose refusal involved the need for a reasonable accommodation.

## **R. TIME-LIMIT FOR ACCEPTANCE OF UNIT**

Applicants will have three (3) business days to respond to an offer of an available unit. Applicants must accept a unit offered within one (1) business day of the date the unit is shown and execute a lease within two (2) additional business days of the offer acceptance. Extensions can be approved for good cause.

SNRHA staff will attempt to notify applicants by telephone **as a courtesy**; all offers will be made in writing by first class mail.

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

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "*good cause*," the applicant will **be returned to** the waiting list.

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



- An elderly family who makes the decision not to occupy or accept occupancy in designated housing for which they applied will be withdrawn from the designated housing waiting list, but this action will not affect their standing on any other waiting list. [24 CFR 945.303(d)]
- Inaccessibility to source of employment or education such that an adult household member must quit a job, drop out of an educational or a job training program.
- The family demonstrates to SNRHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons must be specific. Refusals due to the location of the unit alone are not considered to be good cause.
- A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household member, or a live-in aide necessary to care for the principal household member.
- The family is offered a unit which is handicap accessible, but there is no member of the family that need accessibility features in the unit. The unit is inappropriate for the applicant's disabilities

### **S. REFUSAL OF OFFER**

If the unit offered is inappropriate for the applicant's disabilities or if a non-disabled family is offered an accessible unit, the family will retain their position on the waiting list.

If the unit offered is refused for other reasons, the SNRHA will follow the applicable policy as listed in Section O, Plan for Unit Offers, and Section Q, Applicant Status after Final Offer.

### **T. SPECIAL PROGRAMS**

The SNRHA will administer a HUD, RAD (Rental Assistance Demonstration) program at the following properties:

- o Landsman Gardens, Henderson, Nevada.
- o Vera Johnson B, Las Vegas, Nevada
- o Biegger Estates, Las Vegas, Nevada
- o Rose Gardens, North Las Vegas, Nevada

**See Chapter 16 for RAD/PBV information.**



## Chapter 6

### DETERMINATION OF TOTAL TENANT PAYMENT

[24 CFR 5.628, 5.611, 5.613, 5.615]

#### **INTRODUCTION**

The accurate calculation of annual income and adjusted income will ensure that families are not paying more or less money for rent than their obligation under the regulations.

This chapter defines the allowable deductions from annual income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subpart F and further instructions set forth in HUD Notices, Memoranda and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. The SNRHA's policies in this chapter address those areas which allow the SNRHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

#### **A. MINIMUM RENT (TTP)**

The minimum rent (TTP) for the SNRHA is \$50.00.

The total tenant payment is the greater of:

30% of the adjusted monthly income

10% of the monthly income

The minimum rent as established by the SNRHA

The minimum rent refers to a minimum total tenant payment and not a minimum tenant rent.

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

The SNRHA recognizes that in some instances even the minimum rent may create a financial hardship for families. The SNRHA will review all relevant circumstances brought to the SNRHA's attention regarding financial hardship as it applies to minimum rent. The following section states that the SNRHA's procedures and policies in regard to minimum rent financial hardship as set forth by the QHWRA.



### **SNRHA Procedures for Notification to Families of Hardship Exceptions**

The SNRHA will notify all participant families subject to a minimum rent of their right to request a minimum rent hardship exception under the law.

The SNRHA will notify all eligible families at time of lease-up of their right to request a minimum rent hardship exception.

The SNRHA will notify all eligible families at the annual and interim recertification appointments of their right to request a minimum rent hardship exception.

The manager or their designee will document in the family's file that the family has been notified of their right to request a minimum rent hardship exception.

The SNRHA notification will advise the family that hardship exception determinations are subject to SNRHA grievance procedures.

The SNRHA will review all tenant requests for exception from the minimum rent due to financial hardships.

All requests for minimum rent exception are required to be in writing.

Requests for minimum rent exception will be accepted by the SNRHA from the family in writing.

Requests for minimum rent exception must state the family circumstances that qualify the family for an exception.

### **Exceptions to Minimum Rent**

The SNRHA will immediately grant the minimum rent exception to all families who request it.

The Minimum Rent will be suspended until the SNRHA determines whether the hardship is:

Covered by statute

Temporary or long term

If the SNRHA determines that the minimum rent is not covered by statute, the SNRHA will impose a minimum rent including payment for minimum rent from the time of suspension.



The SNRHA will use its standard verification procedures to verify circumstances which have resulted in financial hardship, such as loss of employment, death in the family, etc.

### **HUD Criteria for Hardship Exception**

In order for a family to qualify for a hardship exception the family's circumstances must fall into one of the following criteria:

The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance;

The family would be evicted as a result of the imposition of the minimum rent requirement;

The income of the family has decreased because of changed circumstances, including:

Loss of employment

Death in the family

Other circumstances as determined by the SNRHA or HUD

### **Temporary Hardship**

If the SNRHA determines that the hardship is temporary, a minimum rent will be imposed, including back payment from time of suspension, but the family will not be evicted for nonpayment of rent during the 90 day period commencing on the date of the family's request for exemption.

### **Repayment Agreements for Temporary Hardship**

The SNRHA will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period.

See Chapter 14, Rent and Debt Collection Procedures, for payment terms.

## **B. INCOME AND ALLOWANCES**

**Income:** Includes all monetary and non-monetary income or benefit amounts that are received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be calculated and what is to be excluded in the federal regulations. In accordance with this definition, all income that is not specifically excluded in the regulations is counted. (See Income Inclusions and Income Exclusions in the Glossary of Terms of this policy.)



**Annual Income** is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits. (24 CFR 5.607)

The low-income subsidy received to assist low-income persons in paying for their Medicare prescription drug plan costs must be excluded as annual income for the purpose of calculating any rent or assistance.

**Adjusted Income** is defined as the annual income minus any HUD allowable expenses and deductions.

### **Allowable Deductions**

HUD has 5 allowable deductions from annual income:

1. Dependent allowance: \$480 each for family members (other than the head or spouse), who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
2. "Elderly/disabled" allowance: \$400 per household for families whose head or spouse are 62 or over or disabled.
3. For any family that is a disabled family, or has a member (other than the head or spouse) who is a person with a disability. A disability assistance expenses for unreimbursed amounts paid for attendant care or auxiliary apparatus expenses for family members with disabilities, including the disabled member, where such expenses are necessary to permit an adult family member to be employed. The allowable expenses must be in excess of 3% of annual income. This allowance may not exceed the employment income received by the family members that is freed to go to work, who is at least 18 years of age.
4. For any elderly or disabled family:
  - a. 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;
  - b. 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;



- c. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that are equal to the total of these expenses less 3% of annual income.
5. Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare 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)).
6. The SNRHA does not provide for any optional deductions or allowances in the public housing program.

**C. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS**  
**24 CFR 962.255, 24 CFR 5.617, 24 CFR 960.255**

The annual income for qualified families may not be increased as a result of increases in earned income of a family member. **The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.** For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 **consecutive** months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income **for the remaining 12 consecutive calendar months.**

A family eligible for the earned income exclusion is a family that occupies a dwelling unit in a public housing community; and

Whose annual income increases as a result of employment of an adult member of the family who was previously unemployed for one or more years;

Whose earned annual income increases during the participation of a family member in any family self-sufficiency or other job training program; or

Whose annual income increases, as a result of new employment or increased earnings of an adult family member during or within six months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a six-month period is at least \$500. The qualifying TANF assistance may consist of any amount of monthly income maintenance, and/or at least \$500 in such TANF benefits and services as one-time payments, wage subsidies and transportation assistance.





The HUD definition of "previously unemployed" includes a person who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality if it is higher than the federal minimum wage.

The HUD definition of economic self-sufficiency program is any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Qualifying increases are any earned income increases of a family member during participation in an economic self-sufficiency or job training program and may include increases that occur after participation provided the training provides assistance, placement, training or mentoring after the training that leads to employment.

The amount that is subject to the disallowance is the amount of incremental increase in income of a family member. The incremental increase in income is calculated by comparing the amount of the family member's income before the beginning of qualifying employment (baseline) to the amount of such income after the employment.

#### **Initial Twelve-Month Exclusion**

During the **initial** 12-month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the SNRHA will exclude from annual income of a qualified family member any increase in income of the family member as a result of employment over the prior income of that family member (baseline).

#### **Second Twelve-Month Exclusion and Phase-in**

During the second **and final** 12-month period after the expiration of the initial 12-month period referred to above, the SNRHA must exclude from Annual Income of a qualified family member, 50 percent of any increase in income of a family member who is a person with disabilities as a result of employment over the income of that family member prior to the beginning of such employment.

#### **Maximum Two Year Disallowance**

The earned income disallowance is limited to a lifetime **24** month period for each family member. For each family member, the disallowance only applies for a maximum of 12 months of full exclusion of incremental increase, and a maximum of 12 months of phase-in exclusion during the **24** month period starting from the date of the initial exclusion.



**If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.**

**The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were “used”.**

**Families that currently benefit from the EID, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48-month period, as was in effect prior to the effective date of this provision.**

#### **Applicability to Child Care Expense Deductions**

The amount deducted for childcare necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction in the case of the deduction that is allowed due to employment.

#### **Applicability to Disability Expense Deductions**

The amount deducted for disability expense deduction that is necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for the disability expense deduction.

#### **Applicability to Families that Receive both Child Care Expense and Disability Deductions**

The amount deducted for both childcare and disability expense deductions necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction and disability expenses combined in the case of the deduction that is allowed due to employment.

#### **Tracking the Earned Income Exclusion**

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family’s file to show the reason for the reduced increase in rent.

**\*Such documentation will include:**

- **Date the increase in earned income was reported by the family**
- **Name of the family member whose earned income increased**



- Reason (new employment, participation in job training program, within 6 months after receiving TANF) for the increase in earned income
- Amount of the increase in earned income (amount to be excluded)
- Date the increase in income is first excluded from annual income
- Date the family member has received a total of 12 consecutive months of the initial exclusion of 100%
- Date the 12-month phase-in period began
- Date the family member has received a total of 12 consecutive months of the phase-in exclusion of 50%
- Ending date of the maximum 24 month (two year) disallowance period

The SNRHA will maintain a tracking system to ensure correct application of the earned income disallowance.

It is a SNRHA policy decision to conduct an interim reexamination for income increases for the purpose of calculating the earned income disallowance.

### **Inapplicability to Admission**

The earned income disallowance is only applied to determine the Annual Income of families who are participants in the public housing program, and therefore does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

### **E. INDIVIDUAL SAVINGS ACCOUNTS**

The SNRHA chooses not to establish a system of individual savings accounts for families who qualify for the disallowance of earned income.

### **F. TRAINING PROGRAMS FUNDED BY HUD**

All training income from a HUD sponsored or funded training program, whether incremental or not, is excluded from the resident's annual income while the resident is in training. Income from a Resident Services training program, which is funded by HUD, is excluded.

Upon employment with the SNRHA, the full amount of employment income received by the person is counted.

### **G. AVERAGING INCOME**

When annual income cannot be anticipated for a full 12 months, the SNRHA will average known sources of income that vary to compute an annual income.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third-party or check-stub verification is not available.



If by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so that the housing payment will not change from month to month.

The method used depends on the regularity, source and type of income.

## **H. MINIMUM INCOME**

There is no minimum income requirement. Families who report zero income or extremely low income are required to complete a written certification every 180 calendar days which will be verified with EIV and all federal, state and local agencies and other sources, as appropriate, including credit checks, to verify income sources. If any increases in income are indicated in any of the above information or other verification at any time, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Families that report zero or extremely low income will be required to provide information in writing regarding their means of basic subsistence, such as food, utilities, transportation, and other subsistence expenses, in writing. SNRHA will require a print out of utility bills for three months to be submitted at interim evaluations for residents claiming zero or extremely low income.

If the family's expenses exceed their known income, the SNRHA will make inquiry of the head of household as to the nature of the family's accessible resources.

Utility bills provided by the family which show that the utilities are in another person's name will require further investigation as to whether there is an unauthorized member of the household.

Where credit reports show credit accounts open and payments current, SNRHA will take action to investigate the possibility of unreported or underreported income, fraud or program abuse.

The SNRHA will terminate the lease of families for fraud or offer a repayment agreement when documented evidence indicates the family has unreported or underreported income, which includes receiving funds from other parties or individuals that has not been reported. Failure to enter into a repayment agreement and pay the required 25% down payment within the established guidelines shall result in the termination of the lease. Repeating this action will result in termination of the lease.



## **I. INCOME OF PERSON PERMANENTLY/TEMPORARILY CONFINED TO NURSING HOME**

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the SNRHA will calculate the income by using the following methodology and use the income figure which would result in a lower payment by the family:

Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member after 180 days or when doctor certification of length of absence is received, whichever comes first.

If the family member is temporarily confined in a hospital or nursing home, SNRHA will calculate the TTP by:

Including the income of the person temporarily confined to the nursing home and giving the family the medical deductions allowable on behalf of the person in the nursing home, if they are an elderly or disabled family. For the purpose of this section, “temporarily” is defined as no more than 180 days.

## **J. REGULAR CONTRIBUTIONS AND GIFTS** [24 CFR 5.609(a)(7)]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the tenant share of the rent.

Any contribution or gift received two consecutive months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$100 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter 7, Verification Procedures, for further definition.)

If the family's expenses exceed its known income, the SNRHA will question the family about contributions and gifts.

## **K. ALIMONY AND CHILD SUPPORT** [24 CFR 5.609(a)(7)]

Regular alimony and child support payments are counted as income for calculation of the family's share of the rental payment.



### **SNRHA Policy**

SNRHA will count court-awarded amounts for alimony and child support unless SNRHA verifies that: (1) the payments are not being made, and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [HCV GB, pp. 5-23 and 5-47].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

SNRHA will accept verification that the family is receiving an amount less than the award if:

- SNRHA receives verification from the agency responsible for enforcement or collection.
- The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

When child support or alimony fluctuates, SNRHA will follow the policy below.

### **SNRHA Policy**

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

1. SNRHA shall add the total of all payments listed for the past twelve months. The total shall then be considered anticipated income.
2. When verification documents from the DA office indicated no payment for more than 60 days from the date of the printout (upon receipt of verification), no income will be anticipated from child support/alimony. Participants are required to report all changes within 10 calendar days in writing including when child support/alimony is not received and/or starts.

### **L. LUMP-SUM RECEIPTS** [24 CFR 5.609(b)(5), (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, are not included in income but may be included in assets, if the amount has been invested in an allowable asset.

Lump-sum payments caused by delays in processing periodic payments such as unemployment or welfare assistance are counted as income. Lump sum payments from



Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt, the SNRHA will calculate retroactively.

### **Retroactive Calculation Methodology**

The SNRHA will go back to the date the lump-sum payment was received, but never further back than the date of admission.

The SNRHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due the SNRHA.

At the SNRHA's option, the SNRHA may enter into a Payment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

### **M. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS**

Contributions to company retirement/pension funds are handled as follows:

While an individual is employed, count as assets only amounts the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

### **N. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE**

The SNRHA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. In calculating total assets, the SNRHA will count the difference between the market value and the actual payment received.

Assets disposed of as a result of foreclosure or bankruptcy is not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of a divorce or separation is not considered to be assets disposed of for less than fair market value.

The SNRHA's minimum threshold for counting assets disposed of for less than Fair



Market value is \$5000. If the total value of assets disposed of within the two-year period is less than \$5000, they will not be considered an asset.

## **O. CHILD CARE EXPENSES**

Not reimbursable child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment.

In the case of a child attending private school, only after-hours care can be counted as child care expenses.

Child care expenses cannot be allowed as a deduction if there is an adult household member capable of caring for the child who can provide the child care. Examples of those adult members who would be considered *unable* to care for the child include:

The abuser in a documented child abuse situation, or

A person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source, or

Can provide proof that the adult member is searching for a job (maximum time allowed for search is 10 hours per week.)

An allowable deduction for child care expenses is based on the following guidelines:

**Child care to work:** The maximum child care expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

**Child care for school:** The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.

**Amount of Expense:** The SNRHA will survey the local care providers in the community and collect data as a guideline. If the hourly rate materially exceeds the guideline, the SNRHA may calculate the allowance using the guideline.

### **Child Care Verification:**

SNRHA will send out via mail to the child care provider a 3rd party verification, which will need to be completed, showing the name, age of children, hours and days watched along with amount charged. Verification is to include provider's license number or tax identification number if they are a licensed agency. Private providers will need to provide a social security number and have the form notarized.

No other form of verification will be accepted but that of the Housing Authority.





Secondary verification after attempting orals will be receipts.

**P. MEDICAL EXPENSES** [24 CFR 5.603]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

Persons with a Medicare prescription drug plan may be required to pay a premium and this premium will be counted as a medical expense.

Prescriptions not covered by the Medicare prescription drug plan will be counted toward the sum of allowable medical expense.

Nonprescription medicines must be doctor-recommended in order to be considered a medical expense.

Nonprescription medicines will be counted toward medical expenses for families who qualify if the family furnishes legible receipts.

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses.

**O. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES** [24 CFR 5.520]

**Applicability**

Prorating of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

**Prorated Assistance Calculation**

Prorated assistance will be calculated by subtracting the total tenant payment from the applicable maximum rent for the unit the family occupies to determine the Family Maximum Subsidy. The family's TTP will be calculated by:

Dividing the family maximum subsidy by the number of persons in the family to determine Member Maximum Subsidy.

Multiplying the member maximum subsidy by the number of eligible family members to determine Eligible Subsidy.

Subtracting the amount of eligible subsidy from the applicable maximum rent for the unit the family occupies to get the family's revised total tenant payment.

**R. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare



assistance is reduced specifically because of:

fraud; or

failure to participate in an economic self-sufficiency program; or

noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification Before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA will attempt to develop a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

### **S. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS**

If the cost of utilities (excluding telephone) is not included in the tenant rent, a utility allowance will be deducted from the total tenant payment. The utility allowance is intended to help defray the cost of utilities not included in the rent. The allowances are based on the monthly cost of reasonable consumption utilities in an energy conservative household, *not* on a family's actual consumption.



A survey of utility rate changes applicable to the agency's jurisdiction will be made annually and the *Schedule of Tenant-Paid Utility Allowances* and related services will be periodically adjusted by the agency in accordance with the results of the survey. Utility allowances may be adjusted upward or downward, or remain the same, dependent upon the most recent data regarding overall consumption and rates for the larger community (not just the public housing community).

When the utility allowance exceeds the family's total tenant payment, the SNRHA will provide a utility reimbursement payment for the family each month. The check will be made out directly to the tenant.

### **Resident-Paid Utilities**

The following requirements apply to residents living in developments with resident-paid utilities or applicants being admitted to such developments:

If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted.

Paying the utility bill is the resident's obligation under the lease. Failure to pay utilities is grounds for eviction.

### **T. EXCESS UTILITY PAYMENTS**

Residents in units where the SNRHA pays the utilities may be charged for excess utilities if additional appliances or equipment are used in the unit. This charge shall be applied as specified in the lease. [24CFR 966.4(b)(2)]

The SNRHA expects the resident to take every effort to ensure that utility consumption will be reasonable and in compliance with acceptable standards of usage applicable to unit and family size. If use of utilities is determined to be excessive, SNRHA will require payment for the amount of usage that is deemed to be excessive. Excessive utility usage will be determined if the individually metered utility monthly bill exceeds the approved utility allowance for the unit size by 30%. Payment for excessive utility usage will become due and payable on the first day of the second month following the month in which the charges are incurred, except at termination of lease when all charges are considered due and payable. In the case of water bills, usage will be based on the average unit size consumption.

### **U. FAMILY CHOICE IN RENTS**

#### **Authority for Family to Select**

The SNRHA shall provide for each family residing in a public housing unit to elect annually whether the rent paid by such family shall be 1) determined based on family income or 2) the flat rent. The SNRHA may not at any time fail to provide both such rent options for any public housing unit owned, assisted or operated by the SNRHA.



Annual choice: The SNRHA shall provide for families residing in public housing units to elect annually whether to pay income-based or flat rent. Except for financial hardship cases, the family may not be offered the rent choice more than once per year.

SNRHA will provide each family the following written information:

- Policy on switching types of rent in circumstances of hardship.
- The dollar amounts of tenant rent for the family under each option.
- If the family chose a flat rent for the previous year, the SNRHA will provide the amount of income-based rent for the subsequent year.
- Only the year the SNRHA conducts an income reexamination or if the family specifically requests it and submits updated income information. For a family that chooses the flat rent option, the SNRHA must conduct a reexamination of family income at least once every three years.
- The flat rent is based on the fair market rent. The SNRHA records must show how the SNRHA determines flat rents in accordance with its method and document flat rents offered to families.
- The SNRHA will not pay a utility reimbursement for a family that has chosen to pay a flat rent.
- For families paying income-based rent, SNRHA may choose to pay utility reimbursements either to the family, or directly to the utility supplier. If the PHA elects to pay the utility supplier, the SNRHA must first notify the family of the amount of utility reimbursement paid to the supplier.

### **Allowable Rent Structures**

#### **Flat Rents**

The SNRHA has established, for each dwelling unit in public housing, a flat rental amount for the dwelling unit, which:

Is based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA shall review the income of families paying flat rent not less than once every three years.



### **Income-Based Rents**

The monthly total tenant payment amount for a family shall be an amount, as verified by the SNRHA that does not exceed the greatest of the following amounts:

30 percent of the family's monthly adjusted income;

10 percent of the family's monthly income; or

The SNRHA's minimum TTP of \$50.00.

### **Switching Rent Determination Methods Because of Hardship Circumstances**

In the case of a family that has elected to pay the SNRHA's flat rent, the SNRHA shall immediately provide for the family to pay rent in the amount determined under income-based rent, during the period for which such choice was made, upon a determination that the family is unable to pay the flat rent because of financial hardship, including:

Situations in which the income of the family has decreased because of changed circumstances, loss of or reduction of employment, death in the family, and reduction in or loss of income of other assistance;

An increase, because of changed circumstances, in the family's expenses for medical costs, child care, transportation, education, or similar items; and

Such other situations as may be determined by the SNRHA.

All hardship situations will be verified.

The rental policy developed by the SNRHA encourages and rewards employment and self-sufficiency.

### **Annual Reexamination**

Within 120 days in advance of the annual reexamination, the family will be sent a form from the SNRHA, on which the family will indicate whether they choose flat rent or income-based rent. The SNRHA form will state what the flat rent would be, and an estimate, based on current information, what the family's income-based rent would be.

If the family indicates they choose flat rent, the form will be retained in the tenant file.

If the family indicates they choose income-based rent, a reexamination appointment will be scheduled according to SNRHA policy.



## **V. SNRHA'S FLAT RENT METHODOLOGY**

The SNRHA has set a flat rent for each bedroom size within the SNRHA's public housing inventory, based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA's flat rents have been established using the following methodology:

An amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.



## Chapter 7

### VERIFICATION

[24 CFR Parts 5.617, CFR  
960.206]

#### INTRODUCTION

The SNRHA must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain the family's consent to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. The SNRHA must not pass on the cost of verification to the family.

The SNRHA will follow the verification guidance provided by HUD in PIH Notice 2013-04 Verification Guidance and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary SNRHA policies.

Part I describes the general verification process. More detailed requirements related to individual factors are provided in subsequent parts including family information (Part II), income and assets (Part III), and mandatory deductions (Part IV).

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies of the SNRHA.

#### **PART I: GENERAL VERIFICATION REQUIREMENTS**

##### **7-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION**

The family must supply any information that the SNRHA or HUD determines is necessary to the administration of the program and must consent to SNRHA verification of that information

##### **Consent Forms**

It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and the SNRHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

The family will be required to complete the SNRHA release of information, in addition to the Debts Owed (HUD 52675) and HUD 92006



## Penalties for Failing to Consent

If any family member who is required to sign a consent form fails to do so, the SNRHA will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with SNRHA procedures.

## 7-I.B. OVERVIEW OF VERIFICATION

### REQUIREMENTS HUD's Verification Hierarchy

HUD authorizes the SNRHA to use six methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires the SNRHA to use the most reliable form of verification that is available and to document the reasons when the SNRHA uses a lesser form of verification.

#### SNRHA Policy

**Upfront Income Verification (UIV):** The verification of income at admission or before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. HUD's **Enterprise Income Verification System (EIV)** is considered to be this method. This is currently not available for applicants.

**NOTICE: PIH-2013-04 (HA)** Guidance on Verification of Excluded Income.

#### **Purpose:**

This notice provides clarification and guidance on the verification requirements of income excluded from the

The SNRHA Public Housing Program in an effort to reduce administrative burden, will utilize the provision in the HUD Notice PIH-2013-04 as follows:

HUD has provided two categories of excluded income: fully excluded and partially excluded. Each category has different verification requirement.

#### **Fully Excluded Income:**

Income that is fully excluded means the entire amount qualifies to be excluded from the annual income determination. For fully excluded income, the SNRHA is **not required** to:

- Verify the income in accordance with the HUD-prescribed verification hierarchy;
- Document in the tenant file why third party verification was not available as required by 24 CFR 960.259(c)(i) and 24 CFR 982.516(a)(2); and
- Report the income in Section 7 of the form HUD-50058.

SNRHA may accept an applicant or participant's self-certification as verification of fully excluded income. The SNRHA's application and reexamination documentation, which is signed by all adult family members, may serve as the self-certification of the fully excluded income. SNRHA has the option of elevating the verification requirements if necessary, to determine if a source of income qualifies for a full exclusion.

Examples of common fully excluded income categories that are verifiable through applicant or





participant self-certification are:

- Supplemental Nutrition Assistance Program (SNAP) benefits, formerly known as food stamps.
- Income from a live-in aide.

For a complete list of income exclusions, see 24 CFR 5.609(c).

### **5. Partially Excluded Income:**

Income that is partially excluded means that only a certain portion of the income reported by the family qualifies to be excluded, while the remainder must be included when determining the family's annual income.

For partially excluded income, SNRHA is required to:

- Comply with HUD-prescribed verification requirements and all applicable regulations pertaining to
- the determination of annual income; and
- Report the income in Section 7 of the form HUD-50058.
- Examples of partially excluded income that are subject to regular verification requirements include:
- The Department of Veterans Affairs "Aid and Attendance" benefits – in accordance with 24 CFR 5.609(c)(4), these benefits may be excluded from income if they are used "specifically for, or in reimbursement of, the cost of medical expenses for any family member." Live-in or periodic medical assistance and services of doctors and health care professionals are among the services that may be counted as medical expenses. The SNRHA must verify the amount provided for aid and attendance medical expenses and the amount actually being used by the veteran for such expenses.

Any portion of the benefit not used for such expenses would continue to be counted as income by the SNRHA when determining the family's annual income.

- Earnings in excess of \$480 for full-time students 18 years old or older (24 CFR 5.609(c)(11) – in order to determine the amount of earnings to include in the calculation of the family's annual income, the SNRHA must verify the amount of employment income for these family members.

**The Verification Hierarchy.** SNRHA shall begin with the highest level of verification Techniques PHAs are required to access the EIV system and obtain an Income Report for each household. The SNRHA shall maintain the Income Report in the tenant file along with the form HUD-50058 and other supporting documentation to support income and rent determinations for all mandatory annual reexaminations of family income and composition.



If the Income Report does not contain any employment and income information for the family, the SNRHA shall attempt the next lower level verification technique, as noted in the below:

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

**Verification Technique Definitions**



### **Third Party Verification Techniques**

**Upfront Income 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. PHAs 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.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either 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 report, employer 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 SNRHA shall require two current and consecutive pay stubs for determining annual income from wages. For new income sources, two pay stubs shall be required that are consecutive or a new hire letter with date of hire, wages and hours. The PHA should project income based on the information from a traditional written 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. A standardized form to collect information from a third party source. The form is completed by the third party by hand (in writing or typeset). PHAs 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.

**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. PHA 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 file the reason(s) why third party verification was not available.**

The exception to third party verification can be found at 24 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 the 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 deductions from annual income; and (iv) other factors that affect the determination of adjusted income.

**How to comply with and reduce administrative burden of third party verification requirements of family annual income .** PHAs can comply with and reduce administrative burden of third party verification requirements for employment, wage, and unemployment compensation and social security benefits, and any other information that is verifiable using EIV by:

- a) Reviewing the EIV Income Report to confirm/validate tenant-reported income; and;
- b) Printing and maintaining an EIV Income Report (or an EIV Individual Control Number (ICN) page for interim reexaminations as prescribed in Section 12 of this Notice) in the tenant file; and
- c) Obtaining current acceptable tenant-provided documentation to supplement EIV information; and
- d) Using current tenant-provided documentation and/or third party verification to calculate annual income.

**Note:** Social Security benefit information in EIV is updated every three months. If the tenant agrees with the EIV-reported benefit information, PHAs do not need to obtain or request a benefit verification letter from the tenant. See PIH Notice 2010-03 for guidance on verifying Social Security benefit income through the EIV system.

The PHA may also reduce the administrative burden of obtaining third party verification by relying on acceptable documents that are generated by a third party, but provided by the tenant. 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.).

**When the PHA is required to request written third party verification** The PHA must request written third party verification under the following circumstances:

- a. When the tenant disputes the EIV information and is unable to provide acceptable documentation to support his/her dispute
- b. When the PHA requires additional information that is not available in EIV and /or the tenant is unable to provide the PHA with current acceptable tenant-provided documentation. Examples of additional information, includes but is not limited to:
  - i. Effective dates of income (i.e. employment, unemployment compensation, or social security benefits)
  - ii. For new employment: pay rate, number of hours worked per



- week, pay frequency, etc.
- iii. Confirmation of change in circumstances (i.e. reduced hours, reduced rate of pay, temporary leave of absence, etc.)

**Note:** 24 CFR §5.236(a), prohibits PHAs from taking adverse action based solely on EIV

### **Requirements for Acceptable Documents**

#### SNRHA Policy

Any documents used for verification must be the original (not photocopies) and generally must be dated within 60 calendar days of the date they are provided to the SNRHA. The documents must not be damaged, altered or in any way illegible. All tenant supplied documents should be dated no more than 60 days before the effective date of the family's reexamination or SNRHA's request date, if the document represents the most recent scheduled report from a source. For example, if the holder of a pension annuity provides semi-annual reports, the SNRHA would accept the most recent report.

Print-outs from web pages are considered original documents.

Pay stubs which must be current and consecutive when used with EIV and must not be older than 60 days from the request date or 60 days prior to the annual recertification effective date. Four consecutive pay stubs will be required when using EIV for annuals and two for new hire verifications..

Examples of acceptable tenant-provided documentation (generated by a third party source) include, but are not limited to: pay stubs, payroll summary reports, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices, bank statements, and local agencies, employer letter/notices. Current acceptable tenant-provided documents must be used for income and rent determinations. The SNRHA is required to obtain a minimum of two 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 written third party verification form or the best available information.

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

The SNRHA staff member who views the original document must make a photocopy. Any family self-certifications must be made in a format acceptable to the SNRHA and must be signed in the presence of a SNRHA representative or SNRHA notary public.

### **File Documentation**

The SNRHA must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that the SNRHA has followed all of the verification policies set forth in this



plan. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

#### SNRHA Policy

The SNRHA will document, in the family file, the

following: Reported family annual income

Value of assets

Expenses related to deductions from annual income

Other factors influencing the adjusted income or income-based rent determination

When the SNRHA is unable to obtain 3rd party verification, the SNRHA will document in the family file the reason that third-party verification was not available (including oral verification attempt) and will place a photocopy of any original document(s) in the family file. [24 CFR 960.259(c)(1); VG, p.15]

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#### **Special Verification Processes:**

HUD NOTICE PIH 2013-03 (HA):

**Purpose:** “This Notice establishes temporary guidelines for public housing agencies (SNRHA) in fulfilling certain Public Housing (PH) and Housing Choice Voucher (HCV) program requirements during this period of decreased resources available to SNRHA. These guidelines are intended to facilitate the ability of SNRHA to continue, without interruption and with minimal burden, the delivery of rental assistance to eligible families in their communities. The temporary provisions established by this Notice will be available to SNRHA until March 31, 2014.

The economic downturn that commenced in 2008 and which continues has only increased the need for housing assistance. Increased demand for housing assistance without corresponding increased resources strains the operations of SNRHA, and jeopardizes their ability to assist families at a time when families most need housing assistance. Increasing administrative flexibility should allow SNRHA to deliver rental assistance more efficiently and expeditiously. Reduction of administrative burden is anticipated to allow SNRHA to better manage their programs within current allocated budget authority. The temporary guidelines are also designed to increase efficiencies, minimizing the use of resources for program administration. HUD intends to pursue more permanent changes to increase flexibility and reduce administrative burden and will be informed by SNRHA’ use of the temporary compliance provisions of this Notice.” PIH Notice 2013-3

In accordance with HUD Notice PIH 2013-3, the SNRHA Public Housing Occupancy department shall process tenant income verification as follows:.



SNRHA, PH Ops may choose to use either actual past income or projected future income. Currently, annual income includes income that is anticipated to be received from a source outside the family during the 12-month period following the effective date of admission or annual reexamination. The Notice provides SNRHA with the option of determining annual income based on past actual income received or earned within the last 12 months.

For the purpose of verifying income reported in HUD's Enterprise Income Verification (EIV) system, the SNRHA may choose to use actual past income by utilizing the most recent 12 months of income information available in EIV. Because this EIV report will give actual earnings data verified by a third party, the program participant will no longer be required to provide third party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice).

If there has been a change in circumstances for a tenant, or a tenant disputes the EIV reported income information and is unable to provide acceptable documentation to resolve the dispute, the SNRHA must request written third-party verification.

For example, if a program participant lost his/her job, changed jobs, or reduced their hours in the months subsequent to the time period covered in EIV, the SNRHA must use, at the participant's request, the more recent income information verified by participant provided third-party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice) or through written third-party verification, which reflects the new or current work circumstance.

SNRHA must continue to verify income from sources not available in EIV. However, SNRHA must use the same time period for both wage and non-wage income. For example, if SNRHA uses EIV information from July 2011 to June 2012 for the purpose of verifying income from wages, the SNRHA must use the same time period for any non-wage income. This method may only be used if the SNRHA is able to align other non-wage income source dates with EIV.

**Allow households to self-certify as to having assets of less than \$5,000.**

Tenants with assets below \$5,000 typically generate minimal income from these assets which results in small changes to tenant rental payments. However, SNRHA spend significant time verifying such assets which strains SNRHA budgets, and leads to increased staff errors. The notice has made provisions intended to simplify the requirements associated with determining a participant's annual income (24 CFR 5.609(b)(3), 982.516(a)(2)(ii), 960.259(c)).

Families with assets are required to report all assets annually. The amount of interest earned on those assets is included as income used to calculate the tenant's rent obligation. Currently, 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.





This Notice allows a SNRHA to accept a family's declaration of the amount of assets of less than \$5,000, and the amount of income expected to be received from those assets. The SNRHA's application and reexamination documentation, which is signed by all adult family members, can serve as the declaration. Where the family has net family assets equal to or less than \$5000, the SNRHA does not need to request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets. Where the family has net family assets in excess of \$5000, the SNRHA must obtain supporting documentation (e.g. bank statements) from the family to confirm the assets. Any assets will continue to be reported on HUD Form 50058.

**Allow optional streamlined annual reexaminations for elderly families and disabled families on fixed incomes.**

SNRHA is statutorily required to verify income and calculate rent annually, including for elderly and disabled families on fixed incomes. The notice states that the requirement to undertake the complete process for income verification and rent determination for families on fixed incomes is not necessary given the infrequency of changes to their incomes. Further, this requirement requires considerable staff time and SNRHA resources. The notice provides simplification of the requirements associated with determining the annual income of participants on fixed incomes (24 CFR 982.516, 960.257).

SNRHA will conduct a streamlined reexamination of income for elderly families and disabled families when 100 percent of the family's income consists of fixed income. In a streamlined reexamination, SNRHA will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount.

For purposes of this process, the term 'fixed income' includes income from:

1. Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);
2. Federal, State, local, and private pension plans; and
3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

**7-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

HUD strongly recommends the use of up-front income verification (UIV). UIV is "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 large number of individuals" [VG, p. 7]. UIV includes the HUD EIV system and other upfront verification tools such as the Work Number.

HUD allows SNRHA to use the EIV information in conjunction with family-provided



documents to anticipate income.

### SNRHA Policy

The SNRHA will inform all applicants and participants of its use of the following UIV resources during the admission and reexamination process:

HUD's Enterprise Income Verification System

(EIV)

The SNRHA must restrict access to and safeguard UIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.

There may be legitimate differences between the information provided by the family and EIV-generated information. No adverse action can be taken against a family until the SNRHA has independently verified the EIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of the SNRHA.

### **Use of HUD's Enterprise Income Verification (EIV) System**

HUD's EIV system contains data showing earned income, unemployment benefits, Social Security and SSI benefits for participant families. HUD requires the SNRHA to use the EIV system when available. The following policies will apply when the SNRHA has access to HUD's EIV system.

The EIV system contains two main components: tenant income data reports and "exceeds threshold" reports.

#### ***Tenant Income Data (TID) Reports (EIV)***

The data shown on TID reports is updated quarterly. Data may be between 3 and 6 months old at the time reports are generated.

### SNRHA Policy

The SNRHA will obtain EIV reports for annual reexaminations on a monthly basis. SNRHA shall also obtain EIV reports for interims. Reports will be generated as part of the regular reexamination process.

EIV reports will be compared to family-provided information as part of the annual reexamination process. EIV reports may also be used to meet the regulatory requirement for third party verification, as described above. Policies for resolving discrepancies between EIV reports and family-provided information will be resolved as described in Chapter 5.I.D. and in this chapter.

EIV reports will be retained in participant's files with the applicable annual or interim reexamination documents.

When the SNRHA determines through EIV reports and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in the Chapter Program Integrity.



### ***Income Discrepancy Resolution***

The SNRHA shall reconcile income discrepancies.

#### **SNRHA Policy**

The SNRHA shall proceed as follows:

- SNRHA shall identify underreported income and/or unreported income sources; No adverse action may be taken based **solely** on EIV data. In order to protect any individual whose records are being used in a matching program, no recipient agency, non-Federal agency, or source agency may suspend, terminate, reduce or make a final denial of any financial assistance or payment under a Federal Benefit program to such individual, as a result of information produced by such matching program, until the agency has independently verified the information;
- Review current and historical 50058s;
- Verify effective dates of new and terminated income sources; Discuss the income discrepancy with the tenant;
- View past and current interim and annual recertification documents in the tenant's file;
- Obtain additional documents from the tenant and/or third party (if necessary);
- Obtain Social Security Earnings Statement (SSA Form 7004) for historical wage earnings (Form available on HUD's website) for retroactive rent calculations.

### ***EIV Identity Verification***

The EIV system verifies tenant identities against SSA records. These records are compared to PIC data for a match on Social Security number, name, and date of birth.

When identity verification for a participant fails, a message will be displayed within the EIV system and no income information will be displayed.

#### **SNRHA Policy**

The SNRHA will identify participants whose identity verification has failed as part of the annual reexamination process.

The SNRHA will attempt to resolve PIC/SSA discrepancies by reviewing file documents. When the SNRHA determines that discrepancies exist due to SNRHA errors such as spelling errors or incorrect birth dates, the errors will be corrected promptly and correction transmitted to HUD.

## **7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION**

### **Reasonable Effort and Timing**



Unless third-party verification is not required as described herein, HUD requires the SNRHA to make an attempt to obtain third-party verification before using another form of verification [VG, p. 15].

### SNRHA Policy

The SNRHA will diligently seek third-party verification using the chart above as guideline for order of verifications. If written 3<sup>rd</sup> party is required and is not received or available by the client, after 10 calendar days, staff will then attempt an oral verification if the written third party is not received. File narratives shall be documented whenever UIV or third party written is not used. Information received orally from third parties may be used either to clarify information provided in writing by the third party or as independent verification when written third-party verification is not received in a timely fashion.

The SNRHA may mail, fax, or e-mail third-party written verification requests and will accept third-party responses using any of these methods. The SNRHA will send a written request for verification to each required source within 5 business days of securing a family's authorization for the release of the information and give the source 10 calendar days to respond in writing. If a response has not been received by the 11<sup>th</sup> business day, the SNRHA will request third-party oral verification.

The SNRHA will make a minimum of two attempts, (one written and one oral, if needed) to obtain third-party verification. A record of each attempt to contact the third-party source (including no-answer calls) and all contacts with the source will be documented in the file. Regarding third-party oral verification, SNRHA staff will record in the family's file the name and title of the person contacted, the date of the conversation (or attempt), the telephone number used, and the facts provided.

When any source responds verbally to the initial written request for verification the SNRHA will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

### **Third-Party Written Verification**

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

Verifications received electronically directly from the source as well as items as noted above in the Chart( Including those provided directly from a clients) are considered third party written verifications.

### SNRHA Policy

The SNRHA will accept verifications in the form of computerized printouts, showing payments, faxed, mailed or received via upfront verification systems



directly from the following agencies:

- Social Security Administration -
- EIV Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County Courts
- Other State and Federal Offices, including HUD

The SNRHA will use computer printouts as well as other acceptable forms of third party verification that do not appear as altered and are on a business or other entity's letterhead, received directly from the family for calculation family's income. Staff must attempt

third party verification when EIV nor family provided acceptable documentation is not available. If no response, then staff must attempt oral verifications and must document on the file narrative why third party was not used and complete an oral verification form. If the family disputes the information provided by the third party, the staff is to seek further clarification by phone with the third party. The information provided by the 3rd party is to prevail.

### **Third-Party Oral Verification**

#### SNRHA Policy

Oral third-party verification will be used when written third-party verification is delayed; not returned within 10 calendar days or not possible. When third-party oral verification is used, staff will be required to complete an Oral Verification/Review of Documents form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the SNRHA will document the file narrative and utilize documents provided by the participant. If the oral is provided by telephone, the SNRHA must originate the call.

### **Review of Documents**

#### SNRHA Policy

In the event that third-party written is not returned within 10 calendar days or oral verification is unavailable, or the information has not been verified by the third party within 10 calendar days, the SNRHA will notate the file narrative accordingly; ensure copies of documents requiring the third party verification are in file. Oral third party verification should be attempted prior to utilizing documents provided by the family as the primary source if the documents provide complete information and the file narrative must be documented.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied,



staff viewing the document(s) will complete an Oral Verification/Review of Documents form.

The SNRHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer printouts from the employer
- Employer's letters and wage printouts
- Bank Statements
- Award Letters
- Pension Letters
- Signed letters (provided that the information is confirmed by phone)
- Other documents noted in this Chapter as acceptable verification

Although these documents will be accepted, the SNRHA will also mail third party verifications to the source; attempt upfront verification and use these documents only after there has been no response to the third party verification method.

The SNRHA will accept faxed documents.

The SNRHA will accept mail from the third party source.

The SNRHA will accept hand carried documents from clients as long as they do not appear as altered and provide required documentation regarding wages.

The SNRHA will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the SNRHA will attempt to contact the verification provider by telephone to resolve the discrepancy. If the attempt to resolve the discrepancy by telephone is unsuccessful, the SNRHA will use the third party verification.

The SNRHA will not delay the processing of an application beyond 30 calendar days, except due to screening for criminal history, because a third party information provider does not return the verification in a timely manner. The next steps in the verification process shall be attempted after 10 calendar days, unless the family has been given an extension.

### **Self-Certification/Self-Declaration**

When verification cannot be made by third-party verification, including oral verification or review of documents, families will be required to submit a self-certification.

#### SNRHA Policy

Self-certification means a statement under penalty of perjury, and the signature must be witnessed by SNRHA staff.



## **When Third-Party Information is Late**

When third-party verification has been requested and the timeframes for submission have been exceeded, the SNRHA will use the information from documents on a provisional basis.

### SNRHA Policy

If the SNRHA later receives third-party verification that differs from the amounts used in income and rent determinations and it is past the deadline for processing the reexamination, the SNRHA will conduct an interim reexamination to adjust the figures used for the reexamination, regardless of the SNRHA's interim reexamination policy, if needed.

## **When Third-Party Verification is not Required**

### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth and for verification of checking/saving accounts.

### ***Certain Assets and Expenses***

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification .

### SNRHA Policy

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

### SNRHA Policy

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The



cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.

### ***RELEASE OF INFORMATION***

Adult family members (age 18 and older) will be required to sign the HUD 9886 Release of Information/Privacy Act form. In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice. Additional release forms as developed by SNRHA are considered required forms that all applicants and participants must sign.

Each member requested to consent to the release of specific information will be provided with appropriate forms for their review and signature.

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

### ***COMPUTER MATCHING***

Where allowed by HUD and/or other State or local agencies, computer matching will be done for upfront verifications.

#### **SNRHA Policy**

The SNRHA will utilize the HUD established computer-based Tenant Eligibility Verification System (EIV) for obtaining Social Security benefits, Supplemental Security Income benefit history and tenant income discrepancy reports from the Social Security Administration. Additionally, to the extent possible, SNRHA will use the UIV systems to obtain upfront verification of wages and Child Support data systems for verification of child support when available.

When computer matching results in a discrepancy with information in the SNRHA records, the SNRHA will follow up with the family and verification sources to resolve this discrepancy. If the family has unreported or underreported income, SNRHA will follow the procedures in the Program Integrity Addendum of the Admissions and Continued Occupancy Policy.

### ***ITEMS TO BE VERIFIED***

All income not specifically excluded by the regulations.

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

Current assets including assets disposed of for less than fair market value in preceding two years. Child care expense where it allows an adult family member to be employed, search for





employment, or to further his/her education.

Total un-reimbursed medical expenses of all family members in households whose head or spouse is elderly or disabled.

Un-reimbursed disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family that allows an *adult* family member to be employed.

Disability for determination of preferences, allowances or deductions. Eligible immigrant status

Social Security Numbers for all family members who have been issued a social security number.

"Preference" status

Familial/Marital status when needed for head or spouse definition to determine deductions. Need for reasonable accommodations

Verification of sanctions by the Nevada Office of Human Services that TANF benefits have been reduced for either welfare fraud or failure to comply with economic self-sufficiency requirements.

#### SNRHA Policy

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance with economic self-sufficiency requirements *before* denying the family's request for rent reduction. The verification will include the amount of the sanction and the duration.

### ***VERIFICATION GUIDANCE [24 CFR 982.516]***

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

#### **Employment Income**

##### SNRHA Policy

Verification forms request the employer to specify

the: Dates of employment

Amount and frequency of pay

Date of the last pay increase

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months

Year to date earnings

Estimated income from overtime, tips, bonus pay expected during next 12



months

*Acceptable methods of verification include, in this order:*

1. EIV with a minimum of 2 consecutive paystubs.
2. Third party written verification  
Employment verification form completed by the employer
3. Oral third party
4. Review of documents  
Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings. At least three (3) consecutive pay stubs are required when third party verification cannot be obtained.
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Social Security, Pensions, Supplementary Security Income (SSI), Disability Income**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Benefit verification form completed by agency providing the benefits.
3. Award or benefit notification letters prepared and signed by the providing agency that is no more than 60 days old.

### **Unemployment Compensation**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Verification form completed by the unemployment compensation agency.
3. Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
4. Payment stubs

### **Welfare Payments or General Assistance**

#### SNRHA Policy



*Acceptable methods of verification include, in this order:*

1. Written statement from payment provider indicating the amount of grant/payment, start date of payments, family members, and anticipated changes in payment in the next 12 months.
2. Computer-generated Notice of Action.

## **Alimony or Child Support Payments**

### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. Print out received via 3rd party verification from the DA's office.
2. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
3. A third party verification form completed by the person paying the support.
4. A letter from the person paying the support.
5. Copy of latest check and/or payment stubs from Court Trustee. SNRHA must record the date, amount, and number of the check if not photocopied.
6. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If payments are irregular, the family must provide:

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A self-certification from the family indicating the amount(s) received.

A welfare notice of action showing amounts received by the DA –Child Support Division.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

## **Net Income from a Business**

### SNRHA Policy

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

*Acceptable methods of verification include:*

1. IRS Form 1040, including: Schedule C  
(Small Business) Schedule E



(Rental Property Income)

Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

2. Audited or unaudited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
5. Family's self-certification as to net income realized from the business during previous years.

### **Child Care Business**

#### SNRHA Policy

The childcare provider must be 18 years of age or older.

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

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

If the family has filed a tax return, the family will be required to provide it via Form IRS 4506-T.

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

### **Recurring Gifts**

#### SNRHA Policy

The family must furnish a self-certification, which contains the following information: The person who provides the gifts

The value of the gifts

The regularity (dates) of the gifts

The purpose of the gifts

SNRHA shall send out verifications to the donors.



### **Full-time Student Status**

Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by students is not counted towards family income.

#### SNRHA Policy

Verification of full time student status includes:

Written verification from the registrar's office or other school official.

School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution. (State of Nevada: 12 credits)

### ***VERIFICATION OF ASSETS***

#### **Family Assets**

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

#### SNRHA Policy

*Acceptable verification may include any of the following:*

Verification forms, letters, or documents from a financial institution or broker. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

Real estate taxes statements if the approximate current market value can be reduced from assessment.

Financial statements for business assets.

Copies of closing documents showing the selling price and the distribution of the sales proceeds.

Appraisals of personal property held as an investment.

Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

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

#### SNRHA Policy



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

If the family certifies that they have disposed of assets for less than fair market value, verification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible. Family certification will be accepted if no other verification is possible.

### ***VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME [24 CFR 982.516]***

#### **Medical Expenses**

##### SNRHA Policy

Eligible families who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below (**Credit Card Statements will not be accepted as proof of payment of expenses**):

Written verification by an eye doctor, optician, otolaryngologist, hearing aide provider, or other medical practitioner or provider of medical equipment of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written verification from a medical lab, provider of oxygen, blood products, or other specialized medical supplies of (a) the anticipated medical costs to be incurred by the family and regular payments will be reimbursed by insurance or a government agency.

Written verification from the provider of medical equipment such as hospital bed, scooter, wheelchair, commode, artificial limbs, etc. of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

For attendant care paid to an individual:

A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the



number of hours the care is needed for calculation purposes.

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

Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

Copies of payment agreements or most recent invoice that verify payments made on outstanding attendant care bills that will continue over all or part of the next 12 months.

Receipts or other record of attendant care expenses incurred during the past 12 months that can be used to anticipate future attendant care expenses.

The SNRHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

### **Assistance to Persons with Disabilities**

In All Cases:

#### SNRHA Policy

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

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

Attendant Care:

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

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

Auxiliary Apparatus:

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

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

### **Live-In Aide**



### SNRHA Policy

When a participant requires a live-in aide, the SNRHA shall submit their signed reasonable accommodation request form to the medical professional noted on their request for third party verification of the need. Once approved by the 504 officer, the participant shall have 30 days to submit the name of the live-in aide and schedule them to come in for screening. The unit size shall NOT be increased until such time as SNRHA staff has completed their screening of the Live-In Aide in compliance with SNRHA guidance. The participant shall be allowed to submit another name for a live-in aide if the first does not pass the screening process but must submit this name within 14 calendar days of the denial notice.

The approved unit size would be adjusted, if required to accommodate a room for the live –in aide. Each year the SNRHA at annual recertification time shall re-verify the need for a live-in aide.

### ***VERIFYING NON-FINANCIAL FACTORS [24 CFR 982.153(b) (15)]***

#### **Verification of Legal Identity**

In order to prevent program abuse, the SNRHA will require applicants/residents to furnish verification of legal identity for all adult family members.

#### SNRHA Policy

The documents listed below will be considered acceptable verification of legal identity for adults, as long as they include a picture of the individual. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

Driver's license

U.S. passport

Department of Motor Vehicles Identification Card

Validated Sheriff Card

Military Identification

DMV Instructional ID

Clark County Heath Card with valid photo ID Veteran's ID with photo

Certificate of Birth, naturalization papers

An original Certificate of Birth is required for all minors. Other documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

Adoption papers





Custody agreement

School records

Hospital Birth Certifications

Passport

Health and Human Services ID (foster children; adopted Children) I-94

***Verification of Marital Status (for purposes of meeting Spouse definition and determining the eligibility of counting income of absence spouse)***

SNRHA Policy

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records. A marriage certificate generally is required to verify that a couple is married. In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

***Familial Relationships***

SNRHA Policy

Verification of guardianship is:

Court-ordered assignment

Verification from social services agency

SNRHA Self-certification of temporary guardianship or appointment

In each case above (except court assignment), SNRHA must receive a court awarded guardianship or custody documents within 365 calendar days or head of household must resign SNRHA's documents and submit required supporting documents. Failure shall result in subsidy standard being decreased; and allowance decreased. Any income still coming into the household on behalf of the child would be counted.

Other family relationships will be verified through birth certificates or other relevant documents.

***Verification of Permanent Absence of Family Member***

If an adult member who was formerly a member of the household or was never reported and identified by staff as being a spouse and is reported permanently absent by the family, the SNRHA will consider any of the following as verification:

- Husband or wife institutes divorce action
- Husband or wife institutes legal separation.



- Order of protection/restraining order obtained by one family member against another.

### ***Verification of Change in Family Composition***

The SNRHA may verify changes in family composition (either reported or unreported) through one or more of the following actions: letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

### ***Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512, 5.514]***

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants.

Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the SNRHA hearing is pending.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury, the Declaration 214 Form, noting that they are a citizen or national.

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status (Declaration 214 Form) and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status (Declaration 214 Form) and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The SNRHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the SNRHA must request within ten days that the INS conduct a manual search.

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

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

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

Additionally, SNRHA must terminate assistance for at least 24 months if it determines that a family has knowingly permitted an ineligible person to live in the assisted unit without informing the SNRHA.

### ***Time of Verification***

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same



time as verification of other factors of eligibility for final eligibility determination.

The SNRHA will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family.

For family members added after other members have been verified, the verification occurs upon approval of additional person by the SNRHA.

Once verification has been completed for any covered program, it shall be verified annually unless their eligibility immigration status changes to permanent resident. In the case of port-in families, if the initial PHA does not supply the documents, the SNRHA must conduct the determination and/or when the SNRHA notes a Resident Alien Card with an expiring date or no date of expiration.

#### Acceptable Documents of Eligible Immigration

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

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

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

#### SNRHA Policy

SNRHA will recertify eligible immigration status one year prior to expiration date of the following documents:

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)

#### ***Medical Need for Larger Unit***

##### SNRHA Policy

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional as a reasonable accommodation for a disabled family member. At each Annual Inspection, staff will verify that the additional room is still being used for medical equipment. When this is not the case, the unit size be decreased in compliance with SNRHA guidance.



## **When Third-Party Verification is Not Required**

### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

### ***Certain Assets and Expenses***

#### **SNRHA Policy**

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available, if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification,

### **SNRHA Policy**

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### **SNRHA Policy**

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

The SNRHA will document in the family file the reason that the third-party verification was not available and will place a photocopy of the original document(s) in the family file.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.



**7-I.E. REVIEW OF DOCUMENTS**

**Using Review of Documents as Verification**

SNRHA Policy

If the SNRHA has determined that third-party verification is not available or not required, the SNRHA will use documents provided by the family as verification.

The SNRHA may also review documents when necessary to help clarify information provided by third parties. In such cases the SNRHA will document in the file how the SNRHA arrived at a final conclusion about the income or expense to include in its calculations.

**7-I.F. SELF-CERTIFICATION**

SNRHA Policy

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to the SNRHA.

The SNRHA may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to the SNRHA and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a SNRHA representative or SNRHA notary public. The cost shall not be passed on to the client.

**PART II: VERIFYING FAMILY INFORMATION**

**7-II.A. VERIFICATION OF LEGAL IDENTITY**

SNRHA Policy

The SNRHA will require families to furnish verification of legal identity for each household member.

| <b>Verification of Legal Identity for Adults</b>                                                                                                                                                          | <b>Verification of Legal Identity for Children</b>                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Driver's license<br>U.S. passport.<br>Department of Motor Vehicles<br>Identification Card Validated<br>Sheriff Card<br>Military ID<br>DMV Instructional ID<br>Clark County Heath Card with valid photo ID | Certificate of birth<br>Adoption papers<br>Custody agreement<br>School records<br>Hospital Birth Certifications<br>Passport<br>Health and Human Services ID (foster children; adopted children) |



|                                                                          |      |
|--------------------------------------------------------------------------|------|
| Veteran's ID with photo<br>Certificate of Birth<br>Naturalization papers | I-94 |
|--------------------------------------------------------------------------|------|

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

### **7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 , 5.218 and 5.233]**

Every family member must provide documentation of a valid social security number (SSN) unless they are a non-citizen or non-eligible immigrant.

#### SNRHA Policy

The SNRHA will request to copy the family member's social security card.

If the social security card is not available, SNRHA will instruct the family to obtain a duplicate card from the local social Security Administration (SSA) office, but will complete the action by accepting the following documents as evidence if the SSN is provided on the document:

- Benefit award letters from a government agency; retirement benefit letters; life insurance policies.
- Any document issued by the Social Security Administration that clearly lists the family member's social security number and name.
- For individuals who are at least 62 years of age and are unable to submit the required documentation of their SSN within the initial 60-day period, the SNRHA will grant an additional 60 calendar days to provide documentation.

Social security numbers must be verified only once during continuously-assisted occupancy. If any family member obtains an SSN after admission to the program, the new SSN must be disclosed within 30 days.

The social security numbers of non-household members, such as live-in aids, must be verified for the purpose of conducting criminal background checks.

Names on verifications of Legal Identity and Social Security Number must match.

### **7-II.C. FAMILY RELATIONSHIPS**

Applicants and program participants are required to identify the relationship of each household member to the head of household. If an applicant list themselves as married and no not list a spouse, they will still be required to submit a separation or divorce degree. Definitions of the primary household relationships are provided in the Eligibility chapter.

#### SNRHA Policy

Other family relationships will be verified through birth certificates or other relevant documents.



## **Marriage**

### SNRHA Policy

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

## **Separation or Divorce**

### SNRHA Policy

The SNRHA will require the family to document the divorce, or separation.

A certified copy of a divorce decree, signed by a court officer, is required to document that a couple is divorced.

A copy of a court-ordered maintenance or other court record is required to document a separation.

## **Absence of Adult Member**

### SNRHA Policy

The SNRHA will consider any of the following as

verification: Husband or wife institutes divorce action

Husband or wife institutes legal separation.

Order of protection/restraining order obtained by one family member against another.

If an applicant list themselves as married, but does not list a spouse name, they will still be required to provide a separation document or divorce decree.

If no such documentation is available, the applicant may complete SNRHA's Marital Separation form, which will required above documentation to be provided within 365 days of the date the form is submitted.

## **Foster Children and Foster Adults**

### SNRHA Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

## **7-II.D. DOCUMENTATION OF AGE**

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.



### SNRHA Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, the SNRHA will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

## **7-II.E. VERIFICATION OF STUDENT**

### **STATUS General Requirements**

#### SNRHA Policy

The SNRHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family reports full-time student status for an adult other than the head, spouse, or co-head.

The family reports child care expenses to enable a family member to further his or her education.

The family includes a student enrolled in an *institution of higher education*.

The family claims an income exclusion because the student is receiving earned income and only the first \$480 is included as income.

### **Restrictions on Assistance to Students Enrolled in Institutions of Higher Education**

This section applies only to students who are seeking assistance on their own, separately from their parents. It does not apply to students residing with parents who are seeking or receiving PH assistance.

#### SNRHA Policy

In accordance with the verification hierarchy described in Section 6-1.B, the SNRHA will determine whether the student is exempt from the restrictions in 24 CFR 5.612 by verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see Section Exhibit 3-2).

The student is at least 24 years old.

The student is a veteran, as defined in Chapter 2

The student is married.

The student has at least one dependent child, as defined in Section 2.

If the SNRHA cannot verify at least one of these exemption criteria, the SNRHA will conclude that the student is subject to the restrictions on assistance at 24 CFR 5.612.





In addition to verifying the student's income eligibility, the SNRHA will then proceed to verify either the student's parents' income eligibility or the student's independence from his/her parents (see below).

### ***Independent Student***

#### **SNRHA Policy**

The SNRHA will verify a student's independence from his/her parents to determine that the student's parents' income is not relevant for determining the student's eligibility by doing all of the following:

Either reviewing and verifying previous address information to determine whether the student has established a household separate from his/her parents for at least one year or reviewing and verifying documentation relevant to determining whether the student meets the U.S. Department of Education's definition of *independent student*.

Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent

Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0.

### **7-II.F. DOCUMENTATION OF DISABILITY**

The SNRHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income. The SNRHA is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. The SNRHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If the SNRHA receives a verification document that provides such information, the PHA will not place this information in the tenant file. Under no circumstances will the PHA request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at [www.os.dhhs.gov](http://www.os.dhhs.gov).

The above cited regulation does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance



### **Family Members Receiving SSA Disability Benefits**

Verification of the receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income disallowances and deductions.

#### SNRHA Policy

For family members claiming disability who receive disability benefits from the SSA, the SNRHA will attempt to obtain information about disability benefits through the HUD Enterprise Income Verification (EIV) system when it is available. If documentation from HUD's EIV System is not available, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member claiming disability status. If the family is unable to provide the document(s), the SNRHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant or participant receives the benefit verification letter they will be required to provide it to the SNRHA.

### **Family Members Not Receiving SSA Disability Benefits**

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.603.

#### SNRHA Policy

For family members claiming disability who do not receive disability benefits from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

## **PART III: VERIFYING INCOME AND ASSETS**

Chapter 5, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This part provides SNRHA policies that supplement the general verification procedures specified in Part I of this chapter.

### **7-III.A. EARNED**

#### **INCOME Wages**

##### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV with two consecutive current paystubs for annuals and for New Hires.
2. Acceptable 3<sup>rd</sup> Party written verification provided by the resident.



- 3 Third party written verification  
Employment verification form completed by the employer
4. Oral third party -must document why other steps above where not available
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.
7. Current check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Tips**

#### SNRHA Policy

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year. Interruption of employment due to temporary leave of absence (i.e. maternity leave, short-term disability): upon verification that earnings have stopped, an interim will be conducted to remove the income. The family may be required to complete a Zero Income Questionnaire/Certification.

The family is required to report any other income received in lieu of earnings. The family will be required to report when the income starts again. At that time an interim will be conducted to add the income back into the family budget.

### **7-III.B. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS Social Security/SSI Benefits**

#### SNRHA Policy

To verify the SS/SSI benefits of applicants, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant has received the benefit verification letter they will be required to provide it to the SNRHA.

To verify the SS/SSI benefits of participants, the SNRHA will obtain information about social security/SSI benefits through the HUD EIV System or the Tenant Assessment Subsystem (TASS). If benefit information is not available in HUD systems, the SNRHA will request a current SSA benefit verification letter from each



family member that receives social security benefits. If the family is unable to provide the document(s) the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the participant has received the benefit verification letter they will be required to provide it to the SNRHA.

### **7-III. C. ASSETS AND INCOME FROM**

#### **ASSETS**

##### **Assets Disposed of for Less than Fair Market**

##### **Value**

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. The SNRHA needs to verify only those certifications that warrant documentation.

##### SNRHA Policy

The SNRHA will verify the value of assets disposed of only if:

- The SNRHA does not already have a reasonable estimation of its value from previously collected information, or
- The amount reported by the family in the certification appears obviously in error. Example 1: An elderly participant reported a \$10,000 certificate of deposit at the last annual reexamination and the SNRHA verified this amount. Now the person reports that she has given this \$10,000 to her son. The SNRHA has a reasonable estimate of the value of the asset; therefore, re-verification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately \$5,000. Based upon market conditions, this declaration does not seem realistic. Therefore, the SNRHA will verify the value of this asset.

### **7-III.D. NET INCOME FROM RENTAL PROPERTY**

##### SNRHA Policy

The family must provide:

A current executed lease for the property that shows the rental amount or certification from the current tenant.

A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income). If schedule E was not prepared, the SNRHA will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and



may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

### **7-III.E. RETIREMENT ACCOUNTS**

#### SNRHA Policy

When third-party verification is not available the type of original document that will be accepted depends upon the family member's retirement status.

*Before* retirement, the SNRHA will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 6 months from the effective date of the examination.

*Upon* retirement, the SNRHA will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.

*After* retirement, the SNRHA will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

### **7-III.F. INCOME FROM EXCLUDED SOURCES**

The SNRHA must obtain verification for income exclusions only if, without verification, the SNRHA would not be able to determine whether the income is to be excluded. For example: If a family's 16 year old has a job at a fast food restaurant, the SNRHA will confirm that SNRHA records verify the child's age but will not send a verification request to the restaurant. However, if a family claims the earned income disallowance for a source of income, both the source and the income must be verified.

#### SNRHA Policy

The SNRHA will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share (as is the case with the earned income disallowance). In all other cases, including food stamps, the SNRHA will report the amount to be excluded as indicated on documents provided by the family, including the family's written certification.

### **7-III.G. ZERO/EXTREMELY LOW ANNUAL INCOME STATUS**

#### SNRHA Policy

Families claiming to have no annual income will be required to execute verification forms to determine that certain forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household. Zero income households will be interviewed at least once every 180 days.



## **PART IV: VERIFYING MANDATORY DEDUCTIONS**

### **7-IV.A. DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS**

The dependent and elderly/disabled family deductions require only that the PHA verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

#### **Dependent Deduction**

See Chapter 6 for a full discussion of this deduction. The SNRHA must verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or co-head of the family and is not a foster child
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student

#### **Elderly/Disabled Family Deduction**

See Eligibility chapter for a definition of elderly and disabled families and Chapter 5 for a discussion of the deduction. The SNRHA must verify that the head, spouse, or co-head is 62 years of age or older or a person with disabilities.

### **7-IV.B. MEDICAL EXPENSE DEDUCTION**

Policies related to medical expenses are found in Chapter 6.

#### **Amount of Expense**

##### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the medical provider requesting the needed information.

Medical expenses will be verified through:

Third-party verification form signed by the provider, when possible

If third-party is not possible, copies of cancelled checks used to make medical expense payments and/or printouts or receipts from the source will be used. (Credit card statements will not be allowed as verification of payment of medical expenses.) In this case the SNRHA will make a best effort to determine what expenses from the past are likely to continue to occur in the future. The SNRHA will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming 12 months.

In addition, the SNRHA must verify that:



- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

### **Eligible Household**

The medical expense deduction is permitted only for households in which the head, spouse, or co-head is at least 62, or a person with disabilities. The SNRHA must verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter of this plan.

### **Qualified Expenses**

To be eligible for the medical expenses deduction, the costs must qualify as medical expenses.

See Chapter 6 for the SNRHA policy on what counts as a medical expense.

### **Unreimbursed Expenses**

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source.

### **Expenses Incurred in Past Years**

#### SNRHA Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, the SNRHA will verify:

The anticipated repayment schedule

The amounts paid in the past, and

Whether the amounts to be repaid have been deducted from the family's annual income in past years

## **7-IV.C. DISABILITY ASSISTANCE EXPENSES**

Policies related to disability assistance expenses are found in Chapter 6.

### **Amount of Expense**

#### ***Attendant Care***

#### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:



Third-party verification form signed by the provider, when possible.

If third-party is not possible, copies of cancelled checks used to make attendant care payments and/or receipts from care source. (Credit card statements will not be allowed as verification of payment of medical expenses.)

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 months.

### ***Auxiliary Apparatus***

#### **SNRHA Policy**

Expenses for auxiliary apparatus will be verified through:

Third-party verification of anticipated purchase costs of auxiliary apparatus. If third-party is not possible, billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months.

If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months

In addition, the SNRHA must verify that:

The family member for whom the expense is incurred is a person with disabilities

The expense permits a family member, or members, to work (see Chapter 5). The expense is not reimbursed from another source (see Chapter 5).

The expense does not exceed the amount of the earned income of the individual freed for work.

### ***Family Member is a Person with Disabilities***

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. The SNRHA will verify that the expense is incurred for a person with disabilities.

### ***Family Member(s) Permitted to Work***

The SNRHA must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.

#### **SNRHA Policy**

The SNRHA will seek third-party verification from a Rehabilitation Agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work.





If third-party and document review verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work.

### **Unreimbursed Expenses**

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

An attendant care provider will be asked to certify that, to the best of the provider's knowledge, the expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

### **7-IV.D. CHILD CARE EXPENSES**

The SNRHA must verify that:

- The child is eligible for care.
- The costs claimed are not reimbursed.
- The costs enable a family member to pursue an eligible activity.
- The costs are for an allowable type of childcare.
- The costs are reasonable if seeking employment or furthering education.

#### **Eligible Child**

To be eligible for the childcare deduction, the costs must be incurred for the care of a child under the age of 13. The SNRHA will verify that the child being cared for (including foster children) is under the age of 13.

#### **Unreimbursed Expense**

To be eligible for the childcare deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The childcare provider will be asked to certify that, to the best of the provider's knowledge, the childcare expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that the childcare expenses are not paid by or reimbursed to the family from any source.

The SNRHA must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

#### ***Information to be Gathered***



The SNRHA will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### ***Seeking Work***

Whenever possible the SNRHA will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases the SNRHA will request verification from the agency of the member's job seeking efforts to date and require the family to submit to the SNRHA any reports provided to the other agency.

In the event third-party verification is not available, the SNRHA will provide the family with a form on which the family member must record job search efforts. The SNRHA will review this information at each subsequent reexamination for which this deduction is claimed.

### ***Furthering Education***

The SNRHA will ask that the academic or vocational educational institution verify that the person permitted to further his or her education by the childcare is enrolled and provide information about the timing of classes for which the person is registered.

### ***Gainful Employment***

The SNRHA will seek verification from the employer of the work schedule of the person who is permitted to work by the childcare. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified.

## **Allowable Type of Child Care**

The type of care to be provided is determined by the family.

### **SNRHA Policy**

The SNRHA will verify that the type of childcare selected by the family is allowable, as described in Chapter 6.

The SNRHA will verify that the fees paid to the childcare provider cover only childcare costs (e.g., no housekeeping services or personal services) and are paid only for the care of an eligible child (e.g., prorate costs if some of the care is provided for ineligible family members).

The SNRHA will verify the childcare provider is not a family member residing in the household. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.



## **Reasonableness of Expenses**

Only reasonable childcare costs can be deducted for seeking employment or furthering education.

### SNRHA Policy

To verify that the childcare costs are reasonable, the actual costs the family incurs will be compared with the SNRHA's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable.

If the family presents a justification for costs that exceed typical costs in the area, the SNRHA will request additional documentation, as required, to support a determination that the higher cost is appropriate.

SNRHA will send out our childcare verification form when child care expenses are being verified. This form must be completed with all questions answered and returned by mail or fax. This form will be the only verification childcare form acceptable by our agency. Private childcare providers that do not have tax identification numbers must complete the section that requests their social security numbers or their INS number.

Written verification from the person who receives the payments is required. If the child care provider is licensed, the provider is required to provide their Employment Identification Number.

Verifications must specify the child care provider's business or individual name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Family's must certify as to whether any of those payments have been or will be paid or reimbursed by outside sources.



EXIITBIT 7-1: EXCERPT FROM HUD VERIFICATION

GUIDANCE NOTICE (PIII 2004-01, pp.11-14)

|                                     |                                                                                                                                               |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Upfront (UIV)</b>                | <b>Highest (Highly Recommended, highest level of third party verification)</b>                                                                |
| <b>Written 3<sup>rd</sup> Party</b> | <b>High (Mandatory if upfront income verification is not available or if UIV data differs substantially from tenant-reported information)</b> |
| <b>Oral 3<sup>rd</sup> Party</b>    | <b>Medium (Mandatory if written third party verification is not available)</b>                                                                |
| <b>Document Review</b>              | <b>Medium-Low (Use on provisional basis)</b>                                                                                                  |
| <b>Tenant Declaration</b>           | <b>Low (Use as a last resort)</b>                                                                                                             |

| Income Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Upfront                                                                                                                                                             | Written Third                                                                                                                                                                                                       | Oral Third Party                                                                                                                                                                                                       | Document Review                                                                                                                                                                                                                                                                                                                                                                                                  | Tenant Declaration                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 5)                                                                                                                                                           | (LEVEL 4)                                                                                                                                                                                                           | (LEVEL 3)                                                                                                                                                                                                              | (LEVEL 2)                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 1)                                                                                                                                                                                                                                         |
| Wages/Salaries                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Use of computer matching agreements with a State Wage Information Collection Agency (SWICA) to obtain wage information electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the independent sources to obtain wage information.                                                                                                | In the event the independent source does not respond to the PHA's written request for information, the PHA may contact the independent source by phone or make an in person visit to obtain the requested information. | When neither form of third party verification can be obtained, the PHA may accept original documents such as consecutive pay stubs (HUD recommends the PHA review at least three months of pay stubs, if employed by the same employer for three months or more), W-2 forms, etc. from the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from earnings. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Agreements with private vendor agencies, such as The Work Number or ChoicePoint to obtain wage and salary information.                                              | The PHA may have the tenant sign a Request for Earnings Statement from the SSA to confirm past earnings. The PHA mails the form to SSA and the statement will be sent to the address the PHA specifies on the form. |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Use of HUD systems, when available.                                                                                                                                 |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
| <p><b>Verification of Employment Income:</b> The PHA should always obtain as much information as possible about the employment, such as start date (new employment), termination date (previous employment), pay frequency, pay rate, anticipated pay increases in the next twelve months, year-to-date earnings, bonuses, overtime, company name, address and telephone number, name and position of the person completing the employment verification form.</p> <p><b>Effective Date of Employment:</b> The PHA should always confirm start and termination dates of employment.</p> |                                                                                                                                                                     |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |



|                                                                                                                                                                                                                                                                                                    |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Self-Employment                                                                                                                                                                                                                                                                                    | Not Available                                                                                                                                           | The PHA mails or faxes a verification form directly to sources identified by the family to obtain income information.                                                                                                                         | The PHA may call the source to obtain income information.                                                                                                                                               | The PHA may accept any documents (i.e. tax returns, invoices and letters from customers) provided by the tenant to verify self-employment income. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not obtained. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from self-employment. <b>Note:</b> The PHA must document in the tenant file, the reason                 |
| <b>Verification of Self-Employment Income:</b> Typically, it is a challenge for PHAs to obtain third party verification of self-employment income. When third party verification is not available, the PHA should always request a notarized tenant declaration that includes a perjury statement. |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
| Social Security Benefits                                                                                                                                                                                                                                                                           | Use of HUD Tenant Assessment System (TASS) to obtain current benefit history and discrepancy reports.                                                   | The PHA mails or faxes a verification form directly to the local SSA office to obtain social security benefit information. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may call SSA, with the tenant on the line, to obtain current benefit amount. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may accept an original SSA Notice from the tenant. Note: The PHA must document in the tenant file, the reason third party verification was not available.                                                                                              | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly social security benefits. Note: The PHA must document in the tenant file, the reason third party verification was not available. |
| Welfare Benefits                                                                                                                                                                                                                                                                                   | Use of computer matching agreements with the local Social Services Agency to obtain current benefit amount electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the local Social Services Agency to obtain welfare benefit information.                                                                                                      | The PHA may call the local Social Services Agency to obtain current benefit amount.                                                                                                                     | The PHA may review an original award notice or printout from the local Social Services Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly welfare benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.  |



| Income Type           | Upfront<br><b>(LEVEL 5)</b>                                                                                                                                                                                     | Written Third<br><b>(LEVEL 4)</b>                                                                                                                                                             | Oral Third Party<br><b>(LEVEL 3)</b>                                                                                                          | Document Review<br><b>(LEVEL 2)</b>                                                                                                                                                                                                                                                                            | Tenant Declaration<br><b>(LEVEL 1)</b>                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Child Support         | Use of agreement with the local Child Support Enforcement Agency to obtain current child support amount and payment status electronically, by mail or fax or in person.                                         | The PHA mails, faxes, or e-mails a verification form directly to the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may call the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may review an original court order, notice or printout from the local Child Support Enforcement Agency provided by the tenant to verify current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
| Unemployment Benefits | Use of computer matching agreements with a State Wage Information Collection Agency to obtain unemployment compensation electronically, by mail or fax or in person.<br><br>Use of HUD systems, when available. | The PHA mails, faxes, or e-mails a verification form directly to the State Wage Information Collection Agency to obtain unemployment compensation information.                                | The PHA may call the State Wage Information Collection Agency to obtain current benefit amount.                                               | The PHA may review an original benefit notice or unemployment check stub, or printout from the local State Wage Information Collection Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares unemployment benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                           |
| Pensions              | Use of computer matching agreements with a Federal, State, or Local Government Agency to obtain pension information electronically, by mail or fax or in person.                                                | The PHA mails, faxes, or e-mails a verification form directly to the pension provider to obtain pension information.                                                                          | The PHA may call the pension provider to obtain current benefit amount.                                                                       | The PHA may review an original benefit notice from the pension provider provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                                                                                                  | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly pension amounts. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                         |



| <b>EXHIBIT 7-2: SUMMARY OF DOCUMENTATION REQUIREMENTS FOR NONCITIZENS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• <b>All</b> noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the PHA.</li> <li>• Except for persons 62 or older, all noncitizens must sign a verification consent form</li> <li>• Additional documents are required based upon the person's status.</li> </ul>                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Elderly Noncitizens</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits.</li> </ul>                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>All other Noncitizens</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below.</li> </ul>                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Form I-551 Alien Registration Receipt Card (for permanent resident aliens)</li> <li>• Form I-94 Arrival-Departure Record annotated with one of the following:               <ul style="list-style-type: none"> <li>• “Admitted as a Refugee Pursuant to Section 207”</li> <li>• “Section 208” or “Asylum”</li> <li>• “Section 243(h)” or “Deportation stayed by Attorney General”</li> <li>• “Paroled Pursuant to Section 221 (d)(5) of the USCIS”</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Form I-94 Arrival-Departure Record with no annotation accompanied by:               <ul style="list-style-type: none"> <li>• A final court decision granting asylum (but only if no appeal is taken);</li> <li>• A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90);</li> <li>• A court decision granting withholding of deportation; or</li> <li>• A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).</li> </ul> </li> </ul> |
| <ul style="list-style-type: none"> <li>• Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>• Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

- A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or
- Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the *Federal Register*.

## **Chapter 8**

### **TRANSFER POLICY**

#### **INTRODUCTION**

It is the policy of the SNRHA to permit resident transfers, within and/or between SNRHA public housing communities for the following limited reasons:

- To abate dangerous and/or substandard living conditions;
- To abate emergency life-threatening living conditions caused by third-party criminal activity;
- To accommodate verified physical conditions caused by long-term illness and/or disability;
- To accommodate resident families that are determined to be over- or under-housed by virtue of their family size; and
- To promote homeownership, transfer of families to scattered sites
- To accommodate relocation due to modernization work, community safety

Each transfer request will be evaluated on a case-by-case basis, taking into consideration:

- The documentation that substantiates the reason for the request;
- Whether or not the resident is in good standing with the SNRHA
- The availability of suitable alternative units.

SNRHA will not grant a transfer request solely to accommodate neighbors who "cannot get along."

Activities of residents that adversely affect the right of others to the peaceful enjoyment of their community will be treated as lease violations and may be considered cause for lease termination.

#### **A. ELIGIBILITY FOR TRANSFER**

In order to be determined eligible to receive a transfer, residents must submit the **requested** 3rd party documentation to SNRHA, to substantiate their request, and must be in good standing with the SNRHA.

The type of documentation that must be submitted will vary, depending on the nature of the request.

#### **Good Standing**

A resident will be considered in good standing if he or she and/or household members have not had:

- A history of delinquent rent payments, or
- A history of community disturbance and/or unit destruction.
- Maintain acceptable housekeeping standards
- Fulfilling community service requirements



**Transfer List**

Resident families who are determined eligible to receive a transfer will be placed on a transfer waiting list in accordance with the date of transfer approval and reason for their transfer request. SNRHA will implement transfers in the priority order listed in the following table.

Inappropriately housed resident families who are determined eligible to receive a transfer will be placed on the transfer waiting list at the time of annual certification.

**Priority of Transfers**

Approved transfers shall be accomplished in the following priority order:

| Type of Transfer                         | When executed                                                                | Transfer will be within the housing development:                                           | Ratio                                       | Initiated by                                                     |
|------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------------|
| <b>Emergency</b>                         | Within 24 hours of documentation, verification & approval                    | Unless emergency transfer cannot be accomplished in this manner.                           | Not applicable                              | SNRHA or written family request                                  |
| <b>Medical and accessibility</b>         | Within 30 days of documentation, verification & approval                     | Unless appropriate unit meeting the family’s needs is not available within the development | Not applicable                              | Written family request                                           |
| <b>Under housed (Overcrowded)</b>        | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Over housed</b>                       | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Under housed with family’s waiver</b> | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA, not less than one year from the date of initial occupancy |

|                                                                                                                  |                                                                                                               |                                                                         |                                             |                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Higher income family moving to a lower income development</b>                                                 | Next available scattered site home or development of the family's choice                                      | Not applicable                                                          | 1 transfer for every <b>20</b> new move-ins | At written request of family                                                                                       |
| <b>Scattered Site SNRHA Site</b>                                                                                 | Next available scattered site unit when family name reaches the top after certification of eligibility        | All available SS units                                                  | Not applicable                              | SNRHA, not less than <b>two</b> years from the date of initial occupancy <b>and must meet suitability criteria</b> |
| <b>Designated Senior Developments</b>                                                                            | Transfers from Studio to One bedroom unit when family name reaches the top after certification of eligibility | Unless type of unit does not exist within that development's inventory. | 1 transfer for <b>2</b> new move-ins.       | SNRHA, not less than one year from the date of initial occupancy                                                   |
| <b>Newly Modernized Units</b>                                                                                    | Next available unit when family name reaches the top after certification of eligibility                       | Not applicable                                                          | Not applicable                              | SNRHA on effective date of annual recert                                                                           |
| <b><u>Administrative Reasons determined by the PHA (e.g. to permit modernization work, community safety)</u></b> | Within 30 days of Notification                                                                                | Unless type of unit does not exist within that development's inventory. | Not Applicable                              | SNRHA                                                                                                              |

**B. EMERGENCY TRANSFERS**

Emergency transfers will be implemented by the SNRHA to remove a resident family from life-threatening and/or hazardous living conditions caused by third-party criminal activity and/or unit damage. **Good standing criteria does not apply in the case of emergency transfers.**

**Residents will be required to become complaint with all lease provisions upon completion of the Emergency Transfer to the new unit.**

**Emergency Transfers due to Third Party Criminal Activity**

SNRHA will consider transfer requests from resident families who have been victims of life-threatening criminal activity committed by third parties or who have witnessed serious criminal activity and agreed to testify on behalf of the State at a criminal proceeding.

Families who request a unit transfer due to third-party criminal activity may be required to submit verifiable documentation evidencing one or all of the following:

- Police reports and/or police statements detailing the incident in question
- Eyewitness statements describing the incident in question
- Confirmatory letters from the Victim Witness Protection Unit, Rape Crisis Center or similarly recognized entity
- Medical reports from a licensed health care provider
- Subpoena or other written contacts from the Clark County District Attorney or U.S. Attorney

The SNRHA will require residents who are victims of domestic violence to certify their victim status and the names of their abusers. Third-party verification must be provided by victim service providers, medical professionals, or attorney who have counseled the victim and can verify their status as a domestic violence victim.

All documentation submitted shall remain confidential and shall be reviewed and evaluated by the Director of Operations only. Transfer requests due to third-party criminal activity shall be evaluated on a case-by-case basis, by consideration of the following criteria:

- The availability of a suitable alternative unit
- The documentation describing/verifying the incident
- The severity of the incident

**Notification:** If approved, the family will be notified that:

- A unit has been designated;
- They must execute a new lease and move within five (5 days) of receipt of the notice, and
- If they refuse to accept the unit, they must execute a waiver of their emergency transfer request.

**Emergency Transfers Initiated or Confirmed by Law Enforcement**

If the emergency transfer request is initiated or confirmed by authorized law enforcement officials, the SNRHA may take the following action to maintain the confidentiality of the request and subsequent transfer:

- By-passing the regular transfer occupancy function and/or staff;
- Maintaining the resident family's file separate from other resident files; and
- Concealing and/or changing the identity of the resident family's file.

**Emergency Transfers due to Hazardous Unit Conditions**

A transfer due to hazardous unit conditions is mandatory. It may be initiated at any time by the SNRHA or the resident family or both, after detection of a unit condition that poses a threat to the health and safety of the resident family. A hazardous unit condition is one that arises from:

- Substantial fire damage;
- Life-threatening fungus as determined by a Clark County Health District Official and/or a licensed hazardous waste consultant;
- Exposed electrical wiring;
- Defective ventilation;
- Inadequate plumbing, heating and/or cooling that will require long-term repair;
- Other serious conditions identified by the SNRHA Maintenance Department that require long-term repair.

**Notification:** If at least one of the foregoing conditions is found to exist, the SNRHA shall immediately notify the resident family or families affected and advise them, in writing, as follows:

- A unit has been designated;
- They will be required to move and sign a new lease no later than five (5) days from the date they receive the notice;
- If the hazardous condition was caused by the family, the family shall bear the cost of repair and moving.
  - If the family is unable to move due to financial reasons, SNRHA shall contract with a third party entity to move the family and shall bill the family for said costs, no later than the date on which the repair bills are submitted to them.
  - If the resident family refuses to move or otherwise fails to pay the repair and/or moving costs, SNRHA will initiate eviction proceedings against the family
- If the hazardous condition was not caused by the family, the SNRHA will bear all repairs and documented moving costs incurred by the family.

**C. TRANSFERS DUE TO ILLNESS AND/OR DISABILITY**

Unit transfers will be implemented by SNRHA to accommodate the accessibility needs of residents and/or their household members, arising from long-term illness or disability. Accessibility needs are those that require one or all of the following:

- A first floor and/or single story dwelling;
- Widened hallways and/or lowered cabinets;
- Roll-in shower facilities
- Flashing-light-censored smoke detectors
- Central air conditioning and heat

**Documentation**

Families who request a transfer due to illness and/or disability may be required to submit recent verifiable documentation from a health care provider or social service entity that confirms the impairment and the accessibility needs.

**Notification**

Upon a determination that the family's request for a transfer due to illness or disability has been approved, the SNRHA shall send the resident a thirty (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty (30) day period has passed:

A unit to which the family may transfer will be designated at such time as it becomes available;

They will be required to enter into a new lease for the transfer unit;

That if they refuse to move into the unit, they must sign a waiver of the transfer request.

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

**D. TRANSFERS TO ACCOMMODATE FAMILIES THAT ARE OVER- OR UNDER-HOUSED.**

Unit transfers will be implemented by SNRHA to accommodate resident families that are determined to be over-housed or under-housed **by virtue of their family size based on the general occupancy standards.** These transfers may be initiated by the SNRHA or the resident or both. A family may request an exception to the general occupancy standards. The SNRHA will evaluate the relationship and ages of all family members and the overall size of the unit. If approved, the family must agree to remain in the approved unit for one year.

**Notification**

Upon a determination that the family is approved to move into a unit of a different size, the SNRHA shall send the resident a thirty- (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty- (30) day period has passed:

A unit to which the family must transfer may be designated;

They will be required to move into that unit in accordance with the terms of their lease;

They will be required to enter into a new lease for the transfer unit;

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

### **Resident Refusal of the Transfer Unit**

The resident may decline the transfer unit for good and reasonable cause. Such cause shall be considered sufficient if:

The unit does not provide adequate accessibility, or

The unit will not have the required effect of accommodating the family size.

The Director of Operations shall determine if the unit refusal is for good cause. If the resident declines the unit without good cause, the SNRHA shall assign the unit to another family and void the request for transfer if generated by the family.

If the resident refuses the transfer unit when the reason for the transfer is an emergency, under/over housed or abatement, a 30-day notice will be issued. The unit will be reassigned and the transfer will be voided.

### **Transfer Procedures**

The Development Manager and resident will participate in a pre-transfer inspection to determine damages prior to transfer and the charges made part of the new lease.

The resident and SNRHA shall enter into a new lease agreement for the transfer unit.

### **Security Deposits**

1. Families transferring to another development must have paid the security deposit in full at the sending development.
2. SNRHA will charge the families for any damages to the previous unit.
3. Security deposits will be refunded to the resident under the terms of the lease for the

- previous unit. The resident must deposit with the SNRHA a security deposit on the new unit consistent with the security deposit policy in effect at the time of the transfer.
4. Refer to Security Deposit Chapter for additional details.
  5. Move-out charges will be posted to the new unit. The office of the receiving development is responsible for collecting any maintenance charges due SNRHA.

## **E. GENERAL CONDITIONS GOVERNING TRANSFERS**

### **Discrimination Prohibited**

Transfer requests shall be processed, evaluated, initiated and/or determined without regard to race, color, religion, gender, creed or national origin. Transfer requests based on household composition and/or illness disability must consider family size and disability.

### **Cleaning and/or Repair Charges**

All transfers are subject to charges for cleaning or repair work performed by the maintenance staff on the vacated unit. All charges will be assessed after an inspection is completed by the resident and the housing manager. **Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement.**

### **Rent Adjustments for Transferred Residents**

No rent adjustment will be made, except for utility allowance, until the next scheduled certification.

### **Reexamination Date**

The date of the transfer changes the reexamination date according to the block system of the gaining development, unless the annual reexamination period would exceed twelve months since the family's last annual reexamination.

The losing development will send the family's file to the gaining development once they have been notified that the family has accepted the unit, before the family is leased up. The gaining development will not attempt to lease up a family without possession of the family's file.

### **SNRHA Incentives for Higher Income Families Transferring Into Lower Income Developments**

The SNRHA will offer certain incentives to higher income families (**Household Income at or above 60% of AMI**) willing to move into lower income projects. If a higher income family agrees to move to a SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family's choice. The move will be approved according to the Occupancy Guidelines only if the family has consistently been in lease compliance for two years following admission.

SNRHA will target homeownership opportunities to higher income families moving into lower income projects.

## **Processing In and Out of Developments**

### **Gaining Developments**

Transfers from other developments will be processed in the same manner as move-ins, including a new lease and applicable security deposit.

The resident transferring between public housing projects does not have to meet the admission requirements pertaining to income or preference.

### **Residents Failure to Transfer Units**

In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, **both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from.**

### **COST OF TRANSFERS**

Residents shall bear the cost of transfers to correct occupancy standards, resident requested transfers, incentive transfers, and other voluntary transfers.

SNRHA will bear the reasonable cost of transfers SNRHA requests for demolition, disposition, rehabilitation, building system failures, or emergency conditions due to no fault of the tenant. SNRHA will bear the reasonable cost of transfers needed as a reasonable accommodation for residents with disabilities, **in accordance with SNRHA Reasonable Accommodation Policy and Procedures.** The reasonable cost of transfers includes not just the cost of packing, moving, and unloading, but also the cost of connecting and reconnecting any existing resident-paid services such as telephone and cable.



## **Resident Selection Criteria For Otto Merida Family Apartments**

**The following criteria will be utilized to select from current residents residing in other Public Housing communities for the Project:**

1. Must have a favorable rental payment history. A resident will be considered to have a favorable rental payment history if there have been two or less delinquent rent payments in the previous twelve months.
2. Must be in good standing with SNRHA and in compliance with all terms and conditions of the resident's existing Lease.
3. Resident must be currently employed or enrolled in the Family Self Sufficiency Program and must have accomplished one or more established goals within the Program. SNRHA will provide the Manager with a list of residents wishing to transfer to the Project and the Manager will determine and certify the eligibility of the resident, and the resident will be notified of the determination. Transfer requests will be processed on a first come, first serve basis.

### **Income Tiering**

In addition to the above selection criteria, SNRHA will institute an income-tiring system in allocating units within the Project. The units will be divided into three income tiers, which will be distributed equally across the development and by unit types. The income tiers will be as follows:

- **Low Tier:** Less than 20% of the HUD Area Median Income (AMI) for a Family of Four (or \$11,819 in 2005) 20 units;
- **Middle Tier:** Greater than 20% AMI and Less than 30% AMI for a Family of Four (or \$17,730 in 2005) 20 units; and
- **High Tier:** Greater than 30% AMI and Less than 60% AMI maximum tax credit income Level (or \$35,460 in 2005 for a Family of Four) 20 units.

Transfer requests from current SNRHA residents who meet the initial resident selection criteria noted above will be placed in one of the three income tiers, or disqualified by the Manager if the applicants' income is above the 60% AMI tax credit limit or do not meet the LIHTC eligibility.

After the initial inquiry is made of existing public housing residents, public housing residents may apply for transfer to the Project at the time of their annual certification by completing an application for the Honolulu Street Apartments.

### **Public Housing Waiting List**

In the event there are no current public housing residents within the appropriate income tiers as indicated above who wish to transfer to the Project, Project vacancies will be filled from

**Southern Nevada Regional Housing Authority**

SNRHA's Public Housing certified waiting list utilizing current preferences and screening criteria in accordance with SNRHA's ACOP and the screening criteria described above.

Employment income is a current SNRHA waiting list preference.

In the event there are no eligible applicants on the current Public Housing certified waiting list within the three income tiers, outreach will be conducted to the general public as provided in the Marketing Policy.



## **Chapter 9 LEASING**

[24 CFR 966.4]

### **INTRODUCTION**

It is the SNRHA's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This chapter describes pre-leasing activities and the SNRHA's policies pertaining to lease execution, security deposits, other charges, and additions to the lease.

### **A. LEASE ORIENTATION**

In conjunction with execution of the lease, all adult family members must attend a new resident orientation within 90 days of move-in.

Residents with disabilities may request a reasonable accommodation.

### **Orientation Agenda**

When families attend the lease orientation, they will be provided with:

- A sample copy of the lease
- A copy of the grievance procedure
- A copy of the house rules
- Supportive services information, including FSS
- Emergency maintenance policy
- Community Service requirements and policy
- Pet policy
- Trespass policy
- Bed Bug Addendum
- Housekeeping Standard
- Other Lease addendums

Topics to be discussed will include, but are not limited to:

- Applicable deposits and other charges
- Maintenance charges
- Provisions of the lease
- Unit maintenance and work orders
- Terms of occupancy
- Rent choice/Flat rent/income based/seasonal employment

SNRHA shall ensure additional efforts are made to ensure full program accessibility to persons with Limited English Proficiency, including notifying organizations that provides services to low-income families whose primary language is Spanish, as outlined in SNRHA's Limited English Proficiency Plan.



## **B. LEASE REQUIREMENTS**

The initial term of the lease will be for 12 months. The lease will renew automatically for 12-month terms with the following exception:

- SNRHA will not renew the lease if the family has violated the community service requirement (24 CFR 966.4).
- Due to the community service requirement, the lease does not automatically renew for terms of 12 months. An annual signing process, the completion of recertification, is required.
- The lease further provides for termination and eviction at the end of any 12-month lease term for non-compliance with the community service requirements at 24 CFR Part 960, Subpart F and Chapter 15 of this Admissions and Continued Occupancy Policy.

## **C. EXECUTION OF LEASE**

The lease shall be executed by the head of household, spouse or co-head; and by an authorized representative of SNRHA, prior to admission.

The head or co-head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head or co-head.

An appointment will be scheduled for the parties to execute the lease. One executed copy of the lease will be given to the tenant, and the SNRHA will retain the original in the tenant's file. The lease is incorporated into this policy by reference. The lease document will reflect current SNRHA policies as well as applicable Federal, State and local law. The following provisions govern lease execution and amendments:

- A lease is executed at the time of admission for all new tenants.
- A new lease is executed at the time of the transfer of a tenant from one SNRHA unit to another
- If, for any reason, the head or co-head of household of the lease cease to be a member of the household, a new lease will be executed with the remaining members, so long as they meet the program requirements.
- Lease signers must be persons legally eligible to execute contracts.
- The names, relationship to head, date of birth, and social security number of all household members are listed on the lease at initial occupancy and on the Application for Continued Occupancy (need to determine name of form to be used) each subsequent year. Only those persons listed on the most recent certification shall be permitted to occupy a dwelling unit.
- Changes to tenant rents are made upon the preparation and execution of an addendum to the lease which reflects any change in household composition or rent. Documentation will be included in the tenant file to support proper notice.



- Households that include a live-in aide are required to execute a live in aide agreement authorizing the arrangement and describing the status of the aide.
- Households that include a live-in aide will contain file documentation that the live-in aide is not a party to the lease and is not entitled to SNRHA assistance, with the exception of occupancy while serving as the aide for the participant family member.

The SNRHA may modify its form of lease from time to time, giving tenants an opportunity to comment on proposed changes and advance notice of the implementation of any changes. A tenant's refusal to accept permissible and reasonable lease modifications, or those modifications required by HUD, is grounds for termination of tenancy.

#### **D. ADDITIONS TO THE LEASE**

Only those persons listed on the most recent certification form and lease shall be permitted to occupy a dwelling unit<sup>1</sup>.

All persons listed on the most recent certification form and the lease must use the dwelling unit as their sole residence.

Requests for the addition of a new member of the household must be approved by the SNRHA, prior to the actual move-in by the proposed new member.

Following receipt of a family's request for approval, the SNRHA will conduct a pre-admission screening, including the Criminal History Report, of the proposed new adult member. Only new members approved by the SNRHA will be added to the household.

Family members over the age of 18 who move from the dwelling unit to establish new households shall be removed from the lease. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list. Exceptions will be made by the approval of the Director of Operations or designee.

Minors being added to the household by other than birth or legal adoption or court – awarded custody must be verified by court action. Temporary guardianship will be considered as a court action. All temporary guardianship will be renewed and verified every six months.

#### **Factors Determining Household Additions**

Household additions subject to screening:

- Resident plans to marry;
- Resident desires to add a new adult family member to the lease or employ a live-in aide.



- A unit is occupied by a remaining family member(s) under age 18 (not an emancipated minor) and an adult who was not a member of the original household requests permission to take over as the head of household. Guardianship and/or custody of the remaining family member(s) under 18 must be obtained by the adult who was not a member of the original household. The family will have 90 days to obtain all documentation. If the adult is unable to provide appropriate documentation regarding the remaining minor, children and/or fails to comply with all screening requirements they are ineligible to occupy the unit at the expiration of the 90 days.

Factors determining household additions that are not subject to screening:

Children born to a family member or whom a family member legally adopts are exempt from the pre-screening process.

Children for whom the family receives court-awarded custody

Persons under the age of 18 years

Foster Children proposed to live in the unit

In cases where the addition of a new member who has not been born, married, awarded legal custody or guardianship, or legally adopted into the family, and the addition will affect the bedroom size required by the family, according to the SNRHA occupancy standards, the SNRHA will not approve the addition. An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody.

Residents who fail to notify the SNRHA of additions to the household, or who permit persons to join the household without undergoing screening, are in violation of the lease. Such persons are considered to be unauthorized occupants by the SNRHA, and the entire household will be subject to eviction [24 CFR 966.4(f) (3)].

Family members age 18 and over, other than spouse, who move from the dwelling unit shall be removed from the lease. The tenant must notify the SNRHA of the move-out within 10 calendar days of its occurrence. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list.

The SNRHA in making determinations under this paragraph will consider medical hardship or other extenuating circumstances.



## **Visitors**

1. The resident may not allow visitors to stay overnight more than fourteen (14) consecutive days nor more than 30 calendar days in a twelve month period without prior written approval of management.
2. Visitors who remain beyond this period shall be considered unauthorized, and their presence constitutes a breach of the lease.
3. If an individual other than a leaseholder is representing to an outside agency that they are residing in the lessee's unit, the person will be considered an unauthorized member of the household.
4. Roomers and lodgers are not permitted to occupy a dwelling unit, nor are they permitted to move in with any family occupying a dwelling unit. Advertisements for roomers or lodgers shall be considered a violation of the lease by virtue of intent to sub lease portions of the assisted unit.
5. Residents are not permitted to allow a former tenant of the SNRHA who has been evicted to occupy their unit for any period of time.
6. Medical hardship or other extenuating circumstances shall be considered by SNRHA in making determinations under this area. Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Property Manager.

## **Absences from the Unit**

Residents must advise the SNRHA when they will be absent from the unit for more than **30** consecutive days and provide a means for the SNRHA to contact the resident in the event of an emergency. Failure to advise the SNRHA in writing of extended absences is grounds for termination of the lease.

## **E. LEASING UNITS WITH ACCESSIBLE OR ADAPTABLE FEATURES**

[24 CFR 8.27(a) (1) (2) and (b)]

Before offering a vacant accessible unit to a non-disabled applicant or resident, the SNRHA will offer such units:

First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA's control, who has a disability that requires the special features of the vacant unit?



Second, to a current occupant of other public housing developments under the SNRHA's control who has a disability that requires the special features of the vacant unit?

Thirdly, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

Accessible units will be offered to and accepted by non-disabled applicants or residents only with the understanding that such applicants/resident must agree to relocate to a non-accessible unit at a later date if a person with a disability requiring the unit applies for housing and is determined eligible or there is an existing resident who require the features of the accessible unit.

The SNRHA will require a non-disabled applicant or resident to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant or resident. This requirement will be a provision of the lease agreement.

#### **F. UTILITY SERVICES**

Tenants responsible for direct payment of utilities must abide by any and all regulations of the specific utility company, including regulations pertaining to advance payments of deposits.

**If a resident is resident or applicant is unable to establish utility services due to a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See page 6-16.**

Failure to maintain utility services during tenancy is a lease violation and grounds for eviction. Non-payment of excess utility charge payments to the SNRHA is a violation of the lease and is grounds for eviction.

SNRHA may send utility reimbursement directly to the utility supplier without the consent of the family that is paying an income based rent. SNRHA will notify the family of the amount of any such direct payment to the utility supplier.

The lease will designate the appliances provided by SNRHA (i.e.: stove and refrigerator). The tenant is responsible for proper hook-up, safety and maintenance of any appliances they may provide (i.e.: dryers).

#### **G. SECURITY AND PET DEPOSITS**

##### **Security Deposit**

Tenant security deposits are required to minimize collection losses and encourage





residents to leave their apartments clean and in good condition when they vacate.

### **Security Deposit Amounts**

New tenants must pay a security deposit to the SNRHA at the time of leasing the unit.

The Security Deposits for Public Housing will be based on bedroom size as follows:

- Efficiency Unit: \$200.00
- One Bedroom Unit: \$200.00
- Two Bedroom Unit \$250.00
- Three Bedroom Unit \$300.00
- Four Bedroom Unit \$350.00
- Five Bedroom Unit \$400.00

Scattered Site units will be required to pay an additional \$100 deposit for lawn or yard maintenance for which they are responsible for under terms of their lease.

### **Transfer of Security Deposit**

If a resident transfers, the original security deposit may be refunded to the resident. The resident must then pay the required deposit for the new unit. The resident will be responsible for payment of any additional security deposits as outlined in this policy. The tenant will also be further billed for any maintenance or other charges beyond the security deposit.

The SNRHA may permit installment payments of security when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA. The Authority may allow for one-quarter of the required deposit at the time of admission and the remainder to be paid with additional equal payments for a three month period. The full deposit must be paid within 120 days of initial occupancy.

The Security Deposit will be returned, less any applicable charges, to the tenant after move-out, if the following conditions are met:

- There is no unpaid rent and/or charges for which the resident is liable under the lease or as a result of breaching the lease.
- The dwelling unit and all equipment are left clean, and all trash and debris have been removed by the family.
- There is no breakage or damage beyond that expected from normal wear and use.
- Tenant gave the required **30** calendar days advance written notice of intent to vacate and all keys issued have been returned to the management office when the family vacates the dwelling unit.

The Security Deposit may not be used to pay charges during the tenant's occupancy.



The SNRHA will hold the security deposit for the period the tenant occupies the unit. The SNRHA will refund the Security Deposit less any amounts owed, within 30 calendar days after move out and tenant's notification of new address. If no address is provided, the refund will be mailed to the last known address.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the security deposits. If the tenant disagrees with the amount charged to the security deposits, the SNRHA will provide a meeting to discuss the charges.

The resident must leave the dwelling unit in a clean and undamaged (beyond normal wear and tear) condition and must furnish a forwarding address to the SNRHA. All keys to the unit must be returned to the Management upon vacating the unit.

The SNRHA will not use the security deposit for payment of rent or other charges while the tenant is living in the unit.

The tenant will be billed for any maintenance or other charges. If the tenant family will be transferred from one public housing dwelling unit to another the SNRHA will conduct the required move-out inspection and determine what charges, if any, should be assessed to tenant's account. SNRHA will establish the security deposit for the new unit based upon the current security deposit policy and the family will be required to pay the balance/new deposit amount in effect at that time.

## **H. ADDITIONAL SECURITY DEPOSIT COLLECTION PROCEDURES**

Security Deposits are governed by the terms of the lease, 24CFR's and Nevada's Statutes. The SNRHA reserves the right to bill a resident's account additional charges if any of the situations below exist or take place within a resident's apartment. This money will be added to the resident's current security deposit. Such deposits may be collected for the following:

- 1) Unauthorized wallpapering.
- 2) Painting walls any color other than the original color upon move-in.
- 3) If the resident fails a housing inspection due to unsanitary housekeeping or excessive damage to the unit that is beyond normal wear and tear.
- 4) Evidence of pet damages (carpet stains, clawing, biting unit components, defecation interior or exterior, fleas, landscaping, lawn or property, fences or other visual damage).

If any of the above items are found within a household the resident will be immediately billed **per labor rates established according to the Maintenance Charge List and added into the tenant's security deposit funds.** The SNRHA has enacted this change to protect the interest of our housing stock and to reduce the billable charges due by the resident once they have moved out of SNRHA housing.



## **Pet Deposit**

### **DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |

ALL PET AGREEMENTS SIGNED WITH RESIDENTS OF SNRHA PRIOR TO THE ADOPTION OF THIS POLICY (03/01/2010) ARE NOT SUBJECT TO PAYING ADDITIONAL DEPOSIT AMOUNTS

RESIDENTS SIGNING PET POLICY AGREEMENTS FOLLOWING THE ADOPTION OF THIS POLICY WILL BE SUBJECT TO PAYING DEPOSITS FOR ANY NEW OR ADDITIONAL PETS.

Assistance Animals for persons with a disability are not subject to the pet deposit.

The SNRHA may permit installment payments of when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA.

The pet security deposit is to cover the cost of damages created by the pet. Tenant will be given a list of all such damages and the applicable charges that will be deducted from the pet deposit at the time the tenant vacates the unit or the pet is removed from the unit, whichever occurs first. Tenant will also be advised of their right to an informal meeting and/or grievance hearing should they dispute the charges. (See Chapter 10 for remainder of pet policy provisions.) The pet deposit will be returned to the tenant or the person designated by the former tenant, upon notification that the pet is no longer in the unit or in the event of the former tenant's incapacitation or death.

## **Interest**

SNRHA will not compute or pay any interest on any deposit.

## **I. RENT PAYMENTS**

See Chapter 13, Rent and Debt Collection Procedures.

## **J. FEES AND NONPAYMENT PENALTIES**

See Chapter 13, Rent and Debt Collection Procedures.



**K. SCHEDULES OF SPECIAL CHARGES**

Schedules of special charges for services, repairs, utilities and rules and regulations which are required to be incorporated into the lease by reference shall be publicly posted in a conspicuous manner in the community office, and they will be provided to the resident at the time of lease execution.

The SNRHA will assess residents a charge for tenant-caused damage to its Conventional housing facilities (i.e., dwelling unit and/or common areas). Where there is no specific cost listed for an item of work, the charge to the family will be based upon the SNRHA labor rate times (x) the hours of labor charged to the job plus (+) the actual cost of parts and materials that were used on the job. A Schedule of Charges will be maintained by the agency and periodically updated. A copy of this schedule will be posted in all management offices and shall be made available upon request. The SNRHA will not charge for any repairs that are necessitated by normal wear and tear; nor is there a charge for any scheduled periodic work, such as painting or extermination. However, if extermination is required on other than the pre-established scheduled basis and there is a determination that the extra extermination services are due to the negligence of the tenant family, the SNRHA reserves the right to charge for said service.

**L. MODIFICATIONS TO THE LEASE**

Schedules of special charges and rules and regulations are subject to modification or revision. Tenants will be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and they will be given an opportunity to present written comments. Comments will be taken into consideration before any proposed modifications or revisions become effective.

A copy of such notice shall be posted in the central office, each development office.

Any modifications of the lease must be accomplished by a written addendum to the lease and signed by parties, the resident(s) and the SNRHA.

**M. CANCELLATION OF THE LEASE**

Cancellation of the tenant's lease is to be in accordance with the provisions contained in the lease agreement and as stated in this policy.

**N. SMOKE FREE HOUSING**

In order to provide a healthier environment for our residents, the Board of Commissioners has adopted a Smoke Free Housing Policy. The purpose of this policy is to provide a healthier environment for our residents and eliminate the harmful effects of secondhand smoke, fire danger and damage to apartments due to smoke. Secondhand smoke is particularly dangerous to children and people with respiratory disease. It is the third leading cause of preventable death in the United States. In 2006, the US Surgeon General stated that there is no safe level of second hand smoke.



**Definition of Smoke/Smoking:**

The term “smoke” and “smoking” means inhaling, exhaling, breathing or carrying any lighted cigar, cigarette or other tobacco product on similar lighted product in any manner or in any form.

**Smoke-Free Apartments:**

The premises listed below have been designated as smoke-free living environments:

- **Lubertha Johnson Estates Senior Development**

**With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.**

Residents, **staff** and guests are prohibited from smoking on these properties owned and managed by SNRHA, including the apartment rented by the resident, the building in which the dwelling unit is located, and all common areas inside and outside the building up to 15 feet from each building and 50 feet from the buildings entry.

**The Southern Nevada Regional Housing Authority Not a Guarantor of Smoke-Free Environment**

The adoption of a smoke free living environment and the efforts to designate a property as smoke-free does not make SNRHA a guarantor of resident’s health or of the smoke free condition of the resident’s apartment and common areas. However, SNRHA shall take reasonable steps to enforce the smoke-free terms of its leases and to make the property smoke-free. SNRHA will post smoke free properties with “No Smoking” signs inside and outside the buildings and may, at its sole option, consider designating smoking areas at any or all of the properties.

**Smoking on the Property as a Lease Violation**

If a resident smells tobacco smoke anywhere in the building, they should report this to the office as soon as possible. Management will seek the source of the smoke and take appropriate action. A resident will be in violation of his/her lease if the resident or any guest is determined to be smoking on SNRHA property. Three (3) violations of SNRHA’s Smoke Free Policy may result in eviction. All applicants/residents acknowledge receipt of this Policy and Smoke-Free Lease Addendum in writing at the time of application and/or next rent recertification.

**O. INSPECTIONS OF PUBLIC HOUSING UNITS**

**Initial Inspections**

The SNRHA and the family will inspect the premises prior to occupancy of the unit in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the SNRHA and the tenant, will be kept in the unit file and tenant file.



### **Vacate Inspections**

The management staff will perform a move-out inspection when the family vacates the unit, and will encourage the family to participate in the move-out inspection.

The purpose of this inspection is to determine necessary maintenance and whether there are damages that exceed normal wear and tear. The SNRHA will determine if there are tenant caused damages to the unit. Tenant caused damages may affect part or all of the family's security deposit. Documentation, including pictures of tenant caused damages will be maintained in tenant file.

The move-out inspection also assists the SNRHA in determining the time and extent of the preparation and repairs necessary to make the unit ready for the next tenant.

### **Annual Inspections**

The SNRHA will inspect all units annually using HUD-required standards. All inspections will include a check of all smoke alarms to ensure proper working order. Pictures of any damages and/or housekeeping problems may be taken. At each annual inspection, staff will verify that the additional room is still being used for medical equipment or live-in aide.

Residents who "fail" the inspection due to housekeeping or tenant-caused damages will be given 10 calendar days to correct noted items and placed on a schedule of 30, 60, and 90 day inspections conducted to ensure lease compliance. Failure to comply with housekeeping requirements are grounds for lease termination.

Residents may request a copy of the inspection report with required corrections. In cases where units failed inspection for housekeeping or damage, a conference is scheduled with the property management.

If necessary to bring the unit into HUD-required compliance, needed repairs will be completed by the SNRHA.

Required corrections will be repaired by the SNRHA within 30 business days of the inspection date.

Damages beyond "normal wear and tear" will be billed to the tenant.

Residents who repeatedly "fail" the inspection or cause excessive damage to the unit will be in violation of their lease. SNRHA will take appropriate lease enforcement action.



### **Quality Control Inspections**

The housing management staff will conduct periodic quality control inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

The SNRHA management staff will conduct quality control inspections on 5% of the units.

The purpose of these quality control inspections is to assure that repairs were completed at an acceptable level of craftsmanship and within an acceptable time frame.

The property manager may conduct periodic inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

### **Special Inspections**

Housing management staff may conduct a special inspection for housekeeping, unit condition, or suspected lease violation.

HUD representatives or local government officials may review SNRHA operations periodically and as a part of their monitoring may inspect a sampling of the SNRHA's inventory.

Modernized and Scattered Site Inspections: New move inspections will be conducted within 60 days of the resident leasing the unit to ensure the unit and grounds are being maintained.

Unit inspections will be conducted within ten (10) working days from the date SNRHA is notified or receives knowledge of an unsatisfactory condition such as infestation, damages, unsatisfactory housekeeping or complaints of poor exterior conditions.

### **Other Inspections**

The SNRHA management staff will periodically conduct windshield and/or walk-through inspections to determine whether there may be lease violations, adverse conditions or local code violations.

Playground inspections are conducted weekly to determine playground safety.

Building exterior and grounds inspections are conducted at all Public Housing properties to determine hazardous conditions as well as to assist in budget preparation.



### **Emergency Inspections**

Housing management staff may initiate an emergency inspection report to generate a work order if they believe that an emergency exists in the unit or on a Public Housing site. In addition, staff may conduct an emergency inspection without a work order and generate a work order after the inspection has been conducted (see Entry of Premises Notice in this chapter.) Repairs are to be completed within 24 hours from the time the work order is issued.

### **Emergency Repairs to be Completed in Less than 24 Hours**

The following items are to be considered emergency in nature and require immediate (less than 24 hour) repair or abatement:

- Broken window glass that affects unit security, is a cutting hazard, or occurs within inclement weather (to be secured or abated)
- Escaping gas
- Plumbing leaks that have the capacity to create flooding or cause damage to the unit
- Natural gas leaks or smell of fumes
- Backed-up sewage
- Electrical hazard
- Inoperable SNRHA-owned air conditioner/heater (seasonal)
- Inoperable smoke detectors will be treated as a 24-hour emergency and will be made operable by the SNRHA if the smoke detector is in need of repair. Residents who disengage smoke detectors will be charged (see Schedule of Charges posted.)
- Lock-outs – Subject to the resident paying the cost for responding.

### **Entry of Premises Notices**

The SNRHA will give prior written notice for non-emergency inspections. Non-emergency entries to the unit will be made during reasonable hours of the day.

The SNRHA will provide the family with 48 hour notice prior to entering the unit for non-emergency reasons other than the annual inspection.

An inspection may not be conducted if there are minors and no adult (required to show identification) present in the unit during the inspection.





If no person is at home, the staff will enter the unit and conduct the inspection and will leave a written notice to the resident explaining the reason the unit was entered and the date and time.

A written notice specifying the purpose for non-emergency entry into the unit will be delivered to the premises at least 2 days before entry.

Where the SNRHA is conducting regular annual inspection of its housing units, the family will receive reasonable advance notice of the inspection to allow the family to prepare and be able to pass the inspection.

Reasons the SNRHA will enter the unit are:

- Inspections and maintenance
- To make improvements and repairs
- To show the premises for leasing
- In cases of emergency

The family must call the SNRHA at least 24 hours prior to the scheduled date of inspection to reschedule the inspection, if necessary.

The SNRHA will reschedule the inspection no more than once unless the resident has a verifiable medical reason which has hindered the inspection. The SNRHA may request verification.

Repairs requested by the family will not require prior notice to the family. Residents are notified in the lease that resident-requested repairs presume permission for the SNRHA to enter. The resident may specify at the time of request for repair or maintenance that they be present. SNRHA will take reasonable measures to comply with the residents request; however known deficiencies must be corrected.

### **Non-Inspection Emergency Entry**

The SNRHA staff will allow access to the unit to proper authorities when issues of health or safety of the tenant are concerned.

### **Family Responsibility to Allow Inspection**

The SNRHA must be allowed to inspect the unit at reasonable times with reasonable notice. If the resident refuses to allow the inspection, the resident will be in violation of the lease.

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<sup>i</sup> 24 CFR §§ 960.205 (b) and 966.4(a)(1)(v)



## Chapter 10

### PET POLICY

[24 CFR 5.309]

#### **INTRODUCTION**

This chapter explains the SNRHA's policies on the keeping of pets and any criteria or standards pertaining to the policy. The rules adopted are reasonably related to the legitimate interest of the SNRHA to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the SNRHA.

The purpose of this policy is to establish the SNRHA's policy and procedures for ownership of pets and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

Residents will comply with the dwelling lease, which requires that no animals or pets of any kind be permitted on the premises without prior written approval of the SNRHA.

Nothing in this policy or the dwelling lease limits or impairs the right of persons with disabilities to own animals that are used to assist them.

The SNRHA Pet **Deposits, Fees, and Restrictions** do not apply to Assistance Animals. An Assistance Animal is an animal that is needed as a reasonable accommodation for persons with disabilities.

In accordance with Section 526 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA), SNRHA hereby sets forth rules and regulations concerning pet ownership in its public housing units. Only "common household pets" as defined herein will be permitted in SNRHA owned properties.

A common household pet, for the purposes of SNRHA's conventional housing program: A domesticated animal, such as a dog, cat, bird, or fish that is traditionally kept in the home for pleasure rather than for commercial or breeding purposes. Common household pet does not include reptiles. This definition shall not include animals that are used to assist persons with disabilities.

Residents may own up to two pets as defined in this policy. If one of the pets is a dog or cat, the second pet must be contained in a cage or an aquarium for fish. Each bird or other animal, other than fish, shall be counted as one pet.



**Animals That Assist Persons with Disabilities**

Only rules related to the health of the animal, the responsibility of the animal’s owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

To meet these exclusions, the resident/pet owner must provide SNRHA with the means to verify that:

That there is a person with disabilities in the household; and

That if the animal is needed because of the person’s disability.

**A. MANAGEMENT APPROVAL OF PETS**

All pets must be approved in advance by the SNRHA management. The pet owner must enter into a Pet Agreement with the SNRHA; pay the pet deposit as follows:

**DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |
|                                                            |         |

See Sections D and E following for other management requirements.

**B. STANDARDS FOR PETS**

Pet rules as outlined below will not be applied to animals that assist persons with disabilities however rules related to the health of the animal, the responsibility of the animal’s owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

**Types of Pets Allowed**

No pets except the following will be acceptable:



### Dogs

Maximum number: 1  
Maximum adult weight: 30 pounds  
Maximum height: 20" at shoulder at full growth  
Must be spayed or neutered and housebroken  
Must have all required inoculations  
Must be licensed as specified now or in the future by State law and local ordinance

### Cats

Maximum number: 1  
Must be spayed or neutered  
Must have all required inoculations  
Must be trained to use a litter box or other waste receptacle. Cardboard boxes are not acceptable and will not be approved. The resident shall not permit refuse from litter boxes to accumulate, become odorous, to become unsightly, or unsanitary.  
Must be licensed as specified now or in the future by State law or local ordinance

### Birds

Maximum number: 2  
Must be enclosed in a cage at all times

### Fish

Maximum aquarium size: 50 gallons  
Must be maintained on an approved stand

### Rodents (guinea pig, hamster, or gerbil ONLY)

Maximum number: 1  
Must be enclosed in an acceptable cage at all times



## Types of Pets Not Allowed

Common household pets permitted in dwelling units do not include:

Exotic pets or barnyard animals are prohibited. Exception may be made for certain species of pigs utilized as bonafide “service animals”. (Snakes and reptiles are considered exotic pets.)

Animals who would be allowed to produce offspring for sale

Wild animals, feral animals, and any other animals that are not amenable to routine human handling

Animals of species commonly used on farms

Non-human primates (unless as an assistive animal to a person with disabilities)

Animals whose climatological needs cannot be met in the unaltered environment of the individual dwelling unit

Pot-bellied pigs

Snakes, spiders, reptiles, and chickens

The following restrictions apply to pets, based on weight, size and inherent dangerousness, including prohibitions against the keeping of:

Any animal whose weight could exceed 30 pounds by adult hood

Dogs of the pit bull, Rottweiler, chow, or boxer breeds

Ferrets or other animals whose natural protective mechanisms pose a risk to small children of serious bites and lacerations

Hedgehogs or other animals whose protective instincts and natural body armor produce a risk to children of serious puncture injuries.

Chicks, turtles or other animals that pose a significant risk of salmonella infection to those who handle them

Pigeons, doves, mynah birds, psittacine birds, and birds of other species that are hosts to the organisms causing psittacosis in humans

Tenants are not permitted to have more than one *type* of pet.



### **C. PETS TEMPORARILY ON THE PREMISES**

Pets which are not owned by a tenant will not be allowed; although service animals of persons with disabilities who are visiting the unit are permitted.

Residents are prohibited from feeding or harboring stray animals.

This rule excludes visiting pet programs sponsored by a humane society or other non-profit organization and approved by the SNRHA.

State or local laws governing pets temporarily in dwelling accommodations shall prevail.

### **D. REGISTRATION, ADMINISTRATION, AND OTHER RESTRICTIONS**

#### **Registration of Pets**

1. Pets must be registered with the SNRHA before they are brought onto the premises. Registration includes certificate signed by a licensed veterinarian or State/local authority that the pet has received all inoculations required by State or local law, and that the pet has no communicable disease(s) and is pest-free. This provision applies to assistive animals for persons with disabilities.
2. Registration must be renewed and will be coordinated with the annual recertification date and proof of license and inoculation will be submitted at least 30 days prior to annual reexamination. This provision applies to assistive animals for persons with disabilities.
3. Dogs and cats must be spayed or neutered. This provision applies to assistive animals for persons with disabilities.
4. Execution of a Pet Agreement with the SNRHA stating that the tenant acknowledges complete responsibility for the care and cleaning of the pet will be required.
5. Approval for the keeping of a pet shall not be extended pending the completion of these requirements.
6. Registration for each animal is to be accomplished by the filing of the following disclosures and forms:
  - a. A health certificate prepared by a veterinarian (including attestations of no communicable disease and of spaying or neutering or of a medical condition precluding spaying or neutering)
  - b. Documentation of current rabies vaccination for species subject to state or local rabies vaccination requirements



- c. Copy of the license issued by the applicable municipality for “ownership” of each animal for whom licensing is a legal requirement
- d. Name, address and telephone number of a veterinarian who will be providing regular care
- e. Name of the adult household member who will be primarily responsible for animal care

### **Refusal to Register Pets**

1. The SNRHA may not refuse to register a pet based on the determination that the pet owner is financially unable to care for the pet. If the SNRHA refuses to register a pet, a written notification will be sent to the pet owner stating the reason for denial and shall be served in accordance with HUD Notice requirements.
2. The SNRHA will refuse to register a pet if:
  - a. The pet is not a common household pet as defined in this policy;  
Keeping the pet would violate any House Pet Rules;
  - b. The pet owner fails to provide complete pet registration information or fails to update the registration annually;
  - c. The SNRHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

A resident who cares for another resident's pet must notify the SNRHA and agree to abide by all of the pet rules in writing.

### **Pet Agreement**

Execution of a Pet Agreement will be required, under which the resident acknowledges:

1. The right of management to enter dwelling unit when there is evidence that an animal left alone is in danger or distress
2. The right of management to seek impoundment and sheltering of any animal found to be maintained in violation of housing rules, pending resolution of any dispute regarding such violation
3. Receipt of a copy of all animal-related requirements and restrictions administered by management



4. In the context of public housing, that failure to abide by any animal-related requirement or restriction constitutes a violation of the “Tenant Obligations” appearing at 24 CFR 966.4(f)(4) and, therefore, grounds for lease termination pursuant to 24 CFR 966.4(k)(2)

### **Other Restrictions**

The following other restrictions also apply:

1. A prohibition on the keeping of animals by any resident convicted of a felony or of a misdemeanor relating to treatment of an animal
2. A prohibition on the keeping of any dog or cat over six months of age who is not spayed or neutered
3. A prohibition against keeping animals in any dwelling unit having no air conditioning in which ambient temperatures may exceed 82 degrees at any time of day or night.
4. A restriction against walking or transporting any animal outside of the dwelling unit without use of a leash no longer than five (5') feet or animal transport enclosure.
5. A prohibition against allowing animals on any premises outside of the dwelling unit unaccompanied by a family member, including homeless animals that are being fed or otherwise supported by residents.
6. A prohibition against the tethering or chaining of animals outside of or within the dwelling unit.
7. A prohibition of feeding any dog and/or cat outside the unit.
8. A restriction against subjecting animals to any surgical procedure, such as de-barking or de-clawing, that is typically performed as a substitute for correcting environmental deficiencies and providing proper supervision, or that can render animals abnormally aggressive
9. A requirement for the prompt removal of animal feces deposited in any common area
10. A requirement for regular removal and replacement of litter used in litter boxes or in animal enclosures maintained within dwelling units
11. A requirement for implementation of effective flea control by measures that produce no toxic hazard to children who may come into contact with treated animals





12. Pets are to be restrained so that maintenance can be performed in the unit. The resident **shall**, whenever an inspection or maintenance is scheduled, either be at home or shall have all animals restrained or caged. If a maintenance person enters a unit where an animal is not restrained, maintenance shall not be performed, and the resident pet owner shall be charged a fee of \$25.00. If the situation occurs again, the pet shall be removed from the premises. The Housing Authority shall not be responsible if any animal escapes from the residence due to its maintenance, inspections, or other activities.

State and local public health and anti-cruelty laws are applicable. All complaints of cruelty and all dog bites will be referred to the relevant animal control or police agency for investigation and enforcement.

#### **E. ADDITIONAL FEES AND DEPOSITS FOR PETS**

SNRHA requires a refundable pet deposit of \$200 for dogs and cats subject to charges for pet associated damage.

SNRHA requires a non-refundable pet fee for dogs of \$50 annually to defray the cost of providing pet waste receptacles and equipment as well as pet waste clean-up costs associated with the overall upkeep of the community. Residents are expected to properly dispose of pet waste.

SNRHA will allow gradual payment of the deposit in accordance with the following:

- An initial payment of \$50 on or prior to the date the pet is properly registered and brought into the apartment; and
- Monthly payments in an amount no less than \$50 until the specified deposit has been paid.

SNRHA will allow gradual payment of the pet fee in accordance with the following:

- An initial payment of \$10.00 due by the effective date of the annual recertification and up to four additional installments of \$10.00.

The SNRHA reserves the right to change or increase the required deposit by amendment to these rules.

The SNRHA will refund the pet deposit to the tenant, less any damage caused by the pet to the dwelling unit, upon removal of the pet or the owner from the unit. Pet fees are non-refundable.



The SNRHA will return the pet deposit to the former tenant or to the person designated by the former tenant in the event of the former tenant's incapacitation or death.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the pet deposit. If the tenant disagrees with the amount charged to the pet deposit, the SNRHA will provide a meeting to discuss the charges.

All reasonable expenses incurred by the SNRHA as a result of damages directly attributable to the presence of the pet in the community will be the responsibility of the resident, including:

- The cost of repairs and replacements to the resident's dwelling unit;
- Fumigation of the dwelling unit;
- Common areas of the community.

Pet deposits are not a part of rent payable by the resident.

#### **F. ALTERATIONS TO UNIT**

Residents/pet owners shall not alter their unit, patio, premises or common areas to create an enclosure for any animal. Installation of pet doors is prohibited.

#### **G. PET WASTE REMOVAL CHARGE**

A separate pet waste removal charge of \$25 per occurrence will be assessed against the resident for violations of the pet policy.

Pet waste removal charges are not part of rent payable by the resident.

All reasonable expenses incurred by the SNRHA, as the result of damages directly attributable to the presence of the pet will be the responsibility of the resident, including:

The cost of repairs and replacements to the dwelling unit;

Fumigation of the dwelling unit.

If the tenant is in occupancy when such costs occur, the tenant shall be billed for such costs as a current charge.

If such expenses occur as the result of a move-out inspection, they will be deducted from the pet deposit. The resident will be billed for any amount, which exceeds the pet deposit.

The pet deposit will be refunded when the resident moves out or no longer have a pet on the premises, whichever occurs first.

The expense of flea disinfestations shall be the responsibility of the resident.



## **H. PET AREA RESTRICTIONS**

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash and under the control of the resident or other responsible adult individual at all times.

Pets are not permitted in common areas including lobbies, community rooms and laundry areas except for those common areas which are entrances to and exits from the building.

## **I. NOISE**

Pet owners must control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.

## **J. CLEANLINESS REQUIREMENTS**

### **Litter Box Requirements.**

All animal waste or the litter from litter boxes shall be picked up immediately by the pet owner, disposed of in sealed plastic trash bags, and placed in a trash bin.

Litter shall not be disposed of by being flushed through a toilet.

Litter boxes shall be stored inside the resident's dwelling unit.

### **Removal of Waste from Other Locations.**

The Resident/Pet Owner shall be responsible for the removal of waste by placing it in a sealed plastic bag and disposing of it in an outside trash bin.

Any unit occupied by a dog, cat, or rodent will be fumigated at the time the unit is vacated or during regularly scheduled extermination of the unit.

The resident/pet owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

## **K. PET CARE**

No pet (excluding fish) shall be left unattended in any apartment for a period in excess of 10 consecutive hours.

All residents/pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet.



Residents/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

**L. RESPONSIBLE PARTIES**

The resident/pet owner will be required to designate a responsible party for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

**M. INSPECTIONS**

The SNRHA may, after reasonable notice to the tenant during reasonable hours, enter and inspect the premises, in addition to other inspections allowed.

**N. TERMINATION OF TENANCY**

The SNRHA may initiate procedures for termination of tenancy based on a pet rule violation if:

The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified; and

The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

**O. PET REMOVAL**

If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation will be reported to the Responsible Party designated by the resident/pet owner. This includes pets that are poorly cared for or have been left unattended for over 10 consecutive hours.

If the responsible party is unwilling or unable to care for the pet, or if the SNRHA after reasonable efforts cannot contact the responsible party, the SNRHA may contact the appropriate State or local agency and request the removal of the pet.

If the pet is removed as a result of any aggressive act on the part of the pet, the pet will not be allowed back on the premises.

**P. EMERGENCIES**

The SNRHA will take all necessary steps to insure that symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate State or local entity authorized to remove such animals.



If it is necessary for the SNRHA to place the pet in a shelter facility, the cost will be the responsibility of the tenant/pet owner. Pets that become vicious, display aggressive behavior are subject to referral to appropriate State or Local agency.

## Chapter 11

### RECERTIFICATIONS

[24 CFR 5.613, 24 CFR 5.61524 CFR Part 960 Subpart C,  
5.657, 880.603, 884.218, 886.124, 886.324, 891.410, 891.610,  
891.750, 960.257, 982.516]

#### **INTRODUCTION**

HUD requires that PHA's offer all families the choice of paying income-based rent or flat rent at least annually. Families who choose to pay flat rent **or families who receive a verifiable fixed income** are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent **or fixed income** families must still report family composition and community service requirements on an annual basis.

To determine the amount of income-based rent, it is necessary for SNRHA to perform a reexamination of the family's income annually. At the annual reexamination, families who choose to pay income-based rent must report their current household composition, income, deductions and allowances. Between regular annual reexaminations, HUD requires that families report all changes in household composition, but SNRHA decides what other changes must be reported and the procedures for reporting them.

This chapter defines SNRHA's policy for conducting annual reexaminations. It also explains the interim reporting requirements for families, and the standards for timely reporting.

#### **A. ELIGIBILITY FOR CONTINUED OCCUPANCY**

Residents who meet the following criteria will be eligible for continued occupancy:

Qualify as a family as defined in this policy;

Are in full compliance with the resident obligations and responsibilities described in the dwelling lease;

Have provided Social Security numbers on all family members or have certifications on file indicating they have no Social Security number.

Whose family members have submitted required citizenship/eligible immigration status/non-contending documents. Who meet HUD standards on citizenship or immigration status or are paying a pro-rated rent.

Who are in compliance with the SNRHA's community service requirements.

Whose adult family members have passed an annual criminal screening.

#### **Remaining Family Members and Prior Debt**

1. Remaining family members age 18 years or older will be held responsible for arrearages incurred by the former head or spouse. SNRHA will not hold remaining family members (other than the head or spouse) responsible for any portion of the arrearage incurred before the remaining member attained age 18.

Exceptions may be made for extenuating circumstances or hardship.

2. Remaining family members under age 18 shall not be held responsible for the rent arrearages incurred by the former head of household.

## **B. ANNUAL RECERTIFICATIONS**

The terms "annual recertification" and "annual reexamination" are synonymous.

In order to be recertified, families are required to provide current and accurate information on income, assets, allowances and deductions, and family composition. The annual recertification of family income and composition will be conducted the staff.

Families who choose flat rent **and families who receive fixed income** are to be recertified every three years. SNRHA staff will mail annual information packages to families and may schedule an interview if additional information is needed.

Annual recertifications are scheduled; by the anniversary of their admission date.

### Admission Anniversary System:

For families who move in on the first of the month, the annual recertifications will be completed within 12 months of the anniversary of the move-in date. (Example: If family moves in August 1, the annual recertification will be conducted **at most 120 days prior** to be effective on August 1, the following year.)

For families who move in during the month, the annual recertifications will be completed no later than the first of the month in which the family moved in, the following year.

(Example: If family moves in August 15, the effective date of the next annual recertification is August 1.)

When families move to another dwelling unit, the annual recertification date will not change.

**Special Reexaminations:** When it is not possible to estimate family income accurately, a temporary determination will be made with respect to income and a special reexamination will be scheduled every 90 days until a reasonably accurate estimate of income can be made.

Special reexaminations shall be conducted when there is a change in the head of household that requires a remaining family member to take on the responsibilities of a leaseholder.

**Special Reexamination Following Income Disallowance:** When a family qualifies for an earned income disallowance, a special reexamination will occur at the end of the initial 12 month disallowance period and at the end of the **second 12 month disallowance period**.

**Zero/Extremely Low Income Families:** Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete a written no/low income certification every 180 days and undergo an interim recertification every 180 days. (See Other Interim Reporting Issues below).

### **Recertification Notice to the Family**

All families will be notified of their obligation to recertify by staff delivery or first class mail. The written notification shall be sent at least 120 calendar days in advance of the scheduled annual recertification date specifying the date and time of the appointment and the required documents that the tenant will need to supply.

During this reexamination period, the family will be given the option to choose flat rent or income-based rent. SNRHA will provide a form that states what the flat rent would be and what the family's income-based rent would be. The family will be required to make a choice and sign the form prior to the effective date of their reexamination. The form will be retained in the tenant's file.

If the family chooses flat rent, an annual recertification is required to verify community service requirements and family composition. Recertification of income is only required every three years.

Notification of the flat rent and an approximate amount of the income based rent, based on the last certification, and is sent at least 120 days in advance of the scheduled annual certification.

Families that have paid a flat rent for three years must complete a full certification process to determine accurate information regarding family composition and income. The family may choose to pay a flat rent or the income based rent annually.

### **Persons with Disabilities**

If requested as an accommodation by a person with a disability, the SNRHA will provide the notice in an accessible format. The SNRHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

Persons with disabilities, who are unable to come to the SNRHA's office will be granted an accommodation of conducting the interview at the person's home, upon verification that the accommodation requested meets the need presented by the disability.

### **Collection of Information**

The family is required to complete the Application for Continued Occupancy –Personal Declaration. Each adult member who reports no income or very low income will also be required to complete the Personal Declaration Form – No Income Questionnaire. Update form may be used for Interims.

### **Requirements to Attend**

The following family members will be required to attend the recertification interview and sign **the personal declaration** along with other required forms:

- The head of household, spouse, co-head, and



- All adult household members, age 18 and older.

If the head of household is unable to attend the interview, the appointment will be rescheduled one time at the family's request.

### **Failure to Respond to Notification to Recertify**

The written notification will explain which family members are required to attend the recertification interview. The family may call to request another appointment date up to 2 calendar days prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the SNRHA, the SNRHA will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the SNRHA will not schedule a third appointment. If a household fails to complete annual recertification, **they will receive a 30 day notice of lease termination for non-compliance with the recertification process.**

If the family schedules an appointment and completes annual recertification requirements within thirty days of the effective date of the household's annual recertification, the annual recertification will be completed and the household's rent will be based on the income.

Exceptions to these policies may be made by the Asset Manager if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

### **Documents Required From the Family**

In the notification letter to the family, the SNRHA will include instructions for the family to bring the following:

- Application for Continued Occupancy form Personal Declaration Form completed by head of household

- Documentation of income for all family members

- Documentation of assets

- Documentation to substantiate any deductions or allowances

- Documentation of family composition

- Picture identification for adults 18 years of age or older

- Other required documents on new family members, such as SSN or citizenship requirements

- Documentation of community service requirements

- Self-Declaration form when adult members 18 and over are declaring no income or very low income. (Except those 62 years and older/or disabled or enrolled in educational or approved training programs.)

SNRHA will require a print out of utility bills for three months to be submitted for residents claiming zero income.

### **Verification of Information**

All information which affects the families continued eligibility for the program, and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this Policy. Verifications used for recertification must be less than 120 days old on the effective date of the recertification. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine:

The continued eligibility of the resident as a *family* or as the *remaining member* of a family;

The unit size required by the family;

The amount of rent the family should pay.

### **Changes in the Tenant Rent**

If there is any change in rent, including change in family's choice in rent, the lease will be amended, or a new lease will be executed, or a Notice of Rent Adjustment will be issued [24 CFR 966.4(c) & (o)].

#### **Tenant Rent Increases**

If tenant rent increases, a 30-day notice will be mailed to the family prior to the family's annual recertification date.

If less than 30 days are remaining before the family's annual recertification date, the tenant rent increase will be effective on the first of the second month following the thirty day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the recertification processing, there will be a retroactive increase in rent to the family's annual recertification date.

#### **Tenant Rent Decreases**

If tenant rent decreases, it will be effective on the family's annual recertification date.

If the family causes a delay so that the processing of the recertification is not complete by the family's annual recertification date, rent change will be effective on the first day of the month following completion of the recertification processing by the SNRHA.

If tenant rent decreases and the change occurred within a month prior to the Recertification appointment, but the family did not report the change as an interim Adjustment, the decrease will be effective on the recertification anniversary date.

### **C. REPORTING INTERIM CHANGES**

Families must report all changes in household composition and increases in income/assets in writing within 10 calendar days to the SNRHA between annual recertifications. This includes additions due to birth, adoption and court-awarded custody. The family must

obtain SNRHA approval prior to all other additions to the household.

When there is a change in head of household or a new adult household member is added, the head of household will complete an application for continued occupancy – personal declaration or update form and recertify-revify, using the same procedures the SNRHA staff would use for an annual recertification, except for effective dates of changes. In such case, the Interim Recertification Policy would be used.

The annual recertification date will not change as a result of this action.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified prior to the approval by the SNRHA of the family member being added to the lease.

### **Increases in Income to be Reported and Rent Adjustments**

Families paying flat rent are not required to report any increases in income or assets between the recertification periods.

Families paying an income-based rent must report all increases in income/assets of all household members to the SNRHA in writing within 10 calendar days of the occurrence.

Families are required to report the following increases in income:

- Increases in income because a person with income joins the household;
- Increases in household income which comes as a result of a new income source.
- Increases in household income that was not anticipated at the annual recertification period.

Families who receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are required to report their annual increase when it occurs.

SNRHA will process rent adjustments for all increases in income, which are reported between regularly scheduled recertifications.

Rent increases (except those due to misrepresentation) require 30 days' notice.

### **Decreases in Income and Rent Adjustments**

Residents may report a decrease in income and other changes, such as an increase in allowances or deductions which would reduce the amount of the total tenant payment.

The SNRHA will process the rent adjustment unless the SNRHA confirms that the decrease in income will last less than 30 calendar days.

Decreases in tenant rent will be effective the first day of the month following the month in which the change is reported in writing to the SNRHA. If verification cannot be obtained prior to the end of the month in which the change is reported, the decrease will be made retroactive to the first day of the month following the month in which the change is reported.

### **D. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare

assistance is reduced specifically because of:

Fraud; or

Failure to participate in an economic self-sufficiency program; or

Noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA has a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

## **E. OTHER INTERIM REPORTING ISSUES**

**Residents are required to report all changes in family composition or status** to SNRHA in writing within 10 calendar days of the occurrence. Failure to report within the 10 calendar days may result in a retroactive rent increase, but not a retroactive credit or rent reduction. In order to qualify for rent reductions, residents must report and verify income decreases promptly.

An interim recertification will be scheduled for families with zero income or extremely low income every 180 days. Once income is reported recertification will cease until annual recertification time.

An interim reexamination will be scheduled for families with zero or extremely low-income every 180 days. Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete

a written no/low income certification every 180 days and undergo an interim recertification every 180 days, until they have a stable income. If any increases in income are indicated in any of the above information or other verification, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Monetary or non-monetary contributions from persons not residing in the dwelling unit for any purpose other than the payment or reimbursement of medical expenses shall be considered income. Families that report zero or extremely low income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc.

### **SNRHA Errors**

If the SNRHA makes a calculation error at admission to the program or at an annual recertification, an interim recertification will be conducted to correct the error, but the family will not be charged retroactively. Any decrease in rent will be made retroactive.

### **False or Incomplete Information Supplied by Family**

For families whose rent has been based on false or incomplete information supplied by The applicant/resident family, an interim recertification will be conducted upon notice by The SNRHA. Any increase in TTP and tenant rent will be retroactive.

## **F. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)**

### **Standard for Timely Reporting of Changes**

The SNRHA requires that families report interim changes to the SNRHA in writing within ten calendar days of when the change occurs. Any information, document or signature needed from the family which is needed to verify the change must be provided within 3 calendar days of reporting the change.

If the change is not reported within the required time period, or if the family fails to provide signatures, certifications or documentation, (in the time period requested by the SNRHA), it will be considered untimely reporting.

### **Procedures When the Change is Reported in a Timely Manner**

The SNRHA will notify the family of any changes in Tenant Rent to be effective according to the following guidelines:

**Increases in the Tenant Rent** is effective on the first of the month following at least thirty days' notice.

**Decreases in the Tenant Rent** are effective the first of the month following the month in which the change is reported.

The change may be implemented based on documentation provided by the family, pending third party written verification.

### **Procedures when the Change is not Reported by the Tenant in a Timely Manner**

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim recertification processing and the following guidelines will apply:

**Increase in Tenant Rent** will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any underpaid rent, utility reimbursement payment for which they would not have been eligible to receive and may be required to sign a Repayment Agreement in accordance with SNRHA repayment policy.

**Decrease in Tenant Rent** will be effective on the first of the month following completion of processing by the SNRHA and not retroactively.

### **Procedures when the Change is not processed by the SNRHA in a Timely Manner**

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the SNRHA in a timely manner.

Therefore, an increase will be effective after the required 30 days' notice prior to the first of the month after completion of processing by the SNRHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

### **G. REPORTING OF CHANGES IN FAMILY COMPOSITION**

All changes in family composition must be reported within 10 business days of the occurrence in writing.

The members of the family residing in the unit must be approved by the SNRHA. The family must inform the SNRHA and request approval of additional family members other than additions due to birth, adoption, or court-awarded custody before the new member occupies the unit.

The proposed new adult family members will be screened by SNRHA, according to the screening criteria in accordance with the criteria for eligibility and admission, prior to approval.

The SNRHA will not approve the addition of family members other than by birth, adoption, marriage or court-awarded custody where the occupancy standards would require a larger size unit.

An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody. SNRHA must receive a court awarded guardianship or custody is received within 365 calendar days. Failure shall result in the deduction being removed; and any income still being received shall be counted.

If an adult family member is declared permanently absent by the head of household, the notice must contain a certification by the head or co-head of household or spouse that the member (who may have been the head of household) removed is permanently absent.

The head of household must provide a statement that the head or co-head of household or

spouse will notify the SNRHA if the removed member returns to the household for a period longer than the visitor period allowed in the lease.

### **Increase in Family Size**

The SNRHA will consider a unit transfer (if needed under the Occupancy Guidelines) for additions to the family in the following cases:

Addition by marriage/or marital-type relation.

Addition of a minor who is a member of the nuclear family who had been living elsewhere.

Addition of a SNRHA-approved live-in attendant. Addition due to birth, adoption or court-awarded custody.

Families who need a larger sized unit because of voluntary additions identified above will be placed on the Transfer List at their next regularly scheduled recertification; unless it creates a health and safety hazard upon approval of the Director of Operations.

### **Definition of Temporarily/Permanently Absent**

The SNRHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. The SNRHA will evaluate absences from the unit in accordance with this policy.

### **Absence of Entire Family**

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the SNRHA will terminate tenancy in accordance with the appropriate lease termination procedures contained in this Policy.

Families are required to notify the SNRHA before they move out of a unit in accordance with the lease and to give the SNRHA information about any family absence from the unit.

Families must notify the SNRHA if they are going to be absent from the unit for more than 14 consecutive days. A person with a disability may request an extension of time as an accommodation.

"Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, the SNRHA may:

Conduct home visit

Write letters to the family at the unit Post

letters on exterior door Telephone the  
family at the unit Interview neighbors  
Verify if utilities are in service  
Check with Post Office for forwarding address  
Contact emergency contact

As a reasonable accommodation for a person with a disability, the SNRHA may approve an extension. (See Absence Due to Medical Reasons below for other reasons to approve an extension.) During the period of absence, the rent and other charges must remain current.

If the absence which resulted in termination of tenancy was due to a person's disability, and the SNRHA can verify that the person was unable to notify the SNRHA in accordance with the lease provisions regarding absences, and if a suitable unit is available, the SNRHA may reinstate the family as an accommodation if requested by the family.

If the dwelling unit is deemed abandoned by the tenant, SNRHA shall take possession of the unit and any of the tenant's possessions remaining in the unit, in accordance with the lease. Property abandoned by the tenant may be disposed of by SNRHA in accordance with Nevada State law, NRS 118A and SNRHA procedures.

#### **Absence of Any Member**

Any member of the household will be considered permanently absent if s/he is away from the unit for three consecutive months except as otherwise provided in this Chapter.

#### **Absence due to Medical Reasons**

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the SNRHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent and removed from the lease. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent, as long as rent and other charges remains current.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the SNRHA's "Absence of Entire Family" policy.

Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Asset Manager.

#### **Absence due to Incarceration**

If a sole member is incarcerated for more than 30 consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for 30 consecutive days. The rent and other charges must remain current during this period.



The SNRHA will determine if the reason for incarceration is for drug-related or criminal activity which would threaten the health, safety and right to peaceful enjoyment of the dwelling unit by other residents. If the offense is drug related or criminal activity that violates the lease and policy, the lease will be terminated.

### **Foster Care and Absences of Children**

If the family includes a child or children temporarily absent from the home due to placement in foster care, the SNRHA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 3 months 180 days from the date of removal of the child(ren), the family will be required to move to a smaller size unit. If all children are removed from the home permanently, the unit size will be reduced in accordance with the SNRHA's occupancy guidelines.

### **Absence of Adult**

If neither parent remains in the household and the SNRHA and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the SNRHA will treat that adult as a visitor for the first 30 calendar days.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the SNRHA will review the status at 30 calendar day intervals.

If the court has not awarded custody or legal guardianship, but the action is in process, SNRHA will secure verification from social services staff or the attorney as to the status. If by the end of that period, court-awarded custody or legal guardianship has been awarded to the guardian, and the guardian qualifies under Tenant Suitability criteria, the lease will be transferred to the guardian.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

SNRHA will transfer the lease to the guardian, in the absence of a court order, if the guardian qualifies under the Tenant Suitability criteria and has been in the unit for more than 30 days and it is reasonable to expect that custody will be granted.

When the SNRHA approves a person to reside in the unit as caretaker for the child/ren, the income should count pending a final disposition. The SNRHA will work with the appropriate service agencies to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 180 days, the person will be considered permanently absent.

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

### **Absence of Spouse or Secondary Wage earner**

The absence of the spouse or secondary wage earner must be verified by third-party documentation unless so verified per 24CFR 5.609(2) all income must be included.

### **Full-Time Students**

Full time students who attend school away from the home will be treated in the following manner:

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of unit size.

If the student is considered temporarily absent from the household, applicable income for that person will be counted. Full time students who attend school away from the home and live with the family during school recess will be considered temporarily absent from the household.

### **Visitors (See Chapter 9, Leasing)**

A visitor/*guest* is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Any adult not included on the HUD 50058 who has been in the unit more than 14 consecutive days, or more than 30 cumulative days in a 12 month period, will be considered to be living in the unit as an unauthorized.

The lease must provide the tenant has the right to exclusive use and occupancy of the leased unit by the members of the household authorized to reside in the unit in accordance with the lease, including reasonable accommodation of their guests [24 CFR 966.4(d)]. The head of household is responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near PHA premises [24 CFR 966.4(f)].

A resident family must notify the SNRHA in writing when overnight guests will be staying in the unit for more than 3 days.

A guest can remain in the unit no longer than 14 consecutive days or a total of 30 cumulative calendar days during any 12-month period.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last 20 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

Former residents who have been evicted are not permitted as overnight guests. Guests who represent the unit address as their residence address for receipt of benefits or other purposes will be considered unauthorized. In addition, guests who remain in the unit beyond the allowable time limit will be considered unauthorized, and their presence constitutes violation of the lease.

Absence of evidence of any other address will be considered verification that the visitor is an unauthorized household member.

Statements from neighbors and/or SNRHA staff will be considered in making the determination.

The SNRHA will consider:

- Statements from neighbors and/or SNRHA staff

- Vehicle license plate verification

- Post Office records

- Driver's license verification

- Law enforcement reports

- Credit reports

- Verification from other public or private sources

- Other reliable information

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, as stated above, the individual will be considered unauthorized and the SNRHA will terminate the family's lease since prior approval was not requested for the addition.

Minors and college students who were part of the family, but who now live away from home during the school year and are not considered members of the household may visit for up to 90 consecutive days per year without being considered a member of the household under the following conditions:

- The head of household has reported to the SNRHA, in writing, that the minor is a visitor.

- The SNRHA has provided the head of household with written permission for the minor to occupy the unit for more than 14 days.

In a joint custody arrangement, if the minor is in the household less than 184 days per year, the minor will be considered to be an eligible visitor and not a family member. If both parents reside in Public Housing or are a Section 8 Program participant, only one parent would be able to claim the child for deductions and for determination for the occupancy standards.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the public housing unit more than 50 percent of the time, are not subject to the time limitations of guests as described above.

### **Required Family Reporting to Management**

The additional person(s), whether a family member or a visitor, must be reported in writing to the manager within 3 calendar days of a stay intended to exceed the visitation period allowed under the lease/ACOP.

**H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF UNIT**

To be considered the remaining member of the tenant family, the person must have been previously approved by the SNRHA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

The court has to have awarded emancipated minor status to the minor or is legally married; or

The SNRHA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a transfer to an appropriate unit size per the Occupancy Standards. If the sole eligible member of the household dies, the unit must be returned to the SNRHA within 14 days.

**I. CHANGES IN UNIT SIZE**

The SNRHA shall grant exceptions from the occupancy standards if the family requests and the SNRHA determines the exceptions are justified according to this policy.

The SNRHA will not assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage or court-awarded custody.

The SNRHA will consider the size of the unit and the size of the bedrooms, as well as the number of bedrooms, when an exception is requested.

When an approvable change in the circumstances in a tenant family requires another unit size, the family will be placed on the Transfer List in accordance with the Transfer policy. (See Chapter 5, Occupancy Guidelines.)

**J. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES**

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members. Mixed families are eligible for prorated assistance in accordance with the mixed-family portion of the policy.

**K. UNIT TRANSFERS**

See Chapter 8, Transfer Policy.

## Chapter 14

### COMMUNITY SERVICE

[24 CFR 960.603-960.611]

#### **A. REQUIREMENT**

Each adult resident of the SNRHA shall:

Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or

Participate in an economic self-sufficiency program (defined below) for 8 hours per month.

An individual may not skip a month and then double up the following month, unless special circumstances warrant it. The Director of Operations or designee will make the determination of whether to permit a deviation from the schedule.

Individuals who have special circumstances which they believe will prevent them from completing the required community service hours for a given month, must notify SNRHA in writing immediately. SNRHA will review the request and notify the individual, in writing, of its determination within 10 calendar days. SNRHA may require those individuals to provide documentation to support their claim.

#### **B. EXEMPTIONS**

The SNRHA shall provide an exemption from the community service requirement for any individual who:

Is a family that is currently participating and is in compliance with the Public Housing Family Self-Sufficiency Program. Is 62

years of age or older;

Is a blind or disabled individual, as defined under section 216[i] [I] or 1614 of the Social Security Act, and who is unable to comply with this section, or is a primary caretaker of such individual;

Is engaged in a work activity as defined in section 407[d] of the Social Security Act; SNRHA will consider 20 hours per week as the minimum number of hours needed to qualify for a work activity exemption;

Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is

located, including a State-administered welfare-to-work program; or

Is in a family receiving assistance under a State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such program. **HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of a family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR. (PIH-2015-12 HA)**

The SNRHA will re-verify exemption status annually except in the case of an individual who is 62 years of age or older.

The SNRHA will permit residents to change exemption status during the year if status changes.

### **C. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM**

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, by one of the following:

Participating in the Family Self-Sufficiency Program and being current in the steps outlined in the Individual Training and Services Plan;

Participating in an educational or vocational training program designed to lead to employment, **as long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.**

Activities administered through Help of Southern Nevada (HELP).

### **D. ANNUAL DETERMINATIONS**

Requirement – For each public housing resident subject to the requirement of community service, the SNRHA shall, 90 days before the expiration of each lease term **or effective date of recertification**, review and determine the compliance of the resident with the community service requirement.

Such determination shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

If SNRHA has reasonable cause to believe that the certification provided by the family is false or fraudulent, SNRHA has the right to require third-party verification.

## **E. NONCOMPLIANCE**

If the SNRHA determines there is a family member who is subject to the community service requirement and has not complied with the requirement, the SNRHA shall notify the resident of such noncompliance, and that:

The determination of noncompliance is subject to the administrative grievance procedure under the SNRHA's Grievance Procedures; and

Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and

The SNRHA may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of the household, unless the SNRHA enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease.

### **Continued Non-compliance**

If, after the 12 month cure period, the family member is still not compliant, SNRHA must terminate tenancy of the entire family, according to SNRHA's lease, unless the family provides documentation that the non-compliant family member no longer resides in the unit.

If the family reports that a non-compliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before SNRHA will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the non-compliant family member that previously resided with them.

If the family does not request a grievance hearing, or provide such documentation within the required 10 calendar day timeframe, the family's lease and tenancy will automatically terminate at the end of the current lease term without further notice.

### **Ineligibility for Occupancy for Noncompliance**

The SNRHA shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.

## **F. SNRHA RESPONSIBILITY**

The SNRHA will ensure that all community service programs are accessible for persons with disabilities.

The SNRHA will ensure that:

The conditions under which the work is to be performed are not hazardous;

The work is not labor that would be performed by the SNRHA's employees responsible for essential maintenance and property services; or

The work is not otherwise unacceptable.

## **G. SNRHA IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENT**

SNRHA will provide the family with a copy of the Community Service Policy found in Exhibit 14-1 of this chapter, at lease-up, lease renewal, when a family member is determined to be subject to the community service requirement during the lease term, and at any time upon the family's request.

## **H. ELIGIBLE COMMUNITY SERVICE REQUIREMENTS**

All community service performed will be verified by acceptable third part verification and may include:

Community Service with a Certified Resident Council, on site resident Service contractor.

Volunteering in community activities, such as clean up, graffiti removal, painting, neighborhood reduction of criminal activity such as resident patrol and neighborhood watch programs.

Community service with faith based organizations

Any other community service organization that is pre-approved by SNRHA

Public educational facility.



**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page  | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------|-------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALL     | ALL   | Change                | Entire Document will be updated with correct Revision Dates, CFR References, and Page Numbers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 4       | 4-5   | Add                   | Head, Spouse or co-head who is employed at least 20 hours per week <b>at the equivalent of minimum wage,</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 4       | 4-10  | Change                | The waiting list will be purged at least <del>bi</del> <b>tri</b> -annually ...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 4       | 4-12  | Change                | SNRHA staff will attempt to notify applicants by telephone <b>as a courtesy;</b> <del>and</del> all offers will be made in writing by first class mail.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4       | 4-12  | Change                | If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "good cause". The applicant will <del>not be removed from</del> <b>be returned to</b> the waiting list.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 6       | 6 - 5 | Change                | <b>The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.</b> <del>beginning on the date on which the increase is earned income begins and continuing for a cumulative 12-month period.</del> For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 <del>cumulative</del> <b>consecutive</b> calendar months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income <b>for the remaining 12 consecutive calendar months.</b>                                                                                                                                                                                                    |
| 6       | 6-6   | Change                | During the <del>cumulative</del> <b>initial</b> 12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6       | 6-6   | Change                | During the second and <del>final cumulative</del> <b>final</b> 12-month period after the expiration of the initial <del>cumulative</del> -12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 6       | 6-6   | Change                | <b>Maximum Two <del>Four</del>-Year Disallowance</b><br>The earned income disallowance is limited to a lifetime <del>48</del> 24 calendar month period.....phase- in exclusion during the <del>48</del> -24 month period ..... <del>If the period of increased income does not last for 12 consecutive months, the disallowance period may be resumed at any time within the 48-month period, and continued until the disallowance has been applied for a total of 12 months of each-</del>                                                                                                                                                                                                                                                                                                                                                                                    |
| 6       | 6-7   | Change                | <del>disallowance (the initial 12 month full exclusion and the second 12-month phase-in exclusion.</del> <b>If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.</b><br><del>No earned income disallowance will be applied after the 48-month period following the initial date the exclusion was applied.</del> <b>The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were "used".</b><br><b>Families that currently benefit from the IED, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48 month period, as was in effect prior to the effective date of this provision.</b> |
| 6       | 6-8   | Remove                | <del>Dates(s) earned income ended and resumed during the initial cumulative 12-month period of exclusion-</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 6       | 6-8   | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the initial exclusion of <b>100%</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**Southern Nevada Regional Housing Authority  
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| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6       | 6-8  | Remove                | <del>Date(s) earned income ended and resumed during the second cumulative 12-month period (phase in) of exclusion (if any)</del>                                                                                                                                                                                                                                                                                                        |
| 6       | 6-8  | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the phase in exclusion <b>of 50%</b> .                                                                                                                                                                                                                                                                                                                          |
| 6       | 6-8  | Change                | Ending date of the maximum <del>48 months (four year)</del> <b>24 month (2 Year)</b> disallowance period.                                                                                                                                                                                                                                                                                                                               |
| 6       | 6-8  | Remove                | <del>(48 months from the date of the initial earned income disallowance)</del>                                                                                                                                                                                                                                                                                                                                                          |
| 7       | 7-24 | Add                   | <b>Credit Card Statements will not be accepted as proof of payment of expenses</b>                                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-1  | Change                | submit the <del> requisite</del> <b>requested</b> 3rd party                                                                                                                                                                                                                                                                                                                                                                             |
| 8       | 8-2  | Change                | 1 transfer for every <del>50</del> <b>20</b> new move-ins                                                                                                                                                                                                                                                                                                                                                                               |
| 8       | 8-2  | Change                | Designated Senior Developments: 1 transfer for <del>50</del> <b>2</b> new move-ins                                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-3  | Add                   | <b>Good Standing criteria does not apply in the case of emergency transfers. Residents will be required to become compliant with all lease provisions upon completion of the Emergency Transfer to the new unit.</b>                                                                                                                                                                                                                    |
| 8       | 8-8  | Change                | <b>Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement. All applicable charges will be transferred to the resident's new account.</b>                                                                                                                                                                                                                                      |
| 8       | 8-8  | Addition              | The SNRHA will offer certain incentives to higher income families ( <b>Household income at or above 60% of AMI</b> ) willing to move into lower income projects...                                                                                                                                                                                                                                                                      |
| 8       | 8-9  | Change                | In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, <del>the losing manager</del> <b>both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from</b> will notify the resident of responsibility for the flat rent on the unit, in which they are transferring from, <del>until such time keys have been submitted.</del> |
| 8       | 8-9  | Add                   | with disabilities, <b>in accordance with SNRHA Reasonable Accommodation Policy and Procedures.</b>                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-10 | Change                | <b>For Otto Merida - Honolulu Street Family Apartments</b>                                                                                                                                                                                                                                                                                                                                                                              |
| 9       | 9-5  | Change                | Residents must advise the SNRHA when they will be absent from the unit for more than <del>30</del> <b>14</b> consecutive days                                                                                                                                                                                                                                                                                                           |
| 9       | 9-6  | Add                   | <b>If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See Page 6-16</b>                                                                                           |
| 9       | 9-7  | Change                | Tenant gave the required <del>30</del> <b>15</b> calendar days advance written notice                                                                                                                                                                                                                                                                                                                                                   |
| 9       | 9-8  | Change                | If any of the above items are found within a household the resident will be immediately billed <b>per labor established according to the Maintenance Charge List and added into the tenant's security deposit funds.</b> <del>thirty dollars (\$30) per room or affected area.</del>                                                                                                                                                    |

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9       | 9-11 | Change / Addition     | The premises listed below have been designated as smoke-free living environments:<br><b>• Lubertha Johnson Perry Plaza Senior Development</b><br><b>With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.</b><br>Residents, <b>staff</b> and guests are prohibited                                                                                |
| 10      | 10-1 | Change                | The SNRHA Pet Policy <b>Deposits, Fees, and Restrictions</b> does not apply to Assistance Animals...                                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-1 | Addition              | Families who choose to pay flat rent <b>or families who receive a verifiable fixed income</b> are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent <b>or fixed income ....</b>                                                                                                                                                                                                        |
| 11      | 11-2 | Addition              | choose flat rent <b>and families who receive fixed income</b> are to be recertified every three years.                                                                                                                                                                                                                                                                                                                                                    |
| 11      | 11-2 | Addition              | ...recertification will be conducted <b>at most 120 days prior</b> to be effective on August 1, the following year.)                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-2 | Addition              | and at the end of <b>second 12 month disallowance period</b> <del>the phase in period.</del>                                                                                                                                                                                                                                                                                                                                                              |
| 11      | 11-4 | Addition              | recertification, <b>they will receive a 30 day notice of lease termination for non-compliance of the recertification process.</b> <del>their housing subsidy will be removed and they will be charged the flat rent for their unit as of the effective date of the household's annual recertification.</del>                                                                                                                                              |
| 11      | 11-6 | Remove                | receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are <del>not</del> required to report their annual increase when it occurs. <del>The SNRHA will not increase the family's total tenant payment until their next regularly scheduled annual except when an interim recertification is necessary as a result of any other changes listed in the "Reporting Requirements" section of this chapter.</del> |
| 14      | 14-2 | Addition              | <b>HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR.(PIH-2015-12 HA)</b>                                                                                       |
| 14      | 14-2 | Change                | Participating in an educational or vocational training program designed to lead to employment. <b>As long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.</b> <del>30 hours per week</del>                                                                                                                                                         |



## Chapter 4

### TENANT SELECTION AND ASSIGNMENT PLAN

(Includes Preferences and Managing the Waiting List)

[24 CFR 960.204]

#### **INTRODUCTION**

It is the SNRHA policy that each applicant shall be assigned an appropriate place on a jurisdiction-wide waiting list unless the applicant has applied for a development subject to a site-based waiting list. Applicants will be listed in sequence based upon date and time the application is received, the size and type of unit they require, the site in which they wish to reside for applicable designated communities, and factors of preference or priority. In filling an actual or expected vacancy, the SNRHA will offer the dwelling unit to an applicant in the appropriate sequence, with the goal of accomplishing de-concentration of poverty and income-mixing objectives. The SNRHA will offer the unit until it is accepted. This Chapter describes the SNRHA policies with regard to the number of unit offers that will be made to applicants selected from the waiting list.

#### **SNRHA OBJECTIVES**

SNRHA policies will be followed consistently and will affirmatively further HUD's fair housing goals.

It is the SNRHA objective to ensure that families are placed in the proper order on the waiting list so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This chapter explains the policies for the management of the waiting list.

When appropriate units are available, families will be selected from the waiting list in sequence within their preference category and date and time sequence.

By maintaining an accurate waiting list, the SNRHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner. Based on the SNRHA turnover and the availability of appropriate sized units, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

#### **SITE-BASED/DESIGNATED WAITING LISTS**

Per the Quality Housing and Work Responsibility Act of 1998, SNRHA uses site-based/designated waiting lists.

#### **A. MANAGEMENT OF THE WAITING LIST**

The SNRHA will administer its waiting list as required by 24 CFR Part 5, Subparts E and F, Part 945 and 960.201 through 960.215. The waiting list will be maintained in accordance with the following guidelines:

The application will be a permanent part of the file.



All applicants in the pool will be maintained in order of preference. Applications equal in preference will be maintained by date and time sequence.

All applicants must meet applicable income eligibility requirements as established by HUD.

### **Opening and Closing the Waiting Lists**

The SNRHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part.

The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit, and the ability of the SNRHA to house an applicant in an appropriate unit within a reasonable period of time.

When the SNRHA opens the waiting list, the SNRHA will advertise the location(s), and program(s) for which applications are being accepted in the following newspapers:

Las Vegas Review Journal/Sun  
El Mundo  
Las Vegas Asian Journal  
Indian Voice  
The Challenger Rehabilitation, Disability Newspaper

To reach persons with disabilities, the SNRHA will provide separate notice to local organizations representing the interests and needs of the disabled. This will include notice to the following organizations:

Opportunity Village  
Nevada Disability Advocacy and Law Center Nevada  
Legal Services  
Help Them Walk Again  
Nevada Association for the Handicapped

The notice will contain:

- The dates, times, and the locations where families may apply.
- Any designated housing for which site-based waiting lists are applicable
- The programs for which applications will be taken.
- Limitations, if any, on whom may apply.

The notices will be made in an accessible format, if requested. They will provide potential applicants with information that includes the SNRHA address and telephone number, and how to submit an application.

### **When Application Taking is Suspended**

The SNRHA may suspend the acceptance of applications if there are enough applicants to fill anticipated openings for the next 12 to 24 months.



The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

During the period when the waiting list is closed, the SNRHA will not maintain a list of individuals who wish to be notified when the waiting list is open.

Suspension of application taking is announced in the same way as opening the waiting list. SNRHA will give at least five (5) days notice prior to opening or closing the list.

When the period for accepting applications is over, the SNRHA will add the new applicants to the list by:

- Unit size, local preference, and by date and time of application.

The SNRHA will update the waiting list at least annually by removing the names of those families who are no longer interested, no longer qualify for housing, or cannot be reached by mail. At the time of initial intake, the SNRHA will advise families of their responsibility to notify the SNRHA in writing when mailing address changes.

### **Limits on Who May Apply**

When the waiting list is open,

- Any family asking to be placed on the waiting list for Public Housing rental assistance will be given the opportunity to complete an application.

When the application is submitted to the SNRHA, it establishes the family's date and time of application for placement order on the waiting list with preference points determining the final rank.

### **Multiple Families in Same Household**

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

### **B. SITE BASED WAITING LISTS**

The SNRHA offers a system of site-based waiting lists for HUD-approved designated communities.

The SNRHA maintains separate site-based waiting lists for all current or future mixed financed properties, as well as all current or future RAD conversion Properties.

Applicants may choose which site-based waiting list they wish to be placed on, regardless of the application site. Applicants may designate the community or communities in which they seek to reside.

SNRHA will monitor its site-based wait list annually by comparing data in January to data in October to determine the level of change, if any, in the overall racial, ethnic and disability-related tenant composition at each SNRHA site by analyzing its data.



Every reasonable action will be taken by the SNRHA to assure that applicants can make informed choices regarding the community(s) in which they wish to reside. The SNRHA will disclose information to applicants regarding the location of available sites.

### **Monitoring Site-Based Waiting Lists**

The system of site-based waiting lists will be carefully monitored to assure that civil rights and fair housing are affirmatively furthered.

The SNRHA adoption of site-based waiting lists is not in violation of any court order or settlement agreement, and is not inconsistent with any pending complaint brought by HUD.

The SNRHA will monitor its system of site-based waiting list annually to assure that racial steering does not occur. If the SNRHA annual analysis of its site-based waiting list indicates that a pattern of racial steering is or may be occurring, the SNRHA will take corrective action.

The SNRHA will assess changes in racial, ethnic or disability-related tenant composition at each SNRHA site that has occurred during the implementation of the site-based waiting lists. The SNRHA will make this assessment based on MTCS data.

The SNRHA has established site-based waiting lists for the following properties:

Espinoza Terrace, Designated Elderly Development, Henderson

Hampton Court, Family Development, Henderson

Otto Merida Desert Villas, Family Development, Las Vegas

Landsman Gardens, Family development, Henderson

Vera Johnson B, Family Development, Las Vegas. Vera Johnson B will convert from Mixed Finance to RAD Project Based Voucher after construction.

Biegger Estates, Family Development, Las Vegas

Rose Gardens, Designated Elderly Development, Las Vegas

The SNRHA intends to make available dwelling units, in communities designated for elderly families only, to near-elderly families if there are an insufficient number of elderly families on the waitlist. Near elderly will be defined as families whose members are 55 years of age or older.

### **C. WAITING LIST PREFERENCES**

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

The SNRHA preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, and further de-concentration of poverty in public housing. When such matching is required or permitted by current law, the SNRHA will give preference to qualified families.



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

Among applicants with equal preference status, the waiting list will be organized by date and time.

**Local Preferences**

Local preferences will be used to select among applicants on the waiting list. A public hearing with an opportunity for public comment will be held before the SNRHA adopts any local reference.

The SNRHA uses the following Local Preferences:

**Homeless Referral Preference:** Families who are homeless (family lacks a fixed regular and adequate night time residence, or has a primary night time residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, such as welfare voucher hotels, congregate shelters or transitional housing designed for homeless persons, or a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings) and are participating in case management with an approved referral agency. This preference shall be limited to up to 150 referrals per year ..... **60 points**

Unit offers to applicants referred for this preference will be made as follows: for every two applicants from the waiting list receiving a unit offer, one applicant referred under this preference will receive a unit offer.

*Homeless Families that live with friends or relatives who are not currently in the transition system, will be encourage to apply to other available SNRHA programs that they may qualify for.*

**Federally Declared Disasters:** Victims who are holders of Section 8 Vouchers or other subsidized programs as defined as eligible units by HUD, in another jurisdiction within 120 days of the President declaring a federal disaster. .... **55 points**

**Working Preference:** Head, spouse or co-head who is employed at least 20 hours per week **at the equivalent of minimum wage**, or who are active participants in accredited educational and training programs designed to prepare the individual for the job market. This preference is extended equally to elderly families or disabled families, including but not limited to those whose head or spouse is receiving SSI, SSD, or who can be verified to be unable to work, if both the head of household and spouse is either elderly or disabled..... **30 points**

**Veteran preference** for veteran as defined by State. .... **6 points**

**Residency preferences** for head, co-head or spouse, who live, work, have been hired to work, or are enrolled full time in an accredited school in Clark County... **5 points**





**Disabled veteran** or family (defined as dependent son, daughter, and spouse) of a veteran with a service-connected disability. .... **.5 points**

**Family of** (defined as spouse) a **deceased veteran** with a service-connected death. .... **.4 points**

***FINAL VERIFICATION OF PREFERENCES [24 CFR 5.415]***

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the SNRHA will obtain necessary verifications of preference at the interview and by third party verification.

***PREFERENCE DENIAL [24 CFR 5.415]***

If the SNRHA denies a preference, the SNRHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal meeting with the Housing Programs Manager or Director of Housing Programs. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

**Treatment of Single Applicants**

Single applicants will be treated as any other eligible family on the SNRHA waiting list.

**Pulling from the Wait List**

SNRHA shall utilize income targeting to meet HUD's requirements that 40% of admissions have income of less than 30% of minimum income. Elderly and disabled families are given the working preference as required by HUD regulations. All preferences claimed are verified at final eligibility determination. If preferences claimed cannot be verified, the applicant is returned to the appropriate placement on our waiting list and a written notice explaining this action is sent to the applicant.

**D. VERIFICATION OF PREFERENCE QUALIFICATION [24 CFR 5.415]** The

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

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list and ranked without the Local Preference and given an opportunity for a review.

**Change in Circumstances**

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the SNRHA in writing when their circumstances change. When an applicant claims an additional preference, s/he will be placed on the waiting list in the proper order of their newly claimed preference.

If the family failed to report income changes during final eligibility and the verified



failure would have affected their eligibility for a local preference, the family will be returned to the waiting list.

**E. PREFERENCE DENIAL** [24 CFR 5.415]

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

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

**F. FACTORS OTHER THAN PREFERENCES THAT AFFECT SELECTION OF APPLICANTS**

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

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

**G. INCOME TARGETING**

The SNRHA will monitor its admissions to ensure that at least 40 percent of families admitted to public housing in each fiscal year shall have incomes that do not exceed 30% of area median income of the SNRHA jurisdiction.

Hereafter families whose incomes do not exceed 30% of area median income will be referred to as "extremely low income families."

The SNRHA shall have the discretion, at least annually, to exercise the "fungibility" provision of the QHWRRA by admitting less than 40 percent of "extremely low income families" to public housing in a fiscal year, to the extent that the SNRHA has provided more than 75 percent of newly available vouchers to "extremely low income families." This fungibility provision discretion by the SNRHA is also reflected in the SNRHA Administrative Plan.

The fungibility credits will be used to drop the annual requirement below 40 percent of admissions to public housing for extremely low income families by the lowest of the following amounts:



The number of units equal to 10 percent of the number of newly available vouchers in the fiscal year; or

The number of public housing units that 1) are in public housing communities located in census tracts having a poverty rate of 30% or more, and 2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

**The Fungibility Floor:** Regardless of the above two amounts, in a fiscal year, at least 30% of the SNRHA admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the SNRHA overall requirement for housing extremely low-income families to drop to 30% of its newly available units.

Fungibility shall only be utilized if the SNRHA is anticipated to fall short of its 40% goal for new admissions to public housing.

### **Low Income Family Admissions**

Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

## **H. UNITS DESIGNATED FOR THE ELDERLY**

In accordance with the 1996 Housing Act, Head or Spouse must be at least 62 years of age will be selected for admission to such units or buildings covered by a HUD-approved Allocation Plan, except for the units which are accessible, which may be offered to persons with disabilities.

The SNRHA will take the following action when processing families for developments designated for the elderly when there are insufficient elderly families who wish to reside in a development, near-elderly families (head or spouse ages 55-61) will be selected for this type of unit.

## **I. UNITS DESIGNATED FOR THE DISABLED**

SNRHA has no HUD-approved disabled-only designated developments.

## **J. MIXED POPULATION UNITS**

A mixed population community is a public housing community, or portion of a community that was reserved for elderly families and disabled families at its inception (and has retained that character).

In accordance with the 1992 Housing Act, elderly families whose head spouse or sole member is at least 62 years of age, and disabled families whose head, co-head or spouse or sole member is a person with disabilities, will receive equal preference to such units.

No limit will be established on the number of elderly or disabled families that may occupy a mixed population property. All other SNRHA preferences will be applied.



## **K. GENERAL OCCUPANCY UNITS**

General occupancy units are designed to house all populations of eligible families. In accordance with the SNRHA occupancy standards, eligible families not needing units designed with special features or units designed for special populations will be admitted to the SNRHA general occupancy units.

The SNRHA will use its local preference system as stated in this chapter for admission of eligible families to its general occupancy units.

## **L. DECONCENTRATION OF POVERTY AND INCOME-MIXING**

The SNRHA admission policy is designed to provide for de-concentration of poverty and income mixing by bringing higher income tenants into lower income communities and lower income tenants into higher income communities.

Gross annual income is used for income limits at admission and for income-mixing purposes.

Skipping of a family on the waiting list specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met.

The SNRHA will gather data and analyze, at least annually, the tenant characteristics of its public housing stock, including information regarding tenant incomes, to assist in the SNRHA de-concentration efforts.

The SNRHA will use the gathered tenant income information in its assessment of its public housing developments to determine the appropriate designation to be assigned to the community for the purpose of assisting the SNRHA in its de-concentration goals.

If the SNRHA annual review of tenant incomes indicates that there has been a significant change in the tenant income characteristics of a particular community, the SNRHA will evaluate the changes. The SNRHA will determine whether, based on the SNRHA methodology of choice, the community needs to be re-designated as a higher or lower income community or whether the SNRHA has met the de-concentration goals and the community needs no particular designation.

### **Deconcentration and Income-Mixing Goals**

Admission policies related to the de-concentration efforts of the SNRHA do not impose specific quotas. Therefore, the SNRHA will not set specific quotas, but will strive to achieve de-concentration and income mixing in its developments.

The SNRHA income-mixing goal is a long-range goal and may not be achieved in the first year of implementation. The SNRHA will use its annual analysis of its public housing stock and tenant incomes to provide benchmarks for the SNRHA.

The SNRHA income-mixing goal, in conjunction with the requirement to achieve income targeting, will be achieved via unit offer procedures described in Section P of this chapter.



## **Community Designation Methodology**

### **Aggregate Average Method**

The SNRHA will review the annual resident income of all family sites to develop an average annual income, which will be used as a baseline. Developments with an average annual income above that baseline will be considered higher income developments, and developments with an average annual income below the baseline will be considered lower income developments.

Upon analyzing its findings the SNRHA will apply the policies, measures and incentives listed in Section P of this chapter to bring higher income families into lower income developments.

### **SNRHA Incentives for Higher Income Families**

Covered in Section P of this Chapter.

### **M. REMOVAL FROM WAITING LIST AND PURGING** [24 CFR 960.204(a)]

The waiting list will be purged at least **tri**-annually by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within 14 calendar days, s/he will be removed from the waiting list. If a letter is returned by the Post Office, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. Failure to respond will result in removal from all waiting lists.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed period.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

The SNRHA allows a grace period of 7 calendar days after completion of the purge mailing. Applicants who respond during this grace period will not be withdrawn.

Applicants are notified with confirmation of the SNRHA receipt of their application that they are responsible for notifying the SNRHA within 10 calendar days, if they have a change of address.

### **N. OFFER OF ACCESSIBLE UNITS**

The SNRHA has units designed for persons with mobility, sight and hearing impairments, referred to as accessible units.

No non-mobility-impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, the SNRHA will offer such units:



First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA control who has a disability that requires the special features of the vacant unit.

Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, the SNRHA will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement. SNRHA will pay all reasonable and customary costs associated with the relocation of the non-disabled family.

The Authority will make modifications to the unit in keeping with the Section 504 Transition Plan as the need arises and until the agency determines that an adequate number of units have been rehabilitated in numbers sufficient to evidence compliance with the Plan See Chapter 9.

#### **O. PLAN FOR UNIT OFFERS**

The SNRHA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is to offer the family at the top of the waiting list for the appropriate bedroom size and unit type the oldest available unit five days prior to target-ready date.

Unit offers to promote income targeting are made in accordance with HUD regulations of the oldest eligible certified family to the appropriate bedroom size of the oldest ready and available unit. Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

#### **Number of Offers - Two Offers**

SNRHA will make two offers on an appropriate unit. If the second offer is rejected or the applicant fails to execute a lease within the required timeframes, the applicant will be withdrawn from our waiting list. Exceptions are incorrect unit offers and/or offers to non-disabled families of accessible units, or other “good cause” reason. The applicant shall be informed of this in writing.

#### **SNRHA Incentives for Higher Income Families**

The SNRHA will offer certain incentives to higher income families willing to move into lower income communities. If a higher income family agrees to move to an SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family’s choice. The move will be approved, according to the Occupancy Guidelines, only if the family has consistently been in lease compliance for two years following admission.

In addition, the SNRHA will target homeownership opportunities to higher income families moving into lower income communities.



## **P. CHANGES PRIOR TO UNIT OFFER**

### **Applicants with a Change in Family Size or Status**

Applicants must report changes in income, family composition, and address within ten (10) calendar days of the change prior to eligibility and after final eligibility. If the family did not report the change within the required time frame, the family will be withdrawn and determined ineligible and offered an opportunity for informal hearing.

Properly reported changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. The SNRHA shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit or if the family is no longer eligible for the program.

The family will take the appropriate place in the selection pool or waiting list according to the preference points on the date they first applied **if the appropriate waiting list was open at the time of initial application.**

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

Income changes properly reported after the unit is offered will be processed following lease-up procedures.

## **O. APPLICANT STATUS AFTER FINAL UNIT OFFER**

When an applicant rejects the final unit offer the SNRHA will remove the applicant's name from the waiting list. Removal from the waiting list means the applicant must reapply. Exceptions may be made in accordance with 504 regulations, for persons whose refusal involved the need for a reasonable accommodation.

## **R. TIME-LIMIT FOR ACCEPTANCE OF UNIT**

Applicants will have three (3) business days to respond to an offer of an available unit. Applicants must accept a unit offered within one (1) business day of the date the unit is shown and execute a lease within two (2) additional business days of the offer acceptance. Extensions can be approved for good cause.

SNRHA staff will attempt to notify applicants by telephone **as a courtesy**; all offers will be made in writing by first class mail.

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

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "*good cause*," the applicant will **be returned to** the waiting list.

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



- An elderly family who makes the decision not to occupy or accept occupancy in designated housing for which they applied will be withdrawn from the designated housing waiting list, but this action will not affect their standing on any other waiting list. [24 CFR 945.303(d)]
- Inaccessibility to source of employment or education such that an adult household member must quit a job, drop out of an educational or a job training program.
- The family demonstrates to SNRHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons must be specific. Refusals due to the location of the unit alone are not considered to be good cause.
- A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household member, or a live-in aide necessary to care for the principal household member.
- The family is offered a unit which is handicap accessible, but there is no member of the family that need accessibility features in the unit. The unit is inappropriate for the applicant's disabilities

### **S. REFUSAL OF OFFER**

If the unit offered is inappropriate for the applicant's disabilities or if a non-disabled family is offered an accessible unit, the family will retain their position on the waiting list.

If the unit offered is refused for other reasons, the SNRHA will follow the applicable policy as listed in Section O, Plan for Unit Offers, and Section Q, Applicant Status after Final Offer.

### **T. SPECIAL PROGRAMS**

The SNRHA will administer a HUD, RAD (Rental Assistance Demonstration) program at the following properties:

- o Landsman Gardens, Henderson, Nevada.
- o Vera Johnson B, Las Vegas, Nevada
- o Biegger Estates, Las Vegas, Nevada
- o Rose Gardens, North Las Vegas, Nevada

**See Chapter 16 for RAD/PBV information.**





## Chapter 6

### DETERMINATION OF TOTAL TENANT PAYMENT

[24 CFR 5.628, 5.611, 5.613, 5.615]

#### **INTRODUCTION**

The accurate calculation of annual income and adjusted income will ensure that families are not paying more or less money for rent than their obligation under the regulations.

This chapter defines the allowable deductions from annual income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subpart F and further instructions set forth in HUD Notices, Memoranda and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. The SNRHA's policies in this chapter address those areas which allow the SNRHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

#### **A. MINIMUM RENT (TTP)**

The minimum rent (TTP) for the SNRHA is \$50.00.

The total tenant payment is the greater of:

30% of the adjusted monthly income

10% of the monthly income

The minimum rent as established by the SNRHA

The minimum rent refers to a minimum total tenant payment and not a minimum tenant rent.

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

The SNRHA recognizes that in some instances even the minimum rent may create a financial hardship for families. The SNRHA will review all relevant circumstances brought to the SNRHA's attention regarding financial hardship as it applies to minimum rent. The following section states that the SNRHA's procedures and policies in regard to minimum rent financial hardship as set forth by the QHWRA.



### **SNRHA Procedures for Notification to Families of Hardship Exceptions**

The SNRHA will notify all participant families subject to a minimum rent of their right to request a minimum rent hardship exception under the law.

The SNRHA will notify all eligible families at time of lease-up of their right to request a minimum rent hardship exception.

The SNRHA will notify all eligible families at the annual and interim recertification appointments of their right to request a minimum rent hardship exception.

The manager or their designee will document in the family's file that the family has been notified of their right to request a minimum rent hardship exception.

The SNRHA notification will advise the family that hardship exception determinations are subject to SNRHA grievance procedures.

The SNRHA will review all tenant requests for exception from the minimum rent due to financial hardships.

All requests for minimum rent exception are required to be in writing.

Requests for minimum rent exception will be accepted by the SNRHA from the family in writing.

Requests for minimum rent exception must state the family circumstances that qualify the family for an exception.

### **Exceptions to Minimum Rent**

The SNRHA will immediately grant the minimum rent exception to all families who request it.

The Minimum Rent will be suspended until the SNRHA determines whether the hardship is:

Covered by statute

Temporary or long term

If the SNRHA determines that the minimum rent is not covered by statute, the SNRHA will impose a minimum rent including payment for minimum rent from the time of suspension.



The SNRHA will use its standard verification procedures to verify circumstances which have resulted in financial hardship, such as loss of employment, death in the family, etc.

### **HUD Criteria for Hardship Exception**

In order for a family to qualify for a hardship exception the family's circumstances must fall into one of the following criteria:

The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance;

The family would be evicted as a result of the imposition of the minimum rent requirement;

The income of the family has decreased because of changed circumstances, including:

Loss of employment

Death in the family

Other circumstances as determined by the SNRHA or HUD

### **Temporary Hardship**

If the SNRHA determines that the hardship is temporary, a minimum rent will be imposed, including back payment from time of suspension, but the family will not be evicted for nonpayment of rent during the 90 day period commencing on the date of the family's request for exemption.

### **Repayment Agreements for Temporary Hardship**

The SNRHA will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period.

See Chapter 14, Rent and Debt Collection Procedures, for payment terms.

## **B. INCOME AND ALLOWANCES**

**Income:** Includes all monetary and non-monetary income or benefit amounts that are received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be calculated and what is to be excluded in the federal regulations. In accordance with this definition, all income that is not specifically excluded in the regulations is counted. (See Income Inclusions and Income Exclusions in the Glossary of Terms of this policy.)



**Annual Income** is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits. (24 CFR 5.607)

The low-income subsidy received to assist low-income persons in paying for their Medicare prescription drug plan costs must be excluded as annual income for the purpose of calculating any rent or assistance.

**Adjusted Income** is defined as the annual income minus any HUD allowable expenses and deductions.

### **Allowable Deductions**

HUD has 5 allowable deductions from annual income:

1. Dependent allowance: \$480 each for family members (other than the head or spouse), who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
2. "Elderly/disabled" allowance: \$400 per household for families whose head or spouse are 62 or over or disabled.
3. For any family that is a disabled family, or has a member (other than the head or spouse) who is a person with a disability. A disability assistance expenses for unreimbursed amounts paid for attendant care or auxiliary apparatus expenses for family members with disabilities, including the disabled member, where such expenses are necessary to permit an adult family member to be employed. The allowable expenses must be in excess of 3% of annual income. This allowance may not exceed the employment income received by the family members that is freed to go to work, who is at least 18 years of age.
4. For any elderly or disabled family:
  - a. 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;
  - b. 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;



- c. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that are equal to the total of these expenses less 3% of annual income.
5. Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare 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)).
6. The SNRHA does not provide for any optional deductions or allowances in the public housing program.

**C. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS**  
**24 CFR 962.255, 24 CFR 5.617, 24 CFR 960.255**

The annual income for qualified families may not be increased as a result of increases in earned income of a family member. **The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.** For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 **consecutive** months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income **for the remaining 12 consecutive calendar months.**

A family eligible for the earned income exclusion is a family that occupies a dwelling unit in a public housing community; and

Whose annual income increases as a result of employment of an adult member of the family who was previously unemployed for one or more years;

Whose earned annual income increases during the participation of a family member in any family self-sufficiency or other job training program; or

Whose annual income increases, as a result of new employment or increased earnings of an adult family member during or within six months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a six-month period is at least \$500. The qualifying TANF assistance may consist of any amount of monthly income maintenance, and/or at least \$500 in such TANF benefits and services as one-time payments, wage subsidies and transportation assistance.



The HUD definition of "previously unemployed" includes a person who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality if it is higher than the federal minimum wage.

The HUD definition of economic self-sufficiency program is any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Qualifying increases are any earned income increases of a family member during participation in an economic self-sufficiency or job training program and may include increases that occur after participation provided the training provides assistance, placement, training or mentoring after the training that leads to employment.

The amount that is subject to the disallowance is the amount of incremental increase in income of a family member. The incremental increase in income is calculated by comparing the amount of the family member's income before the beginning of qualifying employment (baseline) to the amount of such income after the employment.

#### **Initial Twelve-Month Exclusion**

During the **initial** 12-month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the SNRHA will exclude from annual income of a qualified family member any increase in income of the family member as a result of employment over the prior income of that family member (baseline).

#### **Second Twelve-Month Exclusion and Phase-in**

During the second **and final** 12-month period after the expiration of the initial 12-month period referred to above, the SNRHA must exclude from Annual Income of a qualified family member, 50 percent of any increase in income of a family member who is a person with disabilities as a result of employment over the income of that family member prior to the beginning of such employment.

#### **Maximum Two Year Disallowance**

The earned income disallowance is limited to a lifetime **24** month period for each family member. For each family member, the disallowance only applies for a maximum of 12 months of full exclusion of incremental increase, and a maximum of 12 months of phase-in exclusion during the **24** month period starting from the date of the initial exclusion.



**If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.**

**The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were “used”.**

**Families that currently benefit from the EID, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48-month period, as was in effect prior to the effective date of this provision.**

**Applicability to Child Care Expense Deductions**

The amount deducted for childcare necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction in the case of the deduction that is allowed due to employment.

**Applicability to Disability Expense Deductions**

The amount deducted for disability expense deduction that is necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for the disability expense deduction.

**Applicability to Families that Receive both Child Care Expense and Disability Deductions**

The amount deducted for both childcare and disability expense deductions necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction and disability expenses combined in the case of the deduction that is allowed due to employment.

**Tracking the Earned Income Exclusion**

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family’s file to show the reason for the reduced increase in rent.

**\*Such documentation will include:**

- **Date the increase in earned income was reported by the family**
- **Name of the family member whose earned income increased**



- Reason (new employment, participation in job training program, within 6 months after receiving TANF) for the increase in earned income
- Amount of the increase in earned income (amount to be excluded)
- Date the increase in income is first excluded from annual income
- Date the family member has received a total of 12 consecutive months of the initial exclusion of 100%
- Date the 12-month phase-in period began
- Date the family member has received a total of 12 consecutive months of the phase-in exclusion of 50%
- Ending date of the maximum 24 month (two year) disallowance period

The SNRHA will maintain a tracking system to ensure correct application of the earned income disallowance.

It is a SNRHA policy decision to conduct an interim reexamination for income increases for the purpose of calculating the earned income disallowance.

### **Inapplicability to Admission**

The earned income disallowance is only applied to determine the Annual Income of families who are participants in the public housing program, and therefore does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

### **E. INDIVIDUAL SAVINGS ACCOUNTS**

The SNRHA chooses not to establish a system of individual savings accounts for families who qualify for the disallowance of earned income.

### **F. TRAINING PROGRAMS FUNDED BY HUD**

All training income from a HUD sponsored or funded training program, whether incremental or not, is excluded from the resident's annual income while the resident is in training. Income from a Resident Services training program, which is funded by HUD, is excluded.

Upon employment with the SNRHA, the full amount of employment income received by the person is counted.

### **G. AVERAGING INCOME**

When annual income cannot be anticipated for a full 12 months, the SNRHA will average known sources of income that vary to compute an annual income.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third-party or check-stub verification is not available.





If by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so that the housing payment will not change from month to month.

The method used depends on the regularity, source and type of income.

## **H. MINIMUM INCOME**

There is no minimum income requirement. Families who report zero income or extremely low income are required to complete a written certification every 180 calendar days which will be verified with EIV and all federal, state and local agencies and other sources, as appropriate, including credit checks, to verify income sources. If any increases in income are indicated in any of the above information or other verification at any time, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Families that report zero or extremely low income will be required to provide information in writing regarding their means of basic subsistence, such as food, utilities, transportation, and other subsistence expenses, in writing. SNRHA will require a print out of utility bills for three months to be submitted at interim evaluations for residents claiming zero or extremely low income.

If the family's expenses exceed their known income, the SNRHA will make inquiry of the head of household as to the nature of the family's accessible resources.

Utility bills provided by the family which show that the utilities are in another person's name will require further investigation as to whether there is an unauthorized member of the household.

Where credit reports show credit accounts open and payments current, SNRHA will take action to investigate the possibility of unreported or underreported income, fraud or program abuse.

The SNRHA will terminate the lease of families for fraud or offer a repayment agreement when documented evidence indicates the family has unreported or underreported income, which includes receiving funds from other parties or individuals that has not been reported. Failure to enter into a repayment agreement and pay the required 25% down payment within the established guidelines shall result in the termination of the lease. Repeating this action will result in termination of the lease.



## **I. INCOME OF PERSON PERMANENTLY/TEMPORARILY CONFINED TO NURSING HOME**

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the SNRHA will calculate the income by using the following methodology and use the income figure which would result in a lower payment by the family:

Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member after 180 days or when doctor certification of length of absence is received, whichever comes first.

If the family member is temporarily confined in a hospital or nursing home, SNRHA will calculate the TTP by:

Including the income of the person temporarily confined to the nursing home and giving the family the medical deductions allowable on behalf of the person in the nursing home, if they are an elderly or disabled family. For the purpose of this section, “temporarily” is defined as no more than 180 days.

## **J. REGULAR CONTRIBUTIONS AND GIFTS** [24 CFR 5.609(a)(7)]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the tenant share of the rent.

Any contribution or gift received two consecutive months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$100 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter 7, Verification Procedures, for further definition.)

If the family's expenses exceed its known income, the SNRHA will question the family about contributions and gifts.

## **K. ALIMONY AND CHILD SUPPORT** [24 CFR 5.609(a)(7)]

Regular alimony and child support payments are counted as income for calculation of the family's share of the rental payment.



### **SNRHA Policy**

SNRHA will count court-awarded amounts for alimony and child support unless SNRHA verifies that: (1) the payments are not being made, and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [HCV GB, pp. 5-23 and 5-47].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

SNRHA will accept verification that the family is receiving an amount less than the award if:

- SNRHA receives verification from the agency responsible for enforcement or collection.
- The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

When child support or alimony fluctuates, SNRHA will follow the policy below.

### **SNRHA Policy**

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

1. SNRHA shall add the total of all payments listed for the past twelve months. The total shall then be considered anticipated income.
2. When verification documents from the DA office indicated no payment for more than 60 days from the date of the printout (upon receipt of verification), no income will be anticipated from child support/alimony. Participants are required to report all changes within 10 calendar days in writing including when child support/alimony is not received and/or starts.

### **L. LUMP-SUM RECEIPTS** [24 CFR 5.609(b)(5), (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, are not included in income but may be included in assets, if the amount has been invested in an allowable asset.

Lump-sum payments caused by delays in processing periodic payments such as unemployment or welfare assistance are counted as income. Lump sum payments from



Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt, the SNRHA will calculate retroactively.

### **Retroactive Calculation Methodology**

The SNRHA will go back to the date the lump-sum payment was received, but never further back than the date of admission.

The SNRHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due the SNRHA.

At the SNRHA's option, the SNRHA may enter into a Payment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

### **M. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS**

Contributions to company retirement/pension funds are handled as follows:

While an individual is employed, count as assets only amounts the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

### **N. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE**

The SNRHA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. In calculating total assets, the SNRHA will count the difference between the market value and the actual payment received.

Assets disposed of as a result of foreclosure or bankruptcy is not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of a divorce or separation is not considered to be assets disposed of for less than fair market value.

The SNRHA's minimum threshold for counting assets disposed of for less than Fair



Market value is \$5000. If the total value of assets disposed of within the two-year period is less than \$5000, they will not be considered an asset.

## **O. CHILD CARE EXPENSES**

Not reimbursable child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment.

In the case of a child attending private school, only after-hours care can be counted as child care expenses.

Child care expenses cannot be allowed as a deduction if there is an adult household member capable of caring for the child who can provide the child care. Examples of those adult members who would be considered *unable* to care for the child include:

The abuser in a documented child abuse situation, or

A person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source, or

Can provide proof that the adult member is searching for a job (maximum time allowed for search is 10 hours per week.)

An allowable deduction for child care expenses is based on the following guidelines:

**Child care to work:** The maximum child care expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

**Child care for school:** The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.

**Amount of Expense:** The SNRHA will survey the local care providers in the community and collect data as a guideline. If the hourly rate materially exceeds the guideline, the SNRHA may calculate the allowance using the guideline.

### **Child Care Verification:**

SNRHA will send out via mail to the child care provider a 3rd party verification, which will need to be completed, showing the name, age of children, hours and days watched along with amount charged. Verification is to include provider's license number or tax identification number if they are a licensed agency. Private providers will need to provide a social security number and have the form notarized.

No other form of verification will be accepted but that of the Housing Authority.



Secondary verification after attempting orals will be receipts.

**P. MEDICAL EXPENSES** [24 CFR 5.603]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

Persons with a Medicare prescription drug plan may be required to pay a premium and this premium will be counted as a medical expense.

Prescriptions not covered by the Medicare prescription drug plan will be counted toward the sum of allowable medical expense.

Nonprescription medicines must be doctor-recommended in order to be considered a medical expense.

Nonprescription medicines will be counted toward medical expenses for families who qualify if the family furnishes legible receipts.

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses.

**O. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES** [24 CFR 5.520]

**Applicability**

Prorating of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

**Prorated Assistance Calculation**

Prorated assistance will be calculated by subtracting the total tenant payment from the applicable maximum rent for the unit the family occupies to determine the Family Maximum Subsidy. The family's TTP will be calculated by:

Dividing the family maximum subsidy by the number of persons in the family to determine Member Maximum Subsidy.

Multiplying the member maximum subsidy by the number of eligible family members to determine Eligible Subsidy.

Subtracting the amount of eligible subsidy from the applicable maximum rent for the unit the family occupies to get the family's revised total tenant payment.

**R. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare



assistance is reduced specifically because of:

fraud; or

failure to participate in an economic self-sufficiency program; or

noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification Before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA will attempt to develop a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

### **S. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS**

If the cost of utilities (excluding telephone) is not included in the tenant rent, a utility allowance will be deducted from the total tenant payment. The utility allowance is intended to help defray the cost of utilities not included in the rent. The allowances are based on the monthly cost of reasonable consumption utilities in an energy conservative household, *not* on a family's actual consumption.



A survey of utility rate changes applicable to the agency's jurisdiction will be made annually and the *Schedule of Tenant-Paid Utility Allowances* and related services will be periodically adjusted by the agency in accordance with the results of the survey. Utility allowances may be adjusted upward or downward, or remain the same, dependent upon the most recent data regarding overall consumption and rates for the larger community (not just the public housing community).

When the utility allowance exceeds the family's total tenant payment, the SNRHA will provide a utility reimbursement payment for the family each month. The check will be made out directly to the tenant.

### **Resident-Paid Utilities**

The following requirements apply to residents living in developments with resident-paid utilities or applicants being admitted to such developments:

If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted.

Paying the utility bill is the resident's obligation under the lease. Failure to pay utilities is grounds for eviction.

### **T. EXCESS UTILITY PAYMENTS**

Residents in units where the SNRHA pays the utilities may be charged for excess utilities if additional appliances or equipment are used in the unit. This charge shall be applied as specified in the lease. [24CFR 966.4(b)(2)]

The SNRHA expects the resident to take every effort to ensure that utility consumption will be reasonable and in compliance with acceptable standards of usage applicable to unit and family size. If use of utilities is determined to be excessive, SNRHA will require payment for the amount of usage that is deemed to be excessive. Excessive utility usage will be determined if the individually metered utility monthly bill exceeds the approved utility allowance for the unit size by 30%. Payment for excessive utility usage will become due and payable on the first day of the second month following the month in which the charges are incurred, except at termination of lease when all charges are considered due and payable. In the case of water bills, usage will be based on the average unit size consumption.

### **U. FAMILY CHOICE IN RENTS**

#### **Authority for Family to Select**

The SNRHA shall provide for each family residing in a public housing unit to elect annually whether the rent paid by such family shall be 1) determined based on family income or 2) the flat rent. The SNRHA may not at any time fail to provide both such rent options for any public housing unit owned, assisted or operated by the SNRHA.





Annual choice: The SNRHA shall provide for families residing in public housing units to elect annually whether to pay income-based or flat rent. Except for financial hardship cases, the family may not be offered the rent choice more than once per year.

SNRHA will provide each family the following written information:

- Policy on switching types of rent in circumstances of hardship.
- The dollar amounts of tenant rent for the family under each option.
- If the family chose a flat rent for the previous year, the SNRHA will provide the amount of income-based rent for the subsequent year.
- Only the year the SNRHA conducts an income reexamination or if the family specifically requests it and submits updated income information. For a family that chooses the flat rent option, the SNRHA must conduct a reexamination of family income at least once every three years.
- The flat rent is based on the fair market rent. The SNRHA records must show how the SNRHA determines flat rents in accordance with its method and document flat rents offered to families.
- The SNRHA will not pay a utility reimbursement for a family that has chosen to pay a flat rent.
- For families paying income-based rent, SNRHA may choose to pay utility reimbursements either to the family, or directly to the utility supplier. If the PHA elects to pay the utility supplier, the SNRHA must first notify the family of the amount of utility reimbursement paid to the supplier.

### **Allowable Rent Structures**

#### **Flat Rents**

The SNRHA has established, for each dwelling unit in public housing, a flat rental amount for the dwelling unit, which:

Is based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA shall review the income of families paying flat rent not less than once every three years.



### **Income-Based Rents**

The monthly total tenant payment amount for a family shall be an amount, as verified by the SNRHA that does not exceed the greatest of the following amounts:

30 percent of the family's monthly adjusted income;

10 percent of the family's monthly income; or

The SNRHA's minimum TTP of \$50.00.

### **Switching Rent Determination Methods Because of Hardship Circumstances**

In the case of a family that has elected to pay the SNRHA's flat rent, the SNRHA shall immediately provide for the family to pay rent in the amount determined under income-based rent, during the period for which such choice was made, upon a determination that the family is unable to pay the flat rent because of financial hardship, including:

Situations in which the income of the family has decreased because of changed circumstances, loss of or reduction of employment, death in the family, and reduction in or loss of income of other assistance;

An increase, because of changed circumstances, in the family's expenses for medical costs, child care, transportation, education, or similar items; and

Such other situations as may be determined by the SNRHA.

All hardship situations will be verified.

The rental policy developed by the SNRHA encourages and rewards employment and self-sufficiency.

### **Annual Reexamination**

Within 120 days in advance of the annual reexamination, the family will be sent a form from the SNRHA, on which the family will indicate whether they choose flat rent or income-based rent. The SNRHA form will state what the flat rent would be, and an estimate, based on current information, what the family's income-based rent would be.

If the family indicates they choose flat rent, the form will be retained in the tenant file.

If the family indicates they choose income-based rent, a reexamination appointment will be scheduled according to SNRHA policy.



## **V. SNRHA'S FLAT RENT METHODOLOGY**

The SNRHA has set a flat rent for each bedroom size within the SNRHA's public housing inventory, based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA's flat rents have been established using the following methodology:

An amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.



## Chapter 7

### VERIFICATION

[24 CFR Parts 5.617, CFR  
960.206]

#### INTRODUCTION

The SNRHA must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain the family's consent to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. The SNRHA must not pass on the cost of verification to the family.

The SNRHA will follow the verification guidance provided by HUD in PIH Notice 2013-04 Verification Guidance and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary SNRHA policies.

Part I describes the general verification process. More detailed requirements related to individual factors are provided in subsequent parts including family information (Part II), income and assets (Part III), and mandatory deductions (Part IV).

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies of the SNRHA.

#### **PART I: GENERAL VERIFICATION REQUIREMENTS**

##### **7-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION**

The family must supply any information that the SNRHA or HUD determines is necessary to the administration of the program and must consent to SNRHA verification of that information

##### **Consent Forms**

It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and the SNRHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

The family will be required to complete the SNRHA release of information, in addition to the Debts Owed (HUD 52675) and HUD 92006



## Penalties for Failing to Consent

If any family member who is required to sign a consent form fails to do so, the SNRHA will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with SNRHA procedures.

### 7-I.B. OVERVIEW OF VERIFICATION

#### REQUIREMENTS HUD's Verification Hierarchy

HUD authorizes the SNRHA to use six methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires the SNRHA to use the most reliable form of verification that is available and to document the reasons when the SNRHA uses a lesser form of verification.

##### SNRHA Policy

**Upfront Income Verification (UIV):** The verification of income at admission or before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. HUD's **Enterprise Income Verification System (EIV)** is considered to be this method. This is currently not available for applicants.

**NOTICE: PIH-2013-04 (HA)** Guidance on Verification of Excluded Income.

##### **Purpose:**

This notice provides clarification and guidance on the verification requirements of income excluded from the

The SNRHA Public Housing Program in an effort to reduce administrative burden, will utilize the provision in the HUD Notice PIH-2013-04 as follows:

HUD has provided two categories of excluded income: fully excluded and partially excluded. Each category has different verification requirement.

##### **Fully Excluded Income:**

Income that is fully excluded means the entire amount qualifies to be excluded from the annual income determination. For fully excluded income, the SNRHA is **not required** to:

- Verify the income in accordance with the HUD-prescribed verification hierarchy;
- Document in the tenant file why third party verification was not available as required by 24 CFR 960.259(c)(i) and 24 CFR 982.516(a)(2); and
- Report the income in Section 7 of the form HUD-50058.

SNRHA may accept an applicant or participant's self-certification as verification of fully excluded income. The SNRHA's application and reexamination documentation, which is signed by all adult family members, may serve as the self-certification of the fully excluded income. SNRHA has the option of elevating the verification requirements if necessary, to determine if a source of income qualifies for a full exclusion.

Examples of common fully excluded income categories that are verifiable through applicant or



participant self-certification are:

- Supplemental Nutrition Assistance Program (SNAP) benefits, formerly known as food stamps.
- Income from a live-in aide.

For a complete list of income exclusions, see 24 CFR 5.609(c).

### **5. Partially Excluded Income:**

Income that is partially excluded means that only a certain portion of the income reported by the family qualifies to be excluded, while the remainder must be included when determining the family's annual income.

For partially excluded income, SNRHA is required to:

- Comply with HUD-prescribed verification requirements and all applicable regulations pertaining to
- the determination of annual income; and
- Report the income in Section 7 of the form HUD-50058.
- Examples of partially excluded income that are subject to regular verification requirements include:
- The Department of Veterans Affairs "Aid and Attendance" benefits – in accordance with 24 CFR 5.609(c)(4), these benefits may be excluded from income if they are used "specifically for, or in reimbursement of, the cost of medical expenses for any family member." Live-in or periodic medical assistance and services of doctors and health care professionals are among the services that may be counted as medical expenses. The SNRHA must verify the amount provided for aid and attendance medical expenses and the amount actually being used by the veteran for such expenses.

Any portion of the benefit not used for such expenses would continue to be counted as income by the SNRHA when determining the family's annual income.

- Earnings in excess of \$480 for full-time students 18 years old or older (24 CFR 5.609(c)(11) – in order to determine the amount of earnings to include in the calculation of the family's annual income, the SNRHA must verify the amount of employment income for these family members.

**The Verification Hierarchy.** SNRHA shall begin with the highest level of verification Techniques PHAs are required to access the EIV system and obtain an Income Report for each household. The SNRHA shall maintain the Income Report in the tenant file along with the form HUD-50058 and other supporting documentation to support income and rent determinations for all mandatory annual reexaminations of family income and composition.



If the Income Report does not contain any employment and income information for the family, the SNRHA shall attempt the next lower level verification technique, as noted in the below:

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

### Verification Technique Definitions



### **Third Party Verification Techniques**

**Upfront Income 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. PHAs 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.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either 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 report, employer 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 SNRHA shall require two current and consecutive pay stubs for determining annual income from wages. For new income sources, two pay stubs shall be required that are consecutive or a new hire letter with date of hire, wages and hours. The PHA should project income based on the information from a traditional written 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. A standardized form to collect information from a third party source. The form is completed by the third party by hand (in writing or typeset). PHAs 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.

**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. PHA 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 file the reason(s) why third party verification was not available.**

The exception to third party verification can be found at 24 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 the 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 deductions from annual income; and (iv) other factors that affect the determination of adjusted income.

**How to comply with and reduce administrative burden of third party verification requirements of family annual income .** PHAs can comply with and reduce administrative burden of third party verification requirements for employment, wage, and unemployment compensation and social security benefits, and any other information that is verifiable using EIV by:

- a) Reviewing the EIV Income Report to confirm/validate tenant-reported income; and;
- b) Printing and maintaining an EIV Income Report (or an EIV Individual Control Number (ICN) page for interim reexaminations as prescribed in Section 12 of this Notice) in the tenant file; and
- c) Obtaining current acceptable tenant-provided documentation to supplement EIV information; and
- d) Using current tenant-provided documentation and/or third party verification to calculate annual income.

**Note:** Social Security benefit information in EIV is updated every three months. If the tenant agrees with the EIV-reported benefit information, PHAs do not need to obtain or request a benefit verification letter from the tenant. See PIH Notice 2010-03 for guidance on verifying Social Security benefit income through the EIV system.

The PHA may also reduce the administrative burden of obtaining third party verification by relying on acceptable documents that are generated by a third party, but provided by the tenant. 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.).

**When the PHA is required to request written third party verification** The PHA must request written third party verification under the following circumstances:

- a. When the tenant disputes the EIV information and is unable to provide acceptable documentation to support his/her dispute
- b. When the PHA requires additional information that is not available in EIV and /or the tenant is unable to provide the PHA with current acceptable tenant-provided documentation. Examples of additional information, includes but is not limited to:
  - i. Effective dates of income (i.e. employment, unemployment compensation, or social security benefits)
  - ii. For new employment: pay rate, number of hours worked per



- week, pay frequency, etc.
- iii. Confirmation of change in circumstances (i.e. reduced hours, reduced rate of pay, temporary leave of absence, etc.)

**Note:** 24 CFR §5.236(a), prohibits PHAs from taking adverse action based solely on EIV

### **Requirements for Acceptable Documents**

#### SNRHA Policy

Any documents used for verification must be the original (not photocopies) and generally must be dated within 60 calendar days of the date they are provided to the SNRHA. The documents must not be damaged, altered or in any way illegible. All tenant supplied documents should be dated no more than 60 days before the effective date of the family's reexamination or SNRHA's request date, if the document represents the most recent scheduled report from a source. For example, if the holder of a pension annuity provides semi-annual reports, the SNRHA would accept the most recent report.

Print-outs from web pages are considered original documents.

Pay stubs which must be current and consecutive when used with EIV and must not be older than 60 days from the request date or 60 days prior to the annual recertification effective date. Four consecutive pay stubs will be required when using EIV for annuals and two for new hire verifications..

Examples of acceptable tenant-provided documentation (generated by a third party source) include, but are not limited to: pay stubs, payroll summary reports, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices, bank statements, and local agencies, employer letter/notices. Current acceptable tenant-provided documents must be used for income and rent determinations. The SNRHA is required to obtain a minimum of two 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 written third party verification form or the best available information.

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

The SNRHA staff member who views the original document must make a photocopy. Any family self-certifications must be made in a format acceptable to the SNRHA and must be signed in the presence of a SNRHA representative or SNRHA notary public.

### **File Documentation**

The SNRHA must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that the SNRHA has followed all of the verification policies set forth in this



plan. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

### SNRHA Policy

The SNRHA will document, in the family file, the

following: Reported family annual income

Value of assets

Expenses related to deductions from annual income

Other factors influencing the adjusted income or income-based rent determination

When the SNRHA is unable to obtain 3rd party verification, the SNRHA will document in the family file the reason that third-party verification was not available (including oral verification attempt) and will place a photocopy of any original document(s) in the family file. [24 CFR 960.259(c)(1); VG, p.15]

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### **Special Verification Processes:**

HUD NOTICE PIH 2013-03 (HA):

**Purpose:** “This Notice establishes temporary guidelines for public housing agencies (SNRHA) in fulfilling certain Public Housing (PH) and Housing Choice Voucher (HCV) program requirements during this period of decreased resources available to SNRHA. These guidelines are intended to facilitate the ability of SNRHA to continue, without interruption and with minimal burden, the delivery of rental assistance to eligible families in their communities. The temporary provisions established by this Notice will be available to SNRHA until March 31, 2014.

The economic downturn that commenced in 2008 and which continues has only increased the need for housing assistance. Increased demand for housing assistance without corresponding increased resources strains the operations of SNRHA, and jeopardizes their ability to assist families at a time when families most need housing assistance. Increasing administrative flexibility should allow SNRHA to deliver rental assistance more efficiently and expeditiously. Reduction of administrative burden is anticipated to allow SNRHA to better manage their programs within current allocated budget authority. The temporary guidelines are also designed to increase efficiencies, minimizing the use of resources for program administration. HUD intends to pursue more permanent changes to increase flexibility and reduce administrative burden and will be informed by SNRHA’ use of the temporary compliance provisions of this Notice.” PIH Notice 2013-3

In accordance with HUD Notice PIH 2013-3, the SNRHA Public Housing Occupancy department shall process tenant income verification as follows:.



SNRHA, PH Ops may choose to use either actual past income or projected future income. Currently, annual income includes income that is anticipated to be received from a source outside the family during the 12-month period following the effective date of admission or annual reexamination. The Notice provides SNRHA with the option of determining annual income based on past actual income received or earned within the last 12 months.

For the purpose of verifying income reported in HUD's Enterprise Income Verification (EIV) system, the SNRHA may choose to use actual past income by utilizing the most recent 12 months of income information available in EIV. Because this EIV report will give actual earnings data verified by a third party, the program participant will no longer be required to provide third party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice).

If there has been a change in circumstances for a tenant, or a tenant disputes the EIV reported income information and is unable to provide acceptable documentation to resolve the dispute, the SNRHA must request written third-party verification.

For example, if a program participant lost his/her job, changed jobs, or reduced their hours in the months subsequent to the time period covered in EIV, the SNRHA must use, at the participant's request, the more recent income information verified by participant provided third-party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice) or through written third-party verification, which reflects the new or current work circumstance.

SNRHA must continue to verify income from sources not available in EIV. However, SNRHA must use the same time period for both wage and non-wage income. For example, if SNRHA uses EIV information from July 2011 to June 2012 for the purpose of verifying income from wages, the SNRHA must use the same time period for any non-wage income. This method may only be used if the SNRHA is able to align other non-wage income source dates with EIV.

**Allow households to self-certify as to having assets of less than \$5,000.**

Tenants with assets below \$5,000 typically generate minimal income from these assets which results in small changes to tenant rental payments. However, SNRHA spend significant time verifying such assets which strains SNRHA budgets, and leads to increased staff errors. The notice has made provisions intended to simplify the requirements associated with determining a participant's annual income (24 CFR 5.609(b)(3), 982.516(a)(2)(ii), 960.259(c)).

Families with assets are required to report all assets annually. The amount of interest earned on those assets is included as income used to calculate the tenant's rent obligation. Currently, 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.



This Notice allows a SNRHA to accept a family's declaration of the amount of assets of less than \$5,000, and the amount of income expected to be received from those assets. The SNRHA's application and reexamination documentation, which is signed by all adult family members, can serve as the declaration. Where the family has net family assets equal to or less than \$5000, the SNRHA does not need to request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets. Where the family has net family assets in excess of \$5000, the SNRHA must obtain supporting documentation (e.g. bank statements) from the family to confirm the assets. Any assets will continue to be reported on HUD Form 50058.

**Allow optional streamlined annual reexaminations for elderly families and disabled families on fixed incomes.**

SNRHA is statutorily required to verify income and calculate rent annually, including for elderly and disabled families on fixed incomes. The notice states that the requirement to undertake the complete process for income verification and rent determination for families on fixed incomes is not necessary given the infrequency of changes to their incomes. Further, this requirement requires considerable staff time and SNRHA resources. The notice provides simplification of the requirements associated with determining the annual income of participants on fixed incomes (24 CFR 982.516, 960.257).

SNRHA will conduct a streamlined reexamination of income for elderly families and disabled families when 100 percent of the family's income consists of fixed income. In a streamlined reexamination, SNRHA will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount.

For purposes of this process, the term 'fixed income' includes income from:

1. Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);
2. Federal, State, local, and private pension plans; and
3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

**7-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

HUD strongly recommends the use of up-front income verification (UIV). UIV is "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 large number of individuals" [VG, p. 7]. UIV includes the HUD EIV system and other upfront verification tools such as the Work Number.

HUD allows SNRHA to use the EIV information in conjunction with family-provided



documents to anticipate income.

### SNRHA Policy

The SNRHA will inform all applicants and participants of its use of the following UIV resources during the admission and reexamination process:

HUD's Enterprise Income Verification System

(EIV)

The SNRHA must restrict access to and safeguard UIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.

There may be legitimate differences between the information provided by the family and EIV-generated information. No adverse action can be taken against a family until the SNRHA has independently verified the EIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of the SNRHA.

### **Use of HUD's Enterprise Income Verification (EIV) System**

HUD's EIV system contains data showing earned income, unemployment benefits, Social Security and SSI benefits for participant families. HUD requires the SNRHA to use the EIV system when available. The following policies will apply when the SNRHA has access to HUD's EIV system.

The EIV system contains two main components: tenant income data reports and "exceeds threshold" reports.

#### ***Tenant Income Data (TID) Reports (EIV)***

The data shown on TID reports is updated quarterly. Data may be between 3 and 6 months old at the time reports are generated.

### SNRHA Policy

The SNRHA will obtain EIV reports for annual reexaminations on a monthly basis. SNRHA shall also obtain EIV reports for interims. Reports will be generated as part of the regular reexamination process.

EIV reports will be compared to family-provided information as part of the annual reexamination process. EIV reports may also be used to meet the regulatory requirement for third party verification, as described above. Policies for resolving discrepancies between EIV reports and family-provided information will be resolved as described in Chapter 5.I.D. and in this chapter.

EIV reports will be retained in participant's files with the applicable annual or interim reexamination documents.

When the SNRHA determines through EIV reports and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in the Chapter Program Integrity.



### ***Income Discrepancy Resolution***

The SNRHA shall reconcile income discrepancies.

#### **SNRHA Policy**

The SNRHA shall proceed as follows:

- SNRHA shall identify underreported income and/or unreported income sources; No adverse action may be taken based **solely** on EIV data. In order to protect any individual whose records are being used in a matching program, no recipient agency, non-Federal agency, or source agency may suspend, terminate, reduce or make a final denial of any financial assistance or payment under a Federal Benefit program to such individual, as a result of information produced by such matching program, until the agency has independently verified the information;
- Review current and historical 50058s;
- Verify effective dates of new and terminated income sources; Discuss the income discrepancy with the tenant;
- View past and current interim and annual recertification documents in the tenant's file;
- Obtain additional documents from the tenant and/or third party (if necessary);
- Obtain Social Security Earnings Statement (SSA Form 7004) for historical wage earnings (Form available on HUD's website) for retroactive rent calculations.

### ***EIV Identity Verification***

The EIV system verifies tenant identities against SSA records. These records are compared to PIC data for a match on Social Security number, name, and date of birth.

When identity verification for a participant fails, a message will be displayed within the EIV system and no income information will be displayed.

#### **SNRHA Policy**

The SNRHA will identify participants whose identity verification has failed as part of the annual reexamination process.

The SNRHA will attempt to resolve PIC/SSA discrepancies by reviewing file documents. When the SNRHA determines that discrepancies exist due to SNRHA errors such as spelling errors or incorrect birth dates, the errors will be corrected promptly and correction transmitted to HUD.

## **7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION**

### **Reasonable Effort and Timing**





Unless third-party verification is not required as described herein, HUD requires the SNRHA to make an attempt to obtain third-party verification before using another form of verification [VG, p. 15].

#### SNRHA Policy

The SNRHA will diligently seek third-party verification using the chart above as guideline for order of verifications. If written 3<sup>rd</sup> party is required and is not received or available by the client, after 10 calendar days, staff will then attempt an oral verification if the written third party is not received. File narratives shall be documented whenever UIV or third party written is not used. Information received orally from third parties may be used either to clarify information provided in writing by the third party or as independent verification when written third-party verification is not received in a timely fashion.

The SNRHA may mail, fax, or e-mail third-party written verification requests and will accept third-party responses using any of these methods. The SNRHA will send a written request for verification to each required source within 5 business days of securing a family's authorization for the release of the information and give the source 10 calendar days to respond in writing. If a response has not been received by the 11<sup>th</sup> business day, the SNRHA will request third-party oral verification.

The SNRHA will make a minimum of two attempts, (one written and one oral, if needed) to obtain third-party verification. A record of each attempt to contact the third-party source (including no-answer calls) and all contacts with the source will be documented in the file. Regarding third-party oral verification, SNRHA staff will record in the family's file the name and title of the person contacted, the date of the conversation (or attempt), the telephone number used, and the facts provided.

When any source responds verbally to the initial written request for verification the SNRHA will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

#### **Third-Party Written Verification**

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

Verifications received electronically directly from the source as well as items as noted above in the Chart( Including those provided directly from a clients) are considered third party written verifications.

#### SNRHA Policy

The SNRHA will accept verifications in the form of computerized printouts, showing payments, faxed, mailed or received via upfront verification systems



directly from the following agencies:

- Social Security Administration -
- EIV Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County Courts
- Other State and Federal Offices, including HUD

The SNRHA will use computer printouts as well as other acceptable forms of third party verification that do not appear as altered and are on a business or other entity's letterhead, received directly from the family for calculation family's income. Staff must attempt

third party verification when EIV nor family provided acceptable documentation is not available. If no response, then staff must attempt oral verifications and must document on the file narrative why third party was not used and complete an oral verification form. If the family disputes the information provided by the third party, the staff is to seek further clarification by phone with the third party. The information provided by the 3rd party is to prevail.

### **Third-Party Oral Verification**

#### SNRHA Policy

Oral third-party verification will be used when written third-party verification is delayed; not returned within 10 calendar days or not possible. When third-party oral verification is used, staff will be required to complete an Oral Verification/Review of Documents form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the SNRHA will document the file narrative and utilize documents provided by the participant. If the oral is provided by telephone, the SNRHA must originate the call.

### **Review of Documents**

#### SNRHA Policy

In the event that third-party written is not returned within 10 calendar days or oral verification is unavailable, or the information has not been verified by the third party within 10 calendar days, the SNRHA will notate the file narrative accordingly; ensure copies of documents requiring the third party verification are in file. Oral third party verification should be attempted prior to utilizing documents provided by the family as the primary source if the documents provide complete information and the file narrative must be documented.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied,



staff viewing the document(s) will complete an Oral Verification/Review of Documents form.

The SNRHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer printouts from the employer
- Employer's letters and wage printouts
- Bank Statements
- Award Letters
- Pension Letters
- Signed letters (provided that the information is confirmed by phone)
- Other documents noted in this Chapter as acceptable verification

Although these documents will be accepted, the SNRHA will also mail third party verifications to the source; attempt upfront verification and use these documents only after there has been no response to the third party verification method.

The SNRHA will accept faxed documents.

The SNRHA will accept mail from the third party source.

The SNRHA will accept hand carried documents from clients as long as they do not appear as altered and provide required documentation regarding wages.

The SNRHA will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the SNRHA will attempt to contact the verification provider by telephone to resolve the discrepancy. If the attempt to resolve the discrepancy by telephone is unsuccessful, the SNRHA will use the third party verification.

The SNRHA will not delay the processing of an application beyond 30 calendar days, except due to screening for criminal history, because a third party information provider does not return the verification in a timely manner. The next steps in the verification process shall be attempted after 10 calendar days, unless the family has been given an extension.

### **Self-Certification/Self-Declaration**

When verification cannot be made by third-party verification, including oral verification or review of documents, families will be required to submit a self-certification.

#### **SNRHA Policy**

Self-certification means a statement under penalty of perjury, and the signature must be witnessed by SNRHA staff.



## **When Third-Party Information is Late**

When third-party verification has been requested and the timeframes for submission have been exceeded, the SNRHA will use the information from documents on a provisional basis.

### SNRHA Policy

If the SNRHA later receives third-party verification that differs from the amounts used in income and rent determinations and it is past the deadline for processing the reexamination, the SNRHA will conduct an interim reexamination to adjust the figures used for the reexamination, regardless of the SNRHA's interim reexamination policy, if needed.

## **When Third-Party Verification is not Required**

### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth and for verification of checking/saving accounts.

### ***Certain Assets and Expenses***

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification .

### SNRHA Policy

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

### SNRHA Policy

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The



cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.

### ***RELEASE OF INFORMATION***

Adult family members (age 18 and older) will be required to sign the HUD 9886 Release of Information/Privacy Act form. In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice. Additional release forms as developed by SNRHA are considered required forms that all applicants and participants must sign.

Each member requested to consent to the release of specific information will be provided with appropriate forms for their review and signature.

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

### ***COMPUTER MATCHING***

Where allowed by HUD and/or other State or local agencies, computer matching will be done for upfront verifications.

#### **SNRHA Policy**

The SNRHA will utilize the HUD established computer-based Tenant Eligibility Verification System (EIV) for obtaining Social Security benefits, Supplemental Security Income benefit history and tenant income discrepancy reports from the Social Security Administration. Additionally, to the extent possible, SNRHA will use the UIV systems to obtain upfront verification of wages and Child Support data systems for verification of child support when available.

When computer matching results in a discrepancy with information in the SNRHA records, the SNRHA will follow up with the family and verification sources to resolve this discrepancy. If the family has unreported or underreported income, SNRHA will follow the procedures in the Program Integrity Addendum of the Admissions and Continued Occupancy Policy.

### ***ITEMS TO BE VERIFIED***

All income not specifically excluded by the regulations.

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

Current assets including assets disposed of for less than fair market value in preceding two years. Child care expense where it allows an adult family member to be employed, search for



employment, or to further his/her education.

Total un-reimbursed medical expenses of all family members in households whose head or spouse is elderly or disabled.

Un-reimbursed disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family that allows an *adult* family member to be employed.

Disability for determination of preferences, allowances or deductions. Eligible immigrant status

Social Security Numbers for all family members who have been issued a social security number.

"Preference" status

Familial/Marital status when needed for head or spouse definition to determine deductions. Need for reasonable accommodations

Verification of sanctions by the Nevada Office of Human Services that TANF benefits have been reduced for either welfare fraud or failure to comply with economic self-sufficiency requirements.

#### SNRHA Policy

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance with economic self-sufficiency requirements *before* denying the family's request for rent reduction. The verification will include the amount of the sanction and the duration.

### ***VERIFICATION GUIDANCE [24 CFR 982.516]***

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

#### **Employment Income**

##### SNRHA Policy

Verification forms request the employer to specify

the: Dates of employment

Amount and frequency of pay

Date of the last pay increase

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months

Year to date earnings

Estimated income from overtime, tips, bonus pay expected during next 12



months

*Acceptable methods of verification include, in this order:*

1. EIV with a minimum of 2 consecutive paystubs.
2. Third party written verification  
Employment verification form completed by the employer
3. Oral third party
4. Review of documents  
Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings. At least three (3) consecutive pay stubs are required when third party verification cannot be obtained.
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Social Security, Pensions, Supplementary Security Income (SSI), Disability Income**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Benefit verification form completed by agency providing the benefits.
3. Award or benefit notification letters prepared and signed by the providing agency that is no more than 60 days old.

### **Unemployment Compensation**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Verification form completed by the unemployment compensation agency.
3. Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
4. Payment stubs

### **Welfare Payments or General Assistance**

#### SNRHA Policy



*Acceptable methods of verification include, in this order:*

1. Written statement from payment provider indicating the amount of grant/payment, start date of payments, family members, and anticipated changes in payment in the next 12 months.
2. Computer-generated Notice of Action.

## **Alimony or Child Support Payments**

### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. Print out received via 3rd party verification from the DA's office.
2. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
3. A third party verification form completed by the person paying the support.
4. A letter from the person paying the support.
5. Copy of latest check and/or payment stubs from Court Trustee. SNRHA must record the date, amount, and number of the check if not photocopied.
6. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If payments are irregular, the family must provide:

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A self-certification from the family indicating the amount(s) received.

A welfare notice of action showing amounts received by the DA –Child Support Division.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

## **Net Income from a Business**

### SNRHA Policy

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

*Acceptable methods of verification include:*

1. IRS Form 1040, including: Schedule C  
(Small Business) Schedule E





(Rental Property Income)

Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

2. Audited or unaudited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
5. Family's self-certification as to net income realized from the business during previous years.

### **Child Care Business**

#### SNRHA Policy

The childcare provider must be 18 years of age or older.

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

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

If the family has filed a tax return, the family will be required to provide it via Form IRS 4506-T.

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

### **Recurring Gifts**

#### SNRHA Policy

The family must furnish a self-certification, which contains the following information: The person who provides the gifts

The value of the gifts

The regularity (dates) of the gifts

The purpose of the gifts

SNRHA shall send out verifications to the donors.



### **Full-time Student Status**

Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by students is not counted towards family income.

#### SNRHA Policy

Verification of full time student status includes:

Written verification from the registrar's office or other school official.

School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution. (State of Nevada: 12 credits)

### ***VERIFICATION OF ASSETS***

#### **Family Assets**

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

#### SNRHA Policy

*Acceptable verification may include any of the following:*

Verification forms, letters, or documents from a financial institution or broker. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

Real estate taxes statements if the approximate current market value can be reduced from assessment.

Financial statements for business assets.

Copies of closing documents showing the selling price and the distribution of the sales proceeds.

Appraisals of personal property held as an investment.

Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

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

#### SNRHA Policy



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

If the family certifies that they have disposed of assets for less than fair market value, verification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible. Family certification will be accepted if no other verification is possible.

### ***VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME [24 CFR 982.516]***

#### **Medical Expenses**

##### SNRHA Policy

Eligible families who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below (**Credit Card Statements will not be accepted as proof of payment of expenses**):

Written verification by an eye doctor, optician, otolaryngologist, hearing aide provider, or other medical practitioner or provider of medical equipment of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written verification from a medical lab, provider of oxygen, blood products, or other specialized medical supplies of (a) the anticipated medical costs to be incurred by the family and regular payments will be reimbursed by insurance or a government agency.

Written verification from the provider of medical equipment such as hospital bed, scooter, wheelchair, commode, artificial limbs, etc. of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

For attendant care paid to an individual:

A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the



number of hours the care is needed for calculation purposes.

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

Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

Copies of payment agreements or most recent invoice that verify payments made on outstanding attendant care bills that will continue over all or part of the next 12 months.

Receipts or other record of attendant care expenses incurred during the past 12 months that can be used to anticipate future attendant care expenses.

The SNRHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

### **Assistance to Persons with Disabilities**

In All Cases:

#### SNRHA Policy

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

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

Attendant Care:

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

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

Auxiliary Apparatus:

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

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

### **Live-In Aide**



### SNRHA Policy

When a participant requires a live-in aide, the SNRHA shall submit their signed reasonable accommodation request form to the medical professional noted on their request for third party verification of the need. Once approved by the 504 officer, the participant shall have 30 days to submit the name of the live-in aide and schedule them to come in for screening. The unit size shall NOT be increased until such time as SNRHA staff has completed their screening of the Live-In Aide in compliance with SNRHA guidance. The participant shall be allowed to submit another name for a live-in aide if the first does not pass the screening process but must submit this name within 14 calendar days of the denial notice.

The approved unit size would be adjusted, if required to accommodate a room for the live –in aide. Each year the SNRHA at annual recertification time shall re-verify the need for a live-in aide.

### ***VERIFYING NON-FINANCIAL FACTORS [24 CFR 982.153(b) (15)]***

#### **Verification of Legal Identity**

In order to prevent program abuse, the SNRHA will require applicants/residents to furnish verification of legal identity for all adult family members.

#### SNRHA Policy

The documents listed below will be considered acceptable verification of legal identity for adults, as long as they include a picture of the individual. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

Driver's license

U.S. passport

Department of Motor Vehicles Identification Card

Validated Sheriff Card

Military Identification

DMV Instructional ID

Clark County Heath Card with valid photo ID Veteran's ID with photo

Certificate of Birth, naturalization papers

An original Certificate of Birth is required for all minors. Other documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

Adoption papers



Custody agreement

School records

Hospital Birth Certifications

Passport

Health and Human Services ID (foster children; adopted Children) I-94

***Verification of Marital Status (for purposes of meeting Spouse definition and determining the eligibility of counting income of absence spouse)***

SNRHA Policy

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records. A marriage certificate generally is required to verify that a couple is married. In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

***Familial Relationships***

SNRHA Policy

Verification of guardianship is:

Court-ordered assignment

Verification from social services agency

SNRHA Self-certification of temporary guardianship or appointment

In each case above (except court assignment), SNRHA must receive a court awarded guardianship or custody documents within 365 calendar days or head of household must resign SNRHA's documents and submit required supporting documents. Failure shall result in subsidy standard being decreased; and allowance decreased. Any income still coming into the household on behalf of the child would be counted.

Other family relationships will be verified through birth certificates or other relevant documents.

***Verification of Permanent Absence of Family Member***

If an adult member who was formerly a member of the household or was never reported and identified by staff as being a spouse and is reported permanently absent by the family, the SNRHA will consider any of the following as verification:

- Husband or wife institutes divorce action
- Husband or wife institutes legal separation.



- Order of protection/restraining order obtained by one family member against another.

### ***Verification of Change in Family Composition***

The SNRHA may verify changes in family composition (either reported or unreported) through one or more of the following actions: letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

### ***Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512, 5.514]***

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants.

Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the SNRHA hearing is pending.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury, the Declaration 214 Form, noting that they are a citizen or national.

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status (Declaration 214 Form) and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status (Declaration 214 Form) and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The SNRHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the SNRHA must request within ten days that the INS conduct a manual search.

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

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

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

Additionally, SNRHA must terminate assistance for at least 24 months if it determines that a family has knowingly permitted an ineligible person to live in the assisted unit without informing the SNRHA.

### ***Time of Verification***

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same



time as verification of other factors of eligibility for final eligibility determination.

The SNRHA will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family.

For family members added after other members have been verified, the verification occurs upon approval of additional person by the SNRHA.

Once verification has been completed for any covered program, it shall be verified annually unless their eligibility immigration status changes to permanent resident. In the case of port-in families, if the initial PHA does not supply the documents, the SNRHA must conduct the determination and/or when the SNRHA notes a Resident Alien Card with an expiring date or no date of expiration.

#### Acceptable Documents of Eligible Immigration

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

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

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

#### SNRHA Policy

SNRHA will recertify eligible immigration status one year prior to expiration date of the following documents:

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)

#### ***Medical Need for Larger Unit***

##### SNRHA Policy

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional as a reasonable accommodation for a disabled family member. At each Annual Inspection, staff will verify that the additional room is still being used for medical equipment. When this is not the case, the unit size be decreased in compliance with SNRHA guidance.





## **When Third-Party Verification is Not Required**

### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

### ***Certain Assets and Expenses***

#### **SNRHA Policy**

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available, if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification,

### **SNRHA Policy**

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### **SNRHA Policy**

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

The SNRHA will document in the family file the reason that the third-party verification was not available and will place a photocopy of the original document(s) in the family file.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.



**7-I.E. REVIEW OF DOCUMENTS**

**Using Review of Documents as Verification**

SNRHA Policy

If the SNRHA has determined that third-party verification is not available or not required, the SNRHA will use documents provided by the family as verification.

The SNRHA may also review documents when necessary to help clarify information provided by third parties. In such cases the SNRHA will document in the file how the SNRHA arrived at a final conclusion about the income or expense to include in its calculations.

**7-I.F. SELF-CERTIFICATION**

SNRHA Policy

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to the SNRHA.

The SNRHA may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to the SNRHA and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a SNRHA representative or SNRHA notary public. The cost shall not be passed on to the client.

**PART II: VERIFYING FAMILY INFORMATION**

**7-II.A. VERIFICATION OF LEGAL IDENTITY**

SNRHA Policy

The SNRHA will require families to furnish verification of legal identity for each household member.

| <b>Verification of Legal Identity for Adults</b>                                                                                                                                                          | <b>Verification of Legal Identity for Children</b>                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Driver's license<br>U.S. passport.<br>Department of Motor Vehicles<br>Identification Card Validated<br>Sheriff Card<br>Military ID<br>DMV Instructional ID<br>Clark County Heath Card with valid photo ID | Certificate of birth<br>Adoption papers<br>Custody agreement<br>School records<br>Hospital Birth Certifications<br>Passport<br>Health and Human Services ID (foster children; adopted children) |



|                                                                          |      |
|--------------------------------------------------------------------------|------|
| Veteran's ID with photo<br>Certificate of Birth<br>Naturalization papers | I-94 |
|--------------------------------------------------------------------------|------|

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

### **7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 , 5.218 and 5.233]**

Every family member must provide documentation of a valid social security number (SSN) unless they are a non-citizen or non-eligible immigrant.

#### SNRHA Policy

The SNRHA will request to copy the family member's social security card.

If the social security card is not available, SNRHA will instruct the family to obtain a duplicate card from the local social Security Administration (SSA) office, but will complete the action by accepting the following documents as evidence if the SSN is provided on the document:

- Benefit award letters from a government agency; retirement benefit letters; life insurance policies.
- Any document issued by the Social Security Administration that clearly lists the family member's social security number and name.
- For individuals who are at least 62 years of age and are unable to submit the required documentation of their SSN within the initial 60-day period, the SNRHA will grant an additional 60 calendar days to provide documentation.

Social security numbers must be verified only once during continuously-assisted occupancy. If any family member obtains an SSN after admission to the program, the new SSN must be disclosed within 30 days.

The social security numbers of non-household members, such as live-in aids, must be verified for the purpose of conducting criminal background checks.

Names on verifications of Legal Identity and Social Security Number must match.

### **7-II.C. FAMILY RELATIONSHIPS**

Applicants and program participants are required to identify the relationship of each household member to the head of household. If an applicant list themselves as married and no not list a spouse, they will still be required to submit a separation or divorce degree. Definitions of the primary household relationships are provided in the Eligibility chapter.

#### SNRHA Policy

Other family relationships will be verified through birth certificates or other relevant documents.



## **Marriage**

### SNRHA Policy

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

## **Separation or Divorce**

### SNRHA Policy

The SNRHA will require the family to document the divorce, or separation.

A certified copy of a divorce decree, signed by a court officer, is required to document that a couple is divorced.

A copy of a court-ordered maintenance or other court record is required to document a separation.

## **Absence of Adult Member**

### SNRHA Policy

The SNRHA will consider any of the following as

verification: Husband or wife institutes divorce action

Husband or wife institutes legal separation.

Order of protection/restraining order obtained by one family member against another.

If an applicant list themselves as married, but does not list a spouse name, they will still be required to provide a separation document or divorce decree.

If no such documentation is available, the applicant may complete SNRHA's Marital Separation form, which will required above documentation to be provided within 365 days of the date the form is submitted.

## **Foster Children and Foster Adults**

### SNRHA Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

## **7-II.D. DOCUMENTATION OF AGE**

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.



### SNRHA Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, the SNRHA will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

## **7-II.E. VERIFICATION OF STUDENT**

### **STATUS General Requirements**

#### SNRHA Policy

The SNRHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family reports full-time student status for an adult other than the head, spouse, or co-head.

The family reports child care expenses to enable a family member to further his or her education.

The family includes a student enrolled in an *institution of higher education*.

The family claims an income exclusion because the student is receiving earned income and only the first \$480 is included as income.

### **Restrictions on Assistance to Students Enrolled in Institutions of Higher Education**

This section applies only to students who are seeking assistance on their own, separately from their parents. It does not apply to students residing with parents who are seeking or receiving PH assistance.

#### SNRHA Policy

In accordance with the verification hierarchy described in Section 6-1.B, the SNRHA will determine whether the student is exempt from the restrictions in 24 CFR 5.612 by verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see Section Exhibit 3-2).

The student is at least 24 years old.

The student is a veteran, as defined in Chapter 2

The student is married.

The student has at least one dependent child, as defined in Section 2.

If the SNRHA cannot verify at least one of these exemption criteria, the SNRHA will conclude that the student is subject to the restrictions on assistance at 24 CFR 5.612.



In addition to verifying the student's income eligibility, the SNRHA will then proceed to verify either the student's parents' income eligibility or the student's independence from his/her parents (see below).

### ***Independent Student***

#### **SNRHA Policy**

The SNRHA will verify a student's independence from his/her parents to determine that the student's parents' income is not relevant for determining the student's eligibility by doing all of the following:

Either reviewing and verifying previous address information to determine whether the student has established a household separate from his/her parents for at least one year or reviewing and verifying documentation relevant to determining whether the student meets the U.S. Department of Education's definition of *independent student*.

Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent

Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0.

### **7-II.F. DOCUMENTATION OF DISABILITY**

The SNRHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income. The SNRHA is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. The SNRHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If the SNRHA receives a verification document that provides such information, the PHA will not place this information in the tenant file. Under no circumstances will the PHA request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at [www.os.dhhs.gov](http://www.os.dhhs.gov).

The above cited regulation does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance



### **Family Members Receiving SSA Disability Benefits**

Verification of the receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income disallowances and deductions.

#### SNRHA Policy

For family members claiming disability who receive disability benefits from the SSA, the SNRHA will attempt to obtain information about disability benefits through the HUD Enterprise Income Verification (EIV) system when it is available. If documentation from HUD's EIV System is not available, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member claiming disability status. If the family is unable to provide the document(s), the SNRHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant or participant receives the benefit verification letter they will be required to provide it to the SNRHA.

### **Family Members Not Receiving SSA Disability Benefits**

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.603.

#### SNRHA Policy

For family members claiming disability who do not receive disability benefits from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

## **PART III: VERIFYING INCOME AND ASSETS**

Chapter 5, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This part provides SNRHA policies that supplement the general verification procedures specified in Part I of this chapter.

### **7-III.A. EARNED**

#### **INCOME Wages**

##### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV with two consecutive current paystubs for annuals and for New Hires.
2. Acceptable 3<sup>rd</sup> Party written verification provided by the resident.



- 3 Third party written verification  
Employment verification form completed by the employer
4. Oral third party -must document why other steps above where not available
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.
7. Current check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Tips**

#### SNRHA Policy

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year. Interruption of employment due to temporary leave of absence (i.e. maternity leave, short-term disability): upon verification that earnings have stopped, an interim will be conducted to remove the income. The family may be required to complete a Zero Income Questionnaire/Certification.

The family is required to report any other income received in lieu of earnings. The family will be required to report when the income starts again. At that time an interim will be conducted to add the income back into the family budget.

### **7-III.B. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS Social Security/SSI Benefits**

#### SNRHA Policy

To verify the SS/SSI benefits of applicants, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant has received the benefit verification letter they will be required to provide it to the SNRHA.

To verify the SS/SSI benefits of participants, the SNRHA will obtain information about social security/SSI benefits through the HUD EIV System or the Tenant Assessment Subsystem (TASS). If benefit information is not available in HUD systems, the SNRHA will request a current SSA benefit verification letter from each





family member that receives social security benefits. If the family is unable to provide the document(s) the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the participant has received the benefit verification letter they will be required to provide it to the SNRHA.

### **7-III. C. ASSETS AND INCOME FROM**

#### **ASSETS**

##### **Assets Disposed of for Less than Fair Market**

##### **Value**

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. The SNRHA needs to verify only those certifications that warrant documentation.

##### SNRHA Policy

The SNRHA will verify the value of assets disposed of only if:

- The SNRHA does not already have a reasonable estimation of its value from previously collected information, or
- The amount reported by the family in the certification appears obviously in error. Example 1: An elderly participant reported a \$10,000 certificate of deposit at the last annual reexamination and the SNRHA verified this amount. Now the person reports that she has given this \$10,000 to her son. The SNRHA has a reasonable estimate of the value of the asset; therefore, re-verification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately \$5,000. Based upon market conditions, this declaration does not seem realistic. Therefore, the SNRHA will verify the value of this asset.

### **7-III.D. NET INCOME FROM RENTAL PROPERTY**

##### SNRHA Policy

The family must provide:

A current executed lease for the property that shows the rental amount or certification from the current tenant.

A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income). If schedule E was not prepared, the SNRHA will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and



may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

### **7-III.E. RETIREMENT ACCOUNTS**

#### SNRHA Policy

When third-party verification is not available the type of original document that will be accepted depends upon the family member's retirement status.

*Before* retirement, the SNRHA will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 6 months from the effective date of the examination.

*Upon* retirement, the SNRHA will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.

*After* retirement, the SNRHA will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

### **7-III.F. INCOME FROM EXCLUDED SOURCES**

The SNRHA must obtain verification for income exclusions only if, without verification, the SNRHA would not be able to determine whether the income is to be excluded. For example: If a family's 16 year old has a job at a fast food restaurant, the SNRHA will confirm that SNRHA records verify the child's age but will not send a verification request to the restaurant. However, if a family claims the earned income disallowance for a source of income, both the source and the income must be verified.

#### SNRHA Policy

The SNRHA will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share (as is the case with the earned income disallowance). In all other cases, including food stamps, the SNRHA will report the amount to be excluded as indicated on documents provided by the family, including the family's written certification.

### **7-III.G. ZERO/EXTREMELY LOW ANNUAL INCOME STATUS**

#### SNRHA Policy

Families claiming to have no annual income will be required to execute verification forms to determine that certain forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household. Zero income households will be interviewed at least once every 180 days.



## **PART IV: VERIFYING MANDATORY DEDUCTIONS**

### **7-IV.A. DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS**

The dependent and elderly/disabled family deductions require only that the PHA verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

#### **Dependent Deduction**

See Chapter 6 for a full discussion of this deduction. The SNRHA must verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or co-head of the family and is not a foster child
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student

#### **Elderly/Disabled Family Deduction**

See Eligibility chapter for a definition of elderly and disabled families and Chapter 5 for a discussion of the deduction. The SNRHA must verify that the head, spouse, or co-head is 62 years of age or older or a person with disabilities.

### **7-IV.B. MEDICAL EXPENSE DEDUCTION**

Policies related to medical expenses are found in Chapter 6.

#### **Amount of Expense**

##### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the medical provider requesting the needed information.

Medical expenses will be verified through:

Third-party verification form signed by the provider, when possible

If third-party is not possible, copies of cancelled checks used to make medical expense payments and/or printouts or receipts from the source will be used. (Credit card statements will not be allowed as verification of payment of medical expenses.) In this case the SNRHA will make a best effort to determine what expenses from the past are likely to continue to occur in the future. The SNRHA will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming 12 months.

In addition, the SNRHA must verify that:



- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

### **Eligible Household**

The medical expense deduction is permitted only for households in which the head, spouse, or co-head is at least 62, or a person with disabilities. The SNRHA must verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter of this plan.

### **Qualified Expenses**

To be eligible for the medical expenses deduction, the costs must qualify as medical expenses.

See Chapter 6 for the SNRHA policy on what counts as a medical expense.

### **Unreimbursed Expenses**

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source.

### **Expenses Incurred in Past Years**

#### SNRHA Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, the SNRHA will verify:

The anticipated repayment schedule

The amounts paid in the past, and

Whether the amounts to be repaid have been deducted from the family's annual income in past years

## **7-IV.C. DISABILITY ASSISTANCE EXPENSES**

Policies related to disability assistance expenses are found in Chapter 6.

### **Amount of Expense**

#### *Attendant Care*

#### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:



Third-party verification form signed by the provider, when possible.

If third-party is not possible, copies of cancelled checks used to make attendant care payments and/or receipts from care source. (Credit card statements will not be allowed as verification of payment of medical expenses.)

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 months.

### ***Auxiliary Apparatus***

#### **SNRHA Policy**

Expenses for auxiliary apparatus will be verified through:

Third-party verification of anticipated purchase costs of auxiliary apparatus. If third-party is not possible, billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months.

If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months

In addition, the SNRHA must verify that:

The family member for whom the expense is incurred is a person with disabilities

The expense permits a family member, or members, to work (see Chapter 5). The expense is not reimbursed from another source (see Chapter 5).

The expense does not exceed the amount of the earned income of the individual freed for work.

### ***Family Member is a Person with Disabilities***

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. The SNRHA will verify that the expense is incurred for a person with disabilities.

### ***Family Member(s) Permitted to Work***

The SNRHA must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.

#### **SNRHA Policy**

The SNRHA will seek third-party verification from a Rehabilitation Agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work.



If third-party and document review verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work.

### **Unreimbursed Expenses**

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

An attendant care provider will be asked to certify that, to the best of the provider's knowledge, the expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

### **7-IV.D. CHILD CARE EXPENSES**

The SNRHA must verify that:

- The child is eligible for care.
- The costs claimed are not reimbursed.
- The costs enable a family member to pursue an eligible activity.
- The costs are for an allowable type of childcare.
- The costs are reasonable if seeking employment or furthering education.

#### **Eligible Child**

To be eligible for the childcare deduction, the costs must be incurred for the care of a child under the age of 13. The SNRHA will verify that the child being cared for (including foster children) is under the age of 13.

#### **Unreimbursed Expense**

To be eligible for the childcare deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The childcare provider will be asked to certify that, to the best of the provider's knowledge, the childcare expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that the childcare expenses are not paid by or reimbursed to the family from any source.

The SNRHA must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

#### ***Information to be Gathered***



The SNRHA will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### ***Seeking Work***

Whenever possible the SNRHA will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases the SNRHA will request verification from the agency of the member's job seeking efforts to date and require the family to submit to the SNRHA any reports provided to the other agency.

In the event third-party verification is not available, the SNRHA will provide the family with a form on which the family member must record job search efforts. The SNRHA will review this information at each subsequent reexamination for which this deduction is claimed.

### ***Furthering Education***

The SNRHA will ask that the academic or vocational educational institution verify that the person permitted to further his or her education by the childcare is enrolled and provide information about the timing of classes for which the person is registered.

### ***Gainful Employment***

The SNRHA will seek verification from the employer of the work schedule of the person who is permitted to work by the childcare. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified.

## **Allowable Type of Child Care**

The type of care to be provided is determined by the family.

### **SNRHA Policy**

The SNRHA will verify that the type of childcare selected by the family is allowable, as described in Chapter 6.

The SNRHA will verify that the fees paid to the childcare provider cover only childcare costs (e.g., no housekeeping services or personal services) and are paid only for the care of an eligible child (e.g., prorate costs if some of the care is provided for ineligible family members).

The SNRHA will verify the childcare provider is not a family member residing in the household. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.



## **Reasonableness of Expenses**

Only reasonable childcare costs can be deducted for seeking employment or furthering education.

### SNRHA Policy

To verify that the childcare costs are reasonable, the actual costs the family incurs will be compared with the SNRHA's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable.

If the family presents a justification for costs that exceed typical costs in the area, the SNRHA will request additional documentation, as required, to support a determination that the higher cost is appropriate.

SNRHA will send out our childcare verification form when child care expenses are being verified. This form must be completed with all questions answered and returned by mail or fax. This form will be the only verification childcare form acceptable by our agency. Private childcare providers that do not have tax identification numbers must complete the section that requests their social security numbers or their INS number.

Written verification from the person who receives the payments is required. If the child care provider is licensed, the provider is required to provide their Employment Identification Number.

Verifications must specify the child care provider's business or individual name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Family's must certify as to whether any of those payments have been or will be paid or reimbursed by outside sources.





EXIITBIT 7-1: EXCERPT FROM HUD VERIFICATION

GUIDANCE NOTICE (PIII 2004-01, pp.11-14)

|                                     |                                                                                                                                               |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Upfront (UIV)</b>                | <b>Highest (Highly Recommended, highest level of third party verification)</b>                                                                |
| <b>Written 3<sup>rd</sup> Party</b> | <b>High (Mandatory if upfront income verification is not available or if UIV data differs substantially from tenant-reported information)</b> |
| <b>Oral 3<sup>rd</sup> Party</b>    | <b>Medium (Mandatory if written third party verification is not available)</b>                                                                |
| <b>Document Review</b>              | <b>Medium-Low (Use on provisional basis)</b>                                                                                                  |
| <b>Tenant Declaration</b>           | <b>Low (Use as a last resort)</b>                                                                                                             |

| Income Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Upfront                                                                                                                                                             | Written Third                                                                                                                                                                                                       | Oral Third Party                                                                                                                                                                                                       | Document Review                                                                                                                                                                                                                                                                                                                                                                                                  | Tenant Declaration                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 5)                                                                                                                                                           | (LEVEL 4)                                                                                                                                                                                                           | (LEVEL 3)                                                                                                                                                                                                              | (LEVEL 2)                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 1)                                                                                                                                                                                                                                         |
| Wages/Salaries                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Use of computer matching agreements with a State Wage Information Collection Agency (SWICA) to obtain wage information electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the independent sources to obtain wage information.                                                                                                | In the event the independent source does not respond to the PHA's written request for information, the PHA may contact the independent source by phone or make an in person visit to obtain the requested information. | When neither form of third party verification can be obtained, the PHA may accept original documents such as consecutive pay stubs (HUD recommends the PHA review at least three months of pay stubs, if employed by the same employer for three months or more), W-2 forms, etc. from the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from earnings. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Agreements with private vendor agencies, such as The Work Number or ChoicePoint to obtain wage and salary information.                                              | The PHA may have the tenant sign a Request for Earnings Statement from the SSA to confirm past earnings. The PHA mails the form to SSA and the statement will be sent to the address the PHA specifies on the form. |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Use of HUD systems, when available.                                                                                                                                 |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
| <p><b>Verification of Employment Income:</b> The PHA should always obtain as much information as possible about the employment, such as start date (new employment), termination date (previous employment), pay frequency, pay rate, anticipated pay increases in the next twelve months, year-to-date earnings, bonuses, overtime, company name, address and telephone number, name and position of the person completing the employment verification form.</p> <p><b>Effective Date of Employment:</b> The PHA should always confirm start and termination dates of employment.</p> |                                                                                                                                                                     |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |



|                                                                                                                                                                                                                                                                                                    |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Self-Employment                                                                                                                                                                                                                                                                                    | Not Available                                                                                                                                           | The PHA mails or faxes a verification form directly to sources identified by the family to obtain income information.                                                                                                                         | The PHA may call the source to obtain income information.                                                                                                                                               | The PHA may accept any documents (i.e. tax returns, invoices and letters from customers) provided by the tenant to verify self-employment income. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not obtained. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from self-employment. <b>Note:</b> The PHA must document in the tenant file, the reason                 |
| <b>Verification of Self-Employment Income:</b> Typically, it is a challenge for PHAs to obtain third party verification of self-employment income. When third party verification is not available, the PHA should always request a notarized tenant declaration that includes a perjury statement. |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
| Social Security Benefits                                                                                                                                                                                                                                                                           | Use of HUD Tenant Assessment System (TASS) to obtain current benefit history and discrepancy reports.                                                   | The PHA mails or faxes a verification form directly to the local SSA office to obtain social security benefit information. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may call SSA, with the tenant on the line, to obtain current benefit amount. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may accept an original SSA Notice from the tenant. Note: The PHA must document in the tenant file, the reason third party verification was not available.                                                                                              | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly social security benefits. Note: The PHA must document in the tenant file, the reason third party verification was not available. |
| Welfare Benefits                                                                                                                                                                                                                                                                                   | Use of computer matching agreements with the local Social Services Agency to obtain current benefit amount electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the local Social Services Agency to obtain welfare benefit information.                                                                                                      | The PHA may call the local Social Services Agency to obtain current benefit amount.                                                                                                                     | The PHA may review an original award notice or printout from the local Social Services Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly welfare benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.  |



| Income Type           | Upfront<br><b>(LEVEL 5)</b>                                                                                                                                                                                     | Written Third<br><b>(LEVEL 4)</b>                                                                                                                                                             | Oral Third Party<br><b>(LEVEL 3)</b>                                                                                                          | Document Review<br><b>(LEVEL 2)</b>                                                                                                                                                                                                                                                                            | Tenant Declaration<br><b>(LEVEL 1)</b>                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Child Support         | Use of agreement with the local Child Support Enforcement Agency to obtain current child support amount and payment status electronically, by mail or fax or in person.                                         | The PHA mails, faxes, or e-mails a verification form directly to the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may call the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may review an original court order, notice or printout from the local Child Support Enforcement Agency provided by the tenant to verify current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
| Unemployment Benefits | Use of computer matching agreements with a State Wage Information Collection Agency to obtain unemployment compensation electronically, by mail or fax or in person.<br><br>Use of HUD systems, when available. | The PHA mails, faxes, or e-mails a verification form directly to the State Wage Information Collection Agency to obtain unemployment compensation information.                                | The PHA may call the State Wage Information Collection Agency to obtain current benefit amount.                                               | The PHA may review an original benefit notice or unemployment check stub, or printout from the local State Wage Information Collection Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares unemployment benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                           |
| Pensions              | Use of computer matching agreements with a Federal, State, or Local Government Agency to obtain pension information electronically, by mail or fax or in person.                                                | The PHA mails, faxes, or e-mails a verification form directly to the pension provider to obtain pension information.                                                                          | The PHA may call the pension provider to obtain current benefit amount.                                                                       | The PHA may review an original benefit notice from the pension provider provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                                                                                                  | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly pension amounts. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                         |



| <b>EXHIBIT 7-2: SUMMARY OF DOCUMENTATION REQUIREMENTS FOR NONCITIZENS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• All noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the PHA.</li> <li>• Except for persons 62 or older, all noncitizens must sign a verification consent form</li> <li>• Additional documents are required based upon the person's status.</li> </ul>                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Elderly Noncitizens</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits.</li> </ul>                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>All other Noncitizens</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below.</li> </ul>                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Form I-551 Alien Registration Receipt Card (for permanent resident aliens)</li> <li>• Form I-94 Arrival-Departure Record annotated with one of the following:               <ul style="list-style-type: none"> <li>• “Admitted as a Refugee Pursuant to Section 207”</li> <li>• “Section 208” or “Asylum”</li> <li>• “Section 243(h)” or “Deportation stayed by Attorney General”</li> <li>• “Paroled Pursuant to Section 221 (d)(5) of the USCIS”</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Form I-94 Arrival-Departure Record with no annotation accompanied by:               <ul style="list-style-type: none"> <li>• A final court decision granting asylum (but only if no appeal is taken);</li> <li>• A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90);</li> <li>• A court decision granting withholding of deportation; or</li> <li>• A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).</li> </ul> </li> </ul> |
| <ul style="list-style-type: none"> <li>• Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>• Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

- A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or
- Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the *Federal Register*.

## **Chapter 8**

### **TRANSFER POLICY**

#### **INTRODUCTION**

It is the policy of the SNRHA to permit resident transfers, within and/or between SNRHA public housing communities for the following limited reasons:

- To abate dangerous and/or substandard living conditions;
- To abate emergency life-threatening living conditions caused by third-party criminal activity;
- To accommodate verified physical conditions caused by long-term illness and/or disability;
- To accommodate resident families that are determined to be over- or under-housed by virtue of their family size; and
- To promote homeownership, transfer of families to scattered sites
- To accommodate relocation due to modernization work, community safety

Each transfer request will be evaluated on a case-by-case basis, taking into consideration:

- The documentation that substantiates the reason for the request;
- Whether or not the resident is in good standing with the SNRHA
- The availability of suitable alternative units.

SNRHA will not grant a transfer request solely to accommodate neighbors who "cannot get along."

Activities of residents that adversely affect the right of others to the peaceful enjoyment of their community will be treated as lease violations and may be considered cause for lease termination.

#### **A. ELIGIBILITY FOR TRANSFER**

In order to be determined eligible to receive a transfer, residents must submit the **requested** 3rd party documentation to SNRHA, to substantiate their request, and must be in good standing with the SNRHA.

The type of documentation that must be submitted will vary, depending on the nature of the request.

#### **Good Standing**

A resident will be considered in good standing if he or she and/or household members have not had:

- A history of delinquent rent payments, or
- A history of community disturbance and/or unit destruction.
- Maintain acceptable housekeeping standards
- Fulfilling community service requirements

**Transfer List**

Resident families who are determined eligible to receive a transfer will be placed on a transfer waiting list in accordance with the date of transfer approval and reason for their transfer request. SNRHA will implement transfers in the priority order listed in the following table.

Inappropriately housed resident families who are determined eligible to receive a transfer will be placed on the transfer waiting list at the time of annual certification.

**Priority of Transfers**

Approved transfers shall be accomplished in the following priority order:

| Type of Transfer                         | When executed                                                                | Transfer will be within the housing development:                                           | Ratio                                       | Initiated by                                                     |
|------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------------|
| <b>Emergency</b>                         | Within 24 hours of documentation, verification & approval                    | Unless emergency transfer cannot be accomplished in this manner.                           | Not applicable                              | SNRHA or written family request                                  |
| <b>Medical and accessibility</b>         | Within 30 days of documentation, verification & approval                     | Unless appropriate unit meeting the family’s needs is not available within the development | Not applicable                              | Written family request                                           |
| <b>Under housed (Overcrowded)</b>        | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Over housed</b>                       | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Under housed with family’s waiver</b> | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA, not less than one year from the date of initial occupancy |

|                                                                                                                  |                                                                                                               |                                                                         |                                             |                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Higher income family moving to a lower income development</b>                                                 | Next available scattered site home or development of the family's choice                                      | Not applicable                                                          | 1 transfer for every <b>20</b> new move-ins | At written request of family                                                                                       |
| <b>Scattered Site SNRHA Site</b>                                                                                 | Next available scattered site unit when family name reaches the top after certification of eligibility        | All available SS units                                                  | Not applicable                              | SNRHA, not less than <b>two</b> years from the date of initial occupancy <b>and must meet suitability criteria</b> |
| <b>Designated Senior Developments</b>                                                                            | Transfers from Studio to One bedroom unit when family name reaches the top after certification of eligibility | Unless type of unit does not exist within that development's inventory. | 1 transfer for <b>2</b> new move-ins.       | SNRHA, not less than one year from the date of initial occupancy                                                   |
| <b>Newly Modernized Units</b>                                                                                    | Next available unit when family name reaches the top after certification of eligibility                       | Not applicable                                                          | Not applicable                              | SNRHA on effective date of annual recert                                                                           |
| <b><u>Administrative Reasons determined by the PHA (e.g. to permit modernization work, community safety)</u></b> | Within 30 days of Notification                                                                                | Unless type of unit does not exist within that development's inventory. | Not Applicable                              | SNRHA                                                                                                              |

**B. EMERGENCY TRANSFERS**

Emergency transfers will be implemented by the SNRHA to remove a resident family from life-threatening and/or hazardous living conditions caused by third-party criminal activity and/or unit damage. **Good standing criteria does not apply in the case of emergency transfers.**

**Residents will be required to become complaint with all lease provisions upon completion of the Emergency Transfer to the new unit.**

**Emergency Transfers due to Third Party Criminal Activity**

SNRHA will consider transfer requests from resident families who have been victims of life-threatening criminal activity committed by third parties or who have witnessed serious criminal activity and agreed to testify on behalf of the State at a criminal proceeding.

Families who request a unit transfer due to third-party criminal activity may be required to submit verifiable documentation evidencing one or all of the following:

- Police reports and/or police statements detailing the incident in question
- Eyewitness statements describing the incident in question
- Confirmatory letters from the Victim Witness Protection Unit, Rape Crisis Center or similarly recognized entity
- Medical reports from a licensed health care provider
- Subpoena or other written contacts from the Clark County District Attorney or U.S. Attorney

The SNRHA will require residents who are victims of domestic violence to certify their victim status and the names of their abusers. Third-party verification must be provided by victim service providers, medical professionals, or attorney who have counseled the victim and can verify their status as a domestic violence victim.

All documentation submitted shall remain confidential and shall be reviewed and evaluated by the Director of Operations only. Transfer requests due to third-party criminal activity shall be evaluated on a case-by-case basis, by consideration of the following criteria:

- The availability of a suitable alternative unit
- The documentation describing/verifying the incident
- The severity of the incident

**Notification:** If approved, the family will be notified that:

- A unit has been designated;
- They must execute a new lease and move within five (5 days) of receipt of the notice, and
- If they refuse to accept the unit, they must execute a waiver of their emergency transfer request.

**Emergency Transfers Initiated or Confirmed by Law Enforcement**

If the emergency transfer request is initiated or confirmed by authorized law enforcement officials, the SNRHA may take the following action to maintain the confidentiality of the request and subsequent transfer:

- By-passing the regular transfer occupancy function and/or staff;
- Maintaining the resident family's file separate from other resident files; and
- Concealing and/or changing the identity of the resident family's file.



### **Emergency Transfers due to Hazardous Unit Conditions**

A transfer due to hazardous unit conditions is mandatory. It may be initiated at any time by the SNRHA or the resident family or both, after detection of a unit condition that poses a threat to the health and safety of the resident family. A hazardous unit condition is one that arises from:

- Substantial fire damage;
- Life-threatening fungus as determined by a Clark County Health District Official and/or a licensed hazardous waste consultant;
- Exposed electrical wiring;
- Defective ventilation;
- Inadequate plumbing, heating and/or cooling that will require long-term repair;
- Other serious conditions identified by the SNRHA Maintenance Department that require long-term repair.

**Notification:** If at least one of the foregoing conditions is found to exist, the SNRHA shall immediately notify the resident family or families affected and advise them, in writing, as follows:

- A unit has been designated;
- They will be required to move and sign a new lease no later than five (5) days from the date they receive the notice;
- If the hazardous condition was caused by the family, the family shall bear the cost of repair and moving.
  - If the family is unable to move due to financial reasons, SNRHA shall contract with a third party entity to move the family and shall bill the family for said costs, no later than the date on which the repair bills are submitted to them.
  - If the resident family refuses to move or otherwise fails to pay the repair and/or moving costs, SNRHA will initiate eviction proceedings against the family
- If the hazardous condition was not caused by the family, the SNRHA will bear all repairs and documented moving costs incurred by the family.

### **C. TRANSFERS DUE TO ILLNESS AND/OR DISABILITY**

Unit transfers will be implemented by SNRHA to accommodate the accessibility needs of residents and/or their household members, arising from long-term illness or disability. Accessibility needs are those that require one or all of the following:

- A first floor and/or single story dwelling;
- Widened hallways and/or lowered cabinets;
- Roll-in shower facilities
- Flashing-light-censored smoke detectors
- Central air conditioning and heat

### **Documentation**

Families who request a transfer due to illness and/or disability may be required to submit recent verifiable documentation from a health care provider or social service entity that confirms the impairment and the accessibility needs.

**Notification**

Upon a determination that the family's request for a transfer due to illness or disability has been approved, the SNRHA shall send the resident a thirty (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty (30) day period has passed:

A unit to which the family may transfer will be designated at such time as it becomes available;

They will be required to enter into a new lease for the transfer unit;

That if they refuse to move into the unit, they must sign a waiver of the transfer request.

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

**D. TRANSFERS TO ACCOMMODATE FAMILIES THAT ARE OVER- OR UNDER-HOUSED.**

Unit transfers will be implemented by SNRHA to accommodate resident families that are determined to be over-housed or under-housed **by virtue of their family size based on the general occupancy standards.** These transfers may be initiated by the SNRHA or the resident or both. A family may request an exception to the general occupancy standards. The SNRHA will evaluate the relationship and ages of all family members and the overall size of the unit. If approved, the family must agree to remain in the approved unit for one year.

**Notification**

Upon a determination that the family is approved to move into a unit of a different size, the SNRHA shall send the resident a thirty- (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty- (30) day period has passed:

A unit to which the family must transfer may be designated;

They will be required to move into that unit in accordance with the terms of their lease;

They will be required to enter into a new lease for the transfer unit;

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

### **Resident Refusal of the Transfer Unit**

The resident may decline the transfer unit for good and reasonable cause. Such cause shall be considered sufficient if:

The unit does not provide adequate accessibility, or

The unit will not have the required effect of accommodating the family size.

The Director of Operations shall determine if the unit refusal is for good cause. If the resident declines the unit without good cause, the SNRHA shall assign the unit to another family and void the request for transfer if generated by the family.

If the resident refuses the transfer unit when the reason for the transfer is an emergency, under/over housed or abatement, a 30-day notice will be issued. The unit will be reassigned and the transfer will be voided.

### **Transfer Procedures**

The Development Manager and resident will participate in a pre-transfer inspection to determine damages prior to transfer and the charges made part of the new lease.

The resident and SNRHA shall enter into a new lease agreement for the transfer unit.

### **Security Deposits**

1. Families transferring to another development must have paid the security deposit in full at the sending development.
2. SNRHA will charge the families for any damages to the previous unit.
3. Security deposits will be refunded to the resident under the terms of the lease for the

- previous unit. The resident must deposit with the SNRHA a security deposit on the new unit consistent with the security deposit policy in effect at the time of the transfer.
4. Refer to Security Deposit Chapter for additional details.
  5. Move-out charges will be posted to the new unit. The office of the receiving development is responsible for collecting any maintenance charges due SNRHA.

## **E. GENERAL CONDITIONS GOVERNING TRANSFERS**

### **Discrimination Prohibited**

Transfer requests shall be processed, evaluated, initiated and/or determined without regard to race, color, religion, gender, creed or national origin. Transfer requests based on household composition and/or illness disability must consider family size and disability.

### **Cleaning and/or Repair Charges**

All transfers are subject to charges for cleaning or repair work performed by the maintenance staff on the vacated unit. All charges will be assessed after an inspection is completed by the resident and the housing manager. **Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement.**

### **Rent Adjustments for Transferred Residents**

No rent adjustment will be made, except for utility allowance, until the next scheduled certification.

### **Reexamination Date**

The date of the transfer changes the reexamination date according to the block system of the gaining development, unless the annual reexamination period would exceed twelve months since the family's last annual reexamination.

The losing development will send the family's file to the gaining development once they have been notified that the family has accepted the unit, before the family is leased up. The gaining development will not attempt to lease up a family without possession of the family's file.

### **SNRHA Incentives for Higher Income Families Transferring Into Lower Income Developments**

The SNRHA will offer certain incentives to higher income families (**Household Income at or above 60% of AMI**) willing to move into lower income projects. If a higher income family agrees to move to a SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family's choice. The move will be approved according to the Occupancy Guidelines only if the family has consistently been in lease compliance for two years following admission.

SNRHA will target homeownership opportunities to higher income families moving into lower income projects.

## **Processing In and Out of Developments**

### **Gaining Developments**

Transfers from other developments will be processed in the same manner as move-ins, including a new lease and applicable security deposit.

The resident transferring between public housing projects does not have to meet the admission requirements pertaining to income or preference.

### **Residents Failure to Transfer Units**

In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, **both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from.**

### **COST OF TRANSFERS**

Residents shall bear the cost of transfers to correct occupancy standards, resident requested transfers, incentive transfers, and other voluntary transfers.

SNRHA will bear the reasonable cost of transfers SNRHA requests for demolition, disposition, rehabilitation, building system failures, or emergency conditions due to no fault of the tenant. SNRHA will bear the reasonable cost of transfers needed as a reasonable accommodation for residents with disabilities, **in accordance with SNRHA Reasonable Accommodation Policy and Procedures.** The reasonable cost of transfers includes not just the cost of packing, moving, and unloading, but also the cost of connecting and reconnecting any existing resident-paid services such as telephone and cable.

## **Resident Selection Criteria For Otto Merida Family Apartments**

**The following criteria will be utilized to select from current residents residing in other Public Housing communities for the Project:**

1. Must have a favorable rental payment history. A resident will be considered to have a favorable rental payment history if there have been two or less delinquent rent payments in the previous twelve months.
2. Must be in good standing with SNRHA and in compliance with all terms and conditions of the resident's existing Lease.
3. Resident must be currently employed or enrolled in the Family Self Sufficiency Program and must have accomplished one or more established goals within the Program. SNRHA will provide the Manager with a list of residents wishing to transfer to the Project and the Manager will determine and certify the eligibility of the resident, and the resident will be notified of the determination. Transfer requests will be processed on a first come, first serve basis.

### **Income Tiering**

In addition to the above selection criteria, SNRHA will institute an income-tiring system in allocating units within the Project. The units will be divided into three income tiers, which will be distributed equally across the development and by unit types. The income tiers will be as follows:

- **Low Tier:** Less than 20% of the HUD Area Median Income (AMI) for a Family of Four (or \$11,819 in 2005) 20 units;
- **Middle Tier:** Greater than 20% AMI and Less than 30% AMI for a Family of Four (or \$17,730 in 2005) 20 units; and
- **High Tier:** Greater than 30% AMI and Less than 60% AMI maximum tax credit income Level (or \$35,460 in 2005 for a Family of Four) 20 units.

Transfer requests from current SNRHA residents who meet the initial resident selection criteria noted above will be placed in one of the three income tiers, or disqualified by the Manager if the applicants' income is above the 60% AMI tax credit limit or do not meet the LIHTC eligibility.

After the initial inquiry is made of existing public housing residents, public housing residents may apply for transfer to the Project at the time of their annual certification by completing an application for the Honolulu Street Apartments.

### **Public Housing Waiting List**

In the event there are no current public housing residents within the appropriate income tiers as indicated above who wish to transfer to the Project, Project vacancies will be filled from

**Southern Nevada Regional Housing Authority**

SNRHA's Public Housing certified waiting list utilizing current preferences and screening criteria in accordance with SNRHA's ACOP and the screening criteria described above.

Employment income is a current SNRHA waiting list preference.

In the event there are no eligible applicants on the current Public Housing certified waiting list within the three income tiers, outreach will be conducted to the general public as provided in the Marketing Policy.



## **Chapter 9 LEASING**

[24 CFR 966.4]

### **INTRODUCTION**

It is the SNRHA's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This chapter describes pre-leasing activities and the SNRHA's policies pertaining to lease execution, security deposits, other charges, and additions to the lease.

### **A. LEASE ORIENTATION**

In conjunction with execution of the lease, all adult family members must attend a new resident orientation within 90 days of move-in.

Residents with disabilities may request a reasonable accommodation.

### **Orientation Agenda**

When families attend the lease orientation, they will be provided with:

- A sample copy of the lease
- A copy of the grievance procedure
- A copy of the house rules
- Supportive services information, including FSS
- Emergency maintenance policy
- Community Service requirements and policy
- Pet policy
- Trespass policy
- Bed Bug Addendum
- Housekeeping Standard
- Other Lease addendums

Topics to be discussed will include, but are not limited to:

- Applicable deposits and other charges
- Maintenance charges
- Provisions of the lease
- Unit maintenance and work orders
- Terms of occupancy
- Rent choice/Flat rent/income based/seasonal employment

SNRHA shall ensure additional efforts are made to ensure full program accessibility to persons with Limited English Proficiency, including notifying organizations that provides services to low-income families whose primary language is Spanish, as outlined in SNRHA's Limited English Proficiency Plan.





## **B. LEASE REQUIREMENTS**

The initial term of the lease will be for 12 months. The lease will renew automatically for 12-month terms with the following exception:

- SNRHA will not renew the lease if the family has violated the community service requirement (24 CFR 966.4).
- Due to the community service requirement, the lease does not automatically renew for terms of 12 months. An annual signing process, the completion of recertification, is required.
- The lease further provides for termination and eviction at the end of any 12-month lease term for non-compliance with the community service requirements at 24 CFR Part 960, Subpart F and Chapter 15 of this Admissions and Continued Occupancy Policy.

## **C. EXECUTION OF LEASE**

The lease shall be executed by the head of household, spouse or co-head; and by an authorized representative of SNRHA, prior to admission.

The head or co-head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head or co-head.

An appointment will be scheduled for the parties to execute the lease. One executed copy of the lease will be given to the tenant, and the SNRHA will retain the original in the tenant's file. The lease is incorporated into this policy by reference. The lease document will reflect current SNRHA policies as well as applicable Federal, State and local law. The following provisions govern lease execution and amendments:

- A lease is executed at the time of admission for all new tenants.
- A new lease is executed at the time of the transfer of a tenant from one SNRHA unit to another
- If, for any reason, the head or co-head of household of the lease cease to be a member of the household, a new lease will be executed with the remaining members, so long as they meet the program requirements.
- Lease signers must be persons legally eligible to execute contracts.
- The names, relationship to head, date of birth, and social security number of all household members are listed on the lease at initial occupancy and on the Application for Continued Occupancy (need to determine name of form to be used) each subsequent year. Only those persons listed on the most recent certification shall be permitted to occupy a dwelling unit.
- Changes to tenant rents are made upon the preparation and execution of an addendum to the lease which reflects any change in household composition or rent. Documentation will be included in the tenant file to support proper notice.



- Households that include a live-in aide are required to execute a live in aide agreement authorizing the arrangement and describing the status of the aide.
- Households that include a live-in aide will contain file documentation that the live-in aide is not a party to the lease and is not entitled to SNRHA assistance, with the exception of occupancy while serving as the aide for the participant family member.

The SNRHA may modify its form of lease from time to time, giving tenants an opportunity to comment on proposed changes and advance notice of the implementation of any changes. A tenant's refusal to accept permissible and reasonable lease modifications, or those modifications required by HUD, is grounds for termination of tenancy.

#### **D. ADDITIONS TO THE LEASE**

Only those persons listed on the most recent certification form and lease shall be permitted to occupy a dwelling unit<sup>1</sup>.

All persons listed on the most recent certification form and the lease must use the dwelling unit as their sole residence.

Requests for the addition of a new member of the household must be approved by the SNRHA, prior to the actual move-in by the proposed new member.

Following receipt of a family's request for approval, the SNRHA will conduct a pre-admission screening, including the Criminal History Report, of the proposed new adult member. Only new members approved by the SNRHA will be added to the household.

Family members over the age of 18 who move from the dwelling unit to establish new households shall be removed from the lease. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list. Exceptions will be made by the approval of the Director of Operations or designee.

Minors being added to the household by other than birth or legal adoption or court – awarded custody must be verified by court action. Temporary guardianship will be considered as a court action. All temporary guardianship will be renewed and verified every six months.

#### **Factors Determining Household Additions**

Household additions subject to screening:

- Resident plans to marry;
- Resident desires to add a new adult family member to the lease or employ a live-in aide.



- A unit is occupied by a remaining family member(s) under age 18 (not an emancipated minor) and an adult who was not a member of the original household requests permission to take over as the head of household. Guardianship and/or custody of the remaining family member(s) under 18 must be obtained by the adult who was not a member of the original household. The family will have 90 days to obtain all documentation. If the adult is unable to provide appropriate documentation regarding the remaining minor, children and/or fails to comply with all screening requirements they are ineligible to occupy the unit at the expiration of the 90 days.

Factors determining household additions that are not subject to screening:

Children born to a family member or whom a family member legally adopts are exempt from the pre-screening process.

Children for whom the family receives court-awarded custody

Persons under the age of 18 years

Foster Children proposed to live in the unit

In cases where the addition of a new member who has not been born, married, awarded legal custody or guardianship, or legally adopted into the family, and the addition will affect the bedroom size required by the family, according to the SNRHA occupancy standards, the SNRHA will not approve the addition. An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody.

Residents who fail to notify the SNRHA of additions to the household, or who permit persons to join the household without undergoing screening, are in violation of the lease. Such persons are considered to be unauthorized occupants by the SNRHA, and the entire household will be subject to eviction [24 CFR 966.4(f) (3)].

Family members age 18 and over, other than spouse, who move from the dwelling unit shall be removed from the lease. The tenant must notify the SNRHA of the move-out within 10 calendar days of its occurrence. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list.

The SNRHA in making determinations under this paragraph will consider medical hardship or other extenuating circumstances.



## **Visitors**

1. The resident may not allow visitors to stay overnight more than fourteen (14) consecutive days nor more than 30 calendar days in a twelve month period without prior written approval of management.
2. Visitors who remain beyond this period shall be considered unauthorized, and their presence constitutes a breach of the lease.
3. If an individual other than a leaseholder is representing to an outside agency that they are residing in the lessee's unit, the person will be considered an unauthorized member of the household.
4. Roomers and lodgers are not permitted to occupy a dwelling unit, nor are they permitted to move in with any family occupying a dwelling unit. Advertisements for roomers or lodgers shall be considered a violation of the lease by virtue of intent to sub lease portions of the assisted unit.
5. Residents are not permitted to allow a former tenant of the SNRHA who has been evicted to occupy their unit for any period of time.
6. Medical hardship or other extenuating circumstances shall be considered by SNRHA in making determinations under this area. Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Property Manager.

## **Absences from the Unit**

Residents must advise the SNRHA when they will be absent from the unit for more than **30** consecutive days and provide a means for the SNRHA to contact the resident in the event of an emergency. Failure to advise the SNRHA in writing of extended absences is grounds for termination of the lease.

## **E. LEASING UNITS WITH ACCESSIBLE OR ADAPTABLE FEATURES**

[24 CFR 8.27(a) (1) (2) and (b)]

Before offering a vacant accessible unit to a non-disabled applicant or resident, the SNRHA will offer such units:

First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA's control, who has a disability that requires the special features of the vacant unit?



Second, to a current occupant of other public housing developments under the SNRHA's control who has a disability that requires the special features of the vacant unit?

Thirdly, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

Accessible units will be offered to and accepted by non-disabled applicants or residents only with the understanding that such applicants/resident must agree to relocate to a non-accessible unit at a later date if a person with a disability requiring the unit applies for housing and is determined eligible or there is an existing resident who require the features of the accessible unit.

The SNRHA will require a non-disabled applicant or resident to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant or resident. This requirement will be a provision of the lease agreement.

#### **F. UTILITY SERVICES**

Tenants responsible for direct payment of utilities must abide by any and all regulations of the specific utility company, including regulations pertaining to advance payments of deposits.

**If a resident is resident or applicant is unable to establish utility services due to a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See page 6-16.**

Failure to maintain utility services during tenancy is a lease violation and grounds for eviction. Non-payment of excess utility charge payments to the SNRHA is a violation of the lease and is grounds for eviction.

SNRHA may send utility reimbursement directly to the utility supplier without the consent of the family that is paying an income based rent. SNRHA will notify the family of the amount of any such direct payment to the utility supplier.

The lease will designate the appliances provided by SNRHA (i.e.: stove and refrigerator). The tenant is responsible for proper hook-up, safety and maintenance of any appliances they may provide (i.e.: dryers).

#### **G. SECURITY AND PET DEPOSITS**

##### **Security Deposit**

Tenant security deposits are required to minimize collection losses and encourage



residents to leave their apartments clean and in good condition when they vacate.

### **Security Deposit Amounts**

New tenants must pay a security deposit to the SNRHA at the time of leasing the unit.

The Security Deposits for Public Housing will be based on bedroom size as follows:

- Efficiency Unit: \$200.00
- One Bedroom Unit: \$200.00
- Two Bedroom Unit \$250.00
- Three Bedroom Unit \$300.00
- Four Bedroom Unit \$350.00
- Five Bedroom Unit \$400.00

Scattered Site units will be required to pay an additional \$100 deposit for lawn or yard maintenance for which they are responsible for under terms of their lease.

### **Transfer of Security Deposit**

If a resident transfers, the original security deposit may be refunded to the resident. The resident must then pay the required deposit for the new unit. The resident will be responsible for payment of any additional security deposits as outlined in this policy. The tenant will also be further billed for any maintenance or other charges beyond the security deposit.

The SNRHA may permit installment payments of security when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA. The Authority may allow for one-quarter of the required deposit at the time of admission and the remainder to be paid with additional equal payments for a three month period. The full deposit must be paid within 120 days of initial occupancy.

The Security Deposit will be returned, less any applicable charges, to the tenant after move-out, if the following conditions are met:

- There is no unpaid rent and/or charges for which the resident is liable under the lease or as a result of breaching the lease.
- The dwelling unit and all equipment are left clean, and all trash and debris have been removed by the family.
- There is no breakage or damage beyond that expected from normal wear and use.
- Tenant gave the required **30** calendar days advance written notice of intent to vacate and all keys issued have been returned to the management office when the family vacates the dwelling unit.

The Security Deposit may not be used to pay charges during the tenant's occupancy.



The SNRHA will hold the security deposit for the period the tenant occupies the unit. The SNRHA will refund the Security Deposit less any amounts owed, within 30 calendar days after move out and tenant's notification of new address. If no address is provided, the refund will be mailed to the last known address.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the security deposits. If the tenant disagrees with the amount charged to the security deposits, the SNRHA will provide a meeting to discuss the charges.

The resident must leave the dwelling unit in a clean and undamaged (beyond normal wear and tear) condition and must furnish a forwarding address to the SNRHA. All keys to the unit must be returned to the Management upon vacating the unit.

The SNRHA will not use the security deposit for payment of rent or other charges while the tenant is living in the unit.

The tenant will be billed for any maintenance or other charges. If the tenant family will be transferred from one public housing dwelling unit to another the SNRHA will conduct the required move-out inspection and determine what charges, if any, should be assessed to tenant's account. SNRHA will establish the security deposit for the new unit based upon the current security deposit policy and the family will be required to pay the balance/new deposit amount in effect at that time.

## **H. ADDITIONAL SECURITY DEPOSIT COLLECTION PROCEDURES**

Security Deposits are governed by the terms of the lease, 24CFR's and Nevada's Statutes. The SNRHA reserves the right to bill a resident's account additional charges if any of the situations below exist or take place within a resident's apartment. This money will be added to the resident's current security deposit. Such deposits may be collected for the following:

- 1) Unauthorized wallpapering.
- 2) Painting walls any color other than the original color upon move-in.
- 3) If the resident fails a housing inspection due to unsanitary housekeeping or excessive damage to the unit that is beyond normal wear and tear.
- 4) Evidence of pet damages (carpet stains, clawing, biting unit components, defecation interior or exterior, fleas, landscaping, lawn or property, fences or other visual damage).

If any of the above items are found within a household the resident will be immediately billed **per labor rates established according to the Maintenance Charge List and added into the tenant's security deposit funds.** The SNRHA has enacted this change to protect the interest of our housing stock and to reduce the billable charges due by the resident once they have moved out of SNRHA housing.



## **Pet Deposit**

### **DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |

ALL PET AGREEMENTS SIGNED WITH RESIDENTS OF SNRHA PRIOR TO THE ADOPTION OF THIS POLICY (03/01/2010) ARE NOT SUBJECT TO PAYING ADDITIONAL DEPOSIT AMOUNTS

RESIDENTS SIGNING PET POLICY AGREEMENTS FOLLOWING THE ADOPTION OF THIS POLICY WILL BE SUBJECT TO PAYING DEPOSITS FOR ANY NEW OR ADDITIONAL PETS.

Assistance Animals for persons with a disability are not subject to the pet deposit.

The SNRHA may permit installment payments of when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA.

The pet security deposit is to cover the cost of damages created by the pet. Tenant will be given a list of all such damages and the applicable charges that will be deducted from the pet deposit at the time the tenant vacates the unit or the pet is removed from the unit, whichever occurs first. Tenant will also be advised of their right to an informal meeting and/or grievance hearing should they dispute the charges. (See Chapter 10 for remainder of pet policy provisions.) The pet deposit will be returned to the tenant or the person designated by the former tenant, upon notification that the pet is no longer in the unit or in the event of the former tenant's incapacitation or death.

## **Interest**

SNRHA will not compute or pay any interest on any deposit.

## **I. RENT PAYMENTS**

See Chapter 13, Rent and Debt Collection Procedures.

## **J. FEES AND NONPAYMENT PENALTIES**

See Chapter 13, Rent and Debt Collection Procedures.





**K. SCHEDULES OF SPECIAL CHARGES**

Schedules of special charges for services, repairs, utilities and rules and regulations which are required to be incorporated into the lease by reference shall be publicly posted in a conspicuous manner in the community office, and they will be provided to the resident at the time of lease execution.

The SNRHA will assess residents a charge for tenant-caused damage to its Conventional housing facilities (i.e., dwelling unit and/or common areas). Where there is no specific cost listed for an item of work, the charge to the family will be based upon the SNRHA labor rate times (x) the hours of labor charged to the job plus (+) the actual cost of parts and materials that were used on the job. A Schedule of Charges will be maintained by the agency and periodically updated. A copy of this schedule will be posted in all management offices and shall be made available upon request. The SNRHA will not charge for any repairs that are necessitated by normal wear and tear; nor is there a charge for any scheduled periodic work, such as painting or extermination. However, if extermination is required on other than the pre-established scheduled basis and there is a determination that the extra extermination services are due to the negligence of the tenant family, the SNRHA reserves the right to charge for said service.

**L. MODIFICATIONS TO THE LEASE**

Schedules of special charges and rules and regulations are subject to modification or revision. Tenants will be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and they will be given an opportunity to present written comments. Comments will be taken into consideration before any proposed modifications or revisions become effective.

A copy of such notice shall be posted in the central office, each development office.

Any modifications of the lease must be accomplished by a written addendum to the lease and signed by parties, the resident(s) and the SNRHA.

**M. CANCELLATION OF THE LEASE**

Cancellation of the tenant's lease is to be in accordance with the provisions contained in the lease agreement and as stated in this policy.

**N. SMOKE FREE HOUSING**

In order to provide a healthier environment for our residents, the Board of Commissioners has adopted a Smoke Free Housing Policy. The purpose of this policy is to provide a healthier environment for our residents and eliminate the harmful effects of secondhand smoke, fire danger and damage to apartments due to smoke. Secondhand smoke is particularly dangerous to children and people with respiratory disease. It is the third leading cause of preventable death in the United States. In 2006, the US Surgeon General stated that there is no safe level of second hand smoke.



**Definition of Smoke/Smoking:**

The term “smoke” and “smoking” means inhaling, exhaling, breathing or carrying any lighted cigar, cigarette or other tobacco product on similar lighted product in any manner or in any form.

**Smoke-Free Apartments:**

The premises listed below have been designated as smoke-free living environments:

- **Lubertha Johnson Estates Senior Development**

**With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.**

Residents, **staff** and guests are prohibited from smoking on these properties owned and managed by SNRHA, including the apartment rented by the resident, the building in which the dwelling unit is located, and all common areas inside and outside the building up to 15 feet from each building and 50 feet from the buildings entry.

**The Southern Nevada Regional Housing Authority Not a Guarantor of Smoke-Free Environment**

The adoption of a smoke free living environment and the efforts to designate a property as smoke-free does not make SNRHA a guarantor of resident’s health or of the smoke free condition of the resident’s apartment and common areas. However, SNRHA shall take reasonable steps to enforce the smoke-free terms of its leases and to make the property smoke-free. SNRHA will post smoke free properties with “No Smoking” signs inside and outside the buildings and may, at its sole option, consider designating smoking areas at any or all of the properties.

**Smoking on the Property as a Lease Violation**

If a resident smells tobacco smoke anywhere in the building, they should report this to the office as soon as possible. Management will seek the source of the smoke and take appropriate action. A resident will be in violation of his/her lease if the resident or any guest is determined to be smoking on SNRHA property. Three (3) violations of SNRHA’s Smoke Free Policy may result in eviction. All applicants/residents acknowledge receipt of this Policy and Smoke-Free Lease Addendum in writing at the time of application and/or next rent recertification.

**O. INSPECTIONS OF PUBLIC HOUSING UNITS**

**Initial Inspections**

The SNRHA and the family will inspect the premises prior to occupancy of the unit in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the SNRHA and the tenant, will be kept in the unit file and tenant file.



### **Vacate Inspections**

The management staff will perform a move-out inspection when the family vacates the unit, and will encourage the family to participate in the move-out inspection.

The purpose of this inspection is to determine necessary maintenance and whether there are damages that exceed normal wear and tear. The SNRHA will determine if there are tenant caused damages to the unit. Tenant caused damages may affect part or all of the family's security deposit. Documentation, including pictures of tenant caused damages will be maintained in tenant file.

The move-out inspection also assists the SNRHA in determining the time and extent of the preparation and repairs necessary to make the unit ready for the next tenant.

### **Annual Inspections**

The SNRHA will inspect all units annually using HUD-required standards. All inspections will include a check of all smoke alarms to ensure proper working order. Pictures of any damages and/or housekeeping problems may be taken. At each annual inspection, staff will verify that the additional room is still being used for medical equipment or live-in aide.

Residents who "fail" the inspection due to housekeeping or tenant-caused damages will be given 10 calendar days to correct noted items and placed on a schedule of 30, 60, and 90 day inspections conducted to ensure lease compliance. Failure to comply with housekeeping requirements are grounds for lease termination.

Residents may request a copy of the inspection report with required corrections. In cases where units failed inspection for housekeeping or damage, a conference is scheduled with the property management.

If necessary to bring the unit into HUD-required compliance, needed repairs will be completed by the SNRHA.

Required corrections will be repaired by the SNRHA within 30 business days of the inspection date.

Damages beyond "normal wear and tear" will be billed to the tenant.

Residents who repeatedly "fail" the inspection or cause excessive damage to the unit will be in violation of their lease. SNRHA will take appropriate lease enforcement action.



### **Quality Control Inspections**

The housing management staff will conduct periodic quality control inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

The SNRHA management staff will conduct quality control inspections on 5% of the units.

The purpose of these quality control inspections is to assure that repairs were completed at an acceptable level of craftsmanship and within an acceptable time frame.

The property manager may conduct periodic inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

### **Special Inspections**

Housing management staff may conduct a special inspection for housekeeping, unit condition, or suspected lease violation.

HUD representatives or local government officials may review SNRHA operations periodically and as a part of their monitoring may inspect a sampling of the SNRHA's inventory.

Modernized and Scattered Site Inspections: New move inspections will be conducted within 60 days of the resident leasing the unit to ensure the unit and grounds are being maintained.

Unit inspections will be conducted within ten (10) working days from the date SNRHA is notified or receives knowledge of an unsatisfactory condition such as infestation, damages, unsatisfactory housekeeping or complaints of poor exterior conditions.

### **Other Inspections**

The SNRHA management staff will periodically conduct windshield and/or walk-through inspections to determine whether there may be lease violations, adverse conditions or local code violations.

Playground inspections are conducted weekly to determine playground safety.

Building exterior and grounds inspections are conducted at all Public Housing properties to determine hazardous conditions as well as to assist in budget preparation.



### **Emergency Inspections**

Housing management staff may initiate an emergency inspection report to generate a work order if they believe that an emergency exists in the unit or on a Public Housing site. In addition, staff may conduct an emergency inspection without a work order and generate a work order after the inspection has been conducted (see Entry of Premises Notice in this chapter.) Repairs are to be completed within 24 hours from the time the work order is issued.

### **Emergency Repairs to be Completed in Less than 24 Hours**

The following items are to be considered emergency in nature and require immediate (less than 24 hour) repair or abatement:

- Broken window glass that affects unit security, is a cutting hazard, or occurs within inclement weather (to be secured or abated)
- Escaping gas
- Plumbing leaks that have the capacity to create flooding or cause damage to the unit
- Natural gas leaks or smell of fumes
- Backed-up sewage
- Electrical hazard
- Inoperable SNRHA-owned air conditioner/heater (seasonal)
- Inoperable smoke detectors will be treated as a 24-hour emergency and will be made operable by the SNRHA if the smoke detector is in need of repair. Residents who disengage smoke detectors will be charged (see Schedule of Charges posted.)
- Lock-outs – Subject to the resident paying the cost for responding.

### **Entry of Premises Notices**

The SNRHA will give prior written notice for non-emergency inspections. Non-emergency entries to the unit will be made during reasonable hours of the day.

The SNRHA will provide the family with 48 hour notice prior to entering the unit for non-emergency reasons other than the annual inspection.

An inspection may not be conducted if there are minors and no adult (required to show identification) present in the unit during the inspection.



If no person is at home, the staff will enter the unit and conduct the inspection and will leave a written notice to the resident explaining the reason the unit was entered and the date and time.

A written notice specifying the purpose for non-emergency entry into the unit will be delivered to the premises at least 2 days before entry.

Where the SNRHA is conducting regular annual inspection of its housing units, the family will receive reasonable advance notice of the inspection to allow the family to prepare and be able to pass the inspection.

Reasons the SNRHA will enter the unit are:

- Inspections and maintenance
- To make improvements and repairs
- To show the premises for leasing
- In cases of emergency

The family must call the SNRHA at least 24 hours prior to the scheduled date of inspection to reschedule the inspection, if necessary.

The SNRHA will reschedule the inspection no more than once unless the resident has a verifiable medical reason which has hindered the inspection. The SNRHA may request verification.

Repairs requested by the family will not require prior notice to the family. Residents are notified in the lease that resident-requested repairs presume permission for the SNRHA to enter. The resident may specify at the time of request for repair or maintenance that they be present. SNRHA will take reasonable measures to comply with the residents request; however known deficiencies must be corrected.

### **Non-Inspection Emergency Entry**

The SNRHA staff will allow access to the unit to proper authorities when issues of health or safety of the tenant are concerned.

### **Family Responsibility to Allow Inspection**

The SNRHA must be allowed to inspect the unit at reasonable times with reasonable notice. If the resident refuses to allow the inspection, the resident will be in violation of the lease.

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<sup>i</sup> 24 CFR §§ 960.205 (b) and 966.4(a)(1)(v)



## Chapter 10

### PET POLICY

[24 CFR 5.309]

#### **INTRODUCTION**

This chapter explains the SNRHA's policies on the keeping of pets and any criteria or standards pertaining to the policy. The rules adopted are reasonably related to the legitimate interest of the SNRHA to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the SNRHA.

The purpose of this policy is to establish the SNRHA's policy and procedures for ownership of pets and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

Residents will comply with the dwelling lease, which requires that no animals or pets of any kind be permitted on the premises without prior written approval of the SNRHA.

Nothing in this policy or the dwelling lease limits or impairs the right of persons with disabilities to own animals that are used to assist them.

The SNRHA Pet **Deposits, Fees, and Restrictions** do not apply to Assistance Animals. An Assistance Animal is an animal that is needed as a reasonable accommodation for persons with disabilities.

In accordance with Section 526 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA), SNRHA hereby sets forth rules and regulations concerning pet ownership in its public housing units. Only "common household pets" as defined herein will be permitted in SNRHA owned properties.

A common household pet, for the purposes of SNRHA's conventional housing program: A domesticated animal, such as a dog, cat, bird, or fish that is traditionally kept in the home for pleasure rather than for commercial or breeding purposes. Common household pet does not include reptiles. This definition shall not include animals that are used to assist persons with disabilities.

Residents may own up to two pets as defined in this policy. If one of the pets is a dog or cat, the second pet must be contained in a cage or an aquarium for fish. Each bird or other animal, other than fish, shall be counted as one pet.



**Animals That Assist Persons with Disabilities**

Only rules related to the health of the animal, the responsibility of the animal’s owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

To meet these exclusions, the resident/pet owner must provide SNRHA with the means to verify that:

That there is a person with disabilities in the household; and

That if the animal is needed because of the person’s disability.

**A. MANAGEMENT APPROVAL OF PETS**

All pets must be approved in advance by the SNRHA management. The pet owner must enter into a Pet Agreement with the SNRHA; pay the pet deposit as follows:

**DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |
|                                                            |         |

See Sections D and E following for other management requirements.

**B. STANDARDS FOR PETS**

Pet rules as outlined below will not be applied to animals that assist persons with disabilities however rules related to the health of the animal, the responsibility of the animal’s owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

**Types of Pets Allowed**

No pets except the following will be acceptable:





### Dogs

Maximum number: 1  
Maximum adult weight: 30 pounds  
Maximum height: 20" at shoulder at full growth  
Must be spayed or neutered and housebroken  
Must have all required inoculations  
Must be licensed as specified now or in the future by State law and local ordinance

### Cats

Maximum number: 1  
Must be spayed or neutered  
Must have all required inoculations  
Must be trained to use a litter box or other waste receptacle. Cardboard boxes are not acceptable and will not be approved. The resident shall not permit refuse from litter boxes to accumulate, become odorous, to become unsightly, or unsanitary.  
Must be licensed as specified now or in the future by State law or local ordinance

### Birds

Maximum number: 2  
Must be enclosed in a cage at all times

### Fish

Maximum aquarium size: 50 gallons  
Must be maintained on an approved stand

### Rodents (guinea pig, hamster, or gerbil ONLY)

Maximum number: 1  
Must be enclosed in an acceptable cage at all times



## **Types of Pets Not Allowed**

Common household pets permitted in dwelling units do not include:

Exotic pets or barnyard animals are prohibited. Exception may be made for certain species of pigs utilized as bonafide “service animals”. (Snakes and reptiles are considered exotic pets.)

Animals who would be allowed to produce offspring for sale

Wild animals, feral animals, and any other animals that are not amenable to routine human handling

Animals of species commonly used on farms

Non-human primates (unless as an assistive animal to a person with disabilities)

Animals whose climatological needs cannot be met in the unaltered environment of the individual dwelling unit

Pot-bellied pigs

Snakes, spiders, reptiles, and chickens

The following restrictions apply to pets, based on weight, size and inherent dangerousness, including prohibitions against the keeping of:

Any animal whose weight could exceed 30 pounds by adult hood

Dogs of the pit bull, Rottweiler, chow, or boxer breeds

Ferrets or other animals whose natural protective mechanisms pose a risk to small children of serious bites and lacerations

Hedgehogs or other animals whose protective instincts and natural body armor produce a risk to children of serious puncture injuries.

Chicks, turtles or other animals that pose a significant risk of salmonella infection to those who handle them

Pigeons, doves, mynah birds, psittacine birds, and birds of other species that are hosts to the organisms causing psittacosis in humans

Tenants are not permitted to have more than one *type* of pet.



### **C. PETS TEMPORARILY ON THE PREMISES**

Pets which are not owned by a tenant will not be allowed; although service animals of persons with disabilities who are visiting the unit are permitted.

Residents are prohibited from feeding or harboring stray animals.

This rule excludes visiting pet programs sponsored by a humane society or other non-profit organization and approved by the SNRHA.

State or local laws governing pets temporarily in dwelling accommodations shall prevail.

### **D. REGISTRATION, ADMINISTRATION, AND OTHER RESTRICTIONS**

#### **Registration of Pets**

1. Pets must be registered with the SNRHA before they are brought onto the premises. Registration includes certificate signed by a licensed veterinarian or State/local authority that the pet has received all inoculations required by State or local law, and that the pet has no communicable disease(s) and is pest-free. This provision applies to assistive animals for persons with disabilities.
2. Registration must be renewed and will be coordinated with the annual recertification date and proof of license and inoculation will be submitted at least 30 days prior to annual reexamination. This provision applies to assistive animals for persons with disabilities.
3. Dogs and cats must be spayed or neutered. This provision applies to assistive animals for persons with disabilities.
4. Execution of a Pet Agreement with the SNRHA stating that the tenant acknowledges complete responsibility for the care and cleaning of the pet will be required.
5. Approval for the keeping of a pet shall not be extended pending the completion of these requirements.
6. Registration for each animal is to be accomplished by the filing of the following disclosures and forms:
  - a. A health certificate prepared by a veterinarian (including attestations of no communicable disease and of spaying or neutering or of a medical condition precluding spaying or neutering)
  - b. Documentation of current rabies vaccination for species subject to state or local rabies vaccination requirements



- c. Copy of the license issued by the applicable municipality for “ownership” of each animal for whom licensing is a legal requirement
- d. Name, address and telephone number of a veterinarian who will be providing regular care
- e. Name of the adult household member who will be primarily responsible for animal care

### **Refusal to Register Pets**

1. The SNRHA may not refuse to register a pet based on the determination that the pet owner is financially unable to care for the pet. If the SNRHA refuses to register a pet, a written notification will be sent to the pet owner stating the reason for denial and shall be served in accordance with HUD Notice requirements.
2. The SNRHA will refuse to register a pet if:
  - a. The pet is not a common household pet as defined in this policy;  
Keeping the pet would violate any House Pet Rules;
  - b. The pet owner fails to provide complete pet registration information or fails to update the registration annually;
  - c. The SNRHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

A resident who cares for another resident's pet must notify the SNRHA and agree to abide by all of the pet rules in writing.

### **Pet Agreement**

Execution of a Pet Agreement will be required, under which the resident acknowledges:

1. The right of management to enter dwelling unit when there is evidence that an animal left alone is in danger or distress
2. The right of management to seek impoundment and sheltering of any animal found to be maintained in violation of housing rules, pending resolution of any dispute regarding such violation
3. Receipt of a copy of all animal-related requirements and restrictions administered by management



4. In the context of public housing, that failure to abide by any animal-related requirement or restriction constitutes a violation of the “Tenant Obligations” appearing at 24 CFR 966.4(f)(4) and, therefore, grounds for lease termination pursuant to 24 CFR 966.4(k)(2)

### **Other Restrictions**

The following other restrictions also apply:

1. A prohibition on the keeping of animals by any resident convicted of a felony or of a misdemeanor relating to treatment of an animal
2. A prohibition on the keeping of any dog or cat over six months of age who is not spayed or neutered
3. A prohibition against keeping animals in any dwelling unit having no air conditioning in which ambient temperatures may exceed 82 degrees at any time of day or night.
4. A restriction against walking or transporting any animal outside of the dwelling unit without use of a leash no longer than five (5') feet or animal transport enclosure.
5. A prohibition against allowing animals on any premises outside of the dwelling unit unaccompanied by a family member, including homeless animals that are being fed or otherwise supported by residents.
6. A prohibition against the tethering or chaining of animals outside of or within the dwelling unit.
7. A prohibition of feeding any dog and/or cat outside the unit.
8. A restriction against subjecting animals to any surgical procedure, such as de-barking or de-clawing, that is typically performed as a substitute for correcting environmental deficiencies and providing proper supervision, or that can render animals abnormally aggressive
9. A requirement for the prompt removal of animal feces deposited in any common area
10. A requirement for regular removal and replacement of litter used in litter boxes or in animal enclosures maintained within dwelling units
11. A requirement for implementation of effective flea control by measures that produce no toxic hazard to children who may come into contact with treated animals



12. Pets are to be restrained so that maintenance can be performed in the unit. The resident **shall**, whenever an inspection or maintenance is scheduled, either be at home or shall have all animals restrained or caged. If a maintenance person enters a unit where an animal is not restrained, maintenance shall not be performed, and the resident pet owner shall be charged a fee of \$25.00. If the situation occurs again, the pet shall be removed from the premises. The Housing Authority shall not be responsible if any animal escapes from the residence due to its maintenance, inspections, or other activities.

State and local public health and anti-cruelty laws are applicable. All complaints of cruelty and all dog bites will be referred to the relevant animal control or police agency for investigation and enforcement.

#### **E. ADDITIONAL FEES AND DEPOSITS FOR PETS**

SNRHA requires a refundable pet deposit of \$200 for dogs and cats subject to charges for pet associated damage.

SNRHA requires a non-refundable pet fee for dogs of \$50 annually to defray the cost of providing pet waste receptacles and equipment as well as pet waste clean-up costs associated with the overall upkeep of the community. Residents are expected to properly dispose of pet waste.

SNRHA will allow gradual payment of the deposit in accordance with the following:

- An initial payment of \$50 on or prior to the date the pet is properly registered and brought into the apartment; and
- Monthly payments in an amount no less than \$50 until the specified deposit has been paid.

SNRHA will allow gradual payment of the pet fee in accordance with the following:

- An initial payment of \$10.00 due by the effective date of the annual recertification and up to four additional installments of \$10.00.

The SNRHA reserves the right to change or increase the required deposit by amendment to these rules.

The SNRHA will refund the pet deposit to the tenant, less any damage caused by the pet to the dwelling unit, upon removal of the pet or the owner from the unit. Pet fees are non-refundable.



The SNRHA will return the pet deposit to the former tenant or to the person designated by the former tenant in the event of the former tenant's incapacitation or death.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the pet deposit. If the tenant disagrees with the amount charged to the pet deposit, the SNRHA will provide a meeting to discuss the charges.

All reasonable expenses incurred by the SNRHA as a result of damages directly attributable to the presence of the pet in the community will be the responsibility of the resident, including:

- The cost of repairs and replacements to the resident's dwelling unit;
- Fumigation of the dwelling unit;
- Common areas of the community.

Pet deposits are not a part of rent payable by the resident.

#### **F. ALTERATIONS TO UNIT**

Residents/pet owners shall not alter their unit, patio, premises or common areas to create an enclosure for any animal. Installation of pet doors is prohibited.

#### **G. PET WASTE REMOVAL CHARGE**

A separate pet waste removal charge of \$25 per occurrence will be assessed against the resident for violations of the pet policy.

Pet waste removal charges are not part of rent payable by the resident.

All reasonable expenses incurred by the SNRHA, as the result of damages directly attributable to the presence of the pet will be the responsibility of the resident, including:

The cost of repairs and replacements to the dwelling unit;

Fumigation of the dwelling unit.

If the tenant is in occupancy when such costs occur, the tenant shall be billed for such costs as a current charge.

If such expenses occur as the result of a move-out inspection, they will be deducted from the pet deposit. The resident will be billed for any amount, which exceeds the pet deposit.

The pet deposit will be refunded when the resident moves out or no longer have a pet on the premises, whichever occurs first.

The expense of flea disinfestations shall be the responsibility of the resident.



## **H. PET AREA RESTRICTIONS**

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash and under the control of the resident or other responsible adult individual at all times.

Pets are not permitted in common areas including lobbies, community rooms and laundry areas except for those common areas which are entrances to and exits from the building.

## **I. NOISE**

Pet owners must control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.

## **J. CLEANLINESS REQUIREMENTS**

### **Litter Box Requirements.**

All animal waste or the litter from litter boxes shall be picked up immediately by the pet owner, disposed of in sealed plastic trash bags, and placed in a trash bin.

Litter shall not be disposed of by being flushed through a toilet.

Litter boxes shall be stored inside the resident's dwelling unit.

### **Removal of Waste from Other Locations.**

The Resident/Pet Owner shall be responsible for the removal of waste by placing it in a sealed plastic bag and disposing of it in an outside trash bin.

Any unit occupied by a dog, cat, or rodent will be fumigated at the time the unit is vacated or during regularly scheduled extermination of the unit.

The resident/pet owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

## **K. PET CARE**

No pet (excluding fish) shall be left unattended in any apartment for a period in excess of 10 consecutive hours.

All residents/pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet.





Residents/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

**L. RESPONSIBLE PARTIES**

The resident/pet owner will be required to designate a responsible party for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

**M. INSPECTIONS**

The SNRHA may, after reasonable notice to the tenant during reasonable hours, enter and inspect the premises, in addition to other inspections allowed.

**N. TERMINATION OF TENANCY**

The SNRHA may initiate procedures for termination of tenancy based on a pet rule violation if:

The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified; and

The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

**O. PET REMOVAL**

If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation will be reported to the Responsible Party designated by the resident/pet owner. This includes pets that are poorly cared for or have been left unattended for over 10 consecutive hours.

If the responsible party is unwilling or unable to care for the pet, or if the SNRHA after reasonable efforts cannot contact the responsible party, the SNRHA may contact the appropriate State or local agency and request the removal of the pet.

If the pet is removed as a result of any aggressive act on the part of the pet, the pet will not be allowed back on the premises.

**P. EMERGENCIES**

The SNRHA will take all necessary steps to insure that symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate State or local entity authorized to remove such animals.



If it is necessary for the SNRHA to place the pet in a shelter facility, the cost will be the responsibility of the tenant/pet owner. Pets that become vicious, display aggressive behavior are subject to referral to appropriate State or Local agency.

## Chapter 11

### RECERTIFICATIONS

[24 CFR 5.613, 24 CFR 5.61524 CFR Part 960 Subpart C,  
5.657, 880.603, 884.218, 886.124, 886.324, 891.410, 891.610,  
891.750, 960.257, 982.516]

#### **INTRODUCTION**

HUD requires that PHA's offer all families the choice of paying income-based rent or flat rent at least annually. Families who choose to pay flat rent **or families who receive a verifiable fixed income** are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent **or fixed income** families must still report family composition and community service requirements on an annual basis.

To determine the amount of income-based rent, it is necessary for SNRHA to perform a reexamination of the family's income annually. At the annual reexamination, families who choose to pay income-based rent must report their current household composition, income, deductions and allowances. Between regular annual reexaminations, HUD requires that families report all changes in household composition, but SNRHA decides what other changes must be reported and the procedures for reporting them.

This chapter defines SNRHA's policy for conducting annual reexaminations. It also explains the interim reporting requirements for families, and the standards for timely reporting.

#### **A. ELIGIBILITY FOR CONTINUED OCCUPANCY**

Residents who meet the following criteria will be eligible for continued occupancy:

Qualify as a family as defined in this policy;

Are in full compliance with the resident obligations and responsibilities described in the dwelling lease;

Have provided Social Security numbers on all family members or have certifications on file indicating they have no Social Security number.

Whose family members have submitted required citizenship/eligible immigration status/non-contending documents. Who meet HUD standards on citizenship or immigration status or are paying a pro-rated rent.

Who are in compliance with the SNRHA's community service requirements.

Whose adult family members have passed an annual criminal screening.

#### **Remaining Family Members and Prior Debt**

1. Remaining family members age 18 years or older will be held responsible for arrearages incurred by the former head or spouse. SNRHA will not hold remaining family members (other than the head or spouse) responsible for any portion of the arrearage incurred before the remaining member attained age 18.

Exceptions may be made for extenuating circumstances or hardship.

2. Remaining family members under age 18 shall not be held responsible for the rent arrearages incurred by the former head of household.

## **B. ANNUAL RECERTIFICATIONS**

The terms "annual recertification" and "annual reexamination" are synonymous.

In order to be recertified, families are required to provide current and accurate information on income, assets, allowances and deductions, and family composition. The annual recertification of family income and composition will be conducted the staff.

Families who choose flat rent **and families who receive fixed income** are to be recertified every three years. SNRHA staff will mail annual information packages to families and may schedule an interview if additional information is needed.

Annual recertifications are scheduled; by the anniversary of their admission date.

### Admission Anniversary System:

For families who move in on the first of the month, the annual recertifications will be completed within 12 months of the anniversary of the move-in date. (Example: If family moves in August 1, the annual recertification will be conducted **at most 120 days prior** to be effective on August 1, the following year.)

For families who move in during the month, the annual recertifications will be completed no later than the first of the month in which the family moved in, the following year.

(Example: If family moves in August 15, the effective date of the next annual recertification is August 1.)

When families move to another dwelling unit, the annual recertification date will not change.

**Special Reexaminations:** When it is not possible to estimate family income accurately, a temporary determination will be made with respect to income and a special reexamination will be scheduled every 90 days until a reasonably accurate estimate of income can be made.

Special reexaminations shall be conducted when there is a change in the head of household that requires a remaining family member to take on the responsibilities of a leaseholder.

**Special Reexamination Following Income Disallowance:** When a family qualifies for an earned income disallowance, a special reexamination will occur at the end of the initial 12 month disallowance period and at the end of the **second 12 month disallowance period**.

**Zero/Extremely Low Income Families:** Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete a written no/low income certification every 180 days and undergo an interim recertification every 180 days. (See Other Interim Reporting Issues below).

### **Recertification Notice to the Family**

All families will be notified of their obligation to recertify by staff delivery or first class mail. The written notification shall be sent at least 120 calendar days in advance of the scheduled annual recertification date specifying the date and time of the appointment and the required documents that the tenant will need to supply.

During this reexamination period, the family will be given the option to choose flat rent or income-based rent. SNRHA will provide a form that states what the flat rent would be and what the family's income-based rent would be. The family will be required to make a choice and sign the form prior to the effective date of their reexamination. The form will be retained in the tenant's file.

If the family chooses flat rent, an annual recertification is required to verify community service requirements and family composition. Recertification of income is only required every three years.

Notification of the flat rent and an approximate amount of the income based rent, based on the last certification, and is sent at least 120 days in advance of the scheduled annual certification.

Families that have paid a flat rent for three years must complete a full certification process to determine accurate information regarding family composition and income. The family may choose to pay a flat rent or the income based rent annually.

### **Persons with Disabilities**

If requested as an accommodation by a person with a disability, the SNRHA will provide the notice in an accessible format. The SNRHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

Persons with disabilities, who are unable to come to the SNRHA's office will be granted an accommodation of conducting the interview at the person's home, upon verification that the accommodation requested meets the need presented by the disability.

### **Collection of Information**

The family is required to complete the Application for Continued Occupancy –Personal Declaration. Each adult member who reports no income or very low income will also be required to complete the Personal Declaration Form – No Income Questionnaire. Update form may be used for Interims.

### **Requirements to Attend**

The following family members will be required to attend the recertification interview and sign **the personal declaration** along with other required forms:

- The head of household, spouse, co-head, and

- All adult household members, age 18 and older.

If the head of household is unable to attend the interview, the appointment will be rescheduled one time at the family's request.

### **Failure to Respond to Notification to Recertify**

The written notification will explain which family members are required to attend the recertification interview. The family may call to request another appointment date up to 2 calendar days prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the SNRHA, the SNRHA will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the SNRHA will not schedule a third appointment. If a household fails to complete annual recertification, **they will receive a 30 day notice of lease termination for non-compliance with the recertification process.**

If the family schedules an appointment and completes annual recertification requirements within thirty days of the effective date of the household's annual recertification, the annual recertification will be completed and the household's rent will be based on the income.

Exceptions to these policies may be made by the Asset Manager if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

### **Documents Required From the Family**

In the notification letter to the family, the SNRHA will include instructions for the family to bring the following:

- Application for Continued Occupancy form Personal Declaration Form completed by head of household

- Documentation of income for all family members

- Documentation of assets

- Documentation to substantiate any deductions or allowances

- Documentation of family composition

- Picture identification for adults 18 years of age or older

- Other required documents on new family members, such as SSN or citizenship requirements

- Documentation of community service requirements

- Self-Declaration form when adult members 18 and over are declaring no income or very low income. (Except those 62 years and older/or disabled or enrolled in educational or approved training programs.)

SNRHA will require a print out of utility bills for three months to be submitted for residents claiming zero income.

### **Verification of Information**

All information which affects the families continued eligibility for the program, and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this Policy. Verifications used for recertification must be less than 120 days old on the effective date of the recertification. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine:

The continued eligibility of the resident as a *family* or as the *remaining member* of a family;

The unit size required by the family;

The amount of rent the family should pay.

### **Changes in the Tenant Rent**

If there is any change in rent, including change in family's choice in rent, the lease will be amended, or a new lease will be executed, or a Notice of Rent Adjustment will be issued [24 CFR 966.4(c) & (o)].

#### **Tenant Rent Increases**

If tenant rent increases, a 30-day notice will be mailed to the family prior to the family's annual recertification date.

If less than 30 days are remaining before the family's annual recertification date, the tenant rent increase will be effective on the first of the second month following the thirty day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the recertification processing, there will be a retroactive increase in rent to the family's annual recertification date.

#### **Tenant Rent Decreases**

If tenant rent decreases, it will be effective on the family's annual recertification date.

If the family causes a delay so that the processing of the recertification is not complete by the family's annual recertification date, rent change will be effective on the first day of the month following completion of the recertification processing by the SNRHA.

If tenant rent decreases and the change occurred within a month prior to the Recertification appointment, but the family did not report the change as an interim Adjustment, the decrease will be effective on the recertification anniversary date.

### **C. REPORTING INTERIM CHANGES**

Families must report all changes in household composition and increases in income/assets in writing within 10 calendar days to the SNRHA between annual recertifications. This includes additions due to birth, adoption and court-awarded custody. The family must

obtain SNRHA approval prior to all other additions to the household.

When there is a change in head of household or a new adult household member is added, the head of household will complete an application for continued occupancy – personal declaration or update form and recertify-revify, using the same procedures the SNRHA staff would use for an annual recertification, except for effective dates of changes. In such case, the Interim Recertification Policy would be used.

The annual recertification date will not change as a result of this action.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified prior to the approval by the SNRHA of the family member being added to the lease.

### **Increases in Income to be Reported and Rent Adjustments**

Families paying flat rent are not required to report any increases in income or assets between the recertification periods.

Families paying an income-based rent must report all increases in income/assets of all household members to the SNRHA in writing within 10 calendar days of the occurrence.

Families are required to report the following increases in income:

- Increases in income because a person with income joins the household;
- Increases in household income which comes as a result of a new income source.
- Increases in household income that was not anticipated at the annual recertification period.

Families who receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are required to report their annual increase when it occurs.

SNRHA will process rent adjustments for all increases in income, which are reported between regularly scheduled recertifications.

Rent increases (except those due to misrepresentation) require 30 days' notice.

### **Decreases in Income and Rent Adjustments**

Residents may report a decrease in income and other changes, such as an increase in allowances or deductions which would reduce the amount of the total tenant payment.

The SNRHA will process the rent adjustment unless the SNRHA confirms that the decrease in income will last less than 30 calendar days.

Decreases in tenant rent will be effective the first day of the month following the month in which the change is reported in writing to the SNRHA. If verification cannot be obtained prior to the end of the month in which the change is reported, the decrease will be made retroactive to the first day of the month following the month in which the change is reported.

### **D. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare



assistance is reduced specifically because of:

Fraud; or

Failure to participate in an economic self-sufficiency program; or

Noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA has a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

## **E. OTHER INTERIM REPORTING ISSUES**

**Residents are required to report all changes in family composition or status to SNRHA in writing within 10 calendar days of the occurrence. Failure to report within the 10 calendar days may result in a retroactive rent increase, but not a retroactive credit or rent reduction. In order to qualify for rent reductions, residents must report and verify income decreases promptly.**

An interim recertification will be scheduled for families with zero income or extremely low income every 180 days. Once income is reported recertification will cease until annual recertification time.

An interim reexamination will be scheduled for families with zero or extremely low-income every 180 days. Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete

a written no/low income certification every 180 days and undergo an interim recertification every 180 days, until they have a stable income. If any increases in income are indicated in any of the above information or other verification, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Monetary or non-monetary contributions from persons not residing in the dwelling unit for any purpose other than the payment or reimbursement of medical expenses shall be considered income. Families that report zero or extremely low income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc.

### **SNRHA Errors**

If the SNRHA makes a calculation error at admission to the program or at an annual recertification, an interim recertification will be conducted to correct the error, but the family will not be charged retroactively. Any decrease in rent will be made retroactive.

### **False or Incomplete Information Supplied by Family**

For families whose rent has been based on false or incomplete information supplied by The applicant/resident family, an interim recertification will be conducted upon notice by The SNRHA. Any increase in TTP and tenant rent will be retroactive.

## **F. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)**

### **Standard for Timely Reporting of Changes**

The SNRHA requires that families report interim changes to the SNRHA in writing within ten calendar days of when the change occurs. Any information, document or signature needed from the family which is needed to verify the change must be provided within 3 calendar days of reporting the change.

If the change is not reported within the required time period, or if the family fails to provide signatures, certifications or documentation, (in the time period requested by the SNRHA), it will be considered untimely reporting.

### **Procedures When the Change is Reported in a Timely Manner**

The SNRHA will notify the family of any changes in Tenant Rent to be effective according to the following guidelines:

**Increases in the Tenant Rent** is effective on the first of the month following at least thirty days' notice.

**Decreases in the Tenant Rent** are effective the first of the month following the month in which the change is reported.

The change may be implemented based on documentation provided by the family, pending third party written verification.

### **Procedures when the Change is not Reported by the Tenant in a Timely Manner**

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim recertification processing and the following guidelines will apply:

**Increase in Tenant Rent** will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any underpaid rent, utility reimbursement payment for which they would not have been eligible to receive and may be required to sign a Repayment Agreement in accordance with SNRHA repayment policy.

**Decrease in Tenant Rent** will be effective on the first of the month following completion of processing by the SNRHA and not retroactively.

### **Procedures when the Change is not processed by the SNRHA in a Timely Manner**

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the SNRHA in a timely manner.

Therefore, an increase will be effective after the required 30 days' notice prior to the first of the month after completion of processing by the SNRHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

### **G. REPORTING OF CHANGES IN FAMILY COMPOSITION**

All changes in family composition must be reported within 10 business days of the occurrence in writing.

The members of the family residing in the unit must be approved by the SNRHA. The family must inform the SNRHA and request approval of additional family members other than additions due to birth, adoption, or court-awarded custody before the new member occupies the unit.

The proposed new adult family members will be screened by SNRHA, according to the screening criteria in accordance with the criteria for eligibility and admission, prior to approval.

The SNRHA will not approve the addition of family members other than by birth, adoption, marriage or court-awarded custody where the occupancy standards would require a larger size unit.

An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody. SNRHA must receive a court awarded guardianship or custody is received within 365 calendar days. Failure shall result in the deduction being removed; and any income still being received shall be counted.

If an adult family member is declared permanently absent by the head of household, the notice must contain a certification by the head or co-head of household or spouse that the member (who may have been the head of household) removed is permanently absent.

The head of household must provide a statement that the head or co-head of household or

spouse will notify the SNRHA if the removed member returns to the household for a period longer than the visitor period allowed in the lease.

### **Increase in Family Size**

The SNRHA will consider a unit transfer (if needed under the Occupancy Guidelines) for additions to the family in the following cases:

Addition by marriage/or marital-type relation.

Addition of a minor who is a member of the nuclear family who had been living elsewhere.

Addition of a SNRHA-approved live-in attendant. Addition due to birth, adoption or court-awarded custody.

Families who need a larger sized unit because of voluntary additions identified above will be placed on the Transfer List at their next regularly scheduled recertification; unless it creates a health and safety hazard upon approval of the Director of Operations.

### **Definition of Temporarily/Permanently Absent**

The SNRHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. The SNRHA will evaluate absences from the unit in accordance with this policy.

### **Absence of Entire Family**

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the SNRHA will terminate tenancy in accordance with the appropriate lease termination procedures contained in this Policy.

Families are required to notify the SNRHA before they move out of a unit in accordance with the lease and to give the SNRHA information about any family absence from the unit.

Families must notify the SNRHA if they are going to be absent from the unit for more than 14 consecutive days. A person with a disability may request an extension of time as an accommodation.

"Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, the SNRHA may:

Conduct home visit

Write letters to the family at the unit Post

letters on exterior door Telephone the  
family at the unit Interview neighbors  
Verify if utilities are in service  
Check with Post Office for forwarding address  
Contact emergency contact

As a reasonable accommodation for a person with a disability, the SNRHA may approve an extension. (See Absence Due to Medical Reasons below for other reasons to approve an extension.) During the period of absence, the rent and other charges must remain current.

If the absence which resulted in termination of tenancy was due to a person's disability, and the SNRHA can verify that the person was unable to notify the SNRHA in accordance with the lease provisions regarding absences, and if a suitable unit is available, the SNRHA may reinstate the family as an accommodation if requested by the family.

If the dwelling unit is deemed abandoned by the tenant, SNRHA shall take possession of the unit and any of the tenant's possessions remaining in the unit, in accordance with the lease. Property abandoned by the tenant may be disposed of by SNRHA in accordance with Nevada State law, NRS 118A and SNRHA procedures.

#### **Absence of Any Member**

Any member of the household will be considered permanently absent if s/he is away from the unit for three consecutive months except as otherwise provided in this Chapter.

#### **Absence due to Medical Reasons**

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the SNRHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent and removed from the lease. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent, as long as rent and other charges remains current.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the SNRHA's "Absence of Entire Family" policy.

Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Asset Manager.

#### **Absence due to Incarceration**

If a sole member is incarcerated for more than 30 consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for 30 consecutive days. The rent and other charges must remain current during this period.

The SNRHA will determine if the reason for incarceration is for drug-related or criminal activity which would threaten the health, safety and right to peaceful enjoyment of the dwelling unit by other residents. If the offense is drug related or criminal activity that violates the lease and policy, the lease will be terminated.

### **Foster Care and Absences of Children**

If the family includes a child or children temporarily absent from the home due to placement in foster care, the SNRHA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 3 months 180 days from the date of removal of the child(ren), the family will be required to move to a smaller size unit. If all children are removed from the home permanently, the unit size will be reduced in accordance with the SNRHA's occupancy guidelines.

### **Absence of Adult**

If neither parent remains in the household and the SNRHA and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the SNRHA will treat that adult as a visitor for the first 30 calendar days.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the SNRHA will review the status at 30 calendar day intervals.

If the court has not awarded custody or legal guardianship, but the action is in process, SNRHA will secure verification from social services staff or the attorney as to the status. If by the end of that period, court-awarded custody or legal guardianship has been awarded to the guardian, and the guardian qualifies under Tenant Suitability criteria, the lease will be transferred to the guardian.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

SNRHA will transfer the lease to the guardian, in the absence of a court order, if the guardian qualifies under the Tenant Suitability criteria and has been in the unit for more than 30 days and it is reasonable to expect that custody will be granted.

When the SNRHA approves a person to reside in the unit as caretaker for the child/ren, the income should count pending a final disposition. The SNRHA will work with the appropriate service agencies to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 180 days, the person will be considered permanently absent.

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

### **Absence of Spouse or Secondary Wage earner**

The absence of the spouse or secondary wage earner must be verified by third-party documentation unless so verified per 24CFR 5.609(2) all income must be included.

### **Full-Time Students**

Full time students who attend school away from the home will be treated in the following manner:

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of unit size.

If the student is considered temporarily absent from the household, applicable income for that person will be counted. Full time students who attend school away from the home and live with the family during school recess will be considered temporarily absent from the household.

### **Visitors (See Chapter 9, Leasing)**

A visitor/*guest* is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Any adult not included on the HUD 50058 who has been in the unit more than 14 consecutive days, or more than 30 cumulative days in a 12 month period, will be considered to be living in the unit as an unauthorized.

The lease must provide the tenant has the right to exclusive use and occupancy of the leased unit by the members of the household authorized to reside in the unit in accordance with the lease, including reasonable accommodation of their guests [24 CFR 966.4(d)]. The head of household is responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near PHA premises [24 CFR 966.4(f)].

A resident family must notify the SNRHA in writing when overnight guests will be staying in the unit for more than 3 days.

A guest can remain in the unit no longer than 14 consecutive days or a total of 30 cumulative calendar days during any 12-month period.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last 20 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

Former residents who have been evicted are not permitted as overnight guests. Guests who represent the unit address as their residence address for receipt of benefits or other purposes will be considered unauthorized. In addition, guests who remain in the unit beyond the allowable time limit will be considered unauthorized, and their presence constitutes violation of the lease.

Absence of evidence of any other address will be considered verification that the visitor is an unauthorized household member.

Statements from neighbors and/or SNRHA staff will be considered in making the determination.

The SNRHA will consider:

- Statements from neighbors and/or SNRHA staff

- Vehicle license plate verification

- Post Office records

- Driver's license verification

- Law enforcement reports

- Credit reports

- Verification from other public or private sources

- Other reliable information

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, as stated above, the individual will be considered unauthorized and the SNRHA will terminate the family's lease since prior approval was not requested for the addition.

Minors and college students who were part of the family, but who now live away from home during the school year and are not considered members of the household may visit for up to 90 consecutive days per year without being considered a member of the household under the following conditions:

- The head of household has reported to the SNRHA, in writing, that the minor is a visitor.

- The SNRHA has provided the head of household with written permission for the minor to occupy the unit for more than 14 days.

In a joint custody arrangement, if the minor is in the household less than 184 days per year, the minor will be considered to be an eligible visitor and not a family member. If both parents reside in Public Housing or are a Section 8 Program participant, only one parent would be able to claim the child for deductions and for determination for the occupancy standards.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the public housing unit more than 50 percent of the time, are not subject to the time limitations of guests as described above.

### **Required Family Reporting to Management**

The additional person(s), whether a family member or a visitor, must be reported in writing to the manager within 3 calendar days of a stay intended to exceed the visitation period allowed under the lease/ACOP.



**H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF UNIT**

To be considered the remaining member of the tenant family, the person must have been previously approved by the SNRHA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

The court has to have awarded emancipated minor status to the minor or is legally married; or

The SNRHA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a transfer to an appropriate unit size per the Occupancy Standards. If the sole eligible member of the household dies, the unit must be returned to the SNRHA within 14 days.

**I. CHANGES IN UNIT SIZE**

The SNRHA shall grant exceptions from the occupancy standards if the family requests and the SNRHA determines the exceptions are justified according to this policy.

The SNRHA will not assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage or court-awarded custody.

The SNRHA will consider the size of the unit and the size of the bedrooms, as well as the number of bedrooms, when an exception is requested.

When an approvable change in the circumstances in a tenant family requires another unit size, the family will be placed on the Transfer List in accordance with the Transfer policy. (See Chapter 5, Occupancy Guidelines.)

**J. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES**

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members. Mixed families are eligible for prorated assistance in accordance with the mixed-family portion of the policy.

**K. UNIT TRANSFERS**

See Chapter 8, Transfer Policy.

## Chapter 14

### COMMUNITY SERVICE

[24 CFR 960.603-960.611]

#### **A. REQUIREMENT**

Each adult resident of the SNRHA shall:

Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or

Participate in an economic self-sufficiency program (defined below) for 8 hours per month.

An individual may not skip a month and then double up the following month, unless special circumstances warrant it. The Director of Operations or designee will make the determination of whether to permit a deviation from the schedule.

Individuals who have special circumstances which they believe will prevent them from completing the required community service hours for a given month, must notify SNRHA in writing immediately. SNRHA will review the request and notify the individual, in writing, of its determination within 10 calendar days. SNRHA may require those individuals to provide documentation to support their claim.

#### **B. EXEMPTIONS**

The SNRHA shall provide an exemption from the community service requirement for any individual who:

Is a family that is currently participating and is in compliance with the Public Housing Family Self-Sufficiency Program. Is 62

years of age or older;

Is a blind or disabled individual, as defined under section 216[i] [I] or 1614 of the Social Security Act, and who is unable to comply with this section, or is a primary caretaker of such individual;

Is engaged in a work activity as defined in section 407[d] of the Social Security Act; SNRHA will consider 20 hours per week as the minimum number of hours needed to qualify for a work activity exemption;

Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is

located, including a State-administered welfare-to-work program; or

Is in a family receiving assistance under a State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such program. **HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of a family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR. (PIH-2015-12 HA)**

The SNRHA will re-verify exemption status annually except in the case of an individual who is 62 years of age or older.

The SNRHA will permit residents to change exemption status during the year if status changes.

### **C. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM**

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, by one of the following:

Participating in the Family Self-Sufficiency Program and being current in the steps outlined in the Individual Training and Services Plan;

Participating in an educational or vocational training program designed to lead to employment, **as long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.**

Activities administered through Help of Southern Nevada (HELP).

### **D. ANNUAL DETERMINATIONS**

Requirement – For each public housing resident subject to the requirement of community service, the SNRHA shall, 90 days before the expiration of each lease term **or effective date of recertification**, review and determine the compliance of the resident with the community service requirement.

Such determination shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

If SNRHA has reasonable cause to believe that the certification provided by the family is false or fraudulent, SNRHA has the right to require third-party verification.

## **E. NONCOMPLIANCE**

If the SNRHA determines there is a family member who is subject to the community service requirement and has not complied with the requirement, the SNRHA shall notify the resident of such noncompliance, and that:

The determination of noncompliance is subject to the administrative grievance procedure under the SNRHA's Grievance Procedures; and

Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and

The SNRHA may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of the household, unless the SNRHA enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease.

### **Continued Non-compliance**

If, after the 12 month cure period, the family member is still not compliant, SNRHA must terminate tenancy of the entire family, according to SNRHA's lease, unless the family provides documentation that the non-compliant family member no longer resides in the unit.

If the family reports that a non-compliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before SNRHA will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the non-compliant family member that previously resided with them.

If the family does not request a grievance hearing, or provide such documentation within the required 10 calendar day timeframe, the family's lease and tenancy will automatically terminate at the end of the current lease term without further notice.

### **Ineligibility for Occupancy for Noncompliance**

The SNRHA shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.

## **F. SNRHA RESPONSIBILITY**

The SNRHA will ensure that all community service programs are accessible for persons with disabilities.

The SNRHA will ensure that:

The conditions under which the work is to be performed are not hazardous;

The work is not labor that would be performed by the SNRHA's employees responsible for essential maintenance and property services; or

The work is not otherwise unacceptable.

## **G. SNRHA IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENT**

SNRHA will provide the family with a copy of the Community Service Policy found in Exhibit 14-1 of this chapter, at lease-up, lease renewal, when a family member is determined to be subject to the community service requirement during the lease term, and at any time upon the family's request.

## **H. ELIGIBLE COMMUNITY SERVICE REQUIREMENTS**

All community service performed will be verified by acceptable third part verification and may include:

Community Service with a Certified Resident Council, on site resident Service contractor.

Volunteering in community activities, such as clean up, graffiti removal, painting, neighborhood reduction of criminal activity such as resident patrol and neighborhood watch programs.

Community service with faith based organizations

Any other community service organization that is pre-approved by SNRHA

Public educational facility.

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page  | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------|-------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALL     | ALL   | Change                | Entire Document will be updated with correct Revision Dates, CFR References, and Page Numbers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 4       | 4-5   | Add                   | Head, Spouse or co-head who is employed at least 20 hours per week <b>at the equivalent of minimum wage,</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 4       | 4-10  | Change                | The waiting list will be purged at least <del>bi</del> <b>tri</b> -annually ...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 4       | 4-12  | Change                | SNRHA staff will attempt to notify applicants by telephone <b>as a courtesy;</b> <del>and</del> all offers will be made in writing by first class mail.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4       | 4-12  | Change                | If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "good cause". The applicant will <del>not be removed from</del> <b>be returned to</b> the waiting list.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 6       | 6 - 5 | Change                | <b>The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.</b> <del>beginning on the date on which the increase is earned income begins and continuing for a cumulative 12-month period.</del> For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 <del>cumulative</del> <b>consecutive</b> calendar months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income <b>for the remaining 12 consecutive calendar months.</b>                                                                                                                                                                                                    |
| 6       | 6-6   | Change                | During the <del>cumulative</del> <b>initial</b> 12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6       | 6-6   | Change                | During the second and <del>final</del> <b>final</b> <del>cumulative</del> 12-month period after the expiration of the initial <del>cumulative</del> -12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 6       | 6-6   | Change                | <b>Maximum Two Four-Year Disallowance</b><br>The earned income disallowance is limited to a lifetime <del>48</del> 24 calendar month period.....phase- in exclusion during the <del>48</del> -24 month period ..... <del>If the period of increased income does not last for 12 consecutive months, the disallowance period may be resumed at any time within the 48-month period, and continued until the disallowance has been applied for a total of 12 months of each-</del>                                                                                                                                                                                                                                                                                                                                                                                               |
| 6       | 6-7   | Change                | <del>disallowance (the initial 12 month full exclusion and the second 12-month phase-in exclusion.</del> <b>If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.</b><br><del>No earned income disallowance will be applied after the 48-month period following the initial date the exclusion was applied.</del> <b>The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were "used".</b><br><b>Families that currently benefit from the IED, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48 month period, as was in effect prior to the effective date of this provision.</b> |
| 6       | 6-8   | Remove                | <del>Dates(s) earned income ended and resumed during the initial cumulative 12-month period of exclusion-</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 6       | 6-8   | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the initial exclusion of <b>100%</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**Southern Nevada Regional Housing Authority  
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| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6       | 6-8  | Remove                | <del>Date(s) earned income ended and resumed during the second cumulative 12-month period (phase in) of exclusion (if any)</del>                                                                                                                                                                                                                                                                                                        |
| 6       | 6-8  | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the phase in exclusion <b>of 50%</b> .                                                                                                                                                                                                                                                                                                                          |
| 6       | 6-8  | Change                | Ending date of the maximum <del>48 months (four year)</del> <b>24 month (2 Year)</b> disallowance period.                                                                                                                                                                                                                                                                                                                               |
| 6       | 6-8  | Remove                | <del>(48 months from the date of the initial earned income disallowance)</del>                                                                                                                                                                                                                                                                                                                                                          |
| 7       | 7-24 | Add                   | <b>Credit Card Statements will not be accepted as proof of payment of expenses</b>                                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-1  | Change                | submit the <del> requisite</del> <b>requested</b> 3rd party                                                                                                                                                                                                                                                                                                                                                                             |
| 8       | 8-2  | Change                | 1 transfer for every <del>50</del> <b>20</b> new move-ins                                                                                                                                                                                                                                                                                                                                                                               |
| 8       | 8-2  | Change                | Designated Senior Developments: 1 transfer for <del>50</del> <b>2</b> new move-ins                                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-3  | Add                   | <b>Good Standing criteria does not apply in the case of emergency transfers. Residents will be required to become compliant with all lease provisions upon completion of the Emergency Transfer to the new unit.</b>                                                                                                                                                                                                                    |
| 8       | 8-8  | Change                | <b>Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement. All applicable charges will be transferred to the resident's new account.</b>                                                                                                                                                                                                                                      |
| 8       | 8-8  | Addition              | The SNRHA will offer certain incentives to higher income families ( <b>Household income at or above 60% of AMI</b> ) willing to move into lower income projects...                                                                                                                                                                                                                                                                      |
| 8       | 8-9  | Change                | In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, <del>the losing manager</del> <b>both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from</b> will notify the resident of responsibility for the flat rent on the unit, in which they are transferring from, <del>until such time keys have been submitted.</del> |
| 8       | 8-9  | Add                   | with disabilities, <b>in accordance with SNRHA Reasonable Accommodation Policy and Procedures.</b>                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-10 | Change                | <b>For Otto Merida - Honolulu Street Family Apartments</b>                                                                                                                                                                                                                                                                                                                                                                              |
| 9       | 9-5  | Change                | Residents must advise the SNRHA when they will be absent from the unit for more than <del>30</del> <b>14</b> consecutive days                                                                                                                                                                                                                                                                                                           |
| 9       | 9-6  | Add                   | <b>If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See Page 6-16</b>                                                                                           |
| 9       | 9-7  | Change                | Tenant gave the required <del>30</del> <b>15</b> calendar days advance written notice                                                                                                                                                                                                                                                                                                                                                   |
| 9       | 9-8  | Change                | If any of the above items are found within a household the resident will be immediately billed <b>per labor established according to the Maintenance Charge List and added into the tenant's security deposit funds.</b> <del>thirty dollars (\$30) per room or affected area.</del>                                                                                                                                                    |

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9       | 9-11 | Change / Addition     | The premises listed below have been designated as smoke-free living environments:<br><b>• Lubertha Johnson Perry Plaza Senior Development</b><br><b>With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.</b><br>Residents, <b>staff</b> and guests are prohibited                                                                                |
| 10      | 10-1 | Change                | The SNRHA Pet Policy <b>Deposits, Fees, and Restrictions</b> does not apply to Assistance Animals...                                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-1 | Addition              | Families who choose to pay flat rent <b>or families who receive a verifiable fixed income</b> are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent <b>or fixed income ....</b>                                                                                                                                                                                                        |
| 11      | 11-2 | Addition              | choose flat rent <b>and families who receive fixed income</b> are to be recertified every three years.                                                                                                                                                                                                                                                                                                                                                    |
| 11      | 11-2 | Addition              | ...recertification will be conducted <b>at most 120 days prior</b> to be effective on August 1, the following year.)                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-2 | Addition              | and at the end of <b>second 12 month disallowance period</b> <del>the phase in period.</del>                                                                                                                                                                                                                                                                                                                                                              |
| 11      | 11-4 | Addition              | recertification, <b>they will receive a 30 day notice of lease termination for non-compliance of the recertification process.</b> <del>their housing subsidy will be removed and they will be charged the flat rent for their unit as of the effective date of the household's annual recertification.</del>                                                                                                                                              |
| 11      | 11-6 | Remove                | receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are <del>not</del> required to report their annual increase when it occurs. <del>The SNRHA will not increase the family's total tenant payment until their next regularly scheduled annual except when an interim recertification is necessary as a result of any other changes listed in the "Reporting Requirements" section of this chapter.</del> |
| 14      | 14-2 | Addition              | <b>HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR.(PIH-2015-12 HA)</b>                                                                                       |
| 14      | 14-2 | Change                | Participating in an educational or vocational training program designed to lead to employment. <b>As long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.</b> <del>30 hours per week</del>                                                                                                                                                         |





## Chapter 4

### TENANT SELECTION AND ASSIGNMENT PLAN

(Includes Preferences and Managing the Waiting List)

[24 CFR 960.204]

#### **INTRODUCTION**

It is the SNRHA policy that each applicant shall be assigned an appropriate place on a jurisdiction-wide waiting list unless the applicant has applied for a development subject to a site-based waiting list. Applicants will be listed in sequence based upon date and time the application is received, the size and type of unit they require, the site in which they wish to reside for applicable designated communities, and factors of preference or priority. In filling an actual or expected vacancy, the SNRHA will offer the dwelling unit to an applicant in the appropriate sequence, with the goal of accomplishing de-concentration of poverty and income-mixing objectives. The SNRHA will offer the unit until it is accepted. This Chapter describes the SNRHA policies with regard to the number of unit offers that will be made to applicants selected from the waiting list.

#### **SNRHA OBJECTIVES**

SNRHA policies will be followed consistently and will affirmatively further HUD's fair housing goals.

It is the SNRHA objective to ensure that families are placed in the proper order on the waiting list so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This chapter explains the policies for the management of the waiting list.

When appropriate units are available, families will be selected from the waiting list in sequence within their preference category and date and time sequence.

By maintaining an accurate waiting list, the SNRHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner. Based on the SNRHA turnover and the availability of appropriate sized units, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

#### **SITE-BASED/DESIGNATED WAITING LISTS**

Per the Quality Housing and Work Responsibility Act of 1998, SNRHA uses site-based/designated waiting lists.

#### **A. MANAGEMENT OF THE WAITING LIST**

The SNRHA will administer its waiting list as required by 24 CFR Part 5, Subparts E and F, Part 945 and 960.201 through 960.215. The waiting list will be maintained in accordance with the following guidelines:

The application will be a permanent part of the file.



All applicants in the pool will be maintained in order of preference. Applications equal in preference will be maintained by date and time sequence.

All applicants must meet applicable income eligibility requirements as established by HUD.

### **Opening and Closing the Waiting Lists**

The SNRHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part.

The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit, and the ability of the SNRHA to house an applicant in an appropriate unit within a reasonable period of time.

When the SNRHA opens the waiting list, the SNRHA will advertise the location(s), and program(s) for which applications are being accepted in the following newspapers:

Las Vegas Review Journal/Sun  
El Mundo  
Las Vegas Asian Journal  
Indian Voice  
The Challenger Rehabilitation, Disability Newspaper

To reach persons with disabilities, the SNRHA will provide separate notice to local organizations representing the interests and needs of the disabled. This will include notice to the following organizations:

Opportunity Village  
Nevada Disability Advocacy and Law Center Nevada  
Legal Services  
Help Them Walk Again  
Nevada Association for the Handicapped

The notice will contain:

- The dates, times, and the locations where families may apply.
- Any designated housing for which site-based waiting lists are applicable
- The programs for which applications will be taken.
- Limitations, if any, on whom may apply.

The notices will be made in an accessible format, if requested. They will provide potential applicants with information that includes the SNRHA address and telephone number, and how to submit an application.

### **When Application Taking is Suspended**

The SNRHA may suspend the acceptance of applications if there are enough applicants to fill anticipated openings for the next 12 to 24 months.



The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

During the period when the waiting list is closed, the SNRHA will not maintain a list of individuals who wish to be notified when the waiting list is open.

Suspension of application taking is announced in the same way as opening the waiting list. SNRHA will give at least five (5) days notice prior to opening or closing the list.

When the period for accepting applications is over, the SNRHA will add the new applicants to the list by:

- Unit size, local preference, and by date and time of application.

The SNRHA will update the waiting list at least annually by removing the names of those families who are no longer interested, no longer qualify for housing, or cannot be reached by mail. At the time of initial intake, the SNRHA will advise families of their responsibility to notify the SNRHA in writing when mailing address changes.

### **Limits on Who May Apply**

When the waiting list is open,

- Any family asking to be placed on the waiting list for Public Housing rental assistance will be given the opportunity to complete an application.

When the application is submitted to the SNRHA, it establishes the family's date and time of application for placement order on the waiting list with preference points determining the final rank.

### **Multiple Families in Same Household**

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

### **B. SITE BASED WAITING LISTS**

The SNRHA offers a system of site-based waiting lists for HUD-approved designated communities.

The SNRHA maintains separate site-based waiting lists for all current or future mixed financed properties, as well as all current or future RAD conversion Properties.

Applicants may choose which site-based waiting list they wish to be placed on, regardless of the application site. Applicants may designate the community or communities in which they seek to reside.

SNRHA will monitor its site-based wait list annually by comparing data in January to data in October to determine the level of change, if any, in the overall racial, ethnic and disability-related tenant composition at each SNRHA site by analyzing its data.



Every reasonable action will be taken by the SNRHA to assure that applicants can make informed choices regarding the community(s) in which they wish to reside. The SNRHA will disclose information to applicants regarding the location of available sites.

### **Monitoring Site-Based Waiting Lists**

The system of site-based waiting lists will be carefully monitored to assure that civil rights and fair housing are affirmatively furthered.

The SNRHA adoption of site-based waiting lists is not in violation of any court order or settlement agreement, and is not inconsistent with any pending complaint brought by HUD.

The SNRHA will monitor its system of site-based waiting list annually to assure that racial steering does not occur. If the SNRHA annual analysis of its site-based waiting list indicates that a pattern of racial steering is or may be occurring, the SNRHA will take corrective action.

The SNRHA will assess changes in racial, ethnic or disability-related tenant composition at each SNRHA site that has occurred during the implementation of the site-based waiting lists. The SNRHA will make this assessment based on MTCS data.

The SNRHA has established site-based waiting lists for the following properties:

Espinoza Terrace, Designated Elderly Development, Henderson

Hampton Court, Family Development, Henderson

Otto Merida Desert Villas, Family Development, Las Vegas

Landsman Gardens, Family development, Henderson

Vera Johnson B, Family Development, Las Vegas. Vera Johnson B will convert from Mixed Finance to RAD Project Based Voucher after construction.

Biegger Estates, Family Development, Las Vegas

Rose Gardens, Designated Elderly Development, Las Vegas

The SNRHA intends to make available dwelling units, in communities designated for elderly families only, to near-elderly families if there are an insufficient number of elderly families on the waitlist. Near elderly will be defined as families whose members are 55 years of age or older.

### **C. WAITING LIST PREFERENCES**

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

The SNRHA preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, and further de-concentration of poverty in public housing. When such matching is required or permitted by current law, the SNRHA will give preference to qualified families.



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

Among applicants with equal preference status, the waiting list will be organized by date and time.

**Local Preferences**

Local preferences will be used to select among applicants on the waiting list. A public hearing with an opportunity for public comment will be held before the SNRHA adopts any local reference.

The SNRHA uses the following Local Preferences:

**Homeless Referral Preference:** Families who are homeless (family lacks a fixed regular and adequate night time residence, or has a primary night time residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, such as welfare voucher hotels, congregate shelters or transitional housing designed for homeless persons, or a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings) and are participating in case management with an approved referral agency. This preference shall be limited to up to 150 referrals per year ..... **60 points**

Unit offers to applicants referred for this preference will be made as follows: for every two applicants from the waiting list receiving a unit offer, one applicant referred under this preference will receive a unit offer.

*Homeless Families that live with friends or relatives who are not currently in the transition system, will be encourage to apply to other available SNRHA programs that they may qualify for.*

**Federally Declared Disasters:** Victims who are holders of Section 8 Vouchers or other subsidized programs as defined as eligible units by HUD, in another jurisdiction within 120 days of the President declaring a federal disaster. .... **55 points**

**Working Preference:** Head, spouse or co-head who is employed at least 20 hours per week **at the equivalent of minimum wage**, or who are active participants in accredited educational and training programs designed to prepare the individual for the job market. This preference is extended equally to elderly families or disabled families, including but not limited to those whose head or spouse is receiving SSI, SSD, or who can be verified to be unable to work, if both the head of household and spouse is either elderly or disabled..... **30 points**

**Veteran preference** for veteran as defined by State. .... **6 points**

**Residency preferences** for head, co-head or spouse, who live, work, have been hired to work, or are enrolled full time in an accredited school in Clark County... **5 points**



**Disabled veteran** or family (defined as dependent son, daughter, and spouse) of a veteran with a service-connected disability. .... **.5 points**

**Family of** (defined as spouse) a **deceased veteran** with a service-connected death. .... **.4 points**

***FINAL VERIFICATION OF PREFERENCES [24 CFR 5.415]***

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the SNRHA will obtain necessary verifications of preference at the interview and by third party verification.

***PREFERENCE DENIAL [24 CFR 5.415]***

If the SNRHA denies a preference, the SNRHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal meeting with the Housing Programs Manager or Director of Housing Programs. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

**Treatment of Single Applicants**

Single applicants will be treated as any other eligible family on the SNRHA waiting list.

**Pulling from the Wait List**

SNRHA shall utilize income targeting to meet HUD's requirements that 40% of admissions have income of less than 30% of minimum income. Elderly and disabled families are given the working preference as required by HUD regulations. All preferences claimed are verified at final eligibility determination. If preferences claimed cannot be verified, the applicant is returned to the appropriate placement on our waiting list and a written notice explaining this action is sent to the applicant.

**D. VERIFICATION OF PREFERENCE QUALIFICATION [24 CFR 5.415]** The

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

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list and ranked without the Local Preference and given an opportunity for a review.

**Change in Circumstances**

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the SNRHA in writing when their circumstances change. When an applicant claims an additional preference, s/he will be placed on the waiting list in the proper order of their newly claimed preference.

If the family failed to report income changes during final eligibility and the verified



failure would have affected their eligibility for a local preference, the family will be returned to the waiting list.

**E. PREFERENCE DENIAL** [24 CFR 5.415]

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

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

**E. FACTORS OTHER THAN PREFERENCES THAT AFFECT SELECTION OF APPLICANTS**

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

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

**G. INCOME TARGETING**

The SNRHA will monitor its admissions to ensure that at least 40 percent of families admitted to public housing in each fiscal year shall have incomes that do not exceed 30% of area median income of the SNRHA jurisdiction.

Hereafter families whose incomes do not exceed 30% of area median income will be referred to as "extremely low income families."

The SNRHA shall have the discretion, at least annually, to exercise the "fungibility" provision of the QHWRRA by admitting less than 40 percent of "extremely low income families" to public housing in a fiscal year, to the extent that the SNRHA has provided more than 75 percent of newly available vouchers to "extremely low income families." This fungibility provision discretion by the SNRHA is also reflected in the SNRHA Administrative Plan.

The fungibility credits will be used to drop the annual requirement below 40 percent of admissions to public housing for extremely low income families by the lowest of the following amounts:



The number of units equal to 10 percent of the number of newly available vouchers in the fiscal year; or

The number of public housing units that 1) are in public housing communities located in census tracts having a poverty rate of 30% or more, and 2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

**The Fungibility Floor:** Regardless of the above two amounts, in a fiscal year, at least 30% of the SNRHA admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the SNRHA overall requirement for housing extremely low-income families to drop to 30% of its newly available units.

Fungibility shall only be utilized if the SNRHA is anticipated to fall short of its 40% goal for new admissions to public housing.

### **Low Income Family Admissions**

Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

## **H. UNITS DESIGNATED FOR THE ELDERLY**

In accordance with the 1996 Housing Act, Head or Spouse must be at least 62 years of age will be selected for admission to such units or buildings covered by a HUD-approved Allocation Plan, except for the units which are accessible, which may be offered to persons with disabilities.

The SNRHA will take the following action when processing families for developments designated for the elderly when there are insufficient elderly families who wish to reside in a development, near-elderly families (head or spouse ages 55-61) will be selected for this type of unit.

## **I. UNITS DESIGNATED FOR THE DISABLED**

SNRHA has no HUD-approved disabled-only designated developments.

## **J. MIXED POPULATION UNITS**

A mixed population community is a public housing community, or portion of a community that was reserved for elderly families and disabled families at its inception (and has retained that character).

In accordance with the 1992 Housing Act, elderly families whose head spouse or sole member is at least 62 years of age, and disabled families whose head, co-head or spouse or sole member is a person with disabilities, will receive equal preference to such units.

No limit will be established on the number of elderly or disabled families that may occupy a mixed population property. All other SNRHA preferences will be applied.





## **K. GENERAL OCCUPANCY UNITS**

General occupancy units are designed to house all populations of eligible families. In accordance with the SNRHA occupancy standards, eligible families not needing units designed with special features or units designed for special populations will be admitted to the SNRHA general occupancy units.

The SNRHA will use its local preference system as stated in this chapter for admission of eligible families to its general occupancy units.

## **L. DECONCENTRATION OF POVERTY AND INCOME-MIXING**

The SNRHA admission policy is designed to provide for de-concentration of poverty and income mixing by bringing higher income tenants into lower income communities and lower income tenants into higher income communities.

Gross annual income is used for income limits at admission and for income-mixing purposes.

Skipping of a family on the waiting list specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met.

The SNRHA will gather data and analyze, at least annually, the tenant characteristics of its public housing stock, including information regarding tenant incomes, to assist in the SNRHA de-concentration efforts.

The SNRHA will use the gathered tenant income information in its assessment of its public housing developments to determine the appropriate designation to be assigned to the community for the purpose of assisting the SNRHA in its de-concentration goals.

If the SNRHA annual review of tenant incomes indicates that there has been a significant change in the tenant income characteristics of a particular community, the SNRHA will evaluate the changes. The SNRHA will determine whether, based on the SNRHA methodology of choice, the community needs to be re-designated as a higher or lower income community or whether the SNRHA has met the de-concentration goals and the community needs no particular designation.

### **Deconcentration and Income-Mixing Goals**

Admission policies related to the de-concentration efforts of the SNRHA do not impose specific quotas. Therefore, the SNRHA will not set specific quotas, but will strive to achieve de-concentration and income mixing in its developments.

The SNRHA income-mixing goal is a long-range goal and may not be achieved in the first year of implementation. The SNRHA will use its annual analysis of its public housing stock and tenant incomes to provide benchmarks for the SNRHA.

The SNRHA income-mixing goal, in conjunction with the requirement to achieve income targeting, will be achieved via unit offer procedures described in Section P of this chapter.



## **Community Designation Methodology**

### **Aggregate Average Method**

The SNRHA will review the annual resident income of all family sites to develop an average annual income, which will be used as a baseline. Developments with an average annual income above that baseline will be considered higher income developments, and developments with an average annual income below the baseline will be considered lower income developments.

Upon analyzing its findings the SNRHA will apply the policies, measures and incentives listed in Section P of this chapter to bring higher income families into lower income developments.

### **SNRHA Incentives for Higher Income Families**

Covered in Section P of this Chapter.

### **M. REMOVAL FROM WAITING LIST AND PURGING** [24 CFR 960.204(a)]

The waiting list will be purged at least **tri**-annually by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within 14 calendar days, s/he will be removed from the waiting list. If a letter is returned by the Post Office, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. Failure to respond will result in removal from all waiting lists.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed period.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

The SNRHA allows a grace period of 7 calendar days after completion of the purge mailing. Applicants who respond during this grace period will not be withdrawn.

Applicants are notified with confirmation of the SNRHA receipt of their application that they are responsible for notifying the SNRHA within 10 calendar days, if they have a change of address.

### **N. OFFER OF ACCESSIBLE UNITS**

The SNRHA has units designed for persons with mobility, sight and hearing impairments, referred to as accessible units.

No non-mobility-impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, the SNRHA will offer such units:



First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA control who has a disability that requires the special features of the vacant unit.

Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, the SNRHA will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement. SNRHA will pay all reasonable and customary costs associated with the relocation of the non-disabled family.

The Authority will make modifications to the unit in keeping with the Section 504 Transition Plan as the need arises and until the agency determines that an adequate number of units have been rehabilitated in numbers sufficient to evidence compliance with the Plan See Chapter 9.

#### **O. PLAN FOR UNIT OFFERS**

The SNRHA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is to offer the family at the top of the waiting list for the appropriate bedroom size and unit type the oldest available unit five days prior to target-ready date.

Unit offers to promote income targeting are made in accordance with HUD regulations of the oldest eligible certified family to the appropriate bedroom size of the oldest ready and available unit. Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

#### **Number of Offers - Two Offers**

SNRHA will make two offers on an appropriate unit. If the second offer is rejected or the applicant fails to execute a lease within the required timeframes, the applicant will be withdrawn from our waiting list. Exceptions are incorrect unit offers and/or offers to non-disabled families of accessible units, or other “good cause” reason. The applicant shall be informed of this in writing.

#### **SNRHA Incentives for Higher Income Families**

The SNRHA will offer certain incentives to higher income families willing to move into lower income communities. If a higher income family agrees to move to an SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family’s choice. The move will be approved, according to the Occupancy Guidelines, only if the family has consistently been in lease compliance for two years following admission.

In addition, the SNRHA will target homeownership opportunities to higher income families moving into lower income communities.



## **P. CHANGES PRIOR TO UNIT OFFER**

### **Applicants with a Change in Family Size or Status**

Applicants must report changes in income, family composition, and address within ten (10) calendar days of the change prior to eligibility and after final eligibility. If the family did not report the change within the required time frame, the family will be withdrawn and determined ineligible and offered an opportunity for informal hearing.

Properly reported changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. The SNRHA shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit or if the family is no longer eligible for the program.

The family will take the appropriate place in the selection pool or waiting list according to the preference points on the date they first applied **if the appropriate waiting list was open at the time of initial application.**

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

Income changes properly reported after the unit is offered will be processed following lease-up procedures.

## **O. APPLICANT STATUS AFTER FINAL UNIT OFFER**

When an applicant rejects the final unit offer the SNRHA will remove the applicant's name from the waiting list. Removal from the waiting list means the applicant must reapply. Exceptions may be made in accordance with 504 regulations, for persons whose refusal involved the need for a reasonable accommodation.

## **R. TIME-LIMIT FOR ACCEPTANCE OF UNIT**

Applicants will have three (3) business days to respond to an offer of an available unit. Applicants must accept a unit offered within one (1) business day of the date the unit is shown and execute a lease within two (2) additional business days of the offer acceptance. Extensions can be approved for good cause.

SNRHA staff will attempt to notify applicants by telephone **as a courtesy**; all offers will be made in writing by first class mail.

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

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "*good cause*," the applicant will **be returned to** the waiting list.

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



- An elderly family who makes the decision not to occupy or accept occupancy in designated housing for which they applied will be withdrawn from the designated housing waiting list, but this action will not affect their standing on any other waiting list. [24 CFR 945.303(d)]
- Inaccessibility to source of employment or education such that an adult household member must quit a job, drop out of an educational or a job training program.
- The family demonstrates to SNRHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons must be specific. Refusals due to the location of the unit alone are not considered to be good cause.
- A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household member, or a live-in aide necessary to care for the principal household member.
- The family is offered a unit which is handicap accessible, but there is no member of the family that need accessibility features in the unit. The unit is inappropriate for the applicant's disabilities

### **S. REFUSAL OF OFFER**

If the unit offered is inappropriate for the applicant's disabilities or if a non-disabled family is offered an accessible unit, the family will retain their position on the waiting list.

If the unit offered is refused for other reasons, the SNRHA will follow the applicable policy as listed in Section O, Plan for Unit Offers, and Section Q, Applicant Status after Final Offer.

### **T. SPECIAL PROGRAMS**

The SNRHA will administer a HUD, RAD (Rental Assistance Demonstration) program at the following properties:

- o Landsman Gardens, Henderson, Nevada.
- o Vera Johnson B, Las Vegas, Nevada
- o Biegger Estates, Las Vegas, Nevada
- o Rose Gardens, North Las Vegas, Nevada

**See Chapter 16 for RAD/PBV information.**



## Chapter 6

### DETERMINATION OF TOTAL TENANT PAYMENT

[24 CFR 5.628, 5.611, 5.613, 5.615]

#### **INTRODUCTION**

The accurate calculation of annual income and adjusted income will ensure that families are not paying more or less money for rent than their obligation under the regulations.

This chapter defines the allowable deductions from annual income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subpart F and further instructions set forth in HUD Notices, Memoranda and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. The SNRHA's policies in this chapter address those areas which allow the SNRHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

#### **A. MINIMUM RENT (TTP)**

The minimum rent (TTP) for the SNRHA is \$50.00.

The total tenant payment is the greater of:

30% of the adjusted monthly income

10% of the monthly income

The minimum rent as established by the SNRHA

The minimum rent refers to a minimum total tenant payment and not a minimum tenant rent.

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

The SNRHA recognizes that in some instances even the minimum rent may create a financial hardship for families. The SNRHA will review all relevant circumstances brought to the SNRHA's attention regarding financial hardship as it applies to minimum rent. The following section states that the SNRHA's procedures and policies in regard to minimum rent financial hardship as set forth by the QHWRA.



### **SNRHA Procedures for Notification to Families of Hardship Exceptions**

The SNRHA will notify all participant families subject to a minimum rent of their right to request a minimum rent hardship exception under the law.

The SNRHA will notify all eligible families at time of lease-up of their right to request a minimum rent hardship exception.

The SNRHA will notify all eligible families at the annual and interim recertification appointments of their right to request a minimum rent hardship exception.

The manager or their designee will document in the family's file that the family has been notified of their right to request a minimum rent hardship exception.

The SNRHA notification will advise the family that hardship exception determinations are subject to SNRHA grievance procedures.

The SNRHA will review all tenant requests for exception from the minimum rent due to financial hardships.

All requests for minimum rent exception are required to be in writing.

Requests for minimum rent exception will be accepted by the SNRHA from the family in writing.

Requests for minimum rent exception must state the family circumstances that qualify the family for an exception.

### **Exceptions to Minimum Rent**

The SNRHA will immediately grant the minimum rent exception to all families who request it.

The Minimum Rent will be suspended until the SNRHA determines whether the hardship is:

Covered by statute

Temporary or long term

If the SNRHA determines that the minimum rent is not covered by statute, the SNRHA will impose a minimum rent including payment for minimum rent from the time of suspension.



The SNRHA will use its standard verification procedures to verify circumstances which have resulted in financial hardship, such as loss of employment, death in the family, etc.

### **HUD Criteria for Hardship Exception**

In order for a family to qualify for a hardship exception the family's circumstances must fall into one of the following criteria:

The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance;

The family would be evicted as a result of the imposition of the minimum rent requirement;

The income of the family has decreased because of changed circumstances, including:

Loss of employment

Death in the family

Other circumstances as determined by the SNRHA or HUD

### **Temporary Hardship**

If the SNRHA determines that the hardship is temporary, a minimum rent will be imposed, including back payment from time of suspension, but the family will not be evicted for nonpayment of rent during the 90 day period commencing on the date of the family's request for exemption.

### **Repayment Agreements for Temporary Hardship**

The SNRHA will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period.

See Chapter 14, Rent and Debt Collection Procedures, for payment terms.

## **B. INCOME AND ALLOWANCES**

**Income:** Includes all monetary and non-monetary income or benefit amounts that are received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be calculated and what is to be excluded in the federal regulations. In accordance with this definition, all income that is not specifically excluded in the regulations is counted. (See Income Inclusions and Income Exclusions in the Glossary of Terms of this policy.)





**Annual Income** is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits. (24 CFR 5.607)

The low-income subsidy received to assist low-income persons in paying for their Medicare prescription drug plan costs must be excluded as annual income for the purpose of calculating any rent or assistance.

**Adjusted Income** is defined as the annual income minus any HUD allowable expenses and deductions.

### **Allowable Deductions**

HUD has 5 allowable deductions from annual income:

1. Dependent allowance: \$480 each for family members (other than the head or spouse), who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
2. "Elderly/disabled" allowance: \$400 per household for families whose head or spouse are 62 or over or disabled.
3. For any family that is a disabled family, or has a member (other than the head or spouse) who is a person with a disability. A disability assistance expenses for unreimbursed amounts paid for attendant care or auxiliary apparatus expenses for family members with disabilities, including the disabled member, where such expenses are necessary to permit an adult family member to be employed. The allowable expenses must be in excess of 3% of annual income. This allowance may not exceed the employment income received by the family members that is freed to go to work, who is at least 18 years of age.
4. For any elderly or disabled family:
  - a. 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;
  - b. 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;



- c. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that are equal to the total of these expenses less 3% of annual income.
5. Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare 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)).
6. The SNRHA does not provide for any optional deductions or allowances in the public housing program.

**C. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS**  
**24 CFR 962.255, 24 CFR 5.617, 24 CFR 960.255**

The annual income for qualified families may not be increased as a result of increases in earned income of a family member. **The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.** For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 **consecutive** months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income **for the remaining 12 consecutive calendar months.**

A family eligible for the earned income exclusion is a family that occupies a dwelling unit in a public housing community; and

Whose annual income increases as a result of employment of an adult member of the family who was previously unemployed for one or more years;

Whose earned annual income increases during the participation of a family member in any family self-sufficiency or other job training program; or

Whose annual income increases, as a result of new employment or increased earnings of an adult family member during or within six months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a six-month period is at least \$500. The qualifying TANF assistance may consist of any amount of monthly income maintenance, and/or at least \$500 in such TANF benefits and services as one-time payments, wage subsidies and transportation assistance.



The HUD definition of "previously unemployed" includes a person who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality if it is higher than the federal minimum wage.

The HUD definition of economic self-sufficiency program is any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Qualifying increases are any earned income increases of a family member during participation in an economic self-sufficiency or job training program and may include increases that occur after participation provided the training provides assistance, placement, training or mentoring after the training that leads to employment.

The amount that is subject to the disallowance is the amount of incremental increase in income of a family member. The incremental increase in income is calculated by comparing the amount of the family member's income before the beginning of qualifying employment (baseline) to the amount of such income after the employment.

#### **Initial Twelve-Month Exclusion**

During the **initial** 12-month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the SNRHA will exclude from annual income of a qualified family member any increase in income of the family member as a result of employment over the prior income of that family member (baseline).

#### **Second Twelve-Month Exclusion and Phase-in**

During the second **and final** 12-month period after the expiration of the initial 12-month period referred to above, the SNRHA must exclude from Annual Income of a qualified family member, 50 percent of any increase in income of a family member who is a person with disabilities as a result of employment over the income of that family member prior to the beginning of such employment.

#### **Maximum Two Year Disallowance**

The earned income disallowance is limited to a lifetime **24** month period for each family member. For each family member, the disallowance only applies for a maximum of 12 months of full exclusion of incremental increase, and a maximum of 12 months of phase-in exclusion during the **24** month period starting from the date of the initial exclusion.



**If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.**

**The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were “used”.**

**Families that currently benefit from the EID, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48-month period, as was in effect prior to the effective date of this provision.**

**Applicability to Child Care Expense Deductions**

The amount deducted for childcare necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction in the case of the deduction that is allowed due to employment.

**Applicability to Disability Expense Deductions**

The amount deducted for disability expense deduction that is necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for the disability expense deduction.

**Applicability to Families that Receive both Child Care Expense and Disability Deductions**

The amount deducted for both childcare and disability expense deductions necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction and disability expenses combined in the case of the deduction that is allowed due to employment.

**Tracking the Earned Income Exclusion**

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family’s file to show the reason for the reduced increase in rent.

**\*Such documentation will include:**

- **Date the increase in earned income was reported by the family**
- **Name of the family member whose earned income increased**



- Reason (new employment, participation in job training program, within 6 months after receiving TANF) for the increase in earned income
- Amount of the increase in earned income (amount to be excluded)
- Date the increase in income is first excluded from annual income
- Date the family member has received a total of 12 consecutive months of the initial exclusion of 100%
- Date the 12-month phase-in period began
- Date the family member has received a total of 12 consecutive months of the phase-in exclusion of 50%
- Ending date of the maximum 24 month (two year) disallowance period

The SNRHA will maintain a tracking system to ensure correct application of the earned income disallowance.

It is a SNRHA policy decision to conduct an interim reexamination for income increases for the purpose of calculating the earned income disallowance.

### **Inapplicability to Admission**

The earned income disallowance is only applied to determine the Annual Income of families who are participants in the public housing program, and therefore does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

### **E. INDIVIDUAL SAVINGS ACCOUNTS**

The SNRHA chooses not to establish a system of individual savings accounts for families who qualify for the disallowance of earned income.

### **F. TRAINING PROGRAMS FUNDED BY HUD**

All training income from a HUD sponsored or funded training program, whether incremental or not, is excluded from the resident's annual income while the resident is in training. Income from a Resident Services training program, which is funded by HUD, is excluded.

Upon employment with the SNRHA, the full amount of employment income received by the person is counted.

### **G. AVERAGING INCOME**

When annual income cannot be anticipated for a full 12 months, the SNRHA will average known sources of income that vary to compute an annual income.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third-party or check-stub verification is not available.



If by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so that the housing payment will not change from month to month.

The method used depends on the regularity, source and type of income.

## **H. MINIMUM INCOME**

There is no minimum income requirement. Families who report zero income or extremely low income are required to complete a written certification every 180 calendar days which will be verified with EIV and all federal, state and local agencies and other sources, as appropriate, including credit checks, to verify income sources. If any increases in income are indicated in any of the above information or other verification at any time, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Families that report zero or extremely low income will be required to provide information in writing regarding their means of basic subsistence, such as food, utilities, transportation, and other subsistence expenses, in writing. SNRHA will require a print out of utility bills for three months to be submitted at interim evaluations for residents claiming zero or extremely low income.

If the family's expenses exceed their known income, the SNRHA will make inquiry of the head of household as to the nature of the family's accessible resources.

Utility bills provided by the family which show that the utilities are in another person's name will require further investigation as to whether there is an unauthorized member of the household.

Where credit reports show credit accounts open and payments current, SNRHA will take action to investigate the possibility of unreported or underreported income, fraud or program abuse.

The SNRHA will terminate the lease of families for fraud or offer a repayment agreement when documented evidence indicates the family has unreported or underreported income, which includes receiving funds from other parties or individuals that has not been reported. Failure to enter into a repayment agreement and pay the required 25% down payment within the established guidelines shall result in the termination of the lease. Repeating this action will result in termination of the lease.



## **I. INCOME OF PERSON PERMANENTLY/TEMPORARILY CONFINED TO NURSING HOME**

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the SNRHA will calculate the income by using the following methodology and use the income figure which would result in a lower payment by the family:

Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member after 180 days or when doctor certification of length of absence is received, whichever comes first.

If the family member is temporarily confined in a hospital or nursing home, SNRHA will calculate the TTP by:

Including the income of the person temporarily confined to the nursing home and giving the family the medical deductions allowable on behalf of the person in the nursing home, if they are an elderly or disabled family. For the purpose of this section, "temporarily" is defined as no more than 180 days.

## **J. REGULAR CONTRIBUTIONS AND GIFTS** [24 CFR 5.609(a)(7)]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the tenant share of the rent.

Any contribution or gift received two consecutive months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$100 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter 7, Verification Procedures, for further definition.)

If the family's expenses exceed its known income, the SNRHA will question the family about contributions and gifts.

## **K. ALIMONY AND CHILD SUPPORT** [24 CFR 5.609(a)(7)]

Regular alimony and child support payments are counted as income for calculation of the family's share of the rental payment.



### **SNRHA Policy**

SNRHA will count court-awarded amounts for alimony and child support unless SNRHA verifies that: (1) the payments are not being made, and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [HCV GB, pp. 5-23 and 5-47].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

SNRHA will accept verification that the family is receiving an amount less than the award if:

- SNRHA receives verification from the agency responsible for enforcement or collection.
- The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

When child support or alimony fluctuates, SNRHA will follow the policy below.

### **SNRHA Policy**

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

1. SNRHA shall add the total of all payments listed for the past twelve months. The total shall then be considered anticipated income.
2. When verification documents from the DA office indicated no payment for more than 60 days from the date of the printout (upon receipt of verification), no income will be anticipated from child support/alimony. Participants are required to report all changes within 10 calendar days in writing including when child support/alimony is not received and/or starts.

### **L. LUMP-SUM RECEIPTS** [24 CFR 5.609(b)(5), (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, are not included in income but may be included in assets, if the amount has been invested in an allowable asset.

Lump-sum payments caused by delays in processing periodic payments such as unemployment or welfare assistance are counted as income. Lump sum payments from





Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt, the SNRHA will calculate retroactively.

### **Retroactive Calculation Methodology**

The SNRHA will go back to the date the lump-sum payment was received, but never further back than the date of admission.

The SNRHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due the SNRHA.

At the SNRHA's option, the SNRHA may enter into a Payment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

### **M. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS**

Contributions to company retirement/pension funds are handled as follows:

While an individual is employed, count as assets only amounts the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

### **N. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE**

The SNRHA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. In calculating total assets, the SNRHA will count the difference between the market value and the actual payment received.

Assets disposed of as a result of foreclosure or bankruptcy is not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of a divorce or separation is not considered to be assets disposed of for less than fair market value.

The SNRHA's minimum threshold for counting assets disposed of for less than Fair



Market value is \$5000. If the total value of assets disposed of within the two-year period is less than \$5000, they will not be considered an asset.

## **O. CHILD CARE EXPENSES**

Not reimbursable child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment.

In the case of a child attending private school, only after-hours care can be counted as child care expenses.

Child care expenses cannot be allowed as a deduction if there is an adult household member capable of caring for the child who can provide the child care. Examples of those adult members who would be considered *unable* to care for the child include:

The abuser in a documented child abuse situation, or

A person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source, or

Can provide proof that the adult member is searching for a job (maximum time allowed for search is 10 hours per week.)

An allowable deduction for child care expenses is based on the following guidelines:

**Child care to work:** The maximum child care expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

**Child care for school:** The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.

**Amount of Expense:** The SNRHA will survey the local care providers in the community and collect data as a guideline. If the hourly rate materially exceeds the guideline, the SNRHA may calculate the allowance using the guideline.

### **Child Care Verification:**

SNRHA will send out via mail to the child care provider a 3rd party verification, which will need to be completed, showing the name, age of children, hours and days watched along with amount charged. Verification is to include provider's license number or tax identification number if they are a licensed agency. Private providers will need to provide a social security number and have the form notarized.

No other form of verification will be accepted but that of the Housing Authority.



Secondary verification after attempting orals will be receipts.

**P. MEDICAL EXPENSES** [24 CFR 5.603]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

Persons with a Medicare prescription drug plan may be required to pay a premium and this premium will be counted as a medical expense.

Prescriptions not covered by the Medicare prescription drug plan will be counted toward the sum of allowable medical expense.

Nonprescription medicines must be doctor-recommended in order to be considered a medical expense.

Nonprescription medicines will be counted toward medical expenses for families who qualify if the family furnishes legible receipts.

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses.

**O. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES** [24 CFR 5.520]

**Applicability**

Prorating of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

**Prorated Assistance Calculation**

Prorated assistance will be calculated by subtracting the total tenant payment from the applicable maximum rent for the unit the family occupies to determine the Family Maximum Subsidy. The family's TTP will be calculated by:

Dividing the family maximum subsidy by the number of persons in the family to determine Member Maximum Subsidy.

Multiplying the member maximum subsidy by the number of eligible family members to determine Eligible Subsidy.

Subtracting the amount of eligible subsidy from the applicable maximum rent for the unit the family occupies to get the family's revised total tenant payment.

**R. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare



assistance is reduced specifically because of:

fraud; or

failure to participate in an economic self-sufficiency program; or

noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification Before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA will attempt to develop a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

### **S. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS**

If the cost of utilities (excluding telephone) is not included in the tenant rent, a utility allowance will be deducted from the total tenant payment. The utility allowance is intended to help defray the cost of utilities not included in the rent. The allowances are based on the monthly cost of reasonable consumption utilities in an energy conservative household, *not* on a family's actual consumption.



A survey of utility rate changes applicable to the agency's jurisdiction will be made annually and the *Schedule of Tenant-Paid Utility Allowances* and related services will be periodically adjusted by the agency in accordance with the results of the survey. Utility allowances may be adjusted upward or downward, or remain the same, dependent upon the most recent data regarding overall consumption and rates for the larger community (not just the public housing community).

When the utility allowance exceeds the family's total tenant payment, the SNRHA will provide a utility reimbursement payment for the family each month. The check will be made out directly to the tenant.

### **Resident-Paid Utilities**

The following requirements apply to residents living in developments with resident-paid utilities or applicants being admitted to such developments:

If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted.

Paying the utility bill is the resident's obligation under the lease. Failure to pay utilities is grounds for eviction.

### **T. EXCESS UTILITY PAYMENTS**

Residents in units where the SNRHA pays the utilities may be charged for excess utilities if additional appliances or equipment are used in the unit. This charge shall be applied as specified in the lease. [24CFR 966.4(b)(2)]

The SNRHA expects the resident to take every effort to ensure that utility consumption will be reasonable and in compliance with acceptable standards of usage applicable to unit and family size. If use of utilities is determined to be excessive, SNRHA will require payment for the amount of usage that is deemed to be excessive. Excessive utility usage will be determined if the individually metered utility monthly bill exceeds the approved utility allowance for the unit size by 30%. Payment for excessive utility usage will become due and payable on the first day of the second month following the month in which the charges are incurred, except at termination of lease when all charges are considered due and payable. In the case of water bills, usage will be based on the average unit size consumption.

### **U. FAMILY CHOICE IN RENTS**

#### **Authority for Family to Select**

The SNRHA shall provide for each family residing in a public housing unit to elect annually whether the rent paid by such family shall be 1) determined based on family income or 2) the flat rent. The SNRHA may not at any time fail to provide both such rent options for any public housing unit owned, assisted or operated by the SNRHA.



Annual choice: The SNRHA shall provide for families residing in public housing units to elect annually whether to pay income-based or flat rent. Except for financial hardship cases, the family may not be offered the rent choice more than once per year.

SNRHA will provide each family the following written information:

- Policy on switching types of rent in circumstances of hardship.
- The dollar amounts of tenant rent for the family under each option.
- If the family chose a flat rent for the previous year, the SNRHA will provide the amount of income-based rent for the subsequent year.
- Only the year the SNRHA conducts an income reexamination or if the family specifically requests it and submits updated income information. For a family that chooses the flat rent option, the SNRHA must conduct a reexamination of family income at least once every three years.
- The flat rent is based on the fair market rent. The SNRHA records must show how the SNRHA determines flat rents in accordance with its method and document flat rents offered to families.
- The SNRHA will not pay a utility reimbursement for a family that has chosen to pay a flat rent.
- For families paying income-based rent, SNRHA may choose to pay utility reimbursements either to the family, or directly to the utility supplier. If the PHA elects to pay the utility supplier, the SNRHA must first notify the family of the amount of utility reimbursement paid to the supplier.

### **Allowable Rent Structures**

#### **Flat Rents**

The SNRHA has established, for each dwelling unit in public housing, a flat rental amount for the dwelling unit, which:

Is based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA shall review the income of families paying flat rent not less than once every three years.



### **Income-Based Rents**

The monthly total tenant payment amount for a family shall be an amount, as verified by the SNRHA that does not exceed the greatest of the following amounts:

30 percent of the family's monthly adjusted income;

10 percent of the family's monthly income; or

The SNRHA's minimum TTP of \$50.00.

### **Switching Rent Determination Methods Because of Hardship Circumstances**

In the case of a family that has elected to pay the SNRHA's flat rent, the SNRHA shall immediately provide for the family to pay rent in the amount determined under income-based rent, during the period for which such choice was made, upon a determination that the family is unable to pay the flat rent because of financial hardship, including:

Situations in which the income of the family has decreased because of changed circumstances, loss of or reduction of employment, death in the family, and reduction in or loss of income of other assistance;

An increase, because of changed circumstances, in the family's expenses for medical costs, child care, transportation, education, or similar items; and

Such other situations as may be determined by the SNRHA.

All hardship situations will be verified.

The rental policy developed by the SNRHA encourages and rewards employment and self-sufficiency.

### **Annual Reexamination**

Within 120 days in advance of the annual reexamination, the family will be sent a form from the SNRHA, on which the family will indicate whether they choose flat rent or income-based rent. The SNRHA form will state what the flat rent would be, and an estimate, based on current information, what the family's income-based rent would be.

If the family indicates they choose flat rent, the form will be retained in the tenant file.

If the family indicates they choose income-based rent, a reexamination appointment will be scheduled according to SNRHA policy.



## **V. SNRHA'S FLAT RENT METHODOLOGY**

The SNRHA has set a flat rent for each bedroom size within the SNRHA's public housing inventory, based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA's flat rents have been established using the following methodology:

An amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.





## Chapter 7

### VERIFICATION

[24 CFR Parts 5.617, CFR  
960.206]

#### INTRODUCTION

The SNRHA must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain the family's consent to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. The SNRHA must not pass on the cost of verification to the family.

The SNRHA will follow the verification guidance provided by HUD in PIH Notice 2013-04 Verification Guidance and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary SNRHA policies.

Part I describes the general verification process. More detailed requirements related to individual factors are provided in subsequent parts including family information (Part II), income and assets (Part III), and mandatory deductions (Part IV).

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies of the SNRHA.

#### **PART I: GENERAL VERIFICATION REQUIREMENTS**

##### **7-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION**

The family must supply any information that the SNRHA or HUD determines is necessary to the administration of the program and must consent to SNRHA verification of that information

##### **Consent Forms**

It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and the SNRHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

The family will be required to complete the SNRHA release of information, in addition to the Debts Owed (HUD 52675) and HUD 92006



## Penalties for Failing to Consent

If any family member who is required to sign a consent form fails to do so, the SNRHA will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with SNRHA procedures.

### 7-I.B. OVERVIEW OF VERIFICATION

#### REQUIREMENTS HUD's Verification Hierarchy

HUD authorizes the SNRHA to use six methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires the SNRHA to use the most reliable form of verification that is available and to document the reasons when the SNRHA uses a lesser form of verification.

##### SNRHA Policy

**Upfront Income Verification (UIV):** The verification of income at admission or before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. HUD's **Enterprise Income Verification System (EIV)** is considered to be this method. This is currently not available for applicants.

**NOTICE: PIH-2013-04 (HA)** Guidance on Verification of Excluded Income.

##### **Purpose:**

This notice provides clarification and guidance on the verification requirements of income excluded from the

The SNRHA Public Housing Program in an effort to reduce administrative burden, will utilize the provision in the HUD Notice PIH-2013-04 as follows:

HUD has provided two categories of excluded income: fully excluded and partially excluded. Each category has different verification requirement.

##### **Fully Excluded Income:**

Income that is fully excluded means the entire amount qualifies to be excluded from the annual income determination. For fully excluded income, the SNRHA is **not required** to:

- Verify the income in accordance with the HUD-prescribed verification hierarchy;
- Document in the tenant file why third party verification was not available as required by 24 CFR 960.259(c)(i) and 24 CFR 982.516(a)(2); and
- Report the income in Section 7 of the form HUD-50058.

SNRHA may accept an applicant or participant's self-certification as verification of fully excluded income. The SNRHA's application and reexamination documentation, which is signed by all adult family members, may serve as the self-certification of the fully excluded income. SNRHA has the option of elevating the verification requirements if necessary, to determine if a source of income qualifies for a full exclusion.

Examples of common fully excluded income categories that are verifiable through applicant or



participant self-certification are:

- Supplemental Nutrition Assistance Program (SNAP) benefits, formerly known as food stamps.
- Income from a live-in aide.

For a complete list of income exclusions, see 24 CFR 5.609(c).

### **5. Partially Excluded Income:**

Income that is partially excluded means that only a certain portion of the income reported by the family qualifies to be excluded, while the remainder must be included when determining the family's annual income.

For partially excluded income, SNRHA is required to:

- Comply with HUD-prescribed verification requirements and all applicable regulations pertaining to
- the determination of annual income; and
- Report the income in Section 7 of the form HUD-50058.
- Examples of partially excluded income that are subject to regular verification requirements include:
- The Department of Veterans Affairs "Aid and Attendance" benefits – in accordance with 24 CFR 5.609(c)(4), these benefits may be excluded from income if they are used "specifically for, or in reimbursement of, the cost of medical expenses for any family member." Live-in or periodic medical assistance and services of doctors and health care professionals are among the services that may be counted as medical expenses. The SNRHA must verify the amount provided for aid and attendance medical expenses and the amount actually being used by the veteran for such expenses.

Any portion of the benefit not used for such expenses would continue to be counted as income by the SNRHA when determining the family's annual income.

- Earnings in excess of \$480 for full-time students 18 years old or older (24 CFR 5.609(c)(11) – in order to determine the amount of earnings to include in the calculation of the family's annual income, the SNRHA must verify the amount of employment income for these family members.

**The Verification Hierarchy.** SNRHA shall begin with the highest level of verification Techniques PHAs are required to access the EIV system and obtain an Income Report for each household. The SNRHA shall maintain the Income Report in the tenant file along with the form HUD-50058 and other supporting documentation to support income and rent determinations for all mandatory annual reexaminations of family income and composition.



If the Income Report does not contain any employment and income information for the family, the SNRHA shall attempt the next lower level verification technique, as noted in the below:

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

**Verification Technique Definitions**



### **Third Party Verification Techniques**

**Upfront Income 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. PHAs 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.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either 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 report, employer 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 SNRHA shall require two current and consecutive pay stubs for determining annual income from wages. For new income sources, two pay stubs shall be required that are consecutive or a new hire letter with date of hire, wages and hours. The PHA should project income based on the information from a traditional written 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. A standardized form to collect information from a third party source. The form is completed by the third party by hand (in writing or typeset). PHAs 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.

**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. PHA 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 file the reason(s) why third party verification was not available.**

The exception to third party verification can be found at 24 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 the 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 deductions from annual income; and (iv) other factors that affect the determination of adjusted income.

**How to comply with and reduce administrative burden of third party verification requirements of family annual income .** PHAs can comply with and reduce administrative burden of third party verification requirements for employment, wage, and unemployment compensation and social security benefits, and any other information that is verifiable using EIV by:

- a) Reviewing the EIV Income Report to confirm/validate tenant-reported income; and;
- b) Printing and maintaining an EIV Income Report (or an EIV Individual Control Number (ICN) page for interim reexaminations as prescribed in Section 12 of this Notice) in the tenant file; and
- c) Obtaining current acceptable tenant-provided documentation to supplement EIV information; and
- d) Using current tenant-provided documentation and/or third party verification to calculate annual income.

**Note:** Social Security benefit information in EIV is updated every three months. If the tenant agrees with the EIV-reported benefit information, PHAs do not need to obtain or request a benefit verification letter from the tenant. See PIH Notice 2010-03 for guidance on verifying Social Security benefit income through the EIV system.

The PHA may also reduce the administrative burden of obtaining third party verification by relying on acceptable documents that are generated by a third party, but provided by the tenant. 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.).

**When the PHA is required to request written third party verification** The PHA must request written third party verification under the following circumstances:

- a. When the tenant disputes the EIV information and is unable to provide acceptable documentation to support his/her dispute
- b. When the PHA requires additional information that is not available in EIV and /or the tenant is unable to provide the PHA with current acceptable tenant-provided documentation. Examples of additional information, includes but is not limited to:
  - i. Effective dates of income (i.e. employment, unemployment compensation, or social security benefits)
  - ii. For new employment: pay rate, number of hours worked per



- week, pay frequency, etc.
- iii. Confirmation of change in circumstances (i.e. reduced hours, reduced rate of pay, temporary leave of absence, etc.)

**Note:** 24 CFR §5.236(a), prohibits PHAs from taking adverse action based solely on EIV

### **Requirements for Acceptable Documents**

#### SNRHA Policy

Any documents used for verification must be the original (not photocopies) and generally must be dated within 60 calendar days of the date they are provided to the SNRHA. The documents must not be damaged, altered or in any way illegible. All tenant supplied documents should be dated no more than 60 days before the effective date of the family's reexamination or SNRHA's request date, if the document represents the most recent scheduled report from a source. For example, if the holder of a pension annuity provides semi-annual reports, the SNRHA would accept the most recent report.

Print-outs from web pages are considered original documents.

Pay stubs which must be current and consecutive when used with EIV and must not be older than 60 days from the request date or 60 days prior to the annual recertification effective date. Four consecutive pay stubs will be required when using EIV for annuals and two for new hire verifications..

Examples of acceptable tenant-provided documentation (generated by a third party source) include, but are not limited to: pay stubs, payroll summary reports, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices, bank statements, and local agencies, employer letter/notices. Current acceptable tenant-provided documents must be used for income and rent determinations. The SNRHA is required to obtain a minimum of two 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 written third party verification form or the best available information.

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

The SNRHA staff member who views the original document must make a photocopy. Any family self-certifications must be made in a format acceptable to the SNRHA and must be signed in the presence of a SNRHA representative or SNRHA notary public.

### **File Documentation**

The SNRHA must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that the SNRHA has followed all of the verification policies set forth in this





plan. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

#### SNRHA Policy

The SNRHA will document, in the family file, the

following: Reported family annual income

Value of assets

Expenses related to deductions from annual income

Other factors influencing the adjusted income or income-based rent determination

When the SNRHA is unable to obtain 3rd party verification, the SNRHA will document in the family file the reason that third-party verification was not available (including oral verification attempt) and will place a photocopy of any original document(s) in the family file. [24 CFR 960.259(c)(1); VG, p.15]

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#### **Special Verification Processes:**

HUD NOTICE PIH 2013-03 (HA):

**Purpose:** “This Notice establishes temporary guidelines for public housing agencies (SNRHA) in fulfilling certain Public Housing (PH) and Housing Choice Voucher (HCV) program requirements during this period of decreased resources available to SNRHA. These guidelines are intended to facilitate the ability of SNRHA to continue, without interruption and with minimal burden, the delivery of rental assistance to eligible families in their communities. The temporary provisions established by this Notice will be available to SNRHA until March 31, 2014.

The economic downturn that commenced in 2008 and which continues has only increased the need for housing assistance. Increased demand for housing assistance without corresponding increased resources strains the operations of SNRHA, and jeopardizes their ability to assist families at a time when families most need housing assistance. Increasing administrative flexibility should allow SNRHA to deliver rental assistance more efficiently and expeditiously. Reduction of administrative burden is anticipated to allow SNRHA to better manage their programs within current allocated budget authority. The temporary guidelines are also designed to increase efficiencies, minimizing the use of resources for program administration. HUD intends to pursue more permanent changes to increase flexibility and reduce administrative burden and will be informed by SNRHA’ use of the temporary compliance provisions of this Notice.” PIH Notice 2013-3

In accordance with HUD Notice PIH 2013-3, the SNRHA Public Housing Occupancy department shall process tenant income verification as follows:.



SNRHA, PH Ops may choose to use either actual past income or projected future income. Currently, annual income includes income that is anticipated to be received from a source outside the family during the 12-month period following the effective date of admission or annual reexamination. The Notice provides SNRHA with the option of determining annual income based on past actual income received or earned within the last 12 months.

For the purpose of verifying income reported in HUD's Enterprise Income Verification (EIV) system, the SNRHA may choose to use actual past income by utilizing the most recent 12 months of income information available in EIV. Because this EIV report will give actual earnings data verified by a third party, the program participant will no longer be required to provide third party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice).

If there has been a change in circumstances for a tenant, or a tenant disputes the EIV reported income information and is unable to provide acceptable documentation to resolve the dispute, the SNRHA must request written third-party verification.

For example, if a program participant lost his/her job, changed jobs, or reduced their hours in the months subsequent to the time period covered in EIV, the SNRHA must use, at the participant's request, the more recent income information verified by participant provided third-party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice) or through written third-party verification, which reflects the new or current work circumstance.

SNRHA must continue to verify income from sources not available in EIV. However, SNRHA must use the same time period for both wage and non-wage income. For example, if SNRHA uses EIV information from July 2011 to June 2012 for the purpose of verifying income from wages, the SNRHA must use the same time period for any non-wage income. This method may only be used if the SNRHA is able to align other non-wage income source dates with EIV.

**Allow households to self-certify as to having assets of less than \$5,000.**

Tenants with assets below \$5,000 typically generate minimal income from these assets which results in small changes to tenant rental payments. However, SNRHA spend significant time verifying such assets which strains SNRHA budgets, and leads to increased staff errors. The notice has made provisions intended to simplify the requirements associated with determining a participant's annual income (24 CFR 5.609(b)(3), 982.516(a)(2)(ii), 960.259(c)).

Families with assets are required to report all assets annually. The amount of interest earned on those assets is included as income used to calculate the tenant's rent obligation. Currently, 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.



This Notice allows a SNRHA to accept a family's declaration of the amount of assets of less than \$5,000, and the amount of income expected to be received from those assets. The SNRHA's application and reexamination documentation, which is signed by all adult family members, can serve as the declaration. Where the family has net family assets equal to or less than \$5000, the SNRHA does not need to request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets. Where the family has net family assets in excess of \$5000, the SNRHA must obtain supporting documentation (e.g. bank statements) from the family to confirm the assets. Any assets will continue to be reported on HUD Form 50058.

**Allow optional streamlined annual reexaminations for elderly families and disabled families on fixed incomes.**

SNRHA is statutorily required to verify income and calculate rent annually, including for elderly and disabled families on fixed incomes. The notice states that the requirement to undertake the complete process for income verification and rent determination for families on fixed incomes is not necessary given the infrequency of changes to their incomes. Further, this requirement requires considerable staff time and SNRHA resources. The notice provides simplification of the requirements associated with determining the annual income of participants on fixed incomes (24 CFR 982.516, 960.257).

SNRHA will conduct a streamlined reexamination of income for elderly families and disabled families when 100 percent of the family's income consists of fixed income. In a streamlined reexamination, SNRHA will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount.

For purposes of this process, the term 'fixed income' includes income from:

1. Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);
2. Federal, State, local, and private pension plans; and
3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

**7-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

HUD strongly recommends the use of up-front income verification (UIV). UIV is "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 large number of individuals" [VG, p. 7]. UIV includes the HUD EIV system and other upfront verification tools such as the Work Number.

HUD allows SNRHA to use the EIV information in conjunction with family-provided



documents to anticipate income.

### SNRHA Policy

The SNRHA will inform all applicants and participants of its use of the following UIV resources during the admission and reexamination process:

HUD's Enterprise Income Verification System

(EIV)

The SNRHA must restrict access to and safeguard UIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.

There may be legitimate differences between the information provided by the family and EIV-generated information. No adverse action can be taken against a family until the SNRHA has independently verified the EIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of the SNRHA.

### **Use of HUD's Enterprise Income Verification (EIV) System**

HUD's EIV system contains data showing earned income, unemployment benefits, Social Security and SSI benefits for participant families. HUD requires the SNRHA to use the EIV system when available. The following policies will apply when the SNRHA has access to HUD's EIV system.

The EIV system contains two main components: tenant income data reports and "exceeds threshold" reports.

#### ***Tenant Income Data (TID) Reports (EIV)***

The data shown on TID reports is updated quarterly. Data may be between 3 and 6 months old at the time reports are generated.

### SNRHA Policy

The SNRHA will obtain EIV reports for annual reexaminations on a monthly basis. SNRHA shall also obtain EIV reports for interims. Reports will be generated as part of the regular reexamination process.

EIV reports will be compared to family-provided information as part of the annual reexamination process. EIV reports may also be used to meet the regulatory requirement for third party verification, as described above. Policies for resolving discrepancies between EIV reports and family-provided information will be resolved as described in Chapter 5.I.D. and in this chapter.

EIV reports will be retained in participant's files with the applicable annual or interim reexamination documents.

When the SNRHA determines through EIV reports and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in the Chapter Program Integrity.



### ***Income Discrepancy Resolution***

The SNRHA shall reconcile income discrepancies.

#### **SNRHA Policy**

The SNRHA shall proceed as follows:

- SNRHA shall identify underreported income and/or unreported income sources; No adverse action may be taken based **solely** on EIV data. In order to protect any individual whose records are being used in a matching program, no recipient agency, non-Federal agency, or source agency may suspend, terminate, reduce or make a final denial of any financial assistance or payment under a Federal Benefit program to such individual, as a result of information produced by such matching program, until the agency has independently verified the information;
- Review current and historical 50058s;
- Verify effective dates of new and terminated income sources; Discuss the income discrepancy with the tenant;
- View past and current interim and annual recertification documents in the tenant's file;
- Obtain additional documents from the tenant and/or third party (if necessary);
- Obtain Social Security Earnings Statement (SSA Form 7004) for historical wage earnings (Form available on HUD's website) for retroactive rent calculations.

### ***EIV Identity Verification***

The EIV system verifies tenant identities against SSA records. These records are compared to PIC data for a match on Social Security number, name, and date of birth.

When identity verification for a participant fails, a message will be displayed within the EIV system and no income information will be displayed.

#### **SNRHA Policy**

The SNRHA will identify participants whose identity verification has failed as part of the annual reexamination process.

The SNRHA will attempt to resolve PIC/SSA discrepancies by reviewing file documents. When the SNRHA determines that discrepancies exist due to SNRHA errors such as spelling errors or incorrect birth dates, the errors will be corrected promptly and correction transmitted to HUD.

## **7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION**

### **Reasonable Effort and Timing**



Unless third-party verification is not required as described herein, HUD requires the SNRHA to make an attempt to obtain third-party verification before using another form of verification [VG, p. 15].

### SNRHA Policy

The SNRHA will diligently seek third-party verification using the chart above as guideline for order of verifications. If written 3<sup>rd</sup> party is required and is not received or available by the client, after 10 calendar days, staff will then attempt an oral verification if the written third party is not received. File narratives shall be documented whenever UIV or third party written is not used. Information received orally from third parties may be used either to clarify information provided in writing by the third party or as independent verification when written third-party verification is not received in a timely fashion.

The SNRHA may mail, fax, or e-mail third-party written verification requests and will accept third-party responses using any of these methods. The SNRHA will send a written request for verification to each required source within 5 business days of securing a family's authorization for the release of the information and give the source 10 calendar days to respond in writing. If a response has not been received by the 11<sup>th</sup> business day, the SNRHA will request third-party oral verification.

The SNRHA will make a minimum of two attempts, (one written and one oral, if needed) to obtain third-party verification. A record of each attempt to contact the third-party source (including no-answer calls) and all contacts with the source will be documented in the file. Regarding third-party oral verification, SNRHA staff will record in the family's file the name and title of the person contacted, the date of the conversation (or attempt), the telephone number used, and the facts provided.

When any source responds verbally to the initial written request for verification the SNRHA will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

### **Third-Party Written Verification**

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

Verifications received electronically directly from the source as well as items as noted above in the Chart( Including those provided directly from a clients) are considered third party written verifications.

### SNRHA Policy

The SNRHA will accept verifications in the form of computerized printouts, showing payments, faxed, mailed or received via upfront verification systems



directly from the following agencies:

- Social Security Administration -
- EIV Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County Courts
- Other State and Federal Offices, including HUD

The SNRHA will use computer printouts as well as other acceptable forms of third party verification that do not appear as altered and are on a business or other entity's letterhead, received directly from the family for calculation family's income. Staff must attempt

third party verification when EIV nor family provided acceptable documentation is not available. If no response, then staff must attempt oral verifications and must document on the file narrative why third party was not used and complete an oral verification form. If the family disputes the information provided by the third party, the staff is to seek further clarification by phone with the third party. The information provided by the 3rd party is to prevail.

### **Third-Party Oral Verification**

#### SNRHA Policy

Oral third-party verification will be used when written third-party verification is delayed; not returned within 10 calendar days or not possible. When third-party oral verification is used, staff will be required to complete an Oral Verification/Review of Documents form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the SNRHA will document the file narrative and utilize documents provided by the participant. If the oral is provided by telephone, the SNRHA must originate the call.

### **Review of Documents**

#### SNRHA Policy

In the event that third-party written is not returned within 10 calendar days or oral verification is unavailable, or the information has not been verified by the third party within 10 calendar days, the SNRHA will notate the file narrative accordingly; ensure copies of documents requiring the third party verification are in file. Oral third party verification should be attempted prior to utilizing documents provided by the family as the primary source if the documents provide complete information and the file narrative must be documented.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied,



staff viewing the document(s) will complete an Oral Verification/Review of Documents form.

The SNRHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer printouts from the employer
- Employer's letters and wage printouts
- Bank Statements
- Award Letters
- Pension Letters
- Signed letters (provided that the information is confirmed by phone)
- Other documents noted in this Chapter as acceptable verification

Although these documents will be accepted, the SNRHA will also mail third party verifications to the source; attempt upfront verification and use these documents only after there has been no response to the third party verification method.

The SNRHA will accept faxed documents.

The SNRHA will accept mail from the third party source.

The SNRHA will accept hand carried documents from clients as long as they do not appear as altered and provide required documentation regarding wages.

The SNRHA will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the SNRHA will attempt to contact the verification provider by telephone to resolve the discrepancy. If the attempt to resolve the discrepancy by telephone is unsuccessful, the SNRHA will use the third party verification.

The SNRHA will not delay the processing of an application beyond 30 calendar days, except due to screening for criminal history, because a third party information provider does not return the verification in a timely manner. The next steps in the verification process shall be attempted after 10 calendar days, unless the family has been given an extension.

### **Self-Certification/Self-Declaration**

When verification cannot be made by third-party verification, including oral verification or review of documents, families will be required to submit a self-certification.

#### **SNRHA Policy**

Self-certification means a statement under penalty of perjury, and the signature must be witnessed by SNRHA staff.





## **When Third-Party Information is Late**

When third-party verification has been requested and the timeframes for submission have been exceeded, the SNRHA will use the information from documents on a provisional basis.

### SNRHA Policy

If the SNRHA later receives third-party verification that differs from the amounts used in income and rent determinations and it is past the deadline for processing the reexamination, the SNRHA will conduct an interim reexamination to adjust the figures used for the reexamination, regardless of the SNRHA's interim reexamination policy, if needed.

## **When Third-Party Verification is not Required**

### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth and for verification of checking/saving accounts.

### ***Certain Assets and Expenses***

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification .

### SNRHA Policy

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

### SNRHA Policy

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The



cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.

### ***RELEASE OF INFORMATION***

Adult family members (age 18 and older) will be required to sign the HUD 9886 Release of Information/Privacy Act form. In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice. Additional release forms as developed by SNRHA are considered required forms that all applicants and participants must sign.

Each member requested to consent to the release of specific information will be provided with appropriate forms for their review and signature.

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

### ***COMPUTER MATCHING***

Where allowed by HUD and/or other State or local agencies, computer matching will be done for upfront verifications.

#### **SNRHA Policy**

The SNRHA will utilize the HUD established computer-based Tenant Eligibility Verification System (EIV) for obtaining Social Security benefits, Supplemental Security Income benefit history and tenant income discrepancy reports from the Social Security Administration. Additionally, to the extent possible, SNRHA will use the UIV systems to obtain upfront verification of wages and Child Support data systems for verification of child support when available.

When computer matching results in a discrepancy with information in the SNRHA records, the SNRHA will follow up with the family and verification sources to resolve this discrepancy. If the family has unreported or underreported income, SNRHA will follow the procedures in the Program Integrity Addendum of the Admissions and Continued Occupancy Policy.

### ***ITEMS TO BE VERIFIED***

All income not specifically excluded by the regulations.

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

Current assets including assets disposed of for less than fair market value in preceding two years. Child care expense where it allows an adult family member to be employed, search for



employment, or to further his/her education.

Total un-reimbursed medical expenses of all family members in households whose head or spouse is elderly or disabled.

Un-reimbursed disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family that allows an *adult* family member to be employed.

Disability for determination of preferences, allowances or deductions. Eligible immigrant status

Social Security Numbers for all family members who have been issued a social security number.

"Preference" status

Familial/Marital status when needed for head or spouse definition to determine deductions. Need for reasonable accommodations

Verification of sanctions by the Nevada Office of Human Services that TANF benefits have been reduced for either welfare fraud or failure to comply with economic self-sufficiency requirements.

#### SNRHA Policy

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance with economic self-sufficiency requirements *before* denying the family's request for rent reduction. The verification will include the amount of the sanction and the duration.

### ***VERIFICATION GUIDANCE [24 CFR 982.516]***

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

#### **Employment Income**

##### SNRHA Policy

Verification forms request the employer to specify

the: Dates of employment

Amount and frequency of pay

Date of the last pay increase

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months

Year to date earnings

Estimated income from overtime, tips, bonus pay expected during next 12



months

*Acceptable methods of verification include, in this order:*

1. EIV with a minimum of 2 consecutive paystubs.
2. Third party written verification  
Employment verification form completed by the employer
3. Oral third party
4. Review of documents  
Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings. At least three (3) consecutive pay stubs are required when third party verification cannot be obtained.
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Social Security, Pensions, Supplementary Security Income (SSI), Disability Income**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Benefit verification form completed by agency providing the benefits.
3. Award or benefit notification letters prepared and signed by the providing agency that is no more than 60 days old.

### **Unemployment Compensation**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Verification form completed by the unemployment compensation agency.
3. Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
4. Payment stubs

### **Welfare Payments or General Assistance**

#### SNRHA Policy



*Acceptable methods of verification include, in this order:*

1. Written statement from payment provider indicating the amount of grant/payment, start date of payments, family members, and anticipated changes in payment in the next 12 months.
2. Computer-generated Notice of Action.

## **Alimony or Child Support Payments**

### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. Print out received via 3rd party verification from the DA's office.
2. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
3. A third party verification form completed by the person paying the support.
4. A letter from the person paying the support.
5. Copy of latest check and/or payment stubs from Court Trustee. SNRHA must record the date, amount, and number of the check if not photocopied.
6. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If payments are irregular, the family must provide:

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A self-certification from the family indicating the amount(s) received.

A welfare notice of action showing amounts received by the DA –Child Support Division.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

## **Net Income from a Business**

### SNRHA Policy

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

*Acceptable methods of verification include:*

1. IRS Form 1040, including: Schedule C  
(Small Business) Schedule E



(Rental Property Income)

Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

2. Audited or unaudited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
5. Family's self-certification as to net income realized from the business during previous years.

### **Child Care Business**

#### SNRHA Policy

The childcare provider must be 18 years of age or older.

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

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

If the family has filed a tax return, the family will be required to provide it via Form IRS 4506-T.

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

### **Recurring Gifts**

#### SNRHA Policy

The family must furnish a self-certification, which contains the following information: The person who provides the gifts

The value of the gifts

The regularity (dates) of the gifts

The purpose of the gifts

SNRHA shall send out verifications to the donors.



### **Full-time Student Status**

Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by students is not counted towards family income.

#### SNRHA Policy

Verification of full time student status includes:

Written verification from the registrar's office or other school official.

School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution. (State of Nevada: 12 credits)

### ***VERIFICATION OF ASSETS***

#### **Family Assets**

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

#### SNRHA Policy

*Acceptable verification may include any of the following:*

Verification forms, letters, or documents from a financial institution or broker. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

Real estate taxes statements if the approximate current market value can be reduced from assessment.

Financial statements for business assets.

Copies of closing documents showing the selling price and the distribution of the sales proceeds.

Appraisals of personal property held as an investment.

Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

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

#### SNRHA Policy



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

If the family certifies that they have disposed of assets for less than fair market value, verification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible. Family certification will be accepted if no other verification is possible.

### ***VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME [24 CFR 982.516]***

#### **Medical Expenses**

##### SNRHA Policy

Eligible families who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below (**Credit Card Statements will not be accepted as proof of payment of expenses**):

Written verification by an eye doctor, optician, otolaryngologist, hearing aide provider, or other medical practitioner or provider of medical equipment of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written verification from a medical lab, provider of oxygen, blood products, or other specialized medical supplies of (a) the anticipated medical costs to be incurred by the family and regular payments will be reimbursed by insurance or a government agency.

Written verification from the provider of medical equipment such as hospital bed, scooter, wheelchair, commode, artificial limbs, etc. of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

For attendant care paid to an individual:

A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the





number of hours the care is needed for calculation purposes.

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

Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

Copies of payment agreements or most recent invoice that verify payments made on outstanding attendant care bills that will continue over all or part of the next 12 months.

Receipts or other record of attendant care expenses incurred during the past 12 months that can be used to anticipate future attendant care expenses.

The SNRHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

### **Assistance to Persons with Disabilities**

In All Cases:

#### SNRHA Policy

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

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

Attendant Care:

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

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

Auxiliary Apparatus:

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

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

### **Live-In Aide**



### SNRHA Policy

When a participant requires a live-in aide, the SNRHA shall submit their signed reasonable accommodation request form to the medical professional noted on their request for third party verification of the need. Once approved by the 504 officer, the participant shall have 30 days to submit the name of the live-in aide and schedule them to come in for screening. The unit size shall NOT be increased until such time as SNRHA staff has completed their screening of the Live-In Aide in compliance with SNRHA guidance. The participant shall be allowed to submit another name for a live-in aide if the first does not pass the screening process but must submit this name within 14 calendar days of the denial notice.

The approved unit size would be adjusted, if required to accommodate a room for the live –in aide. Each year the SNRHA at annual recertification time shall re-verify the need for a live-in aide.

### ***VERIFYING NON-FINANCIAL FACTORS [24 CFR 982.153(b) (15)]***

#### **Verification of Legal Identity**

In order to prevent program abuse, the SNRHA will require applicants/residents to furnish verification of legal identity for all adult family members.

#### SNRHA Policy

The documents listed below will be considered acceptable verification of legal identity for adults, as long as they include a picture of the individual. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

Driver's license

U.S. passport

Department of Motor Vehicles Identification Card

Validated Sheriff Card

Military Identification

DMV Instructional ID

Clark County Heath Card with valid photo ID Veteran's ID with photo

Certificate of Birth, naturalization papers

An original Certificate of Birth is required for all minors. Other documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

Adoption papers



Custody agreement

School records

Hospital Birth Certifications

Passport

Health and Human Services ID (foster children; adopted Children) I-94

***Verification of Marital Status (for purposes of meeting Spouse definition and determining the eligibility of counting income of absence spouse)***

SNRHA Policy

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records. A marriage certificate generally is required to verify that a couple is married. In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

***Familial Relationships***

SNRHA Policy

Verification of guardianship is:

Court-ordered assignment

Verification from social services agency

SNRHA Self-certification of temporary guardianship or appointment

In each case above (except court assignment), SNRHA must receive a court awarded guardianship or custody documents within 365 calendar days or head of household must resign SNRHA's documents and submit required supporting documents. Failure shall result in subsidy standard being decreased; and allowance decreased. Any income still coming into the household on behalf of the child would be counted.

Other family relationships will be verified through birth certificates or other relevant documents.

***Verification of Permanent Absence of Family Member***

If an adult member who was formerly a member of the household or was never reported and identified by staff as being a spouse and is reported permanently absent by the family, the SNRHA will consider any of the following as verification:

- Husband or wife institutes divorce action
- Husband or wife institutes legal separation.



- Order of protection/restraining order obtained by one family member against another.

### ***Verification of Change in Family Composition***

The SNRHA may verify changes in family composition (either reported or unreported) through one or more of the following actions: letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

### ***Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512, 5.514]***

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants.

Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the SNRHA hearing is pending.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury, the Declaration 214 Form, noting that they are a citizen or national.

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status (Declaration 214 Form) and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status (Declaration 214 Form) and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The SNRHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the SNRHA must request within ten days that the INS conduct a manual search.

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

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

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

Additionally, SNRHA must terminate assistance for at least 24 months if it determines that a family has knowingly permitted an ineligible person to live in the assisted unit without informing the SNRHA.

### ***Time of Verification***

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same



time as verification of other factors of eligibility for final eligibility determination.

The SNRHA will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family.

For family members added after other members have been verified, the verification occurs upon approval of additional person by the SNRHA.

Once verification has been completed for any covered program, it shall be verified annually unless their eligibility immigration status changes to permanent resident. In the case of port-in families, if the initial PHA does not supply the documents, the SNRHA must conduct the determination and/or when the SNRHA notes a Resident Alien Card with an expiring date or no date of expiration.

#### Acceptable Documents of Eligible Immigration

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

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

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

#### SNRHA Policy

SNRHA will recertify eligible immigration status one year prior to expiration date of the following documents:

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)

#### ***Medical Need for Larger Unit***

#### SNRHA Policy

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional as a reasonable accommodation for a disabled family member. At each Annual Inspection, staff will verify that the additional room is still being used for medical equipment. When this is not the case, the unit size be decreased in compliance with SNRHA guidance.



## **When Third-Party Verification is Not Required**

### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

### ***Certain Assets and Expenses***

#### **SNRHA Policy**

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available, if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification,

### **SNRHA Policy**

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### **SNRHA Policy**

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

The SNRHA will document in the family file the reason that the third-party verification was not available and will place a photocopy of the original document(s) in the family file.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.



**7-I.E. REVIEW OF DOCUMENTS**

**Using Review of Documents as Verification**

SNRHA Policy

If the SNRHA has determined that third-party verification is not available or not required, the SNRHA will use documents provided by the family as verification.

The SNRHA may also review documents when necessary to help clarify information provided by third parties. In such cases the SNRHA will document in the file how the SNRHA arrived at a final conclusion about the income or expense to include in its calculations.

**7-I.F. SELF-CERTIFICATION**

SNRHA Policy

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to the SNRHA.

The SNRHA may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to the SNRHA and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a SNRHA representative or SNRHA notary public. The cost shall not be passed on to the client.

**PART II: VERIFYING FAMILY INFORMATION**

**7-II.A. VERIFICATION OF LEGAL IDENTITY**

SNRHA Policy

The SNRHA will require families to furnish verification of legal identity for each household member.

| <b>Verification of Legal Identity for Adults</b>                                                                                                                                                          | <b>Verification of Legal Identity for Children</b>                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Driver's license<br>U.S. passport.<br>Department of Motor Vehicles<br>Identification Card Validated<br>Sheriff Card<br>Military ID<br>DMV Instructional ID<br>Clark County Heath Card with valid photo ID | Certificate of birth<br>Adoption papers<br>Custody agreement<br>School records<br>Hospital Birth Certifications<br>Passport<br>Health and Human Services ID (foster children; adopted children) |



|                                                                          |      |
|--------------------------------------------------------------------------|------|
| Veteran's ID with photo<br>Certificate of Birth<br>Naturalization papers | I-94 |
|--------------------------------------------------------------------------|------|

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

### **7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 , 5.218 and 5.233]**

Every family member must provide documentation of a valid social security number (SSN) unless they are a non-citizen or non-eligible immigrant.

#### SNRHA Policy

The SNRHA will request to copy the family member's social security card.

If the social security card is not available, SNRHA will instruct the family to obtain a duplicate card from the local social Security Administration (SSA) office, but will complete the action by accepting the following documents as evidence if the SSN is provided on the document:

- Benefit award letters from a government agency; retirement benefit letters; life insurance policies.
- Any document issued by the Social Security Administration that clearly lists the family member's social security number and name.
- For individuals who are at least 62 years of age and are unable to submit the required documentation of their SSN within the initial 60-day period, the SNRHA will grant an additional 60 calendar days to provide documentation.

Social security numbers must be verified only once during continuously-assisted occupancy. If any family member obtains an SSN after admission to the program, the new SSN must be disclosed within 30 days.

The social security numbers of non-household members, such as live-in aids, must be verified for the purpose of conducting criminal background checks.

Names on verifications of Legal Identity and Social Security Number must match.

### **7-II.C. FAMILY RELATIONSHIPS**

Applicants and program participants are required to identify the relationship of each household member to the head of household. If an applicant list themselves as married and no not list a spouse, they will still be required to submit a separation or divorce degree. Definitions of the primary household relationships are provided in the Eligibility chapter.

#### SNRHA Policy

Other family relationships will be verified through birth certificates or other relevant documents.





## **Marriage**

### SNRHA Policy

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

## **Separation or Divorce**

### SNRHA Policy

The SNRHA will require the family to document the divorce, or separation.

A certified copy of a divorce decree, signed by a court officer, is required to document that a couple is divorced.

A copy of a court-ordered maintenance or other court record is required to document a separation.

## **Absence of Adult Member**

### SNRHA Policy

The SNRHA will consider any of the following as

verification: Husband or wife institutes divorce action

Husband or wife institutes legal separation.

Order of protection/restraining order obtained by one family member against another.

If an applicant list themselves as married, but does not list a spouse name, they will still be required to provide a separation document or divorce decree.

If no such documentation is available, the applicant may complete SNRHA's Marital Separation form, which will required above documentation to be provided within 365 days of the date the form is submitted.

## **Foster Children and Foster Adults**

### SNRHA Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

## **7-II.D. DOCUMENTATION OF AGE**

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.



### SNRHA Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, the SNRHA will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

## **7-II.E. VERIFICATION OF STUDENT**

### **STATUS General Requirements**

#### SNRHA Policy

The SNRHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family reports full-time student status for an adult other than the head, spouse, or co-head.

The family reports child care expenses to enable a family member to further his or her education.

The family includes a student enrolled in an *institution of higher education*.

The family claims an income exclusion because the student is receiving earned income and only the first \$480 is included as income.

### **Restrictions on Assistance to Students Enrolled in Institutions of Higher Education**

This section applies only to students who are seeking assistance on their own, separately from their parents. It does not apply to students residing with parents who are seeking or receiving PH assistance.

#### SNRHA Policy

In accordance with the verification hierarchy described in Section 6-1.B, the SNRHA will determine whether the student is exempt from the restrictions in 24 CFR 5.612 by verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see Section Exhibit 3-2).

The student is at least 24 years old.

The student is a veteran, as defined in Chapter 2

The student is married.

The student has at least one dependent child, as defined in Section 2.

If the SNRHA cannot verify at least one of these exemption criteria, the SNRHA will conclude that the student is subject to the restrictions on assistance at 24 CFR 5.612.



In addition to verifying the student's income eligibility, the SNRHA will then proceed to verify either the student's parents' income eligibility or the student's independence from his/her parents (see below).

### ***Independent Student***

#### **SNRHA Policy**

The SNRHA will verify a student's independence from his/her parents to determine that the student's parents' income is not relevant for determining the student's eligibility by doing all of the following:

Either reviewing and verifying previous address information to determine whether the student has established a household separate from his/her parents for at least one year or reviewing and verifying documentation relevant to determining whether the student meets the U.S. Department of Education's definition of *independent student*.

Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent

Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0.

### **7-II.F. DOCUMENTATION OF DISABILITY**

The SNRHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income. The SNRHA is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. The SNRHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If the SNRHA receives a verification document that provides such information, the PHA will not place this information in the tenant file. Under no circumstances will the PHA request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at [www.os.dhhs.gov](http://www.os.dhhs.gov).

The above cited regulation does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance



### **Family Members Receiving SSA Disability Benefits**

Verification of the receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income disallowances and deductions.

#### SNRHA Policy

For family members claiming disability who receive disability benefits from the SSA, the SNRHA will attempt to obtain information about disability benefits through the HUD Enterprise Income Verification (EIV) system when it is available. If documentation from HUD's EIV System is not available, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member claiming disability status. If the family is unable to provide the document(s), the SNRHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant or participant receives the benefit verification letter they will be required to provide it to the SNRHA.

### **Family Members Not Receiving SSA Disability Benefits**

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.603.

#### SNRHA Policy

For family members claiming disability who do not receive disability benefits from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

## **PART III: VERIFYING INCOME AND ASSETS**

Chapter 5, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This part provides SNRHA policies that supplement the general verification procedures specified in Part I of this chapter.

### **7-III.A. EARNED**

#### **INCOME Wages**

##### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV with two consecutive current paystubs for annuals and for New Hires.
2. Acceptable 3<sup>rd</sup> Party written verification provided by the resident.



3. Third party written verification  
Employment verification form completed by the employer
4. Oral third party -must document why other steps above where not available
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.
7. Current check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Tips**

#### SNRHA Policy

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year. Interruption of employment due to temporary leave of absence (i.e. maternity leave, short-term disability): upon verification that earnings have stopped, an interim will be conducted to remove the income. The family may be required to complete a Zero Income Questionnaire/Certification.

The family is required to report any other income received in lieu of earnings. The family will be required to report when the income starts again. At that time an interim will be conducted to add the income back into the family budget.

### **7-III.B. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS Social Security/SSI Benefits**

#### SNRHA Policy

To verify the SS/SSI benefits of applicants, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant has received the benefit verification letter they will be required to provide it to the SNRHA.

To verify the SS/SSI benefits of participants, the SNRHA will obtain information about social security/SSI benefits through the HUD EIV System or the Tenant Assessment Subsystem (TASS). If benefit information is not available in HUD systems, the SNRHA will request a current SSA benefit verification letter from each



family member that receives social security benefits. If the family is unable to provide the document(s) the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the participant has received the benefit verification letter they will be required to provide it to the SNRHA.

### **7-III. C. ASSETS AND INCOME FROM**

#### **ASSETS**

##### **Assets Disposed of for Less than Fair Market**

##### **Value**

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. The SNRHA needs to verify only those certifications that warrant documentation.

##### SNRHA Policy

The SNRHA will verify the value of assets disposed of only if:

- The SNRHA does not already have a reasonable estimation of its value from previously collected information, or
- The amount reported by the family in the certification appears obviously in error. Example 1: An elderly participant reported a \$10,000 certificate of deposit at the last annual reexamination and the SNRHA verified this amount. Now the person reports that she has given this \$10,000 to her son. The SNRHA has a reasonable estimate of the value of the asset; therefore, re-verification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately \$5,000. Based upon market conditions, this declaration does not seem realistic. Therefore, the SNRHA will verify the value of this asset.

### **7-III.D. NET INCOME FROM RENTAL PROPERTY**

##### SNRHA Policy

The family must provide:

A current executed lease for the property that shows the rental amount or certification from the current tenant.

A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income). If schedule E was not prepared, the SNRHA will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and



may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

### **7-III.E. RETIREMENT ACCOUNTS**

#### SNRHA Policy

When third-party verification is not available the type of original document that will be accepted depends upon the family member's retirement status.

*Before* retirement, the SNRHA will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 6 months from the effective date of the examination.

*Upon* retirement, the SNRHA will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.

*After* retirement, the SNRHA will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

### **7-III.F. INCOME FROM EXCLUDED SOURCES**

The SNRHA must obtain verification for income exclusions only if, without verification, the SNRHA would not be able to determine whether the income is to be excluded. For example: If a family's 16 year old has a job at a fast food restaurant, the SNRHA will confirm that SNRHA records verify the child's age but will not send a verification request to the restaurant. However, if a family claims the earned income disallowance for a source of income, both the source and the income must be verified.

#### SNRHA Policy

The SNRHA will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share (as is the case with the earned income disallowance). In all other cases, including food stamps, the SNRHA will report the amount to be excluded as indicated on documents provided by the family, including the family's written certification.

### **7-III.G. ZERO/EXTREMELY LOW ANNUAL INCOME STATUS**

#### SNRHA Policy

Families claiming to have no annual income will be required to execute verification forms to determine that certain forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household. Zero income households will be interviewed at least once every 180 days.



## **PART IV: VERIFYING MANDATORY DEDUCTIONS**

### **7-IV.A. DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS**

The dependent and elderly/disabled family deductions require only that the PHA verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

#### **Dependent Deduction**

See Chapter 6 for a full discussion of this deduction. The SNRHA must verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or co-head of the family and is not a foster child
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student

#### **Elderly/Disabled Family Deduction**

See Eligibility chapter for a definition of elderly and disabled families and Chapter 5 for a discussion of the deduction. The SNRHA must verify that the head, spouse, or co-head is 62 years of age or older or a person with disabilities.

### **7-IV.B. MEDICAL EXPENSE DEDUCTION**

Policies related to medical expenses are found in Chapter 6.

#### **Amount of Expense**

##### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the medical provider requesting the needed information.

Medical expenses will be verified through:

Third-party verification form signed by the provider, when possible

If third-party is not possible, copies of cancelled checks used to make medical expense payments and/or printouts or receipts from the source will be used. (Credit card statements will not be allowed as verification of payment of medical expenses.) In this case the SNRHA will make a best effort to determine what expenses from the past are likely to continue to occur in the future. The SNRHA will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming 12 months.

In addition, the SNRHA must verify that:





- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

### **Eligible Household**

The medical expense deduction is permitted only for households in which the head, spouse, or co-head is at least 62, or a person with disabilities. The SNRHA must verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter of this plan.

### **Qualified Expenses**

To be eligible for the medical expenses deduction, the costs must qualify as medical expenses.

See Chapter 6 for the SNRHA policy on what counts as a medical expense.

### **Unreimbursed Expenses**

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source.

### **Expenses Incurred in Past Years**

#### SNRHA Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, the SNRHA will verify:

The anticipated repayment schedule

The amounts paid in the past, and

Whether the amounts to be repaid have been deducted from the family's annual income in past years

## **7-IV.C. DISABILITY ASSISTANCE EXPENSES**

Policies related to disability assistance expenses are found in Chapter 6.

### **Amount of Expense**

#### *Attendant Care*

#### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:



Third-party verification form signed by the provider, when possible.

If third-party is not possible, copies of cancelled checks used to make attendant care payments and/or receipts from care source. (Credit card statements will not be allowed as verification of payment of medical expenses.)

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 months.

### ***Auxiliary Apparatus***

#### **SNRHA Policy**

Expenses for auxiliary apparatus will be verified through:

Third-party verification of anticipated purchase costs of auxiliary apparatus. If third-party is not possible, billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months.

If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months

In addition, the SNRHA must verify that:

The family member for whom the expense is incurred is a person with disabilities

The expense permits a family member, or members, to work (see Chapter 5). The expense is not reimbursed from another source (see Chapter 5).

The expense does not exceed the amount of the earned income of the individual freed for work.

### ***Family Member is a Person with Disabilities***

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. The SNRHA will verify that the expense is incurred for a person with disabilities.

### ***Family Member(s) Permitted to Work***

The SNRHA must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.

#### **SNRHA Policy**

The SNRHA will seek third-party verification from a Rehabilitation Agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work.



If third-party and document review verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work.

### **Unreimbursed Expenses**

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

An attendant care provider will be asked to certify that, to the best of the provider's knowledge, the expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

### **7-IV.D. CHILD CARE EXPENSES**

The SNRHA must verify that:

- The child is eligible for care.
- The costs claimed are not reimbursed.
- The costs enable a family member to pursue an eligible activity.
- The costs are for an allowable type of childcare.
- The costs are reasonable if seeking employment or furthering education.

#### **Eligible Child**

To be eligible for the childcare deduction, the costs must be incurred for the care of a child under the age of 13. The SNRHA will verify that the child being cared for (including foster children) is under the age of 13.

#### **Unreimbursed Expense**

To be eligible for the childcare deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The childcare provider will be asked to certify that, to the best of the provider's knowledge, the childcare expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that the childcare expenses are not paid by or reimbursed to the family from any source.

The SNRHA must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

#### ***Information to be Gathered***



The SNRHA will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### ***Seeking Work***

Whenever possible the SNRHA will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases the SNRHA will request verification from the agency of the member's job seeking efforts to date and require the family to submit to the SNRHA any reports provided to the other agency.

In the event third-party verification is not available, the SNRHA will provide the family with a form on which the family member must record job search efforts. The SNRHA will review this information at each subsequent reexamination for which this deduction is claimed.

### ***Furthering Education***

The SNRHA will ask that the academic or vocational educational institution verify that the person permitted to further his or her education by the childcare is enrolled and provide information about the timing of classes for which the person is registered.

### ***Gainful Employment***

The SNRHA will seek verification from the employer of the work schedule of the person who is permitted to work by the childcare. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified.

## **Allowable Type of Child Care**

The type of care to be provided is determined by the family.

### **SNRHA Policy**

The SNRHA will verify that the type of childcare selected by the family is allowable, as described in Chapter 6.

The SNRHA will verify that the fees paid to the childcare provider cover only childcare costs (e.g., no housekeeping services or personal services) and are paid only for the care of an eligible child (e.g., prorated costs if some of the care is provided for ineligible family members).

The SNRHA will verify the childcare provider is not a family member residing in the household. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.



## **Reasonableness of Expenses**

Only reasonable childcare costs can be deducted for seeking employment or furthering education.

### SNRHA Policy

To verify that the childcare costs are reasonable, the actual costs the family incurs will be compared with the SNRHA's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable.

If the family presents a justification for costs that exceed typical costs in the area, the SNRHA will request additional documentation, as required, to support a determination that the higher cost is appropriate.

SNRHA will send out our childcare verification form when child care expenses are being verified. This form must be completed with all questions answered and returned by mail or fax. This form will be the only verification childcare form acceptable by our agency. Private childcare providers that do not have tax identification numbers must complete the section that requests their social security numbers or their INS number.

Written verification from the person who receives the payments is required. If the child care provider is licensed, the provider is required to provide their Employment Identification Number.

Verifications must specify the child care provider's business or individual name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Family's must certify as to whether any of those payments have been or will be paid or reimbursed by outside sources.



EXIITBIT 7-1: EXCERPT FROM HUD VERIFICATION

GUIDANCE NOTICE (PIII 2004-01, pp.11-14)

|                                     |                                                                                                                                               |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Upfront (UIV)</b>                | <b>Highest (Highly Recommended, highest level of third party verification)</b>                                                                |
| <b>Written 3<sup>rd</sup> Party</b> | <b>High (Mandatory if upfront income verification is not available or if UIV data differs substantially from tenant-reported information)</b> |
| <b>Oral 3<sup>rd</sup> Party</b>    | <b>Medium (Mandatory if written third party verification is not available)</b>                                                                |
| <b>Document Review</b>              | <b>Medium-Low (Use on provisional basis)</b>                                                                                                  |
| <b>Tenant Declaration</b>           | <b>Low (Use as a last resort)</b>                                                                                                             |

| Income Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Upfront                                                                                                                                                             | Written Third                                                                                                                                                                                                       | Oral Third Party                                                                                                                                                                                                       | Document Review                                                                                                                                                                                                                                                                                                                                                                                                  | Tenant Declaration                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 5)                                                                                                                                                           | (LEVEL 4)                                                                                                                                                                                                           | (LEVEL 3)                                                                                                                                                                                                              | (LEVEL 2)                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 1)                                                                                                                                                                                                                                         |
| Wages/Salaries                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Use of computer matching agreements with a State Wage Information Collection Agency (SWICA) to obtain wage information electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the independent sources to obtain wage information.                                                                                                | In the event the independent source does not respond to the PHA's written request for information, the PHA may contact the independent source by phone or make an in person visit to obtain the requested information. | When neither form of third party verification can be obtained, the PHA may accept original documents such as consecutive pay stubs (HUD recommends the PHA review at least three months of pay stubs, if employed by the same employer for three months or more), W-2 forms, etc. from the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from earnings. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Agreements with private vendor agencies, such as The Work Number or ChoicePoint to obtain wage and salary information.                                              | The PHA may have the tenant sign a Request for Earnings Statement from the SSA to confirm past earnings. The PHA mails the form to SSA and the statement will be sent to the address the PHA specifies on the form. |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Use of HUD systems, when available.                                                                                                                                 |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
| <p><b>Verification of Employment Income:</b> The PHA should always obtain as much information as possible about the employment, such as start date (new employment), termination date (previous employment), pay frequency, pay rate, anticipated pay increases in the next twelve months, year-to-date earnings, bonuses, overtime, company name, address and telephone number, name and position of the person completing the employment verification form.</p> <p><b>Effective Date of Employment:</b> The PHA should always confirm start and termination dates of employment.</p> |                                                                                                                                                                     |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |



|                                                                                                                                                                                                                                                                                                           |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Self-Employment                                                                                                                                                                                                                                                                                           | Not Available                                                                                                                                           | The PHA mails or faxes a verification form directly to sources identified by the family to obtain income information.                                                                                                                         | The PHA may call the source to obtain income information.                                                                                                                                               | The PHA may accept any documents (i.e. tax returns, invoices and letters from customers) provided by the tenant to verify self-employment income. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not obtained. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from self-employment. <b>Note:</b> The PHA must document in the tenant file, the reason                 |
| <p><b>Verification of Self-Employment Income:</b> Typically, it is a challenge for PHAs to obtain third party verification of self-employment income. When third party verification is not available, the PHA should always request a notarized tenant declaration that includes a perjury statement.</p> |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
| Social Security Benefits                                                                                                                                                                                                                                                                                  | Use of HUD Tenant Assessment System (TASS) to obtain current benefit history and discrepancy reports.                                                   | The PHA mails or faxes a verification form directly to the local SSA office to obtain social security benefit information. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may call SSA, with the tenant on the line, to obtain current benefit amount. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may accept an original SSA Notice from the tenant. Note: The PHA must document in the tenant file, the reason third party verification was not available.                                                                                              | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly social security benefits. Note: The PHA must document in the tenant file, the reason third party verification was not available. |
| Welfare Benefits                                                                                                                                                                                                                                                                                          | Use of computer matching agreements with the local Social Services Agency to obtain current benefit amount electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the local Social Services Agency to obtain welfare benefit information.                                                                                                      | The PHA may call the local Social Services Agency to obtain current benefit amount.                                                                                                                     | The PHA may review an original award notice or printout from the local Social Services Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly welfare benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.  |



| Income Type           | Upfront<br><b>(LEVEL 5)</b>                                                                                                                                                                                     | Written Third<br><b>(LEVEL 4)</b>                                                                                                                                                             | Oral Third Party<br><b>(LEVEL 3)</b>                                                                                                          | Document Review<br><b>(LEVEL 2)</b>                                                                                                                                                                                                                                                                            | Tenant Declaration<br><b>(LEVEL 1)</b>                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Child Support         | Use of agreement with the local Child Support Enforcement Agency to obtain current child support amount and payment status electronically, by mail or fax or in person.                                         | The PHA mails, faxes, or e-mails a verification form directly to the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may call the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may review an original court order, notice or printout from the local Child Support Enforcement Agency provided by the tenant to verify current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
| Unemployment Benefits | Use of computer matching agreements with a State Wage Information Collection Agency to obtain unemployment compensation electronically, by mail or fax or in person.<br><br>Use of HUD systems, when available. | The PHA mails, faxes, or e-mails a verification form directly to the State Wage Information Collection Agency to obtain unemployment compensation information.                                | The PHA may call the State Wage Information Collection Agency to obtain current benefit amount.                                               | The PHA may review an original benefit notice or unemployment check stub, or printout from the local State Wage Information Collection Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares unemployment benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                           |
| Pensions              | Use of computer matching agreements with a Federal, State, or Local Government Agency to obtain pension information electronically, by mail or fax or in person.                                                | The PHA mails, faxes, or e-mails a verification form directly to the pension provider to obtain pension information.                                                                          | The PHA may call the pension provider to obtain current benefit amount.                                                                       | The PHA may review an original benefit notice from the pension provider provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                                                                                                  | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly pension amounts. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                         |





| <b>EXHIBIT 7-2: SUMMARY OF DOCUMENTATION REQUIREMENTS FOR NONCITIZENS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• <b>All</b> noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the PHA.</li> <li>• Except for persons 62 or older, all noncitizens must sign a verification consent form</li> <li>• Additional documents are required based upon the person's status.</li> </ul>                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Elderly Noncitizens</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits.</li> </ul>                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>All other Noncitizens</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below.</li> </ul>                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Form I-551 Alien Registration Receipt Card (for permanent resident aliens)</li> <li>• Form I-94 Arrival-Departure Record annotated with one of the following:               <ul style="list-style-type: none"> <li>• “Admitted as a Refugee Pursuant to Section 207”</li> <li>• “Section 208” or “Asylum”</li> <li>• “Section 243(h)” or “Deportation stayed by Attorney General”</li> <li>• “Paroled Pursuant to Section 221 (d)(5) of the USCIS”</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Form I-94 Arrival-Departure Record with no annotation accompanied by:               <ul style="list-style-type: none"> <li>• A final court decision granting asylum (but only if no appeal is taken);</li> <li>• A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90);</li> <li>• A court decision granting withholding of deportation; or</li> <li>• A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).</li> </ul> </li> </ul> |
| <ul style="list-style-type: none"> <li>• Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>• Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

- A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or

- Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the *Federal Register*.

## **Chapter 8**

### **TRANSFER POLICY**

#### **INTRODUCTION**

It is the policy of the SNRHA to permit resident transfers, within and/or between SNRHA public housing communities for the following limited reasons:

- To abate dangerous and/or substandard living conditions;
- To abate emergency life-threatening living conditions caused by third-party criminal activity;
- To accommodate verified physical conditions caused by long-term illness and/or disability;
- To accommodate resident families that are determined to be over- or under-housed by virtue of their family size; and
- To promote homeownership, transfer of families to scattered sites
- To accommodate relocation due to modernization work, community safety

Each transfer request will be evaluated on a case-by-case basis, taking into consideration:

- The documentation that substantiates the reason for the request;
- Whether or not the resident is in good standing with the SNRHA
- The availability of suitable alternative units.

SNRHA will not grant a transfer request solely to accommodate neighbors who "cannot get along."

Activities of residents that adversely affect the right of others to the peaceful enjoyment of their community will be treated as lease violations and may be considered cause for lease termination.

#### **A. ELIGIBILITY FOR TRANSFER**

In order to be determined eligible to receive a transfer, residents must submit the **requested** 3rd party documentation to SNRHA, to substantiate their request, and must be in good standing with the SNRHA.

The type of documentation that must be submitted will vary, depending on the nature of the request.

#### **Good Standing**

A resident will be considered in good standing if he or she and/or household members have not had:

- A history of delinquent rent payments, or
- A history of community disturbance and/or unit destruction.
- Maintain acceptable housekeeping standards
- Fulfilling community service requirements

**Transfer List**

Resident families who are determined eligible to receive a transfer will be placed on a transfer waiting list in accordance with the date of transfer approval and reason for their transfer request. SNRHA will implement transfers in the priority order listed in the following table.

Inappropriately housed resident families who are determined eligible to receive a transfer will be placed on the transfer waiting list at the time of annual certification.

**Priority of Transfers**

Approved transfers shall be accomplished in the following priority order:

| Type of Transfer                         | When executed                                                                | Transfer will be within the housing development:                                           | Ratio                                       | Initiated by                                                     |
|------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------------|
| <b>Emergency</b>                         | Within 24 hours of documentation, verification & approval                    | Unless emergency transfer cannot be accomplished in this manner.                           | Not applicable                              | SNRHA or written family request                                  |
| <b>Medical and accessibility</b>         | Within 30 days of documentation, verification & approval                     | Unless appropriate unit meeting the family's needs is not available within the development | Not applicable                              | Written family request                                           |
| <b>Under housed (Overcrowded)</b>        | When family's name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development's inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Over housed</b>                       | When family's name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development's inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Under housed with family's waiver</b> | When family's name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development's inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA, not less than one year from the date of initial occupancy |

|                                                                                                                  |                                                                                                               |                                                                         |                                             |                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Higher income family moving to a lower income development</b>                                                 | Next available scattered site home or development of the family's choice                                      | Not applicable                                                          | 1 transfer for every <b>20</b> new move-ins | At written request of family                                                                                       |
| <b>Scattered Site SNRHA Site</b>                                                                                 | Next available scattered site unit when family name reaches the top after certification of eligibility        | All available SS units                                                  | Not applicable                              | SNRHA, not less than <b>two</b> years from the date of initial occupancy <b>and must meet suitability criteria</b> |
| <b>Designated Senior Developments</b>                                                                            | Transfers from Studio to One bedroom unit when family name reaches the top after certification of eligibility | Unless type of unit does not exist within that development's inventory. | 1 transfer for <b>2</b> new move-ins.       | SNRHA, not less than one year from the date of initial occupancy                                                   |
| <b>Newly Modernized Units</b>                                                                                    | Next available unit when family name reaches the top after certification of eligibility                       | Not applicable                                                          | Not applicable                              | SNRHA on effective date of annual recert                                                                           |
| <b><u>Administrative Reasons determined by the PHA (e.g. to permit modernization work, community safety)</u></b> | Within 30 days of Notification                                                                                | Unless type of unit does not exist within that development's inventory. | Not Applicable                              | SNRHA                                                                                                              |

**B. EMERGENCY TRANSFERS**

Emergency transfers will be implemented by the SNRHA to remove a resident family from life-threatening and/or hazardous living conditions caused by third-party criminal activity and/or unit damage. **Good standing criteria does not apply in the case of emergency transfers.**

**Residents will be required to become complaint with all lease provisions upon completion of the Emergency Transfer to the new unit.**

**Emergency Transfers due to Third Party Criminal Activity**

SNRHA will consider transfer requests from resident families who have been victims of life-threatening criminal activity committed by third parties or who have witnessed serious criminal activity and agreed to testify on behalf of the State at a criminal proceeding.

Families who request a unit transfer due to third-party criminal activity may be required to submit verifiable documentation evidencing one or all of the following:

- Police reports and/or police statements detailing the incident in question
- Eyewitness statements describing the incident in question
- Confirmatory letters from the Victim Witness Protection Unit, Rape Crisis Center or similarly recognized entity
- Medical reports from a licensed health care provider
- Subpoena or other written contacts from the Clark County District Attorney or U.S. Attorney

The SNRHA will require residents who are victims of domestic violence to certify their victim status and the names of their abusers. Third-party verification must be provided by victim service providers, medical professionals, or attorney who have counseled the victim and can verify their status as a domestic violence victim.

All documentation submitted shall remain confidential and shall be reviewed and evaluated by the Director of Operations only. Transfer requests due to third-party criminal activity shall be evaluated on a case-by-case basis, by consideration of the following criteria:

- The availability of a suitable alternative unit
- The documentation describing/verifying the incident
- The severity of the incident

**Notification:** If approved, the family will be notified that:

- A unit has been designated;
- They must execute a new lease and move within five (5 days) of receipt of the notice, and
- If they refuse to accept the unit, they must execute a waiver of their emergency transfer request.

**Emergency Transfers Initiated or Confirmed by Law Enforcement**

If the emergency transfer request is initiated or confirmed by authorized law enforcement officials, the SNRHA may take the following action to maintain the confidentiality of the request and subsequent transfer:

- By-passing the regular transfer occupancy function and/or staff;
- Maintaining the resident family's file separate from other resident files; and
- Concealing and/or changing the identity of the resident family's file.

### **Emergency Transfers due to Hazardous Unit Conditions**

A transfer due to hazardous unit conditions is mandatory. It may be initiated at any time by the SNRHA or the resident family or both, after detection of a unit condition that poses a threat to the health and safety of the resident family. A hazardous unit condition is one that arises from:

- Substantial fire damage;
- Life-threatening fungus as determined by a Clark County Health District Official and/or a licensed hazardous waste consultant;
- Exposed electrical wiring;
- Defective ventilation;
- Inadequate plumbing, heating and/or cooling that will require long-term repair;
- Other serious conditions identified by the SNRHA Maintenance Department that require long-term repair.

**Notification:** If at least one of the foregoing conditions is found to exist, the SNRHA shall immediately notify the resident family or families affected and advise them, in writing, as follows:

- A unit has been designated;
- They will be required to move and sign a new lease no later than five (5) days from the date they receive the notice;
- If the hazardous condition was caused by the family, the family shall bear the cost of repair and moving.
  - If the family is unable to move due to financial reasons, SNRHA shall contract with a third party entity to move the family and shall bill the family for said costs, no later than the date on which the repair bills are submitted to them.
  - If the resident family refuses to move or otherwise fails to pay the repair and/or moving costs, SNRHA will initiate eviction proceedings against the family
- If the hazardous condition was not caused by the family, the SNRHA will bear all repairs and documented moving costs incurred by the family.

### **C. TRANSFERS DUE TO ILLNESS AND/OR DISABILITY**

Unit transfers will be implemented by SNRHA to accommodate the accessibility needs of residents and/or their household members, arising from long-term illness or disability.

Accessibility needs are those that require one or all of the following:

- A first floor and/or single story dwelling;
- Widened hallways and/or lowered cabinets;
- Roll-in shower facilities
- Flashing-light-censored smoke detectors
- Central air conditioning and heat

### **Documentation**

Families who request a transfer due to illness and/or disability may be required to submit recent verifiable documentation from a health care provider or social service entity that confirms the impairment and the accessibility needs.

**Notification**

Upon a determination that the family's request for a transfer due to illness or disability has been approved, the SNRHA shall send the resident a thirty (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty (30) day period has passed:

A unit to which the family may transfer will be designated at such time as it becomes available;

They will be required to enter into a new lease for the transfer unit;

That if they refuse to move into the unit, they must sign a waiver of the transfer request.

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

**D. TRANSFERS TO ACCOMMODATE FAMILIES THAT ARE OVER- OR UNDER-HOUSED.**

Unit transfers will be implemented by SNRHA to accommodate resident families that are determined to be over-housed or under-housed **by virtue of their family size based on the general occupancy standards.** These transfers may be initiated by the SNRHA or the resident or both. A family may request an exception to the general occupancy standards. The SNRHA will evaluate the relationship and ages of all family members and the overall size of the unit. If approved, the family must agree to remain in the approved unit for one year.

**Notification**

Upon a determination that the family is approved to move into a unit of a different size, the SNRHA shall send the resident a thirty- (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty- (30) day period has passed:

A unit to which the family must transfer may be designated;

They will be required to move into that unit in accordance with the terms of their lease;

They will be required to enter into a new lease for the transfer unit;

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

### **Resident Refusal of the Transfer Unit**

The resident may decline the transfer unit for good and reasonable cause. Such cause shall be considered sufficient if:

The unit does not provide adequate accessibility, or

The unit will not have the required effect of accommodating the family size.

The Director of Operations shall determine if the unit refusal is for good cause. If the resident declines the unit without good cause, the SNRHA shall assign the unit to another family and void the request for transfer if generated by the family.

If the resident refuses the transfer unit when the reason for the transfer is an emergency, under/over housed or abatement, a 30-day notice will be issued. The unit will be reassigned and the transfer will be voided.

### **Transfer Procedures**

The Development Manager and resident will participate in a pre-transfer inspection to determine damages prior to transfer and the charges made part of the new lease.

The resident and SNRHA shall enter into a new lease agreement for the transfer unit.

### **Security Deposits**

1. Families transferring to another development must have paid the security deposit in full at the sending development.
2. SNRHA will charge the families for any damages to the previous unit.
3. Security deposits will be refunded to the resident under the terms of the lease for the



- previous unit. The resident must deposit with the SNRHA a security deposit on the new unit consistent with the security deposit policy in effect at the time of the transfer.
4. Refer to Security Deposit Chapter for additional details.
  5. Move-out charges will be posted to the new unit. The office of the receiving development is responsible for collecting any maintenance charges due SNRHA.

## **E. GENERAL CONDITIONS GOVERNING TRANSFERS**

### **Discrimination Prohibited**

Transfer requests shall be processed, evaluated, initiated and/or determined without regard to race, color, religion, gender, creed or national origin. Transfer requests based on household composition and/or illness disability must consider family size and disability.

### **Cleaning and/or Repair Charges**

All transfers are subject to charges for cleaning or repair work performed by the maintenance staff on the vacated unit. All charges will be assessed after an inspection is completed by the resident and the housing manager. **Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement.**

### **Rent Adjustments for Transferred Residents**

No rent adjustment will be made, except for utility allowance, until the next scheduled certification.

### **Reexamination Date**

The date of the transfer changes the reexamination date according to the block system of the gaining development, unless the annual reexamination period would exceed twelve months since the family's last annual reexamination.

The losing development will send the family's file to the gaining development once they have been notified that the family has accepted the unit, before the family is leased up. The gaining development will not attempt to lease up a family without possession of the family's file.

### **SNRHA Incentives for Higher Income Families Transferring Into Lower Income Developments**

The SNRHA will offer certain incentives to higher income families (**Household Income at or above 60% of AMI**) willing to move into lower income projects. If a higher income family agrees to move to a SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family's choice. The move will be approved according to the Occupancy Guidelines only if the family has consistently been in lease compliance for two years following admission.

SNRHA will target homeownership opportunities to higher income families moving into lower income projects.

## **Processing In and Out of Developments**

### **Gaining Developments**

Transfers from other developments will be processed in the same manner as move-ins, including a new lease and applicable security deposit.

The resident transferring between public housing projects does not have to meet the admission requirements pertaining to income or preference.

### **Residents Failure to Transfer Units**

In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, **both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from.**

### **COST OF TRANSFERS**

Residents shall bear the cost of transfers to correct occupancy standards, resident requested transfers, incentive transfers, and other voluntary transfers.

SNRHA will bear the reasonable cost of transfers SNRHA requests for demolition, disposition, rehabilitation, building system failures, or emergency conditions due to no fault of the tenant. SNRHA will bear the reasonable cost of transfers needed as a reasonable accommodation for residents with disabilities, **in accordance with SNRHA Reasonable Accommodation Policy and Procedures.** The reasonable cost of transfers includes not just the cost of packing, moving, and unloading, but also the cost of connecting and reconnecting any existing resident-paid services such as telephone and cable.

## **Resident Selection Criteria For Otto Merida Family Apartments**

**The following criteria will be utilized to select from current residents residing in other Public Housing communities for the Project:**

1. Must have a favorable rental payment history. A resident will be considered to have a favorable rental payment history if there have been two or less delinquent rent payments in the previous twelve months.
2. Must be in good standing with SNRHA and in compliance with all terms and conditions of the resident's existing Lease.
3. Resident must be currently employed or enrolled in the Family Self Sufficiency Program and must have accomplished one or more established goals within the Program. SNRHA will provide the Manager with a list of residents wishing to transfer to the Project and the Manager will determine and certify the eligibility of the resident, and the resident will be notified of the determination. Transfer requests will be processed on a first come, first serve basis.

### **Income Tiering**

In addition to the above selection criteria, SNRHA will institute an income-tiring system in allocating units within the Project. The units will be divided into three income tiers, which will be distributed equally across the development and by unit types. The income tiers will be as follows:

- **Low Tier:** Less than 20% of the HUD Area Median Income (AMI) for a Family of Four (or \$11,819 in 2005) 20 units;
- **Middle Tier:** Greater than 20% AMI and Less than 30% AMI for a Family of Four (or \$17,730 in 2005) 20 units; and
- **High Tier:** Greater than 30% AMI and Less than 60% AMI maximum tax credit income Level (or \$35,460 in 2005 for a Family of Four) 20 units.

Transfer requests from current SNRHA residents who meet the initial resident selection criteria noted above will be placed in one of the three income tiers, or disqualified by the Manager if the applicants' income is above the 60% AMI tax credit limit or do not meet the LIHTC eligibility.

After the initial inquiry is made of existing public housing residents, public housing residents may apply for transfer to the Project at the time of their annual certification by completing an application for the Honolulu Street Apartments.

### **Public Housing Waiting List**

In the event there are no current public housing residents within the appropriate income tiers as indicated above who wish to transfer to the Project, Project vacancies will be filled from

**Southern Nevada Regional Housing Authority**

SNRHA's Public Housing certified waiting list utilizing current preferences and screening criteria in accordance with SNRHA's ACOP and the screening criteria described above.

Employment income is a current SNRHA waiting list preference.

In the event there are no eligible applicants on the current Public Housing certified waiting list within the three income tiers, outreach will be conducted to the general public as provided in the Marketing Policy.



## **Chapter 9** **LEASING** [24 CFR 966.4]

### **INTRODUCTION**

It is the SNRHA's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This chapter describes pre-leasing activities and the SNRHA's policies pertaining to lease execution, security deposits, other charges, and additions to the lease.

### **A. LEASE ORIENTATION**

In conjunction with execution of the lease, all adult family members must attend a new resident orientation within 90 days of move-in.

Residents with disabilities may request a reasonable accommodation.

### **Orientation Agenda**

When families attend the lease orientation, they will be provided with:

- A sample copy of the lease
- A copy of the grievance procedure
- A copy of the house rules
- Supportive services information, including FSS
- Emergency maintenance policy
- Community Service requirements and policy
- Pet policy
- Trespass policy
- Bed Bug Addendum
- Housekeeping Standard
- Other Lease addendums

Topics to be discussed will include, but are not limited to:

- Applicable deposits and other charges
- Maintenance charges
- Provisions of the lease
- Unit maintenance and work orders
- Terms of occupancy
- Rent choice/Flat rent/income based/seasonal employment

SNRHA shall ensure additional efforts are made to ensure full program accessibility to persons with Limited English Proficiency, including notifying organizations that provides services to low-income families whose primary language is Spanish, as outlined in SNRHA's Limited English Proficiency Plan.



## **B. LEASE REQUIREMENTS**

The initial term of the lease will be for 12 months. The lease will renew automatically for 12-month terms with the following exception:

- SNRHA will not renew the lease if the family has violated the community service requirement (24 CFR 966.4).
- Due to the community service requirement, the lease does not automatically renew for terms of 12 months. An annual signing process, the completion of recertification, is required.
- The lease further provides for termination and eviction at the end of any 12-month lease term for non-compliance with the community service requirements at 24 CFR Part 960, Subpart F and Chapter 15 of this Admissions and Continued Occupancy Policy.

## **C. EXECUTION OF LEASE**

The lease shall be executed by the head of household, spouse or co-head; and by an authorized representative of SNRHA, prior to admission.

The head or co-head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head or co-head.

An appointment will be scheduled for the parties to execute the lease. One executed copy of the lease will be given to the tenant, and the SNRHA will retain the original in the tenant's file. The lease is incorporated into this policy by reference. The lease document will reflect current SNRHA policies as well as applicable Federal, State and local law. The following provisions govern lease execution and amendments:

- A lease is executed at the time of admission for all new tenants.
- A new lease is executed at the time of the transfer of a tenant from one SNRHA unit to another
- If, for any reason, the head or co-head of household of the lease cease to be a member of the household, a new lease will be executed with the remaining members, so long as they meet the program requirements.
- Lease signers must be persons legally eligible to execute contracts.
- The names, relationship to head, date of birth, and social security number of all household members are listed on the lease at initial occupancy and on the Application for Continued Occupancy (need to determine name of form to be used) each subsequent year. Only those persons listed on the most recent certification shall be permitted to occupy a dwelling unit.
- Changes to tenant rents are made upon the preparation and execution of an addendum to the lease which reflects any change in household composition or rent. Documentation will be included in the tenant file to support proper notice.



- Households that include a live-in aide are required to execute a live in aide agreement authorizing the arrangement and describing the status of the aide.
- Households that include a live-in aide will contain file documentation that the live-in aide is not a party to the lease and is not entitled to SNRHA assistance, with the exception of occupancy while serving as the aide for the participant family member.

The SNRHA may modify its form of lease from time to time, giving tenants an opportunity to comment on proposed changes and advance notice of the implementation of any changes. A tenant's refusal to accept permissible and reasonable lease modifications, or those modifications required by HUD, is grounds for termination of tenancy.

#### **D. ADDITIONS TO THE LEASE**

Only those persons listed on the most recent certification form and lease shall be permitted to occupy a dwelling unit<sup>1</sup>.

All persons listed on the most recent certification form and the lease must use the dwelling unit as their sole residence.

Requests for the addition of a new member of the household must be approved by the SNRHA, prior to the actual move-in by the proposed new member.

Following receipt of a family's request for approval, the SNRHA will conduct a pre-admission screening, including the Criminal History Report, of the proposed new adult member. Only new members approved by the SNRHA will be added to the household.

Family members over the age of 18 who move from the dwelling unit to establish new households shall be removed from the lease. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list. Exceptions will be made by the approval of the Director of Operations or designee.

Minors being added to the household by other than birth or legal adoption or court – awarded custody must be verified by court action. Temporary guardianship will be considered as a court action. All temporary guardianship will be renewed and verified every six months.

#### **Factors Determining Household Additions**

Household additions subject to screening:

- Resident plans to marry;
- Resident desires to add a new adult family member to the lease or employ a live-in aide.



- A unit is occupied by a remaining family member(s) under age 18 (not an emancipated minor) and an adult who was not a member of the original household requests permission to take over as the head of household. Guardianship and/or custody of the remaining family member(s) under 18 must be obtained by the adult who was not a member of the original household. The family will have 90 days to obtain all documentation. If the adult is unable to provide appropriate documentation regarding the remaining minor, children and/or fails to comply with all screening requirements they are ineligible to occupy the unit at the expiration of the 90 days.

Factors determining household additions that are not subject to screening:

Children born to a family member or whom a family member legally adopts are exempt from the pre-screening process.

Children for whom the family receives court-awarded custody

Persons under the age of 18 years

Foster Children proposed to live in the unit

In cases where the addition of a new member who has not been born, married, awarded legal custody or guardianship, or legally adopted into the family, and the addition will affect the bedroom size required by the family, according to the SNRHA occupancy standards, the SNRHA will not approve the addition. An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody.

Residents who fail to notify the SNRHA of additions to the household, or who permit persons to join the household without undergoing screening, are in violation of the lease. Such persons are considered to be unauthorized occupants by the SNRHA, and the entire household will be subject to eviction [24 CFR 966.4(f) (3)].

Family members age 18 and over, other than spouse, who move from the dwelling unit shall be removed from the lease. The tenant must notify the SNRHA of the move-out within 10 calendar days of its occurrence. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list.

The SNRHA in making determinations under this paragraph will consider medical hardship or other extenuating circumstances.





## **Visitors**

1. The resident may not allow visitors to stay overnight more than fourteen (14) consecutive days nor more than 30 calendar days in a twelve month period without prior written approval of management.
2. Visitors who remain beyond this period shall be considered unauthorized, and their presence constitutes a breach of the lease.
3. If an individual other than a leaseholder is representing to an outside agency that they are residing in the lessee's unit, the person will be considered an unauthorized member of the household.
4. Roomers and lodgers are not permitted to occupy a dwelling unit, nor are they permitted to move in with any family occupying a dwelling unit. Advertisements for roomers or lodgers shall be considered a violation of the lease by virtue of intent to sub lease portions of the assisted unit.
5. Residents are not permitted to allow a former tenant of the SNRHA who has been evicted to occupy their unit for any period of time.
6. Medical hardship or other extenuating circumstances shall be considered by SNRHA in making determinations under this area. Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Property Manager.

## **Absences from the Unit**

Residents must advise the SNRHA when they will be absent from the unit for more than **30** consecutive days and provide a means for the SNRHA to contact the resident in the event of an emergency. Failure to advise the SNRHA in writing of extended absences is grounds for termination of the lease.

## **E. LEASING UNITS WITH ACCESSIBLE OR ADAPTABLE FEATURES**

[24 CFR 8.27(a) (1) (2) and (b)]

Before offering a vacant accessible unit to a non-disabled applicant or resident, the SNRHA will offer such units:

First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA's control, who has a disability that requires the special features of the vacant unit?



Second, to a current occupant of other public housing developments under the SNRHA's control who has a disability that requires the special features of the vacant unit?

Thirdly, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

Accessible units will be offered to and accepted by non-disabled applicants or residents only with the understanding that such applicants/resident must agree to relocate to a non-accessible unit at a later date if a person with a disability requiring the unit applies for housing and is determined eligible or there is an existing resident who require the features of the accessible unit.

The SNRHA will require a non-disabled applicant or resident to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant or resident. This requirement will be a provision of the lease agreement.

#### **F. UTILITY SERVICES**

Tenants responsible for direct payment of utilities must abide by any and all regulations of the specific utility company, including regulations pertaining to advance payments of deposits.

**If a resident is resident or applicant is unable to establish utility services due to a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See page 6-16.**

Failure to maintain utility services during tenancy is a lease violation and grounds for eviction. Non-payment of excess utility charge payments to the SNRHA is a violation of the lease and is grounds for eviction.

SNRHA may send utility reimbursement directly to the utility supplier without the consent of the family that is paying an income based rent. SNRHA will notify the family of the amount of any such direct payment to the utility supplier.

The lease will designate the appliances provided by SNRHA (i.e.: stove and refrigerator). The tenant is responsible for proper hook-up, safety and maintenance of any appliances they may provide (i.e.: dryers).

#### **G. SECURITY AND PET DEPOSITS**

##### **Security Deposit**

Tenant security deposits are required to minimize collection losses and encourage



residents to leave their apartments clean and in good condition when they vacate.

### **Security Deposit Amounts**

New tenants must pay a security deposit to the SNRHA at the time of leasing the unit.

The Security Deposits for Public Housing will be based on bedroom size as follows:

- Efficiency Unit: \$200.00
- One Bedroom Unit: \$200.00
- Two Bedroom Unit \$250.00
- Three Bedroom Unit \$300.00
- Four Bedroom Unit \$350.00
- Five Bedroom Unit \$400.00

Scattered Site units will be required to pay an additional \$100 deposit for lawn or yard maintenance for which they are responsible for under terms of their lease.

### **Transfer of Security Deposit**

If a resident transfers, the original security deposit may be refunded to the resident. The resident must then pay the required deposit for the new unit. The resident will be responsible for payment of any additional security deposits as outlined in this policy. The tenant will also be further billed for any maintenance or other charges beyond the security deposit.

The SNRHA may permit installment payments of security when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA. The Authority may allow for one-quarter of the required deposit at the time of admission and the remainder to be paid with additional equal payments for a three month period. The full deposit must be paid within 120 days of initial occupancy.

The Security Deposit will be returned, less any applicable charges, to the tenant after move-out, if the following conditions are met:

- There is no unpaid rent and/or charges for which the resident is liable under the lease or as a result of breaching the lease.
- The dwelling unit and all equipment are left clean, and all trash and debris have been removed by the family.
- There is no breakage or damage beyond that expected from normal wear and use.
- Tenant gave the required **30** calendar days advance written notice of intent to vacate and all keys issued have been returned to the management office when the family vacates the dwelling unit.

The Security Deposit may not be used to pay charges during the tenant's occupancy.



The SNRHA will hold the security deposit for the period the tenant occupies the unit. The SNRHA will refund the Security Deposit less any amounts owed, within 30 calendar days after move out and tenant's notification of new address. If no address is provided, the refund will be mailed to the last known address.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the security deposits. If the tenant disagrees with the amount charged to the security deposits, the SNRHA will provide a meeting to discuss the charges.

The resident must leave the dwelling unit in a clean and undamaged (beyond normal wear and tear) condition and must furnish a forwarding address to the SNRHA. All keys to the unit must be returned to the Management upon vacating the unit.

The SNRHA will not use the security deposit for payment of rent or other charges while the tenant is living in the unit.

The tenant will be billed for any maintenance or other charges. If the tenant family will be transferred from one public housing dwelling unit to another the SNRHA will conduct the required move-out inspection and determine what charges, if any, should be assessed to tenant's account. SNRHA will establish the security deposit for the new unit based upon the current security deposit policy and the family will be required to pay the balance/new deposit amount in effect at that time.

## **H. ADDITIONAL SECURITY DEPOSIT COLLECTION PROCEDURES**

Security Deposits are governed by the terms of the lease, 24CFR's and Nevada's Statutes. The SNRHA reserves the right to bill a resident's account additional charges if any of the situations below exist or take place within a resident's apartment. This money will be added to the resident's current security deposit. Such deposits may be collected for the following:

- 1) Unauthorized wallpapering.
- 2) Painting walls any color other than the original color upon move-in.
- 3) If the resident fails a housing inspection due to unsanitary housekeeping or excessive damage to the unit that is beyond normal wear and tear.
- 4) Evidence of pet damages (carpet stains, clawing, biting unit components, defecation interior or exterior, fleas, landscaping, lawn or property, fences or other visual damage).

If any of the above items are found within a household the resident will be immediately billed **per labor rates established according to the Maintenance Charge List and added into the tenant's security deposit funds.** The SNRHA has enacted this change to protect the interest of our housing stock and to reduce the billable charges due by the resident once they have moved out of SNRHA housing.



## **Pet Deposit**

### **DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |

ALL PET AGREEMENTS SIGNED WITH RESIDENTS OF SNRHA PRIOR TO THE ADOPTION OF THIS POLICY (03/01/2010) ARE NOT SUBJECT TO PAYING ADDITIONAL DEPOSIT AMOUNTS

RESIDENTS SIGNING PET POLICY AGREEMENTS FOLLOWING THE ADOPTION OF THIS POLICY WILL BE SUBJECT TO PAYING DEPOSITS FOR ANY NEW OR ADDITIONAL PETS.

Assistance Animals for persons with a disability are not subject to the pet deposit.

The SNRHA may permit installment payments of when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA.

The pet security deposit is to cover the cost of damages created by the pet. Tenant will be given a list of all such damages and the applicable charges that will be deducted from the pet deposit at the time the tenant vacates the unit or the pet is removed from the unit, whichever occurs first. Tenant will also be advised of their right to an informal meeting and/or grievance hearing should they dispute the charges. (See Chapter 10 for remainder of pet policy provisions.) The pet deposit will be returned to the tenant or the person designated by the former tenant, upon notification that the pet is no longer in the unit or in the event of the former tenant's incapacitation or death.

## **Interest**

SNRHA will not compute or pay any interest on any deposit.

## **I. RENT PAYMENTS**

See Chapter 13, Rent and Debt Collection Procedures.

## **J. FEES AND NONPAYMENT PENALTIES**

See Chapter 13, Rent and Debt Collection Procedures.



**K. SCHEDULES OF SPECIAL CHARGES**

Schedules of special charges for services, repairs, utilities and rules and regulations which are required to be incorporated into the lease by reference shall be publicly posted in a conspicuous manner in the community office, and they will be provided to the resident at the time of lease execution.

The SNRHA will assess residents a charge for tenant-caused damage to its Conventional housing facilities (i.e., dwelling unit and/or common areas). Where there is no specific cost listed for an item of work, the charge to the family will be based upon the SNRHA labor rate times (x) the hours of labor charged to the job plus (+) the actual cost of parts and materials that were used on the job. A Schedule of Charges will be maintained by the agency and periodically updated. A copy of this schedule will be posted in all management offices and shall be made available upon request. The SNRHA will not charge for any repairs that are necessitated by normal wear and tear; nor is there a charge for any scheduled periodic work, such as painting or extermination. However, if extermination is required on other than the pre-established scheduled basis and there is a determination that the extra extermination services are due to the negligence of the tenant family, the SNRHA reserves the right to charge for said service.

**L. MODIFICATIONS TO THE LEASE**

Schedules of special charges and rules and regulations are subject to modification or revision. Tenants will be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and they will be given an opportunity to present written comments. Comments will be taken into consideration before any proposed modifications or revisions become effective.

A copy of such notice shall be posted in the central office, each development office.

Any modifications of the lease must be accomplished by a written addendum to the lease and signed by parties, the resident(s) and the SNRHA.

**M. CANCELLATION OF THE LEASE**

Cancellation of the tenant's lease is to be in accordance with the provisions contained in the lease agreement and as stated in this policy.

**N. SMOKE FREE HOUSING**

In order to provide a healthier environment for our residents, the Board of Commissioners has adopted a Smoke Free Housing Policy. The purpose of this policy is to provide a healthier environment for our residents and eliminate the harmful effects of secondhand smoke, fire danger and damage to apartments due to smoke. Secondhand smoke is particularly dangerous to children and people with respiratory disease. It is the third leading cause of preventable death in the United States. In 2006, the US Surgeon General stated that there is no safe level of second hand smoke.



**Definition of Smoke/Smoking:**

The term “smoke” and “smoking” means inhaling, exhaling, breathing or carrying any lighted cigar, cigarette or other tobacco product on similar lighted product in any manner or in any form.

**Smoke-Free Apartments:**

The premises listed below have been designated as smoke-free living environments:

- **Lubertha Johnson Estates Senior Development**

**With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.**

Residents, **staff** and guests are prohibited from smoking on these properties owned and managed by SNRHA, including the apartment rented by the resident, the building in which the dwelling unit is located, and all common areas inside and outside the building up to 15 feet from each building and 50 feet from the buildings entry.

**The Southern Nevada Regional Housing Authority Not a Guarantor of Smoke-Free Environment**

The adoption of a smoke free living environment and the efforts to designate a property as smoke-free does not make SNRHA a guarantor of resident’s health or of the smoke free condition of the resident’s apartment and common areas. However, SNRHA shall take reasonable steps to enforce the smoke-free terms of its leases and to make the property smoke-free. SNRHA will post smoke free properties with “No Smoking” signs inside and outside the buildings and may, at its sole option, consider designating smoking areas at any or all of the properties.

**Smoking on the Property as a Lease Violation**

If a resident smells tobacco smoke anywhere in the building, they should report this to the office as soon as possible. Management will seek the source of the smoke and take appropriate action. A resident will be in violation of his/her lease if the resident or any guest is determined to be smoking on SNRHA property. Three (3) violations of SNRHA’s Smoke Free Policy may result in eviction. All applicants/residents acknowledge receipt of this Policy and Smoke-Free Lease Addendum in writing at the time of application and/or next rent recertification.

**O. INSPECTIONS OF PUBLIC HOUSING UNITS**

**Initial Inspections**

The SNRHA and the family will inspect the premises prior to occupancy of the unit in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the SNRHA and the tenant, will be kept in the unit file and tenant file.



## **Vacate Inspections**

The management staff will perform a move-out inspection when the family vacates the unit, and will encourage the family to participate in the move-out inspection.

The purpose of this inspection is to determine necessary maintenance and whether there are damages that exceed normal wear and tear. The SNRHA will determine if there are tenant caused damages to the unit. Tenant caused damages may affect part or all of the family's security deposit. Documentation, including pictures of tenant caused damages will be maintained in tenant file.

The move-out inspection also assists the SNRHA in determining the time and extent of the preparation and repairs necessary to make the unit ready for the next tenant.

## **Annual Inspections**

The SNRHA will inspect all units annually using HUD-required standards. All inspections will include a check of all smoke alarms to ensure proper working order. Pictures of any damages and/or housekeeping problems may be taken. At each annual inspection, staff will verify that the additional room is still being used for medical equipment or live-in aide.

Residents who "fail" the inspection due to housekeeping or tenant-caused damages will be given 10 calendar days to correct noted items and placed on a schedule of 30, 60, and 90 day inspections conducted to ensure lease compliance. Failure to comply with housekeeping requirements are grounds for lease termination.

Residents may request a copy of the inspection report with required corrections. In cases where units failed inspection for housekeeping or damage, a conference is scheduled with the property management.

If necessary to bring the unit into HUD-required compliance, needed repairs will be completed by the SNRHA.

Required corrections will be repaired by the SNRHA within 30 business days of the inspection date.

Damages beyond "normal wear and tear" will be billed to the tenant.

Residents who repeatedly "fail" the inspection or cause excessive damage to the unit will be in violation of their lease. SNRHA will take appropriate lease enforcement action.





### **Quality Control Inspections**

The housing management staff will conduct periodic quality control inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

The SNRHA management staff will conduct quality control inspections on 5% of the units.

The purpose of these quality control inspections is to assure that repairs were completed at an acceptable level of craftsmanship and within an acceptable time frame.

The property manager may conduct periodic inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

### **Special Inspections**

Housing management staff may conduct a special inspection for housekeeping, unit condition, or suspected lease violation.

HUD representatives or local government officials may review SNRHA operations periodically and as a part of their monitoring may inspect a sampling of the SNRHA's inventory.

Modernized and Scattered Site Inspections: New move inspections will be conducted within 60 days of the resident leasing the unit to ensure the unit and grounds are being maintained.

Unit inspections will be conducted within ten (10) working days from the date SNRHA is notified or receives knowledge of an unsatisfactory condition such as infestation, damages, unsatisfactory housekeeping or complaints of poor exterior conditions.

### **Other Inspections**

The SNRHA management staff will periodically conduct windshield and/or walk-through inspections to determine whether there may be lease violations, adverse conditions or local code violations.

Playground inspections are conducted weekly to determine playground safety.

Building exterior and grounds inspections are conducted at all Public Housing properties to determine hazardous conditions as well as to assist in budget preparation.



### **Emergency Inspections**

Housing management staff may initiate an emergency inspection report to generate a work order if they believe that an emergency exists in the unit or on a Public Housing site. In addition, staff may conduct an emergency inspection without a work order and generate a work order after the inspection has been conducted (see Entry of Premises Notice in this chapter.) Repairs are to be completed within 24 hours from the time the work order is issued.

### **Emergency Repairs to be Completed in Less than 24 Hours**

The following items are to be considered emergency in nature and require immediate (less than 24 hour) repair or abatement:

- Broken window glass that affects unit security, is a cutting hazard, or occurs within inclement weather (to be secured or abated)
- Escaping gas
- Plumbing leaks that have the capacity to create flooding or cause damage to the unit
- Natural gas leaks or smell of fumes
- Backed-up sewage
- Electrical hazard
- Inoperable SNRHA-owned air conditioner/heater (seasonal)
- Inoperable smoke detectors will be treated as a 24-hour emergency and will be made operable by the SNRHA if the smoke detector is in need of repair. Residents who disengage smoke detectors will be charged (see Schedule of Charges posted.)
- Lock-outs – Subject to the resident paying the cost for responding.

### **Entry of Premises Notices**

The SNRHA will give prior written notice for non-emergency inspections. Non-emergency entries to the unit will be made during reasonable hours of the day.

The SNRHA will provide the family with 48 hour notice prior to entering the unit for non-emergency reasons other than the annual inspection.

An inspection may not be conducted if there are minors and no adult (required to show identification) present in the unit during the inspection.



If no person is at home, the staff will enter the unit and conduct the inspection and will leave a written notice to the resident explaining the reason the unit was entered and the date and time.

A written notice specifying the purpose for non-emergency entry into the unit will be delivered to the premises at least 2 days before entry.

Where the SNRHA is conducting regular annual inspection of its housing units, the family will receive reasonable advance notice of the inspection to allow the family to prepare and be able to pass the inspection.

Reasons the SNRHA will enter the unit are:

- Inspections and maintenance
- To make improvements and repairs
- To show the premises for leasing
- In cases of emergency

The family must call the SNRHA at least 24 hours prior to the scheduled date of inspection to reschedule the inspection, if necessary.

The SNRHA will reschedule the inspection no more than once unless the resident has a verifiable medical reason which has hindered the inspection. The SNRHA may request verification.

Repairs requested by the family will not require prior notice to the family. Residents are notified in the lease that resident-requested repairs presume permission for the SNRHA to enter. The resident may specify at the time of request for repair or maintenance that they be present. SNRHA will take reasonable measures to comply with the residents request; however known deficiencies must be corrected.

### **Non-Inspection Emergency Entry**

The SNRHA staff will allow access to the unit to proper authorities when issues of health or safety of the tenant are concerned.

### **Family Responsibility to Allow Inspection**

The SNRHA must be allowed to inspect the unit at reasonable times with reasonable notice. If the resident refuses to allow the inspection, the resident will be in violation of the lease.

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<sup>i</sup> 24 CFR §§ 960.205 (b) and 966.4(a)(1)(v)



## Chapter 10

### PET POLICY

[24 CFR 5.309]

#### **INTRODUCTION**

This chapter explains the SNRHA's policies on the keeping of pets and any criteria or standards pertaining to the policy. The rules adopted are reasonably related to the legitimate interest of the SNRHA to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the SNRHA.

The purpose of this policy is to establish the SNRHA's policy and procedures for ownership of pets and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

Residents will comply with the dwelling lease, which requires that no animals or pets of any kind be permitted on the premises without prior written approval of the SNRHA.

Nothing in this policy or the dwelling lease limits or impairs the right of persons with disabilities to own animals that are used to assist them.

The SNRHA Pet **Deposits, Fees, and Restrictions** do not apply to Assistance Animals. An Assistance Animal is an animal that is needed as a reasonable accommodation for persons with disabilities.

In accordance with Section 526 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA), SNRHA hereby sets forth rules and regulations concerning pet ownership in its public housing units. Only "common household pets" as defined herein will be permitted in SNRHA owned properties.

A common household pet, for the purposes of SNRHA's conventional housing program: A domesticated animal, such as a dog, cat, bird, or fish that is traditionally kept in the home for pleasure rather than for commercial or breeding purposes. Common household pet does not include reptiles. This definition shall not include animals that are used to assist persons with disabilities.

Residents may own up to two pets as defined in this policy. If one of the pets is a dog or cat, the second pet must be contained in a cage or an aquarium for fish. Each bird or other animal, other than fish, shall be counted as one pet.



**Animals That Assist Persons with Disabilities**

Only rules related to the health of the animal, the responsibility of the animal’s owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

To meet these exclusions, the resident/pet owner must provide SNRHA with the means to verify that:

That there is a person with disabilities in the household; and

That if the animal is needed because of the person’s disability.

**A. MANAGEMENT APPROVAL OF PETS**

All pets must be approved in advance by the SNRHA management. The pet owner must enter into a Pet Agreement with the SNRHA; pay the pet deposit as follows:

**DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |
|                                                            |         |

See Sections D and E following for other management requirements.

**B. STANDARDS FOR PETS**

Pet rules as outlined below will not be applied to animals that assist persons with disabilities however rules related to the health of the animal, the responsibility of the animal’s owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

**Types of Pets Allowed**

No pets except the following will be acceptable:



### Dogs

Maximum number: 1  
Maximum adult weight: 30 pounds  
Maximum height: 20" at shoulder at full growth  
Must be spayed or neutered and housebroken  
Must have all required inoculations  
Must be licensed as specified now or in the future by State law and local ordinance

### Cats

Maximum number: 1  
Must be spayed or neutered  
Must have all required inoculations  
Must be trained to use a litter box or other waste receptacle. Cardboard boxes are not acceptable and will not be approved. The resident shall not permit refuse from litter boxes to accumulate, become odorous, to become unsightly, or unsanitary.  
Must be licensed as specified now or in the future by State law or local ordinance

### Birds

Maximum number: 2  
Must be enclosed in a cage at all times

### Fish

Maximum aquarium size: 50 gallons  
Must be maintained on an approved stand

### Rodents (guinea pig, hamster, or gerbil ONLY)

Maximum number: 1  
Must be enclosed in an acceptable cage at all times



## **Types of Pets Not Allowed**

Common household pets permitted in dwelling units do not include:

Exotic pets or barnyard animals are prohibited. Exception may be made for certain species of pigs utilized as bonafide “service animals”. (Snakes and reptiles are considered exotic pets.)

Animals who would be allowed to produce offspring for sale

Wild animals, feral animals, and any other animals that are not amenable to routine human handling

Animals of species commonly used on farms

Non-human primates (unless as an assistive animal to a person with disabilities)

Animals whose climatological needs cannot be met in the unaltered environment of the individual dwelling unit

Pot-bellied pigs

Snakes, spiders, reptiles, and chickens

The following restrictions apply to pets, based on weight, size and inherent dangerousness, including prohibitions against the keeping of:

Any animal whose weight could exceed 30 pounds by adult hood

Dogs of the pit bull, Rottweiler, chow, or boxer breeds

Ferrets or other animals whose natural protective mechanisms pose a risk to small children of serious bites and lacerations

Hedgehogs or other animals whose protective instincts and natural body armor produce a risk to children of serious puncture injuries.

Chicks, turtles or other animals that pose a significant risk of salmonella infection to those who handle them

Pigeons, doves, mynah birds, psittacine birds, and birds of other species that are hosts to the organisms causing psittacosis in humans

Tenants are not permitted to have more than one *type* of pet.



### **C. PETS TEMPORARILY ON THE PREMISES**

Pets which are not owned by a tenant will not be allowed; although service animals of persons with disabilities who are visiting the unit are permitted.

Residents are prohibited from feeding or harboring stray animals.

This rule excludes visiting pet programs sponsored by a humane society or other non-profit organization and approved by the SNRHA.

State or local laws governing pets temporarily in dwelling accommodations shall prevail.

### **D. REGISTRATION, ADMINISTRATION, AND OTHER RESTRICTIONS**

#### **Registration of Pets**

1. Pets must be registered with the SNRHA before they are brought onto the premises. Registration includes certificate signed by a licensed veterinarian or State/local authority that the pet has received all inoculations required by State or local law, and that the pet has no communicable disease(s) and is pest-free. This provision applies to assistive animals for persons with disabilities.
2. Registration must be renewed and will be coordinated with the annual recertification date and proof of license and inoculation will be submitted at least 30 days prior to annual reexamination. This provision applies to assistive animals for persons with disabilities.
3. Dogs and cats must be spayed or neutered. This provision applies to assistive animals for persons with disabilities.
4. Execution of a Pet Agreement with the SNRHA stating that the tenant acknowledges complete responsibility for the care and cleaning of the pet will be required.
5. Approval for the keeping of a pet shall not be extended pending the completion of these requirements.
6. Registration for each animal is to be accomplished by the filing of the following disclosures and forms:
  - a. A health certificate prepared by a veterinarian (including attestations of no communicable disease and of spaying or neutering or of a medical condition precluding spaying or neutering)
  - b. Documentation of current rabies vaccination for species subject to state or local rabies vaccination requirements





- c. Copy of the license issued by the applicable municipality for “ownership” of each animal for whom licensing is a legal requirement
- d. Name, address and telephone number of a veterinarian who will be providing regular care
- e. Name of the adult household member who will be primarily responsible for animal care

### **Refusal to Register Pets**

1. The SNRHA may not refuse to register a pet based on the determination that the pet owner is financially unable to care for the pet. If the SNRHA refuses to register a pet, a written notification will be sent to the pet owner stating the reason for denial and shall be served in accordance with HUD Notice requirements.
2. The SNRHA will refuse to register a pet if:
  - a. The pet is not a common household pet as defined in this policy;  
Keeping the pet would violate any House Pet Rules;
  - b. The pet owner fails to provide complete pet registration information or fails to update the registration annually;
  - c. The SNRHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

A resident who cares for another resident's pet must notify the SNRHA and agree to abide by all of the pet rules in writing.

### **Pet Agreement**

Execution of a Pet Agreement will be required, under which the resident acknowledges:

1. The right of management to enter dwelling unit when there is evidence that an animal left alone is in danger or distress
2. The right of management to seek impoundment and sheltering of any animal found to be maintained in violation of housing rules, pending resolution of any dispute regarding such violation
3. Receipt of a copy of all animal-related requirements and restrictions administered by management



4. In the context of public housing, that failure to abide by any animal-related requirement or restriction constitutes a violation of the “Tenant Obligations” appearing at 24 CFR 966.4(f)(4) and, therefore, grounds for lease termination pursuant to 24 CFR 966.4(k)(2)

### **Other Restrictions**

The following other restrictions also apply:

1. A prohibition on the keeping of animals by any resident convicted of a felony or of a misdemeanor relating to treatment of an animal
2. A prohibition on the keeping of any dog or cat over six months of age who is not spayed or neutered
3. A prohibition against keeping animals in any dwelling unit having no air conditioning in which ambient temperatures may exceed 82 degrees at any time of day or night.
4. A restriction against walking or transporting any animal outside of the dwelling unit without use of a leash no longer than five (5') feet or animal transport enclosure.
5. A prohibition against allowing animals on any premises outside of the dwelling unit unaccompanied by a family member, including homeless animals that are being fed or otherwise supported by residents.
6. A prohibition against the tethering or chaining of animals outside of or within the dwelling unit.
7. A prohibition of feeding any dog and/or cat outside the unit.
8. A restriction against subjecting animals to any surgical procedure, such as de-barking or de-clawing, that is typically performed as a substitute for correcting environmental deficiencies and providing proper supervision, or that can render animals abnormally aggressive
9. A requirement for the prompt removal of animal feces deposited in any common area
10. A requirement for regular removal and replacement of litter used in litter boxes or in animal enclosures maintained within dwelling units
11. A requirement for implementation of effective flea control by measures that produce no toxic hazard to children who may come into contact with treated animals



12. Pets are to be restrained so that maintenance can be performed in the unit. The resident **shall**, whenever an inspection or maintenance is scheduled, either be at home or shall have all animals restrained or caged. If a maintenance person enters a unit where an animal is not restrained, maintenance shall not be performed, and the resident pet owner shall be charged a fee of \$25.00. If the situation occurs again, the pet shall be removed from the premises. The Housing Authority shall not be responsible if any animal escapes from the residence due to its maintenance, inspections, or other activities.

State and local public health and anti-cruelty laws are applicable. All complaints of cruelty and all dog bites will be referred to the relevant animal control or police agency for investigation and enforcement.

#### **E. ADDITIONAL FEES AND DEPOSITS FOR PETS**

SNRHA requires a refundable pet deposit of \$200 for dogs and cats subject to charges for pet associated damage.

SNRHA requires a non-refundable pet fee for dogs of \$50 annually to defray the cost of providing pet waste receptacles and equipment as well as pet waste clean-up costs associated with the overall upkeep of the community. Residents are expected to properly dispose of pet waste.

SNRHA will allow gradual payment of the deposit in accordance with the following:

- An initial payment of \$50 on or prior to the date the pet is properly registered and brought into the apartment; and
- Monthly payments in an amount no less than \$50 until the specified deposit has been paid.

SNRHA will allow gradual payment of the pet fee in accordance with the following:

- An initial payment of \$10.00 due by the effective date of the annual recertification and up to four additional installments of \$10.00.

The SNRHA reserves the right to change or increase the required deposit by amendment to these rules.

The SNRHA will refund the pet deposit to the tenant, less any damage caused by the pet to the dwelling unit, upon removal of the pet or the owner from the unit. Pet fees are non-refundable.



The SNRHA will return the pet deposit to the former tenant or to the person designated by the former tenant in the event of the former tenant's incapacitation or death.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the pet deposit. If the tenant disagrees with the amount charged to the pet deposit, the SNRHA will provide a meeting to discuss the charges.

All reasonable expenses incurred by the SNRHA as a result of damages directly attributable to the presence of the pet in the community will be the responsibility of the resident, including:

- The cost of repairs and replacements to the resident's dwelling unit;
- Fumigation of the dwelling unit;
- Common areas of the community.

Pet deposits are not a part of rent payable by the resident.

#### **F. ALTERATIONS TO UNIT**

Residents/pet owners shall not alter their unit, patio, premises or common areas to create an enclosure for any animal. Installation of pet doors is prohibited.

#### **G. PET WASTE REMOVAL CHARGE**

A separate pet waste removal charge of \$25 per occurrence will be assessed against the resident for violations of the pet policy.

Pet waste removal charges are not part of rent payable by the resident.

All reasonable expenses incurred by the SNRHA, as the result of damages directly attributable to the presence of the pet will be the responsibility of the resident, including:

The cost of repairs and replacements to the dwelling unit;

Fumigation of the dwelling unit.

If the tenant is in occupancy when such costs occur, the tenant shall be billed for such costs as a current charge.

If such expenses occur as the result of a move-out inspection, they will be deducted from the pet deposit. The resident will be billed for any amount, which exceeds the pet deposit.

The pet deposit will be refunded when the resident moves out or no longer have a pet on the premises, whichever occurs first.

The expense of flea disinfestations shall be the responsibility of the resident.



## **H. PET AREA RESTRICTIONS**

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash and under the control of the resident or other responsible adult individual at all times.

Pets are not permitted in common areas including lobbies, community rooms and laundry areas except for those common areas which are entrances to and exits from the building.

## **I. NOISE**

Pet owners must control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.

## **J. CLEANLINESS REQUIREMENTS**

### **Litter Box Requirements.**

All animal waste or the litter from litter boxes shall be picked up immediately by the pet owner, disposed of in sealed plastic trash bags, and placed in a trash bin.

Litter shall not be disposed of by being flushed through a toilet.

Litter boxes shall be stored inside the resident's dwelling unit.

### **Removal of Waste from Other Locations.**

The Resident/Pet Owner shall be responsible for the removal of waste by placing it in a sealed plastic bag and disposing of it in an outside trash bin.

Any unit occupied by a dog, cat, or rodent will be fumigated at the time the unit is vacated or during regularly scheduled extermination of the unit.

The resident/pet owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

## **K. PET CARE**

No pet (excluding fish) shall be left unattended in any apartment for a period in excess of 10 consecutive hours.

All residents/pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet.



Residents/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

#### **L. RESPONSIBLE PARTIES**

The resident/pet owner will be required to designate a responsible party for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

#### **M. INSPECTIONS**

The SNRHA may, after reasonable notice to the tenant during reasonable hours, enter and inspect the premises, in addition to other inspections allowed.

#### **N. TERMINATION OF TENANCY**

The SNRHA may initiate procedures for termination of tenancy based on a pet rule violation if:

The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified; and

The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

#### **O. PET REMOVAL**

If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation will be reported to the Responsible Party designated by the resident/pet owner. This includes pets that are poorly cared for or have been left unattended for over 10 consecutive hours.

If the responsible party is unwilling or unable to care for the pet, or if the SNRHA after reasonable efforts cannot contact the responsible party, the SNRHA may contact the appropriate State or local agency and request the removal of the pet.

If the pet is removed as a result of any aggressive act on the part of the pet, the pet will not be allowed back on the premises.

#### **P. EMERGENCIES**

The SNRHA will take all necessary steps to insure that symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate State or local entity authorized to remove such animals.



If it is necessary for the SNRHA to place the pet in a shelter facility, the cost will be the responsibility of the tenant/pet owner. Pets that become vicious, display aggressive behavior are subject to referral to appropriate State or Local agency.

## Chapter 11

### RECERTIFICATIONS

[24 CFR 5.613, 24 CFR 5.61524 CFR Part 960 Subpart C,  
5.657, 880.603, 884.218, 886.124, 886.324, 891.410, 891.610,  
891.750, 960.257, 982.516]

#### **INTRODUCTION**

HUD requires that PHA's offer all families the choice of paying income-based rent or flat rent at least annually. Families who choose to pay flat rent **or families who receive a verifiable fixed income** are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent **or fixed income** families must still report family composition and community service requirements on an annual basis.

To determine the amount of income-based rent, it is necessary for SNRHA to perform a reexamination of the family's income annually. At the annual reexamination, families who choose to pay income-based rent must report their current household composition, income, deductions and allowances. Between regular annual reexaminations, HUD requires that families report all changes in household composition, but SNRHA decides what other changes must be reported and the procedures for reporting them.

This chapter defines SNRHA's policy for conducting annual reexaminations. It also explains the interim reporting requirements for families, and the standards for timely reporting.

#### **A. ELIGIBILITY FOR CONTINUED OCCUPANCY**

Residents who meet the following criteria will be eligible for continued occupancy:

Qualify as a family as defined in this policy;

Are in full compliance with the resident obligations and responsibilities described in the dwelling lease;

Have provided Social Security numbers on all family members or have certifications on file indicating they have no Social Security number.

Whose family members have submitted required citizenship/eligible immigration status/non-contending documents. Who meet HUD standards on citizenship or immigration status or are paying a pro-rated rent.

Who are in compliance with the SNRHA's community service requirements.

Whose adult family members have passed an annual criminal screening.

#### **Remaining Family Members and Prior Debt**

1. Remaining family members age 18 years or older will be held responsible for arrearages incurred by the former head or spouse. SNRHA will not hold remaining family members (other than the head or spouse) responsible for any portion of the arrearage incurred before the remaining member attained age 18.



Exceptions may be made for extenuating circumstances or hardship.

2. Remaining family members under age 18 shall not be held responsible for the rent arrearages incurred by the former head of household.

## **B. ANNUAL RECERTIFICATIONS**

The terms "annual recertification" and "annual reexamination" are synonymous.

In order to be recertified, families are required to provide current and accurate information on income, assets, allowances and deductions, and family composition. The annual recertification of family income and composition will be conducted the staff.

Families who choose flat rent **and families who receive fixed income** are to be recertified every three years. SNRHA staff will mail annual information packages to families and may schedule an interview if additional information is needed.

Annual recertifications are scheduled; by the anniversary of their admission date.

### Admission Anniversary System:

For families who move in on the first of the month, the annual recertifications will be completed within 12 months of the anniversary of the move-in date. (Example: If family moves in August 1, the annual recertification will be conducted **at most 120 days prior** to be effective on August 1, the following year.)

For families who move in during the month, the annual recertifications will be completed no later than the first of the month in which the family moved in, the following year.

(Example: If family moves in August 15, the effective date of the next annual recertification is August 1.)

When families move to another dwelling unit, the annual recertification date will not change.

**Special Reexaminations:** When it is not possible to estimate family income accurately, a temporary determination will be made with respect to income and a special reexamination will be scheduled every 90 days until a reasonably accurate estimate of income can be made.

Special reexaminations shall be conducted when there is a change in the head of household that requires a remaining family member to take on the responsibilities of a leaseholder.

**Special Reexamination Following Income Disallowance:** When a family qualifies for an earned income disallowance, a special reexamination will occur at the end of the initial 12 month disallowance period and at the end of the **second 12 month disallowance period**.

**Zero/Extremely Low Income Families:** Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete a written no/low income certification every 180 days and undergo an interim recertification every 180 days. (See Other Interim Reporting Issues below).

### **Recertification Notice to the Family**

All families will be notified of their obligation to recertify by staff delivery or first class mail. The written notification shall be sent at least 120 calendar days in advance of the scheduled annual recertification date specifying the date and time of the appointment and the required documents that the tenant will need to supply.

During this reexamination period, the family will be given the option to choose flat rent or income-based rent. SNRHA will provide a form that states what the flat rent would be and what the family's income-based rent would be. The family will be required to make a choice and sign the form prior to the effective date of their reexamination. The form will be retained in the tenant's file.

If the family chooses flat rent, an annual recertification is required to verify community service requirements and family composition. Recertification of income is only required every three years.

Notification of the flat rent and an approximate amount of the income based rent, based on the last certification, and is sent at least 120 days in advance of the scheduled annual certification.

Families that have paid a flat rent for three years must complete a full certification process to determine accurate information regarding family composition and income. The family may choose to pay a flat rent or the income based rent annually.

### **Persons with Disabilities**

If requested as an accommodation by a person with a disability, the SNRHA will provide the notice in an accessible format. The SNRHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

Persons with disabilities, who are unable to come to the SNRHA's office will be granted an accommodation of conducting the interview at the person's home, upon verification that the accommodation requested meets the need presented by the disability.

### **Collection of Information**

The family is required to complete the Application for Continued Occupancy –Personal Declaration. Each adult member who reports no income or very low income will also be required to complete the Personal Declaration Form – No Income Questionnaire. Update form may be used for Interims.

### **Requirements to Attend**

The following family members will be required to attend the recertification interview and sign **the personal declaration** along with other required forms:

- The head of household, spouse, co-head, and

- All adult household members, age 18 and older.

If the head of household is unable to attend the interview, the appointment will be rescheduled one time at the family's request.

### **Failure to Respond to Notification to Recertify**

The written notification will explain which family members are required to attend the recertification interview. The family may call to request another appointment date up to 2 calendar days prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the SNRHA, the SNRHA will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the SNRHA will not schedule a third appointment. If a household fails to complete annual recertification, **they will receive a 30 day notice of lease termination for non-compliance with the recertification process.**

If the family schedules an appointment and completes annual recertification requirements within thirty days of the effective date of the household's annual recertification, the annual recertification will be completed and the household's rent will be based on the income.

Exceptions to these policies may be made by the Asset Manager if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

### **Documents Required From the Family**

In the notification letter to the family, the SNRHA will include instructions for the family to bring the following:

- Application for Continued Occupancy form Personal Declaration Form completed by head of household

- Documentation of income for all family members

- Documentation of assets

- Documentation to substantiate any deductions or allowances

- Documentation of family composition

- Picture identification for adults 18 years of age or older

- Other required documents on new family members, such as SSN or citizenship requirements

- Documentation of community service requirements

- Self-Declaration form when adult members 18 and over are declaring no income or very low income. (Except those 62 years and older/or disabled or enrolled in educational or approved training programs.)

SNRHA will require a print out of utility bills for three months to be submitted for residents claiming zero income.

### **Verification of Information**

All information which affects the families continued eligibility for the program, and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this Policy. Verifications used for recertification must be less than 120 days old on the effective date of the recertification. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine:

The continued eligibility of the resident as a *family* or as the *remaining member* of a family;

The unit size required by the family;

The amount of rent the family should pay.

### **Changes in the Tenant Rent**

If there is any change in rent, including change in family's choice in rent, the lease will be amended, or a new lease will be executed, or a Notice of Rent Adjustment will be issued [24 CFR 966.4(c) & (o)].

#### **Tenant Rent Increases**

If tenant rent increases, a 30-day notice will be mailed to the family prior to the family's annual recertification date.

If less than 30 days are remaining before the family's annual recertification date, the tenant rent increase will be effective on the first of the second month following the thirty day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the recertification processing, there will be a retroactive increase in rent to the family's annual recertification date.

#### **Tenant Rent Decreases**

If tenant rent decreases, it will be effective on the family's annual recertification date.

If the family causes a delay so that the processing of the recertification is not complete by the family's annual recertification date, rent change will be effective on the first day of the month following completion of the recertification processing by the SNRHA.

If tenant rent decreases and the change occurred within a month prior to the Recertification appointment, but the family did not report the change as an interim Adjustment, the decrease will be effective on the recertification anniversary date.

### **C. REPORTING INTERIM CHANGES**

Families must report all changes in household composition and increases in income/assets in writing within 10 calendar days to the SNRHA between annual recertifications. This includes additions due to birth, adoption and court-awarded custody. The family must

obtain SNRHA approval prior to all other additions to the household.

When there is a change in head of household or a new adult household member is added, the head of household will complete an application for continued occupancy – personal declaration or update form and recertify-revify, using the same procedures the SNRHA staff would use for an annual recertification, except for effective dates of changes. In such case, the Interim Recertification Policy would be used.

The annual recertification date will not change as a result of this action.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified prior to the approval by the SNRHA of the family member being added to the lease.

### **Increases in Income to be Reported and Rent Adjustments**

Families paying flat rent are not required to report any increases in income or assets between the recertification periods.

Families paying an income-based rent must report all increases in income/assets of all household members to the SNRHA in writing within 10 calendar days of the occurrence.

Families are required to report the following increases in income:

- Increases in income because a person with income joins the household;
- Increases in household income which comes as a result of a new income source.
- Increases in household income that was not anticipated at the annual recertification period.

Families who receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are required to report their annual increase when it occurs.

SNRHA will process rent adjustments for all increases in income, which are reported between regularly scheduled recertifications.

Rent increases (except those due to misrepresentation) require 30 days' notice.

### **Decreases in Income and Rent Adjustments**

Residents may report a decrease in income and other changes, such as an increase in allowances or deductions which would reduce the amount of the total tenant payment.

The SNRHA will process the rent adjustment unless the SNRHA confirms that the decrease in income will last less than 30 calendar days.

Decreases in tenant rent will be effective the first day of the month following the month in which the change is reported in writing to the SNRHA. If verification cannot be obtained prior to the end of the month in which the change is reported, the decrease will be made retroactive to the first day of the month following the month in which the change is reported.

### **D. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare

assistance is reduced specifically because of:

Fraud; or

Failure to participate in an economic self-sufficiency program; or

Noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA has a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

## **E. OTHER INTERIM REPORTING ISSUES**

**Residents are required to report all changes in family composition or status** to SNRHA in writing within 10 calendar days of the occurrence. Failure to report within the 10 calendar days may result in a retroactive rent increase, but not a retroactive credit or rent reduction. In order to qualify for rent reductions, residents must report and verify income decreases promptly.

An interim recertification will be scheduled for families with zero income or extremely low income every 180 days. Once income is reported recertification will cease until annual recertification time.

An interim reexamination will be scheduled for families with zero or extremely low-income every 180 days. Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete

a written no/low income certification every 180 days and undergo an interim recertification every 180 days, until they have a stable income. If any increases in income are indicated in any of the above information or other verification, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Monetary or non-monetary contributions from persons not residing in the dwelling unit for any purpose other than the payment or reimbursement of medical expenses shall be considered income. Families that report zero or extremely low income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc.

### **SNRHA Errors**

If the SNRHA makes a calculation error at admission to the program or at an annual recertification, an interim recertification will be conducted to correct the error, but the family will not be charged retroactively. Any decrease in rent will be made retroactive.

### **False or Incomplete Information Supplied by Family**

For families whose rent has been based on false or incomplete information supplied by The applicant/resident family, an interim recertification will be conducted upon notice by The SNRHA. Any increase in TTP and tenant rent will be retroactive.

## **F. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)**

### **Standard for Timely Reporting of Changes**

The SNRHA requires that families report interim changes to the SNRHA in writing within ten calendar days of when the change occurs. Any information, document or signature needed from the family which is needed to verify the change must be provided within 3 calendar days of reporting the change.

If the change is not reported within the required time period, or if the family fails to provide signatures, certifications or documentation, (in the time period requested by the SNRHA), it will be considered untimely reporting.

### **Procedures When the Change is Reported in a Timely Manner**

The SNRHA will notify the family of any changes in Tenant Rent to be effective according to the following guidelines:

**Increases in the Tenant Rent** is effective on the first of the month following at least thirty days' notice.

**Decreases in the Tenant Rent** are effective the first of the month following the month in which the change is reported.

The change may be implemented based on documentation provided by the family, pending third party written verification.

### **Procedures when the Change is not Reported by the Tenant in a Timely Manner**

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim recertification processing and the following guidelines will apply:

**Increase in Tenant Rent** will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any underpaid rent, utility reimbursement payment for which they would not have been eligible to receive and may be required to sign a Repayment Agreement in accordance with SNRHA repayment policy.

**Decrease in Tenant Rent** will be effective on the first of the month following completion of processing by the SNRHA and not retroactively.

### **Procedures when the Change is not processed by the SNRHA in a Timely Manner**

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the SNRHA in a timely manner.

Therefore, an increase will be effective after the required 30 days' notice prior to the first of the month after completion of processing by the SNRHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

### **G. REPORTING OF CHANGES IN FAMILY COMPOSITION**

All changes in family composition must be reported within 10 business days of the occurrence in writing.

The members of the family residing in the unit must be approved by the SNRHA. The family must inform the SNRHA and request approval of additional family members other than additions due to birth, adoption, or court-awarded custody before the new member occupies the unit.

The proposed new adult family members will be screened by SNRHA, according to the screening criteria in accordance with the criteria for eligibility and admission, prior to approval.

The SNRHA will not approve the addition of family members other than by birth, adoption, marriage or court-awarded custody where the occupancy standards would require a larger size unit.

An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody. SNRHA must receive a court awarded guardianship or custody is received within 365 calendar days. Failure shall result in the deduction being removed; and any income still being received shall be counted.

If an adult family member is declared permanently absent by the head of household, the notice must contain a certification by the head or co-head of household or spouse that the member (who may have been the head of household) removed is permanently absent.

The head of household must provide a statement that the head or co-head of household or



spouse will notify the SNRHA if the removed member returns to the household for a period longer than the visitor period allowed in the lease.

### **Increase in Family Size**

The SNRHA will consider a unit transfer (if needed under the Occupancy Guidelines) for additions to the family in the following cases:

Addition by marriage/or marital-type relation.

Addition of a minor who is a member of the nuclear family who had been living elsewhere.

Addition of a SNRHA-approved live-in attendant. Addition due to birth, adoption or court-awarded custody.

Families who need a larger sized unit because of voluntary additions identified above will be placed on the Transfer List at their next regularly scheduled recertification; unless it creates a health and safety hazard upon approval of the Director of Operations.

### **Definition of Temporarily/Permanently Absent**

The SNRHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. The SNRHA will evaluate absences from the unit in accordance with this policy.

### **Absence of Entire Family**

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the SNRHA will terminate tenancy in accordance with the appropriate lease termination procedures contained in this Policy.

Families are required to notify the SNRHA before they move out of a unit in accordance with the lease and to give the SNRHA information about any family absence from the unit.

Families must notify the SNRHA if they are going to be absent from the unit for more than 14 consecutive days. A person with a disability may request an extension of time as an accommodation.

"Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, the SNRHA may:

Conduct home visit

Write letters to the family at the unit Post

letters on exterior door Telephone the  
family at the unit Interview neighbors  
Verify if utilities are in service  
Check with Post Office for forwarding address  
Contact emergency contact

As a reasonable accommodation for a person with a disability, the SNRHA may approve an extension. (See Absence Due to Medical Reasons below for other reasons to approve an extension.) During the period of absence, the rent and other charges must remain current.

If the absence which resulted in termination of tenancy was due to a person's disability, and the SNRHA can verify that the person was unable to notify the SNRHA in accordance with the lease provisions regarding absences, and if a suitable unit is available, the SNRHA may reinstate the family as an accommodation if requested by the family.

If the dwelling unit is deemed abandoned by the tenant, SNRHA shall take possession of the unit and any of the tenant's possessions remaining in the unit, in accordance with the lease. Property abandoned by the tenant may be disposed of by SNRHA in accordance with Nevada State law, NRS 118A and SNRHA procedures.

#### **Absence of Any Member**

Any member of the household will be considered permanently absent if s/he is away from the unit for three consecutive months except as otherwise provided in this Chapter.

#### **Absence due to Medical Reasons**

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the SNRHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent and removed from the lease. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent, as long as rent and other charges remains current.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the SNRHA's "Absence of Entire Family" policy.

Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Asset Manager.

#### **Absence due to Incarceration**

If a sole member is incarcerated for more than 30 consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for 30 consecutive days. The rent and other charges must remain current during this period.

The SNRHA will determine if the reason for incarceration is for drug-related or criminal activity which would threaten the health, safety and right to peaceful enjoyment of the dwelling unit by other residents. If the offense is drug related or criminal activity that violates the lease and policy, the lease will be terminated.

### **Foster Care and Absences of Children**

If the family includes a child or children temporarily absent from the home due to placement in foster care, the SNRHA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 3 months 180 days from the date of removal of the child(ren), the family will be required to move to a smaller size unit. If all children are removed from the home permanently, the unit size will be reduced in accordance with the SNRHA's occupancy guidelines.

### **Absence of Adult**

If neither parent remains in the household and the SNRHA and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the SNRHA will treat that adult as a visitor for the first 30 calendar days.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the SNRHA will review the status at 30 calendar day intervals.

If the court has not awarded custody or legal guardianship, but the action is in process, SNRHA will secure verification from social services staff or the attorney as to the status. If by the end of that period, court-awarded custody or legal guardianship has been awarded to the guardian, and the guardian qualifies under Tenant Suitability criteria, the lease will be transferred to the guardian.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

SNRHA will transfer the lease to the guardian, in the absence of a court order, if the guardian qualifies under the Tenant Suitability criteria and has been in the unit for more than 30 days and it is reasonable to expect that custody will be granted.

When the SNRHA approves a person to reside in the unit as caretaker for the child/ren, the income should count pending a final disposition. The SNRHA will work with the appropriate service agencies to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 180 days, the person will be considered permanently absent.

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

### **Absence of Spouse or Secondary Wage earner**

The absence of the spouse or secondary wage earner must be verified by third-party documentation unless so verified per 24CFR 5.609(2) all income must be included.

### **Full-Time Students**

Full time students who attend school away from the home will be treated in the following manner:

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of unit size.

If the student is considered temporarily absent from the household, applicable income for that person will be counted. Full time students who attend school away from the home and live with the family during school recess will be considered temporarily absent from the household.

### **Visitors (See Chapter 9, Leasing)**

A visitor/*guest* is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Any adult not included on the HUD 50058 who has been in the unit more than 14 consecutive days, or more than 30 cumulative days in a 12 month period, will be considered to be living in the unit as an unauthorized.

The lease must provide the tenant has the right to exclusive use and occupancy of the leased unit by the members of the household authorized to reside in the unit in accordance with the lease, including reasonable accommodation of their guests [24 CFR 966.4(d)]. The head of household is responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near PHA premises [24 CFR 966.4(f)].

A resident family must notify the SNRHA in writing when overnight guests will be staying in the unit for more than 3 days.

A guest can remain in the unit no longer than 14 consecutive days or a total of 30 cumulative calendar days during any 12-month period.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last 20 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

Former residents who have been evicted are not permitted as overnight guests. Guests who represent the unit address as their residence address for receipt of benefits or other purposes will be considered unauthorized. In addition, guests who remain in the unit beyond the allowable time limit will be considered unauthorized, and their presence constitutes violation of the lease.

Absence of evidence of any other address will be considered verification that the visitor is an unauthorized household member.

Statements from neighbors and/or SNRHA staff will be considered in making the determination.

The SNRHA will consider:

- Statements from neighbors and/or SNRHA staff

- Vehicle license plate verification

- Post Office records

- Driver's license verification

- Law enforcement reports

- Credit reports

- Verification from other public or private sources

- Other reliable information

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, as stated above, the individual will be considered unauthorized and the SNRHA will terminate the family's lease since prior approval was not requested for the addition.

Minors and college students who were part of the family, but who now live away from home during the school year and are not considered members of the household may visit for up to 90 consecutive days per year without being considered a member of the household under the following conditions:

- The head of household has reported to the SNRHA, in writing, that the minor is a visitor.

- The SNRHA has provided the head of household with written permission for the minor to occupy the unit for more than 14 days.

In a joint custody arrangement, if the minor is in the household less than 184 days per year, the minor will be considered to be an eligible visitor and not a family member. If both parents reside in Public Housing or are a Section 8 Program participant, only one parent would be able to claim the child for deductions and for determination for the occupancy standards.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the public housing unit more than 50 percent of the time, are not subject to the time limitations of guests as described above.

### **Required Family Reporting to Management**

The additional person(s), whether a family member or a visitor, must be reported in writing to the manager within 3 calendar days of a stay intended to exceed the visitation period allowed under the lease/ACOP.

**H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF UNIT**

To be considered the remaining member of the tenant family, the person must have been previously approved by the SNRHA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

The court has to have awarded emancipated minor status to the minor or is legally married; or

The SNRHA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a transfer to an appropriate unit size per the Occupancy Standards. If the sole eligible member of the household dies, the unit must be returned to the SNRHA within 14 days.

**I. CHANGES IN UNIT SIZE**

The SNRHA shall grant exceptions from the occupancy standards if the family requests and the SNRHA determines the exceptions are justified according to this policy.

The SNRHA will not assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage or court-awarded custody.

The SNRHA will consider the size of the unit and the size of the bedrooms, as well as the number of bedrooms, when an exception is requested.

When an approvable change in the circumstances in a tenant family requires another unit size, the family will be placed on the Transfer List in accordance with the Transfer policy. (See Chapter 5, Occupancy Guidelines.)

**J. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES**

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members. Mixed families are eligible for prorated assistance in accordance with the mixed-family portion of the policy.

**K. UNIT TRANSFERS**

See Chapter 8, Transfer Policy.

## Chapter 14

### COMMUNITY SERVICE

[24 CFR 960.603-960.611]

#### **A. REQUIREMENT**

Each adult resident of the SNRHA shall:

Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or

Participate in an economic self-sufficiency program (defined below) for 8 hours per month.

An individual may not skip a month and then double up the following month, unless special circumstances warrant it. The Director of Operations or designee will make the determination of whether to permit a deviation from the schedule.

Individuals who have special circumstances which they believe will prevent them from completing the required community service hours for a given month, must notify SNRHA in writing immediately. SNRHA will review the request and notify the individual, in writing, of its determination within 10 calendar days. SNRHA may require those individuals to provide documentation to support their claim.

#### **B. EXEMPTIONS**

The SNRHA shall provide an exemption from the community service requirement for any individual who:

Is a family that is currently participating and is in compliance with the Public Housing Family Self-Sufficiency Program. Is 62

years of age or older;

Is a blind or disabled individual, as defined under section 216[i] [I] or 1614 of the Social Security Act, and who is unable to comply with this section, or is a primary caretaker of such individual;

Is engaged in a work activity as defined in section 407[d] of the Social Security Act; SNRHA will consider 20 hours per week as the minimum number of hours needed to qualify for a work activity exemption;

Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is

located, including a State-administered welfare-to-work program; or

Is in a family receiving assistance under a State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such program. **HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of a family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR. (PIH-2015-12 HA)**

The SNRHA will re-verify exemption status annually except in the case of an individual who is 62 years of age or older.

The SNRHA will permit residents to change exemption status during the year if status changes.

### **C. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM**

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, by one of the following:

Participating in the Family Self-Sufficiency Program and being current in the steps outlined in the Individual Training and Services Plan;

Participating in an educational or vocational training program designed to lead to employment, **as long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.**

Activities administered through Help of Southern Nevada (HELP).

### **D. ANNUAL DETERMINATIONS**

Requirement – For each public housing resident subject to the requirement of community service, the SNRHA shall, 90 days before the expiration of each lease term **or effective date of recertification**, review and determine the compliance of the resident with the community service requirement.

Such determination shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

If SNRHA has reasonable cause to believe that the certification provided by the family is false or fraudulent, SNRHA has the right to require third-party verification.



## **E. NONCOMPLIANCE**

If the SNRHA determines there is a family member who is subject to the community service requirement and has not complied with the requirement, the SNRHA shall notify the resident of such noncompliance, and that:

The determination of noncompliance is subject to the administrative grievance procedure under the SNRHA's Grievance Procedures; and

Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and

The SNRHA may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of the household, unless the SNRHA enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease.

### **Continued Non-compliance**

If, after the 12 month cure period, the family member is still not compliant, SNRHA must terminate tenancy of the entire family, according to SNRHA's lease, unless the family provides documentation that the non-compliant family member no longer resides in the unit.

If the family reports that a non-compliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before SNRHA will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the non-compliant family member that previously resided with them.

If the family does not request a grievance hearing, or provide such documentation within the required 10 calendar day timeframe, the family's lease and tenancy will automatically terminate at the end of the current lease term without further notice.

### **Ineligibility for Occupancy for Noncompliance**

The SNRHA shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.

## **F. SNRHA RESPONSIBILITY**

The SNRHA will ensure that all community service programs are accessible for persons with disabilities.

The SNRHA will ensure that:

The conditions under which the work is to be performed are not hazardous;

The work is not labor that would be performed by the SNRHA's employees responsible for essential maintenance and property services; or

The work is not otherwise unacceptable.

## **G. SNRHA IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENT**

SNRHA will provide the family with a copy of the Community Service Policy found in Exhibit 14-1 of this chapter, at lease-up, lease renewal, when a family member is determined to be subject to the community service requirement during the lease term, and at any time upon the family's request.

## **H. ELIGIBLE COMMUNITY SERVICE REQUIREMENTS**

All community service performed will be verified by acceptable third part verification and may include:

Community Service with a Certified Resident Council, on site resident Service contractor.

Volunteering in community activities, such as clean up, graffiti removal, painting, neighborhood reduction of criminal activity such as resident patrol and neighborhood watch programs.

Community service with faith based organizations

Any other community service organization that is pre-approved by SNRHA

Public educational facility.

**B1d**

## Rent Determination

### **Public Housing**

#### **(i) Income Based Rent Policies**

The SNRHA has the following income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions:

- SNRHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions).

##### Minimum Rent

- The SNRHA has set the minimum rent at \$50.00 and have not adopted any discretionary minimum rent hardship exemption policies.

##### Rents set at less than 30% than adjusted income

- The SNRHA does not plan to change rents at a fixed amount or percentage less than 30% of adjusted income, or have ceiling rents.

The SNRHA does not have nor plan to have ceiling rents.

##### Rent re-determinations:

- SNRHA requires tenants to report changes in income or family composition, between income reexaminations, anytime the family experiences an income increase, such that the changes result in an adjustment to rent.

The SNRHA does not plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year.

#### **(ii) Flat Rents**

The SNRHA uses the following sources, to establish comparability, in setting the market-based flat rents:

- An amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

#### **(iii) Section 8 Tenant-Based Assistance**

Exemptions: PHAs that do not administer Section 8 tenant-based assistance are not required to complete sub-component 4B. Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

##### Payment Standards

Describe the voucher payment standards and policies.

The SNRHA's payment standards are at 107% of FMR.

## **Rent Determination**

If the payment standard is lower than FMR, why has the PHA selected this standard?  
(select all that apply) Not applicable

If the payment standard is higher than FMR, why has the PHA chosen this level?  
This payment standard was chosen in order to alleviate an undue burden to the families due to HUD's changes in the bedroom size utility allowance.

SNRHA reviews Payment Standards annually.

The SNRHA consider in its assessment of the adequacy of its payment standard by reviewing both success rates of assisted families and rent burdens of assisted families.

### **(iv) Minimum Rent**

The minimum rent (TTP) for SNRHA is \$50.00. The total tenant payment is the greater of:

- 30% of the adjusted monthly income
- 10% of the monthly income
- The minimum rent as established by SNRHA

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

The SNRHA recognizes that in some instances even the minimum rent may create a financial hardship for families. The SNRHA will review all relevant circumstances brought to the SNRHA's attention regarding financial hardship as it applies to minimum rent. The following section states that the SNRHA's procedures and policies in regard to minimum rent financial hardship as set forth by the QHWRA.

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B1e



## Operation and Management

### **A. HUD Programs under PHA Management**

The following is a list of Federal Programs administered by SNRHA, number of families served at the beginning of the upcoming fiscal year, and expected turnover in each:

| <b>Program Name</b>                                                    | <b>Units or Families Served at Year Beginning</b> | <b>Expected Turnover</b> |
|------------------------------------------------------------------------|---------------------------------------------------|--------------------------|
| Public Housing                                                         | 2801                                              | 14.1%                    |
| Section 8 Vouchers                                                     | 7596                                              | Est. 1%                  |
| Section 8 Certificates                                                 | N/A                                               |                          |
| Section 8 Mod Rehab                                                    | N/A                                               |                          |
| Special Purpose Section 8 Certificates/Vouchers<br>(list individually) |                                                   |                          |
| VASH                                                                   | 1379                                              | 2%                       |
| NED                                                                    | 1576                                              | 1%                       |
| MAIN5                                                                  | 95                                                | 1%                       |
| FUP                                                                    | 365                                               | 1%                       |
| Public Housing Drug Elimination Program<br>(PHDEP)                     | N/A                                               |                          |
| Other Federal Programs(list individually)                              | N/A                                               |                          |

### **B. Management and Maintenance Policies**

The following is a list of our public housing management and maintenance policy documents, manuals and handbooks that contain the Agency's rules, standards, and policies that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management.

#### **(i) Public Housing Maintenance and Management:**

- Admissions and Continued Occupancy Policy
- Emergency Maintenance Policy
- Additionally, SNRHA has a monthly pest control program to prevent and address any pest control infestations SNRHA addresses bed bug issues aggressively through the use of multiple remedies, including chemical and heat treatments.

#### **(ii) Section 8 Management:**

- Administrative Plan

# Housing Programs – Administrative Plan

## Proposed Changes from 2015 to 2016

| Chapter  | Page | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TOC      | 23   | Removed                          | Other Felony Criminal Convictions <del>+/Last Arrest</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Glossary | 2    | Added                            | VASH Veteran Affairs Supportive Housing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Glossary | 2    | Added                            | VMS Voucher Management System                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Glossary | 12   | Updated                          | <b>Responsible entity:</b> For the public housing and the Section 8 tenant-based assistance, project-based certificate voucher assistance, and moderate rehabilitation programs, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.                                                                                                                                                                                                                                                                                                                                      |
| Glossary | 13   | Added                            | <b>Suspension:</b> Stopping the clock on the term of a family’s voucher after the family submits a request for approval of the tenancy. If the PHA decides to allow extensions or suspensions of the voucher term, the PHA administrative plan must describe how the PHA determines whether to grant extensions or suspensions, and how the PHA determines the length of any extension or suspension. The term on the family’s voucher stops from the date the family submits a request for PHA approval of the tenancy, until the date the PHA notifies the family in writing whether the request has been approved or denied. This is also called “tolling”.                                  |
| Glossary | 14   | Added                            | <b>Veteran:</b> A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.<br><br><b>Violence Against Women Reauthorization Act (VAWA) of 2013.</b> Prohibits denying admission to the program to an otherwise qualified applicant or terminating assistance on the basis that the applicant or program participant is or has been a victim of domestic violence, sexual assault, or stalking.                                                                                                                                                         |
| Intro    | 3    | Added                            | Link to: HUD’s Final Rule, dated March 8, 2016, “Streamlining Administrative Regulations.”<br><a href="https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04901.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04901.pdf</a><br><br>Link to: Violence Against Women Reauthorization Act of 2013<br><a href="https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf">https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf</a>                                                                                                                                                                                                                       |
| 3        | 6    | Removed                          | <b>Joint Custody of Dependents: SNRHA Policy...</b><br>When more than one applicant or participant family is claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. <del>SNRHA will require a self-certification from the head of household who claim joint custody or temporary guardianship or proof of custody if there is a dispute. After 365 calendar days, a court awarded guardianship must be submitted. If there is a dispute about which family should claim them, SNRHA will make the determination based on available documents such as court orders.</del> |

# Housing Programs – Administrative Plan

## Proposed Changes from 2015 to 2016

| Chapter | Page            | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------|-----------------|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3       | 7               | Updated                          | The exception will be when guardianship is being processed and SNRHA has documents from the courts <del>the</del> to verify the process has begun.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 3       | 15<br>and<br>16 | Updated                          | If a new adult member is added to the family, the new member’s SSN documentation must be submitted by the family at the time they are added to the household. If any member of the family obtains a previously undisclosed SSN, or has been assigned a new SSN, the documentation must be submitted within <del>30</del> 90 calendar days <del>or any approved extensions. Extensions shall not be for more than 60 additional calendar days.</del><br>According to HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher Final Rule,” participants adding children under the age of six (6), SNRHA shall require a social security card be provided within 90 days from the date of move in.<br><del>A detailed discussion of acceptable documentation is provided in Chapter 6.</del> |
| 3       | 22              | Added                            | Veteran Affairs Supportive Housing (VASH) [ <i>Established Acronym</i> ]<br>SNRHA shall use the DRU Sjodin National Sex Offender Public Website (NSOPW) database encouraged by HUD in PIH Notice 2012-28 at <a href="http://www.snopw.gov">http://www.snopw.gov</a> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 3       | 25              | Added                            | Additionally, VAWA 2013, extends housing protections to survivors of sexual assault, adds “intimate partner” to the list of eligible relations covered in the definition of <i>domestic violence</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 5       | 7               | Updated                          | The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made but this shall not exceed <del>365</del> 120 calendar days.<br>SNRHA must receive court awarded guardianship or custody within <del>365</del> 120 calendar days or must withdraw the assistance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 5       | 8               | Added                            | SNRHA shall require participants who are requesting to add family members that are minors and who are not their children by birth, <del>or</del> foster care, court awarded custody, or court awarded guardianship to sign SNRHA’s guardianship form certifying they have the child(ren) parent’s consent to care for the child full-time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 5       | 8               | Removed                          | <del>Interim re verification that the child is still in the unit shall be required every 180 days unless the head of household gains legal guardianship or custody of the child(ren).</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

# Housing Programs – Administrative Plan

## Proposed Changes from 2015 to 2016

| Chapter | Page | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------|------|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5       | 8    | Added                            | <p>SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.</p> <p><del>SNRHA shall provide 365 day Guardianship form to extend approved visitors stay.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 5       | 15   | Added                            | <p><b>Earned Income Disregard (EID)</b><br/>           With HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” the requirements changed that families maintain continual employment in order to obtain EID benefits over a straight 24-month period. The Final Rule removes this requirement for continuous employment and benefits now applies for a straight 24 month period, with a clear start and end date, irrespective of whether a family maintains continual employment during the 24 months period. SNRHA shall not track start and stop time of employments but shall track start date, the 12-month date (on which the amount of the disregard may change from 100 percent to not less than 50% of earned income) and the 24-month end date. For families enrolled prior to the effective date of this regulation (March 8, 2016) the previous requirement shall continue.</p> |
| 5       | 16   | Updated                          | <p><b><i>Initial 12-Month Exclusion</i></b><br/>           During the initial 12-month exclusion period, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded. <del>The 12 months are cumulative and need not be consecutive.</del><br/> <u>SNRHA Policy</u><br/>           The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings whether the family reports the earnings or not.</p> <p><b><i>Second 12-Month Exclusion and Phase-In</i></b><br/>           During the second 12-month exclusion period, the exclusion is reduced to half (50 percent) of any increase in income attributable to employment or increased earnings.<br/> <del>The 12 months are cumulative and need not be consecutive.</del></p>                                                       |
| 5       | 16   | Updated                          | <p><b><i>Lifetime Limitation</i></b><br/>           The EID has a <del>four</del> two-year (48 24 month) lifetime maximum. The <del>four</del> two-year eligibility period begins at the same time the initial exclusion period begins and ends 48 24 months later. The one-time eligibility for the EID applies even if the eligible individual</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

# Housing Programs – Administrative Plan

## Proposed Changes from 2015 to 2016

| Chapter | Page | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------|------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         |      |                                  | <p>begins to receive assistance from another housing agency, if the individual moves between public housing and Section 8 assistance, or if there are breaks in assistance.</p> <p><u>SNRHA Policy</u><br/> <del>During the 48-month eligibility period, SNRHA will schedule and conduct an interim reexamination each time there is a change in the family member's annual income that affects or is affected by the EID (e.g., when the family member's income falls to a level at or below his/her prequalifying income, when one of the exclusion periods ends, and at the end of the lifetime maximum eligibility period). Any changes to the family income or composition must still be reported by the family within ten (10) calendar days of the change.</del></p>                                                                                                                                                                                                                                                                                   |
| 5       | 28   | Removed                          | They are seeking or receiving Section 8 assistance on their own—that is, apart from their parents—through the HCV program, <del>the project-based certificate program,</del> the project-based voucher program, or the moderate rehabilitation program.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 5       | 31   | Added                            | (w) Exclusion of Mandatory Education Fees from Income (Per HUD's Final Rule dated March 8, 2016.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 5       | 40   | Added                            | <p><b><i>Utility Reimbursement...</i></b><br/>           According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," the PHA may elect to establish policies regarding the frequency of Utility Reimbursement Payments (URP) for payments made to the family,</p> <ol style="list-style-type: none"> <li>1. The PHA will have the option of making URPs not less than each calendar year quarter for reimbursements. In the event a family leaves the program in advance of its next quarterly reimbursement, the PHA would be required to reimburse the family for a prorated share of the applicable reimbursement. PHAs exercising this option must have a hardship policy in place for participants.</li> <li>2. If the PHA elects to pay the utility supplier directly, the PHA must notify the family of the amount paid to the utility supplier.</li> </ol> <p>At this time, SNRHA will continue issuing monthly checks for utility reimbursement.</p> |
| 5       | 43   | Removed                          | <p>SNRHA Policy<br/> <i>Long-Term Hardship ...</i><br/> <del>(3) For hardship conditions based upon hardship-related expenses, the minimum rent exemption will continue to be recognized until the cumulative amount excepted is equal to the expense incurred.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 5       | 50   | Added                            | (14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or prospective monthly amounts or any deferred                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

# Housing Programs – Administrative Plan

## Proposed Changes from 2015 to 2016

| Chapter | Page            | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------|-----------------|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         |                 |                                  | Department of Veterans Affairs disability benefits that are received in a lump sum amount or prospective monthly amounts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 6       | 4               | Updated                          | SNRHA shall require four (4) current and consecutive pay stubs for determining annual income <del>from</del> for wages. For new income sources or if there is a decrease in earned income, SNRHA will require the last two (2) consecutive current pay stubs <del>shall be required that are consecutive</del> or a new hire/updated letter with date of hire, wages, and hours.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 6       | 12<br>and<br>13 | Added                            | <p><b>6-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION</b><br/> <b>Reasonable Effort and Timing.....</b></p> <p>With HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher Final Rule, ”</p> <p><b>Streamline Annual Reexaminations for Fixed Incomes:</b></p> <p>For families whose income consists solely of fixed sources.<br/> The final rule provides for a streamlined income determination for any fixed source of income, even if a person or a family with a fixed source of income also has a non-fixed source of income.<br/> SNRHA shall apply to a previously determined or verified source of income a cost of living adjustment (COLA) or interest rate adjustment specific to each source of income. The COLA or current interest rate must be obtained from a public source or from tenant provided third party generated documentation.</p> <p>In the absence of such verification for any source of fixed income third-party verification of income must be obtained. The final rule adopts an expanded list of fixed income sources of income. With respect to income from annuities (or other retirement benefits programs, insurance policies, disability for death benefits, or other similar types of periodic receipts) if a family member receives income from any of these sources and the income consists solely of periodic payments at a reasonable predictable level, then the income source may be considered “fixed.”</p> <p>“Family member with a fixed source of income” is defined as a family member whose income includes periodic payments at reasonable predictable levels from one or more of the following sources:</p> <ul style="list-style-type: none"> <li>i) Social Security, Supplemental Security Income, Supplemental Disability Insurance</li> <li>ii) Federal, state, local, or private pension plans</li> <li>iii) Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other</li> </ul> |

# Housing Programs – Administrative Plan

## Proposed Changes from 2015 to 2016

| Chapter | Page | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------|------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         |      |                                  | similar types of periodic receipts, or<br>iv) Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 6       | 18   | Added                            | To be consistent:<br>1. EIV with a minimum of four (4) consecutive current paystubs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6       | 23   | Added                            | <b><i>VERIFICATION OF ASSETS</i></b><br><b>Family Assets...</b><br>According to HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” SNRHA must obtain third party verification every three (3) years.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 6       | 27   | Updated                          | Verification of divorce or separation status will be a Certification of Marital Status form being completed by the head of household or any other adult household member, unless the family wishes to submit a formal divorce or separation document from the courts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 6       | 27   | Added                            | In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns, or being a domestic partner as recognized in the State of Nevada (according to Senate Bill 283.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 6       | 27   | Updated                          | <b><i>Familial Relationships</i></b><br><b><u>SNRHA Policy</u></b><br>Verification of guardianship is: Court-ordered assignment Verification from social services agency, or <del>SNRHA Self-Certification of temporary guardianship or appointment</del><br><br><del>In each case above (except court assignment), SNRHA must receive a court awarded guardianship or custody documents within 365 calendar days or head of household must resign SNRHA’s documents and submit required supporting documents. Any income still earning into the household on behalf of the child would be counted.</del><br><br>Other family relationships will be verified through birth certificates or other relevant documents.<br><br>SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services. |

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|         |      |                                  | <del>SNRHA shall not increase bedroom size nor provide a dependent deduction, unless court ordered assignment or verification from a social service agency is received.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 6       | 33   | Updated                          | <p>For individuals who are at least 62 years of age and/or disabled and are unable to submit the required documentation of their SSN within the initial <del>60</del> 90 calendar day period, SNRHA will grant an additional 30 calendar days to provide documentation as a reasonable accommodation.</p> <p>If any adult family member obtains a SSN after admission to the program, the new SSN must be disclosed within <del>60</del> 90 calendar days.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 6       | 34   | Updated                          | <p><b>6-II.C. FAMILY RELATIONSHIPS</b></p> <p>Applicants and program participants are required to identify the relationship of each household member to the head of household. If an applicant list themselves as married and not list a spouse, they will still be required to submit a separation or , divorce decree, or SNRHA’s Certification of Absent Spouse form. Definitions of the primary household relationships are provided in the Eligibility chapter.</p> <p>Separation or Divorce<br/><u>SNRHA Policy</u><br/>SNRHA will require the family (head of household) to sign a Certification of <del>Marital Status</del> Absent Spouse to document the divorce, or separation. The family may submit a certified copy of a divorce decree, signed by a court officer, or a copy of a court ordered maintenance or other court record <del>is required</del> to document a separation.</p> |
| 7       | 13   | Added                            | This Chapter explains the subsidy standards that will be used to determine the voucher size (family unit size) for various sized families when they are selected from the waiting list, as well as SNRHA's procedures when a family's size changes or a family selects a unit size that is different from the size of the voucher issued, voucher term, and to any extensions of the voucher term.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 7       | 14   | Updated                          | SNRHA will not issue a larger voucher due to additions of minors to the household of family members other than by birth, adoption, marriage, <del>or</del> court-awarded custody, or court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services. <del>The participant must submit a court awarded guardianship within 365 calendars of when the SNRHA guardianship form was executed.</del>                                                                                                                                                                                                                                                                                                                                                                                                   |
| 7       | 15   | Added                            | SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



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|         |      |                                  | service agency. A social service agency is defined as a Department of Family Services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 7       | 16   | Removed                          | <del>An additional bedroom shall be awarded for temporary guardianship or adding children until a court awarded guardianship is received (must be submitted within 365 calendar days) or court awarded custody.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 7       | 16   | Added                            | SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 7       | 18   | Updated                          | <b>7-II.E. VOUCHER TERM, AND EXTENSIONS, AND SUSPENSIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 7       | 19   | Updated                          | <b>Suspensions of Voucher Term [24 CFR 982.303(c)]</b><br><del>At its discretion, SNRHA will adopt a policy to suspend the</del> SNRHA must provide for suspension of the initial or any extended term of the voucher from the date the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied. <del>housing choice voucher term if the family has submitted an RFTA during the voucher term.</del>                                                                                                                                                                                                                                                                                                                                |
| 7       | 20   | Updated                          | <del>Additionally, SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.</del><br><del>SNRHA will not issue a larger voucher size due to addition of family members other than by birth, adoption, or court awarded custody or court awarded guardianship or signing SNRHA guardianship form and submitting the court awarded guardianship within 365 calendar days, unless</del><br>The exception will be as an approved reasonable accommodation for a disabled family member, for a live-in aide, medical equipment, or other accommodations verified by a medical professional. |
| 8       | 2    | Added                            | HUD Performance and Acceptability Standards<br>HUD's performance and acceptability standards for HCV-assisted housing are provide in 24 CFR 982.401. These standards are the responsibility of the owner unless otherwise stated on the lease. In accordance with the HAP contract, Part B, 3(a): The owner must maintain the contract unit and premises in accordance with the Housing Quality Standards (HQS.)                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 8       | 6    | Updated                          | Failure to provide or maintain family-supplied appliances (including ensuring all eyes burners on stove are operable).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 8       | 7    | Added                            | Family Responsibilities<br>• Tenant may be billed for the cost of repairs made by the owner that were determined to be caused by the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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|         |      |                                  | family.<br><br>Owner Responsibilities<br>Owners are responsible for conducting intermittent inspections to ensure HQS Standards are being met.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 8       | 10   | Updated                          | <b>Quality Control Inspections 24CFR 982.405 (b)</b><br>HUD requires that a sample of units be re-inspected by a supervisor or other qualified individual to ensure that HQS are being enforced correctly and uniformly by all inspectors. Quality Control inspections will be performed by HQS Supervisor (HCVS), <del>HPM</del> Associate Deputy Directors (ADD), or assigned Senior OS for the number of units required by SEMAP.                                                                                                                                                                                               |
| 8       | 12   | Updated                          | <b>8-II.C. ANNUAL HQS INSPECTIONS [<del>24 CFR 982.405 (a)</del> Final Rule Notice 6-25-2014]</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 8       | 14   | Updated                          | All requests for extensions must be submitted in writing to the Inspections Department and approved by the <del>HPM</del> Housing Quality Standards (HQS) Supervisor and/or Housing Programs (HP) Management <del>or DDHP</del> .                                                                                                                                                                                                                                                                                                                                                                                                  |
| 8       | 15   | Added                            | <b>ENFORCING OWNER COMPLIANCE [24 CFR 982.405;982.453]</b><br>If the owner fails to maintain the dwelling unit in accordance with HQS ( <b>as stated above in 8-I.B</b> ), SNRHA must take prompt and vigorous action to enforce the owner obligations.                                                                                                                                                                                                                                                                                                                                                                            |
| 9       | 2    | Added                            | To be consistent:<br>A Valid State-issued Business License, if applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 9       | 7    | Removed                          | Term of Assisted Tenancy<br>The initial term of the assisted dwelling lease must be for at least one (1) year [24 CFR 982.309]. The initial lease term is also stated in the HAP contract. <del>Exceptions are allowed for VASH participants.</del>                                                                                                                                                                                                                                                                                                                                                                                |
| 9       | 8    | Removed                          | SNRHA Policy<br>SNRHA will not approve an initial lease term of less than one (1) year <del>except for VASH participants.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 9       | 13   | Removed                          | <del>Owners must provide the current address of their residence (not a Post Office box). If families lease properties owned by relatives, other than those prohibited under HUD regulations, the owner's current address will be compared to the subsidized unit's address. The owner must have a different address than the assisted unit.</del>                                                                                                                                                                                                                                                                                  |
| 9       | 14   | Updated                          | <b>Extensions of Tenancy after Initial Notice to Vacate:</b><br>If a family should request to extend tenancy beyond the initial date of vacate approved by the participant and owner/agent, both parties must sign a written extension of the vacate date and submit this document to SNRHA <del>prior to the expiration of the original vacate notice.</del> The document must include a new vacate date and the tenancy may not extend beyond the expiration date of the reissued voucher. Only one (1) extension will be granted by SNRHA to extend the vacate date. The participant must be occupying the unit during the time |

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|         |          |                                  | of extension request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 10      | 2        | Updated                          | SNRHA has terminated the <del>assisted lease</del> HAP contract for the family's unit for the owner's breach [24 CFR 982.3154(b)(1)(i)].                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 10      | 3        | Updated                          | <b><i>Insufficient Funding</i></b><br>SNRHA may deny a family permission to move if SNRHA does not have sufficient funding for continued assistance [24 CFR 982.3154(e)(1)].                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 10      | 4        | Updated                          | <b>Restrictions on Elective Moves [24 CFR 982.3154(c)]</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 10      | 5        | Updated                          | <p><b>10-I.C. MOVING PROCESS</b></p> <p><b>Notification</b></p> <p>If a family wishes to move to a new unit, the family must notify SNRHA and the owner before moving out of the assisted unit or terminating the lease on notice to the owner [24 CFR 982.3154(d)(2)]. If the family wishes to move to a unit outside SNRHA's jurisdiction under portability, the notice to SNRHA must specify the area where the family wishes to move [24 CFR 982.3154(d)(2), Notice PIH <del>2004-12</del> 2012-42]. The notices must be in writing [24 CFR 982.5].</p> <p>The <del>intent to</del> Vacate Notice must be signed and dated by both parties with an effective date. <del>All extensions</del> <b>An extension</b> of this notice must also be signed and dated by both parties <b>and submitted to SNRHA</b>. <del>prior to the original vacate date and submitted to SNRHA prior to the vacate date.</del></p> |
| 10      | 6        | Updated                          | <p><b>Notice Requirements</b></p> <p>Briefing sessions emphasize the family's responsibility to give the owner and SNRHA proper written notice of any intent to move. The family must give the owner the required number of days' notice of their intent to vacate as specified in the lease in writing or a <del>30-day</del> written notice when not specified in the lease. The family must give a copy to SNRHA simultaneously utilizing SNRHA's "Vacate Notice." This notice must be signed by both parties; or if the owner refuses to sign, <del>and</del> the participant can provide SNRHA proof of their attempts to notify their owner by submitting a copy of their mailed Vacate Notice and a copy of their certified mail receipt. Therefore, the family must be <del>and are</del> otherwise eligible to move and a moving voucher will be issued.</p>                                              |
| 10      | 7<br>and | Updated                          | According to HUD Final Rule on Streamlining Portability, published March 28, 2012, and revised August 20, 2015 (effective September 21, 2015); the following applies to the entire HCV program and is not limited to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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|         | 8    |                                  | <p>families exercising portability:</p> <p><b>Mandatory Voucher Suspension:</b> The rule requires suspension or “tolling” of the voucher term upon a family’s submission of a Request for Tenancy Approval (RFTA.) Under the current rule, suspension is optional. The mandatory suspension begins when the family submits the RFTA and ends when the family is notified in writing of the approval or denial of the tenancy by using the Notice of Cancellation of RFTA form.</p> <p><b>Briefing Requirements:</b> The final rule requires the benefits of living in low poverty census tracts must be explained to all families, including those who currently live in higher poverty areas. The required explanation of how portability works must now be given to all families, not just those who are eligible to exercise portability on initial voucher issuance.</p> <p>HUD’s Final Rule indicates the major changes to existing portability requirements and processes include:</p> <p><b>Notification of Insufficient Funding:</b> The rule adds a requirement that PHA’s must notify the HUD field office within 10 business days of denying a move under portability due to insufficient funding.</p> <p><b>Voucher Term:</b> The voucher issued by the Receiving PHA (RHA) must have an expiration date at least 30 days after the expiration date of the voucher issued by the Initial PHA (IHA.) While the RHA may provide additional search time according to its existing policies, the billing deadline of 90 days after the expiration of the IHA’s voucher remains in effect.</p> <p><b>Administrative Fees:</b> The final rule provides the administrative fee for portability is the lesser of 80 percent of the IHA’s administrative fee (prorated if applicable) or 100 percent of the RHA’s administrative fee. In no event will the RHA receive more than its own administrative fee.</p> <p><b>Rescreening:</b> The preamble to the rule states that RHAs “should be allowed” to apply their own screening standards to incoming portable families, and information on how rescreening may affect a family’s assistance should be included in the briefing packet. HUD did not make any regulatory changes supporting this guidance. SNRHA shall rescreen all incoming portability clients in accordance with its screening Policies.</p> |
| 10      | 8    | Updated                          | <p><b>10-II.B. INITIAL PHA ROLE</b></p> <p><b>Allowable Moves under Portability</b></p> <p>A family may move with voucher assistance only to an area where there is at least one PHA administering a voucher program [24 CFR 982.353(b)]. If there is more than one PHA in the area, <del>the initial PHA may choose the receiving PHA [24 CFR 982.355(b)].</del> The initial PHA provides the family with the contact information for the receiving PHAs that serve the area, and the family selects the receiving PHA. The family must inform the initial PHA which PHA it has selected. If the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family (24 CFR 982.255(b)).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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| 10      | 9               | Added                            | <p><b><i>Applicant Families</i></b><br/>Under HUD regulations, most applicant families qualify to lease a unit outside the PHA’s jurisdiction under portability. However, HUD gives SNRHA discretion to deny a portability move by an applicant family for the same two reasons that it may deny any move by a participant family: insufficient funding and grounds for denial or termination of assistance. If a PHA intends to deny a family permission to move under portability due to insufficient funding, the PHA must notify HUD within 10 business days of the determination to deny the move [24 CFR 982.355(e)].</p>                                                                                                                                                                                                                                                                                       |
| 10      | 9               | Added                            | <p><b>SNRHA Policy</b><br/>In determining whether or not to deny an applicant family permission to move under portability because SNRHA lacks sufficient funding or has grounds for denying assistance to the family, the initial SNRHA will follow the policies established in section 10-I.B of this chapter. If the PHA does deny the move due to insufficient funding, the PHA will notify HUD in writing within 10 business days of the PHA’s determination to deny the move.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 10      | 9               | Removed                          | <p>SNRHA will consider exceptions to this policy for purposes of reasonable accommodation (see Chapter 2). <del>However, any exception to this policy is subject to the approval of the receiving PHA [24 CFR 982.353 (e)(3)].</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 10      | 10              | Updated                          | <p><b><i>Applicant Families</i></b><br/>An applicant family may lease a unit in a particular area under portability only if the family is income eligible for admission to the voucher program in that area [24 CFR 982.353(ed)(3)]. The family must specify the area to which the family wishes to move [<del>2004-12</del> 2012-42 24 CFR 982.355(c)(1)].</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 10      | 10<br>and<br>11 | Added                            | <p><b><i>Briefing ....</i></b><br/>SNRHA will provide the name, address, and phone of the contact for the PHA in the jurisdiction to which they wish to move. If there is more than one PHA with jurisdiction over the area to which the family wishes to move, the PHA will advise the family that the family must select the receiving PHA and notify the initial PHA of which receiving PHA was selected. The PHA will further inform the family that if the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family.</p> <p>SNRHA will advise the family that they will be under the PHA RHA’s policies and procedures, including screening, subsidy standards, <del>and</del> voucher extension policies, and payment standards. <del>Staff will assist the family with making contact with the PHA in the jurisdiction of their choice.</del></p> |

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| 10      | 11   | Updated                          | To receive or continue receiving assistance under the initial PHA's voucher program, a family that moves to another PHA's jurisdiction under portability must be under HAP contract in the receiving PHA's jurisdiction within <del>60</del> 90 calendar days following the expiration date of the initial PHA's voucher term (including any extensions).                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 10      | 12   | Updated                          | <b>Initial Contact with the Receiving PHA</b><br>After approving a family's request to move under portability, the initial PHA must promptly notify the receiving PHA via email or other confirmed delivery method to expect the family [24 CFR 982.355(c)(23), 24 CFR 982.355(c)(7)]. <del>This means that the initial PHA must contact the receiving PHA directly on the family's behalf [Notice PIH 2004-12].</del> The initial PHA must also advise the family how to contact and request assistance from the receiving PHA [24 CFR 982.355(c)(26)].                                                                                                                                                                                                                                                                        |
| 10      | 13   | Updated                          | <b>Initial Billing Deadline [Notice PIH 2012-42, Letter to Executive Directors 9-15-15]</b><br><del>When SNRHA sends form the HUD 52665 to the receiving PHA, It specifies in Part I the deadline by which it must receive the initial billing notice from the receiving PHA. This</del> The deadline for submission of initial billing is <del>60</del> 90 calendar days following the expiration date of the voucher issued to the family by the initial PHA.                                                                                                                                                                                                                                                                                                                                                                 |
| 10      | 13   | Updated                          | SNRHA Policy<br>If SNRHA has not received an initial billing notice from the receiving PHA <del>by the deadline specified on form the HUD form 52665</del> within 90 days of expiration of the IHA's voucher                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10      | 13   | Added                            | <b>Monthly Billing Payments [24 CFR 982.355(e), Notice PIH 2012-42]</b><br>If the receiving PHA is administering the family's voucher, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. When reimbursing for administrative fees, the initial PHA must promptly reimburse the receiving PHA for the lesser of 80 percent of the initial PHA ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill [24 CFR 982.355(e)(2)]. |

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| 10      | 14<br>and<br>15 | Updated                          | <p><b>Denial or Termination of Assistance [24 CFR 982.355(c)(17)]</b><br/> <del>If SNRHA has grounds for denying or terminating assistance for a portable family that has not been absorbed by the receiving PHA, SNRHA may act on those grounds at any time.</del> At any time, either the initial PHA or the receiving PHA may make a determination to deny or terminate assistance with the family in accordance with 24 CFR 982.552 and 24 CFR 982.553. (For SNRHA policies on denial and termination, see Chapters 3 and 12, respectively.)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 10      | 15              | Updated                          | <p><b>10-II.C. RECEIVING PHA ROLE</b><br/>           If a family has a right to lease a unit in the receiving PHA’s jurisdiction under portability, the receiving PHA must provide assistance for the family [24 CFR 982.355(10)]. <b>HUD may determine in certain instances that a PHA is not required to accept incoming portable families, such as a PHA in a declared disaster area. However, the PHA must have approval in writing from HUD before refusing any incoming portable families [24 CFR 982.355(b)]. Administration of the voucher must be in accordance with the receiving PHA’s policies. This requirement also applies to policies of Moving to Work agencies. The receiving PHA procedures and preferences for selection among eligible applicants do not apply to the family, and the receiving PHA waiting list is not used [24 CFR 982.355(c)(10)].</b><br/> <del>The receiving PHA’s procedures and preferences for selection among eligible applicants do not apply, and the receiving PHA’s waiting list is not used [24 CFR 982.355(10)].</del><br/>           The family’s unit, or voucher, size is determined in accordance with the subsidy standards of the receiving PHA [24 CFR 982.355(c)(12)], and the amount of the family’s housing assistance payment is determined in the same manner as for other families in the receiving PHA’s voucher program <b>receiving PHA’s policies on extensions of the voucher term apply [24 CFR 982.355 (c)(14)].</b></p> |
| 10      | 15              | Added                            | <p><b>Responding to Initial PHA’s Request [24 CFR 982.355(c)]</b><br/>           The receiving PHA must respond via e-mail or other confirmed delivery method to the initial PHA’s inquiry to determine whether the family’s voucher will be billed or absorbed [(24 CFR 982.355(c)(3)]. If the receiving PHA informs the initial PHA that it will be absorbing the voucher, the receiving PHA cannot reverse its decision at a later date without consent of the initial PHA (24 CFR 982.355(c)(4)).[Notice PIH 2012-42].<br/> <u>SNRHA Policy</u><br/>           SNRHA will use e-mail, when possible, to notify the initial PHA whether it will administer or absorb the family’s voucher.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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|---------|------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10      | 15   | Updated                          | <p><b>Initial Contact with Family</b><br/>When a family moves into SNRHA’s jurisdiction under portability, the family is responsible for promptly contacting SNRHA and complying with SNRHA’s procedures for incoming portable families <del>[24 CFR 982.355 (e)(3)]</del>. The family’s failure to comply may result in denial or termination of the receiving PHA’s voucher [24 CFR 982.355 (c)(8)].</p> <p>If the voucher issued to the family by the initial PHA has expired, the receiving SNRHA <del>does not process the family’s paperwork but instead refers the family back to the initial PHA</del> must contact the initial PHA to determine if it will extend the voucher [24 CFR 982.355 (c)(13)].</p>                                                                                                                                                                                        |
| 10      | 16   | Added                            | SNRHA will allow a one-on-one (1-on-1) briefing only as a reasonable accommodation which must be requested in writing from the applicant/participant and approved by SNRHA’s HP management. This also applies for clients needing LEP for languages other than a language provided by staff at general briefings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 10      | 16   | Updated                          | <p><b>Income Eligibility and Reexamination</b><br/><del>HUD allows the receiving SNRHA to conduct its own income reexamination of a portable family [24 CFR 982.355(e)(4)]. However, SNRHA may not delay voucher issuance or unit approval until the reexamination process is complete unless the reexamination is necessary to determine that an applicant family is income eligible for admission to the program in the area where the family wishes to lease a unit [PIH Notice 2012-42].</del> SNRHA does not redetermine income eligibility for a portable family that was already receiving assistance in the initial PHA’s voucher program [24 CFR 982.355(c)(9)]. <b>If the receiving PHA opts to conduct a new reexamination for a current participant family, the receiving PHA may not delay issuing the family a voucher or otherwise delay approval of a unit [24 CFR 982.355(c)(11)].</b></p> |
| 10      | 17   | Updated                          | <p><b><i>Voucher Term</i></b><br/>The term of SNRHA’s voucher may not expire before <del>the term</del> <b>30 calendar days from the expiration date of the initial PHA’s voucher</b> [24 CFR 982.355(c)(13)].</p> <p><b><i>SNRHA Policy</i></b><br/>SNRHA’s voucher will expire <b>30 calendar days from the expiration</b> <del>on the same date as</del> of the initial PHA’s voucher.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 10      | 17   | Updated                          | <p><b><i>Voucher Extensions [24 CFR 982.355(c)(14), Notice 2012-42]</i></b><br/><del>SNRHA may provide additional search time to the family beyond the expiration date of the initial PHA’s voucher, however, if it does so,</del> <b>Once the receiving PHA issues the portable family a voucher, the receiving PHA’s policies on extensions of the voucher term apply. The receiving PHA</b> <del>It</del> must inform the initial PHA of <del>the</del> <b>any extension granted to the term of the voucher</b>. It must also bear in mind the billing deadline provided by the initial PHA. Unless willing and able to absorb the family, SNRHA should ensure that any</p>                                                                                                                                                                                                                              |



# Housing Programs – Administrative Plan

## Proposed Changes from 2015 to 2016

| Chapter | Page            | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------|-----------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|         |                 |                                  | voucher expiration date would leave sufficient time to process a request for tenancy approval, execute a HAP contract, and deliver the initial billing to the initial PHA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 10      | 18              | Added                            | <b><i>Voucher Suspensions [24 CFR 982.303, 24 CFR 982.355(c)(15)]</i></b><br>If the family submits a request for tenancy approval during the term of the receiving PHA’s voucher, the PHA must suspend the term of that voucher. The term of the voucher stops from the date that the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied [24 CFR 982.4(b)] (see Section 5-II.E).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 10      | 18<br>and<br>19 | Added                            | <b><i>Portability Billing [24 CFR 982.355(e)]</i></b><br>To cover assistance for a portable family that was not absorbed, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. The amount of the housing assistance payment for a portable family in the receiving PHA’s program is determined in the same manner as for other families in the receiving PHA’s program.<br>The receiving PHA may bill the initial PHA for the lesser of 80 percent of the initial PHA’s ongoing administrative fee or 100 percent of the receiving PHA’s ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill (i.e., the receiving PHA may bill for the lesser of 80 percent of the initial PHA’s prorated ongoing administrative fee or 100 percent of the receiving PHA’s ongoing administrative fee).<br>If both PHAs agree, the PHAs may negotiate a different amount of reimbursement.<br><u>SNRHA Policy</u><br>Unless the PHA negotiates a different amount of reimbursement with the initial PHA, the PHA will bill the initial PHA the maximum amount of administrative fees allowed, ensuring any administrative fee proration has been properly applied. |
| 11      | 1               | Added                            | With HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” SNRHA may implement tri-annual reexaminations (or once every three [3] years.) SNRHA will continue to conduct annual reexaminations at this time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11      | 3               | Updated                          | If adding a new family member due to birth, <b>adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency</b> <del>pregnancy or adoption by the head-of-head</del> to the unit causes overcrowding according to the Housing Quality Standards (HQS) (see Chapter 8), SNRHA must issue the family a new voucher, and the family must try to find an acceptable unit as soon as possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

# Housing Programs – Administrative Plan

## Proposed Changes from 2015 to 2016

| Chapter | Page | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| 11      | 4    | Updated                          | <b>SNRHA will not increase the voucher size when adding other adults</b> <del>shall not be provided when adding other adults to the family that are 18 or older or children that are not foster youth.</del> <b>SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social a service agency. A social services agency is defined as a Department of Family Services.</b> <del>or children that are not foster youth or children for which the family has not signed SNRHA’s guardianship form and submitted the required court awarded guardianship within 365 calendar days.</del> |
| 11      | 10   | Updated                          | <u>SNRHA Policy</u><br>If a family reports a change that would result in an increase in the family share of the rent, but will not go into affective effect until the annual date, SNRHA will note the information in the tenant file, and send a no change letter.<br>If a family reports a change <del>that it was not required to report</del> and that would result in a decrease in the family share of rent, SNRHA will conduct an interim reexamination. See Section 11-II.D. for effective dates.                                                                                                                                                                                                                                       |
| 11      | 11   | Added                            | SNRHA will accept required documentation by mail, fax, <b>e-mail</b> , or in person.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 12      | 4    | Removed                          | <del>...record of convictions, arrests, or evictions...<br/>... A conviction will be given more weight than an arrest.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 12      | 6    | Removed                          | <del>For purposes of this section, criminal record includes arrests and convictions.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 12      | 7    | Removed                          | <del>...and must demonstrate that they have not incurred any new arrests and/or convictions for a minimum period of one (1) year from the date of their last date of completion of their sentence.</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 12      | 8    | Removed                          | <del>Persons with arrest or convictions of one of the following offenses...<br/>Persons with arrest or convictions of one of the following offenses...<br/>(Five years from the date of arrest or conviction: Persons arrested or convicted of <i>Drug-related criminal activity</i>, ...</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 12      | 9    | Removed                          | <del>Five years from the date of arrest or conviction: Persons arrested or convicted of...</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 12      | 10   | Removed                          | <del>Any conviction for drug-related or violent criminal activity within the past 5 years. Any arrests for drug-related or violent criminal activity within the past 5 years.</del><br>... A conviction for drug related or violent criminal activity will be given more weight than an arrest for such activity, if the arrest did not occur within one year of the date of the admission or port in.<br>... Persons with arrest or convictions of one of the following offenses....                                                                                                                                                                                                                                                           |

## Housing Programs – Administrative Plan

Proposed Changes from 2015 to 2016

| Chapter | Page | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------|------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12      | 11   | Removed                          | <del><b>Gross Misdemeanor Arrests or Convictions</b></del><br>Persons with gross misdemeanor <del>arrests or</del> convictions for the offenses listed....                                                                                                                                                                                                                                                                                                                                                                                  |
| 12      | 12   | Removed                          | <del><b>Misdemeanor Arrests or Convictions</b></del><br>Persons with misdemeanor <del>arrests or</del> convictions, for the offenses...                                                                                                                                                                                                                                                                                                                                                                                                     |
| 12      | 13   | Removed                          | <del><b>Other Felony Criminal Convictions/Last Arrest</b></del><br>...for offenses other than those referenced above, shall be barred from admission for the time periods listed and must demonstrate that they have not incurred any new <del>arrests and/or</del> convictions for a minimum period of one (1) year from the last date of their sentence.                                                                                                                                                                                  |
| 12      | 14   | Updated                          | <del><b>Confidentially of Criminal Records...</b></del><br>All criminal reports, while needed by the <del>HPM Director of Housing Programs (DHP) or their designee</del> for screening for criminal behavior, will be housed in a locked file cabinet with access restricted to individuals responsible for such screening.                                                                                                                                                                                                                 |
| 12      | 17   | Removed                          | SNRHA will consider all credible evidence, including but not limited to, any record of <del>arrests, convictions, or</del> eviction of household members related to the use of illegal drugs or abuse of alcohol.<br>... SNRHA will consider all credible evidence, including but not limited to, any record of <del>arrests and/or</del> convictions of household members related to ...                                                                                                                                                   |
| 12      | 18   | Updated                          | The family owes past due rent or other past due amounts, including in connection with <b>HCV or public housing assistance under the 1937 Act.</b><br><del>Breach of repayment agreement, to any PHA in connection with the HCV Certificate, Project based HCV Moderate Rehabilitation or public housing programs,</del> unless the family repays the full amount of the debt no later than 14 calendar days from notification from SNRHA. This does not apply if the family is current with payments under an approved repayment agreement. |
| 12      | 19   | Removed                          | <del>Fails to take immediate possession of the unit after the execution of a contract unless written approval has been given by SNRHA. Immediate is defined as within 15 calendar days of the date that the unit has passed the initial HQS inspection.</del>                                                                                                                                                                                                                                                                               |
| 12      | 21   | Removed                          | <del>This includes persons arrested or convicted of felony crimes that have warrants issued for their arrest that are unresolved or persons found to have committed criminal acts that result in felony convictions for at least five years from the date of the conviction.</del>                                                                                                                                                                                                                                                          |
| 12      | 24   | Updated                          | <del>HUD Veteran Affairs Supportive Housing (VASH) families and Family Unification Program (FUP)</del> families...                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| Chapter | Page | Added,<br>Removed,<br>or Updated | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| 12      | 25   | Removed                          | ...regardless of whether the household member has been <del>arrested or convicted</del> [24 CFR 9682.553(c)].                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 12      | 31   | Updated                          | <b><i>Evidence of Criminal Activity</i></b><br>The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person if the owner determines they have engaged in the criminal activity, regardless of <del>arrest or conviction</del> and without satisfying the standard of proof used for a criminal conviction, except in certain incidents where the criminal activity directly relates to domestic violence, dating violence, sexual assault, or stalking and the tenant or <del>an immediate member of the tenant's family</del> an affiliated individual is the victim or threatened victim of the domestic violence, dating violence, sexual assault, or stalking. (See Section 12-II.E.). |
| 13      | 4    | Updated                          | <b>13-I.C. OWNER RESPONSIBILITIES [24 CFR 982.452, Pub.L. 109-162]</b><br>The basic owner responsibilities in the HCV program are outlined in the regulations as follows:<br><b>Complying with Performing</b> all of the owner's obligations under the Housing Assistance Payments (HAP) contract and the lease                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 13      | 5    | Updated                          | <del>Making</del> <b>Allowing reasonable</b> modifications to a dwelling unit occupied or to be occupied by a disabled person [24 CFR 100.203]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 13      | 17   | Added                            | The new owner must complete <b>any changes utilizing SNRHA's Landlord Portal by accessing the website at <a href="http://www.snrha.org">www.snrha.org</a>. SNRHA will not accept hand-carried, faxed, or mailed documents.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 14      | 4    | Added                            | <b>Exception Payment Standards [982.503(c)]</b><br>According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," the PHA may establish an exception payment standard of not more than 120 percent of the published FMR (fair market rent) if required as a reasonable accommodation in accordance with 24 CFR part 8 for a family that includes a person with a disability.<br>Any unit approved under an exception payment standard must still meet the reasonable rent requirements found at 24 CFR 982.507.                                                                                                                                  |
| 14      | 10   | Removed                          | <del>A determination that a certificate program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under SNRHA's subsidy standards, or the SNRHA determination to deny the family's request for exception from the standards</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 14      | 16   | Updated                          | <b><i>SNRHA Notice of Final Decision [24 CFR 982.555(f)]</i></b><br>SNRHA is not bound by the decision of the hearing officer for matters in which SNRHA is not required to provide an opportunity for a hearing, decisions that exceed the authority of the hearing officer, decisions that conflict with or contradict HUD regulations, requirements, or are otherwise contrary to Federal, State or local laws.                                                                                                                                                                                                                                                                                                                            |

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|         |                 |                                  | <p><del>The Executive Director may overturn the decision of the hearing officer.</del><br/>           HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” states the Hearing Officer’s decision will be binding on the PHA unless SNRHA’s Board of Commissioners determines that:</p> <ol style="list-style-type: none"> <li>(1) The grievance does not concern PHA actions or failure to act in accordance with or involving the complainant’s rights, duties, welfare, or status; or</li> <li>(2) The decision of the hearing officer is contrary to applicable Federal, State, local laws, HUD regulations, or requirement of the annual contribution contract between HUD and the PHA.</li> </ol> <p>A decision by the hearing officer or a member of the Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or in part will not constitute a waiver of, nor affect in any manner whatsoever, any rights the complainant may have to a trial de novo or judicial review in any judicial proceeding, which may thereafter be brought in the matter.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 14      | 19<br>and<br>20 | Updated                          | <p><b><i>Recording of the Hearing</i></b><br/>           The family is entitled to have the hearing recorded by audiotape <b>at their expense</b>. <del>SNRHA may, but is not required to, provide a transcript of the hearing.</del><br/> <del>SNRHA Policy – SNRHA will not provide a transcript of an audio taped hearing.</del><br/>           HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” states the hearing officer must maintain a log of all hearings. HUD shall provide the details of that log at a future date and SNRHA shall ensure compliance. HUD has also clarified that any party may obtain a copy of the hearing transcript <b>at their own expense</b>.<br/>           Therefore, SNRHA shall ensure all hearings are taped. The Hearing Officer’s decision will be binding on the PHA unless SNRHA’s Board of Commissioners determines that:</p> <ol style="list-style-type: none"> <li>(1) The grievance does not concern PHA actions or failure to act in accordance with or involving the complainant’s rights, duties, welfare, or status; or</li> <li>(2) The decision of the hearing officer is contrary to applicable Federal, State, local laws, HUD regulations, or requirement of the annual contribution contract between HUD and the PHA.</li> </ol> <p>A decision by the hearing officer or a member of the Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or in part will not constitute a waiver of, nor affect in any manner whatsoever, any rights the complainant may have to a trial de novo or judicial review in any judicial proceeding, which may thereafter be brought in the matter.<br/>           Per HUD’s Final Rule, hearings may not be postponed more than (5) five business days and all parties must be advised.</p> |

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| 14      | 22   | Added                            | <b>Repayment Agreement [24 CFR 792.103]....</b><br>Change of Head of Household (HoH)...<br>In the event the HoH changes, and in order to retain the voucher and subsidy, the debt will be incurred by the new HoH. The new HOH will resign a repayment agreement with the incurred current balance.                                                                                                                                                                                                                                                                                                                                                                     |
| 14      | 32   | Added                            | <b>PART VIII: DETERMINATION OF INSUFFICIENT FUNDING</b><br><b>14-VIII.A. OVERVIEW</b><br>The HCV regulations allow SNRHA to deny families permission to move (which includes portability) and to terminate Housing Assistance Payments (HAP) contracts if funding under the consolidated ACC is insufficient to support continued assistance [24 CFR 982.3154(e)(1) and 982.454]. <b>If a PHA denies a family a portability move based on insufficient funding, SNRHA is required to notify the local HUD office within 10 business days [24 CFR 982.354].</b> Insufficient funding may also impact SNRHA’s ability to issue vouchers to families on the waiting list.  |
| 17      | 6    | Updated                          | <b>SNRHA-owned Units [24 CFR 983.51(e) and, 983.59, and Notice PIH 2015-05]</b> In the case of SNRHA-owned units, the term of the HAP contract and any HAP contract renewal must be agreed upon by the PHA and a HUD-approved independent entity (such as a licensed, state-certified appraiser.) In addition, an independent entity must determine the rent to owner, the redetermined rent to owner, and reasonable rent. Housing Quality Standards (HQS) inspections must also be conducted by an independent entity. <del>the initial contract rent must be approved by an independent entity based on an appraisal by a licensed, state-certified appraiser.</del> |
| 17      | 10   | Updated                          | <b>Exceptions to 25 Percent per Project Cap [24 CFR 983.56(b)]</b><br><u>SNRHA Policy</u> : SNRHA will <del>not</del> provide PBV assistance for excepted units. <b>Supportive services include services such as employment and training, counseling, case management, financial, and social services, or other services as deemed appropriate for the population served, provided by SNRHA or other public or private agencies. At least one member of each family must participate in at least one session of a provided service.</b>                                                                                                                                 |
| 17      | 11   | Updated                          | <b>Promoting Partially-Assisted Projects [24 CFR 983.56(c)]</b><br><u>SNRHA Policy</u> : SNRHA will <del>not</del> provide assistance for excepted units. Beyond that, SNRHA will not impose any further cap on the number of PBV units assisted per project. Supportive services include services such as employment and training, counseling, case management, financial, and social services, or other services as deemed appropriate for the population served, provided by SNRHA or other public or private agencies. At least one member of each family must participate in at least one session of a provided service.                                           |
| 17      | 15   | Added                            | <b>Project Based Annual Inspections [24 CFR 983.103(d)]</b> . . . ., If more than 20 percent of the annual sample of inspected contract units in a building fails the initial inspection, SNRHA must <del>reinspect</del> 100 percent of the                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|         |           |                                  | contract units in the building. <b>SNRHA shall limit contributions of vouchers to no more than 75% of all units within a new development.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 17      | 16        | Added                            | <b>17-IV.B. AGREEMENT TO ENTER INTO HAP CONTRACT</b><br>In order to offer PBV assistance in rehabilitated or newly constructed units, SNRHA must enter into an agreement to enter into HAP contract (Agreement) with the owner of the property. The Agreement must be in the form required by HUD [24 CFR 983.152(ab)]. <b>The PHA may not enter into an Agreement if commencement of construction or rehabilitation has commenced after proposal submission [24 CFR 983.152(c)]. Construction begins when excavation or site preparation (including clearing of the land) begins for the housing. Rehabilitation begins with the physical commencement of rehabilitation activity on the housing.</b>                                                                                                                                                                                                                               |
| 17      | 24        | Added                            | SNRHA will <b>also establish and manage separate</b> waiting lists for the following Rental Assistance Demonstration (RAD) Program conversion <b>to PBV assistance</b> properties:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 17      | 39 and 40 | Added                            | According to HUD’s Final Rule dated March 8, 2016, entitled “Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule,” the PHA may elect to establish policies regarding the frequency of utility reimbursement payments (URP) for payments made to the family,<br>1. The PHA will have the option of making URPs not less than each calendar-year quarter for reimbursements. In the event a family leaves the program in advance of its next quarterly reimbursement, the PHA would be required to reimburse the family for a prorated share of the applicable reimbursement. PHAs exercising this option must have a hardship policy in place for participants.<br>2. If the PHA elects to pay the utility supplier directly, the PHA must notify the family of the amount paid to the utility supplier. At this time, SNRHA will continue issuing monthly checks for utility reimbursement. |
| 18      | All       | Added                            | Added Footer:<br>© Copyright 2016 Nan McKay & Associates, Inc. 18-1 Admin Plan June 2016<br>Unlimited copies may be made for internal use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 18      | 3         | Updated                          | <b>PROGRAM SIZE</b><br>The minimum program size for the FSS Program of Southern Nevada Regional Housing Authority (SNRHA is <del>328</del> 140 mandatory slots as of February 2016. <del>17 open mandatory PH slots and 196 voluntary slots (as of January 1, 2015.)</del> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|         | 4         | Updated                          | <b>ESTIMATE OF POTENTIAL PARTICIPATING FAMILIES:</b><br>SNRHA owns <del>2,870</del> 2,882 Public Housing units and administers 11,013 Housing Choice Vouchers which together provide housing assistance to over 32,600 residents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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**Chapter 6  
VERIFICATION**

[24 CFR 982.516, 24 CFR 982.551, 24 CFR 5.230]

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### Chapter 7

#### BRIEFINGS AND VOUCHER ISSUANCE

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**Chapter 8  
HOUSING QUALITY STANDARDS AND RENT REASONABLENESS  
DETERMINATIONS**

[24 CFR 982 Subpart I and 24 CFR 982.507]

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GENERAL LEASING POLICIES  
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## GLOSSARY

### ACRONYMS USED IN SUBSIDIZED HOUSING

|                 |                                                                                                                                 |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------|
| <b>AAF</b>      | Annual Adjustment Factor (published by HUD in the Federal Register and used to compute annual rent adjustments)                 |
| <b>ACC</b>      | Annual Contributions Contract                                                                                                   |
| <b>ADA</b>      | Americans with Disabilities Act of 1990                                                                                         |
| <b>BR</b>       | Bedroom                                                                                                                         |
| <b>CDBG</b>     | Community Development Block Grant (Program)                                                                                     |
| <b>CFR</b>      | Code of Federal Regulations (published federal rules that define and implement laws; commonly referred to as “the regulations”) |
| <b>CPI</b>      | Consumer Price Index (published monthly by the Department of Labor as an inflation indicator)                                   |
| <b>EID</b>      | Earned Income disallowance                                                                                                      |
| <b>EIV</b>      | Enterprise Income Verification                                                                                                  |
| <b>FDIC</b>     | Federal Deposit Insurance Corporation                                                                                           |
| <b>FHA</b>      | Federal Housing Administration                                                                                                  |
| <b>FICA</b>     | Federal Insurance Contributions Act (established Social Security taxes)                                                         |
| <b>FMR</b>      | Fair Market Rent                                                                                                                |
| <b>FR</b>       | Federal Register                                                                                                                |
| <b>FSS</b>      | Family Self-Sufficiency (Program)                                                                                               |
| <b>FY</b>       | Fiscal Year                                                                                                                     |
| <b>FYE</b>      | Fiscal Year End                                                                                                                 |
| <b>GAO</b>      | Government Accountability Office                                                                                                |
| <b>GR</b>       | Gross Rent                                                                                                                      |
| <b>HAP</b>      | Housing Assistance Payment                                                                                                      |
| <b>HCV</b>      | Housing Choice Voucher                                                                                                          |
| <b>HQS</b>      | Housing Quality Standards.                                                                                                      |
| <b>HUD</b>      | Department of Housing and Urban Development                                                                                     |
| <b>HUDCLIPS</b> | HUD CLient Information and Policy System                                                                                        |
| <b>IPA</b>      | Independent Public Accountant                                                                                                   |
| <b>IRA</b>      | Individual Retirement Account                                                                                                   |
| <b>IRS</b>      | Internal Revenue Service                                                                                                        |
| <b>JTPA</b>     | Job Training Partnership Act                                                                                                    |
| <b>LBP</b>      | Lead-Based Paint                                                                                                                |

|              |                                                                                                                             |
|--------------|-----------------------------------------------------------------------------------------------------------------------------|
| <b>MSA</b>   | Metropolitan Statistical Area (established by the U.S. Census Bureau)                                                       |
| <b>MTCS</b>  | Multi-family Tenant Characteristics System (now the Form HUD-50058 sub-module of the PIC system)                            |
| <b>MTW</b>   | Moving to Work                                                                                                              |
| <b>NOFA</b>  | Notice of Funding Availability                                                                                              |
| <b>OIG</b>   | Office of Inspector General                                                                                                 |
| <b>OMB</b>   | Office of Management and Budget                                                                                             |
| <b>PHA</b>   | Public Housing Agency                                                                                                       |
| <b>PIC</b>   | PIH Information Center                                                                                                      |
| <b>PIH</b>   | (HUD Office of) Public and Indian Housing                                                                                   |
| <b>PS</b>    | Payment Standard                                                                                                            |
| <b>QC</b>    | Quality Control                                                                                                             |
| <b>QHWRA</b> | Quality Housing and Work Responsibility Act of 1998 (also known as the Public Housing Reform Act)                           |
| <b>REAC</b>  | (HUD) Real Estate Assessment Center                                                                                         |
| <b>RFP</b>   | Request for Proposals                                                                                                       |
| <b>RFTA</b>  | Request for Tenancy Approval                                                                                                |
| <b>RIGI</b>  | Regional Inspector General for Investigation (handles fraud and program abuse matters for HUD at the regional office level) |
| <b>SEMAP</b> | Section Eight (8) Management Assessment Program                                                                             |
| <b>SRO</b>   | Single Room Occupancy                                                                                                       |
| <b>SSA</b>   | Social Security Administration                                                                                              |
| <b>SSI</b>   | Supplemental Security Income                                                                                                |
| <b>TANF</b>  | Temporary Assistance for Needy Families                                                                                     |
| <b>TBRA</b>  | Tenant Based Rental Assistance                                                                                              |
| <b>TPV</b>   | Tenant Protection Vouchers                                                                                                  |
| <b>TR</b>    | Tenant Rent                                                                                                                 |
| <b>TTP</b>   | Total Tenant Payment                                                                                                        |
| <b>UA</b>    | Utility Allowance                                                                                                           |
| <b>UIV</b>   | Upfront Income Verification                                                                                                 |
| <b>URP</b>   | Utility Reimbursement Payment                                                                                               |
| <b>VASH</b>  | <b>Veteran Affair Supportive Housing</b>                                                                                    |
| <b>VAWA</b>  | Violence Against Women Reauthorization Act of 2005                                                                          |
| <b>VMS</b>   | <b>Voucher Management System</b>                                                                                            |

## **B. GLOSSARY OF SUBSIDIZED HOUSING TERMS**

***Absorption.*** In portability (under subpart H of this part 982): the point at which a receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PHA uses funds available under the receiving PHA consolidated ACC.

***Accessible.*** The facility or portion of the facility can be approached, entered, and used by persons with disabilities.

***Adjusted Income.*** Annual income, less allowable HUD deductions and allowances

***Administrative fee.*** Fee paid by HUD to the PHA for administration of the program. See §982.152.

***Administrative plan.*** The plan that describes PHA policies for administration of the tenant-based programs. The Administrative Plan and any revisions must be approved by the PHA's board and included as a supporting document to the PHA Plan. See §982.54.

***Admission.*** The point when the family becomes a participant in the program. The date used for this purpose is the effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program.

***Amortization payment.*** In a manufactured home space rental: The monthly debt service payment by the family to amortize the purchase price of the manufactured home.

***Annual contributions contract (ACC).*** The written contract between HUD and a PHA under which HUD agrees to provide funding for a program under the 1937 Act, and the PHA agrees to comply with HUD requirements for the program.

***Annual Income.*** The anticipated total income of an eligible family from all sources for the 12-month period following the date of determination of income, computed in accordance with the regulations.

***Applicant (applicant family).*** A family that has applied for admission to a program but is not yet a participant in the program.

***Area Exception Rent.*** An amount that exceeds the published FMR. See 24 CFR§982.504(b).

***“As-paid” States.*** States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

***Assets.*** (See Net Family Assets.)

***Auxiliary aids.*** Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities receiving federal financial assistance.

***Bifurcate.*** With respect to a public housing or Section 8 lease, to divide a lease as a matter of law such that certain tenants can be evicted or removed while the remaining a family member lease and occupancy rights are allowed to remain intact.

***Budget authority.*** An amount authorized and appropriated by the Congress for payment to HAs under the program. For each funding increment in a PHA program, budget authority is the maximum amount that may be paid by HUD to the PHA over the ACC term of the funding increment.



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

**Child care expenses.** Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

**Citizen.** A citizen or national of the United States.

**Co-head.** An individual in the household who is equally responsible for the lease with the head of household. A family may have a co-head or spouse but not both. A co-head never qualifies as a dependent. The co-head must have legal capacity to enter into a lease.

**Common space.** In shared housing, space available for use by the assisted family and other occupants of the unit.

**Computer match.** The automated comparison of data bases containing records about individuals.

**Confirmatory review.** An on-site review performed by HUD to verify the management performance of a PHA.

**Consent form.** Any consent form approved by HUD to be signed by assistance applicants and participants to obtain income information from employers and SWICAs; return information from the Social Security Administration (including wages, net earnings from self-employment, and retirement income); and return information for unearned income from the IRS. Consent forms expire after a certain time and may authorize the collection of other information to determine eligibility or level of benefits.

**Congregate housing.** Housing for elderly persons or persons with disabilities that meets the HQS for congregate housing. A special housing type: see 24 CFR §982.606 to 609.

**Contiguous MSA.** In portability (under subpart H of part 982): An MSA that shares a common boundary with the MSA in which the jurisdiction of the initial PHA is located.

**Continuously assisted.** An applicant is continuously assisted under the 1937 Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the voucher program.

**Contract authority.** The maximum annual payment by HUD to a PHA for a funding increment.

**Cooperative** (term includes mutual housing). Housing owned by a nonprofit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing. A special housing type: (see 24 CFR§982.619).

**Covered families.** Statutory term for families who are required to participate in a welfare agency economic self-sufficiency program and who may be subject to a welfare benefit sanction for noncompliance with this obligation. Includes families who receive welfare assistance or other public assistance under a program for which federal, state or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for the assistance.

**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; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

**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.

**Dependent child.** In the context of the student eligibility restrictions, a dependent child of a student enrolled in an institution of higher education. The dependent child must also meet the definition of dependent as specified above.

**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.

**Disabled family.** A family whose head, co-head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides.

**Disabled person.** See person with disabilities.

**Disallowance. Exclusion from annual income**

**Displaced family.** A family in which each member, or whose sole member, is 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.

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

**Domicile.** The legal residence of the household head or spouse as determined in accordance with State and local law.

**Drug-related criminal activity.** As defined in 42 U.S.C. 1437f(f)(5).

**Drug-trafficking.** The illegal manufacture, sale, or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

***Economic Self-Sufficiency Program.*** Any program designed to encourage, assist, train or facilitate the economic independence of assisted families, or to provide work for such families. Can include job training, employment counseling, work placement, basic skills training, education, English proficiency, Workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as treatment for drug abuse or mental health treatment). Includes any work activities as defined in the Social Security Act (42 U.S.C. 607(d)). Also see 24 CFR §5.603(c).

***Elderly family.*** A family whose head, co-head, spouse, or sole member is a person who is at least 62 years of age; or 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.

***Elderly Person.*** An individual who is at least 62 years of age.

***Eligible Family (Family).*** A family that is income eligible and meets the other requirements of the Act and Part 5 of 24 CFR.

***Employer Identification Number (EIN).*** The nine-digit taxpayer identifying number that is assigned to an individual, trust, estate, partnership, association, company, or corporation.

***Evidence of citizenship or eligible status.*** The documents which must be submitted as evidence of citizenship or eligible immigration status. (See 24 CFR §5.508(b).)

***Extremely Low Income Family.*** A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 30 percent of median income if HUD finds such variations are necessary due to unusually high or low family incomes. (24 CFR 5.603)

***Facility.*** All or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other real or personal property or interest in the property.

***Fair Housing Act.*** Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988.

***Fair market rent (FMR).*** The rent, including the cost of utilities (except telephone), as established by HUD for units of varying sizes (by number of bedrooms), that must be paid in the housing market area to rent privately owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. See periodic publications in the Federal Register in accordance with 24 CFR Part 888.

***Family.*** Includes but is not limited to the following, and can be further defined in PHA policy.

- A family with or without children (the temporary absence of a child from the home due to placement in foster care is not considered in determining family composition and family size)
- An elderly family or a near-elderly family
- A displaced family
- The remaining member of a tenant family
- A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

***Family rent to owner.*** In the voucher program, the portion of rent to owner paid by the family.

**Family self-sufficiency program (FSS program).** The program established by a PHA in accordance with 24 CFR part 984 to promote self-sufficiency of assisted families, including the coordination of supportive services (42 U.S.C. 1437u).

**Family share.** The portion of rent and utilities paid by the family. For calculation of family share, see 24 CFR §982.515(a).

**Family unit size.** The appropriate number of bedrooms for a family, as determined by the PHA under the PHA subsidy standards.

**Federal agency.** A department of the executive branch of the Federal Government.

**Foster Child Care Payment.** Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

**Full-time Student.** A person who is attending school or vocational training on a full-time basis (carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended). (See 24CFR 5.603)

**Funding increment.** Each commitment of budget authority by HUD to a PHA under the consolidated annual contributions contract for the PHA program.

**Gross rent.** The sum of the rent to owner plus any utility allowance.

**Group home.** A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide). A special housing type: see 24 CFR §982.610 to 614.

**Handicap.** Any condition or characteristic that renders a person an individual with handicaps. See person with disabilities.

**HAP contract.** The housing assistance payments contract. (Contract). A written contract between the PHA and an owner for the purpose of providing housing assistance payments to the owner on behalf of an eligible family.

**Hard to House.** A household that has three (3) more minors or has a disabled household member.

**Head of household.** The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

**Household.** A household includes additional people other than the family who, with the PHA's permission, live in an assisted unit, such as live-in aides, foster children and foster adults.

**Housing assistance payment.** The monthly assistance payment by a PHA, which includes: (1) A payment to the owner for rent to the owner under the family's lease; and (2) An additional payment to the family if the total assistance payment exceeds the rent to owner.

**Housing agency (HA).** A State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing. ("PHA" and "HA" mean the same thing.)

**Housing Quality Standards.** The HUD minimum quality standards for housing assisted under the voucher program.

**HUD.** The U.S. Department of Housing and Urban Development.

**Immediate family member.** A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent; or any other person living in the household of that person and related to that person by blood and marriage.

**Imputed Asset.** An asset disposed of for less than Fair Market value during the two years preceding examination or reexamination.

**Imputed Income.** HUD passbook rate multiplied by the total cash value of assets. Calculation is used when net family assets exceed \$5,000.

**Imputed welfare income.** An amount of annual income that is not actually received by a family as a result of a specified welfare benefit reduction, but is included in the family's annual income and therefore reflected in the family's rental contribution.

**Income.** Income from all sources of each member of the household, as determined in accordance with criteria established by HUD.

**Income for Eligibility.** Annual Income.

**Income information** means information relating to an individual's income, including:

- All employment income information known to current or previous employers or other income sources
- All information about wages, as defined in the State's unemployment compensation law, including any Social Security Number; name of the employee; quarterly wages of the employee; and the name, full address, telephone number, and, when known, Employer Identification Number of an employer reporting wages under a State unemployment compensation law
- Whether an individual is receiving, has received, or has applied for unemployment compensation, and the amount and the period received
- Unearned IRS income and self-employment, wages and retirement income
- Wage, social security, and supplemental security income data obtained from the Social Security Administration.

**Individual with handicaps. See persons with disabilities. Initial PHA.** In portability, the term refers to both: (1) A PHA that originally selected a family that later decides to move out of the jurisdiction of the selecting PHA; and (2) A PHA that absorbed a family that later decides to move out of the jurisdiction of the absorbing PHA.

**Initial payment standard.** The payment standard at the beginning of the HAP contract term.

**Initial rent to owner.** The rent to owner at the beginning of the HAP contract term.

**Institution of higher education.** An institution of higher education as defined in 20 U.S.C 1001 and 1002.

**Jurisdiction.** The area in which the PHA has authority under State and local law to administer the program.

**Landlord.** Either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

**Lease.** A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a

family with housing assistance payments under a HAP contract between the owner and the PHA.

**Live-in aide.** A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- Is determined to be essential to the care and well-being of the persons;
- Is not obligated for the support of the persons; and
- Would not be living in the unit except to provide the necessary supportive services.

**Local Preference.** A preference used by the PHA to select among applicant families.

**Low Income Family.** A family whose income does not exceed 80% of the median income for the area as determined by HUD with adjustments for smaller or larger families, except that HUD may establish income limits higher or lower than 80% for areas with unusually high or low incomes.

**Manufactured home.** A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. A special housing type: see §982.620 and §982.621.

**Manufactured home space.** In manufactured home space rental: A space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space. See §982.622 to §982.624.

**Medical expenses.** Medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance. (A deduction for elderly or disabled families only.) These allowances are given when calculating adjusted income for medical expenses in excess of 3% of annual income.

**Minor.** A member of the family household other than the family head or spouse, who is under 18 years of age.

**Mixed family.** A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

**Monthly adjusted income.** One twelfth of adjusted income.

**Monthly income.** One twelfth of annual income.

**Mutual housing.** Included in the definition of “cooperative.”

**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.

**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; or 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.

**Net family assets.** (1) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

- 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 under §5.609.
- In determining net family assets, PHAs 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 therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

**Noncitizen.** A person who is neither a citizen nor national of the United States.

**Notice of Funding Availability (NOFA).** For budget authority that HUD distributes by competitive process, the Federal Register document that invites applications for funding. This document explains how to apply for assistance and the criteria for awarding the funding.

**Office of General Counsel (OGC).** The General Counsel of HUD.

**Owner.** Any person or entity with the legal right to lease or sublease a unit to a participant.

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

**Payment standard.** The maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family).

**Persons With Disabilities.** For the purpose of program eligibility, a person who has a disability as defined in 42 U.S.C. 423 or a developmental disability as defined in 42 U.S.C. 6001. Also includes a person who is determined, under HUD regulations, to have a physical or mental impairment that is expected to be of long-continued and indefinite duration, substantially impedes the ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions. For purposes of reasonable accommodation and program accessibility for persons with disabilities, means and “individual with handicaps” as defined in 24 CFR 8.3. Definition does not exclude persons who have AIDS or conditions arising from AIDS, but does not include a person whose disability is based solely on drug or alcohol dependence (for low-income housing eligibility purposes). See “Individual with handicaps”

**Portability.** Renting a dwelling unit with a Section 8 housing choice voucher outside the jurisdiction of the initial PHA.

**Premises.** The building or complex in which the dwelling unit is located, including common areas and grounds.

**Previously unemployed.** With regard to the earned income disallowance, a person with disabilities who has earned in the 12 months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

**Private space.** In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

**Processing entity.** The person or entity that, under any of the programs covered, is responsible for making eligibility and related determinations and any income reexamination. In the Section 8 program, the “processing entity” is the “responsible entity.”

**Project owner.** The person or entity that owns the housing project containing the assisted dwelling unit.

**Public Assistance.** Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

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

**PHA Plan.** The annual plan and the 5-year plan as adopted by the PHA and approved by HUD.

**PHA’s quality control sample.** An annual sample of files or records drawn in an unbiased manner and reviewed by a PHA supervisor (or by another qualified person other than the person who performed the original work) to determine if the work documented in the files or records conforms to program requirements. For minimum sample size see CFR 985.3.

**Qualified family (under the earned income disallowance).** A family participating in an applicable assisted housing program or receiving HCV assistance:

*Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment:*

- Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or
- Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the responsible entity in consultation with the local agencies administering temporary assistance for the needy families (TANF) and Welfare to Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance provided that the total amount over a six-month period is at least \$500.00.



**Reasonable rent.** A rent to owner that is not more than rent charged: (1) For comparable units in the private unassisted market; and (2) For comparable unassisted units in the premises.

**Reasonable Accommodation.** A change, exception, or adjustment to a rule, policy, practice or service to allow a person with disabilities to fully access the PHA's programs or services.

**Receiving PHA.** In portability: A PHA that receives a family selected for participation in the tenant-based program of another PHA. The receiving PHA issues a voucher and provides program assistance to the family.

**Recertification.** Sometimes called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported.

**Remaining Member of Tenant Family.** The person left in assisted housing who may or may not normally qualify for assistance on their own circumstances (i.e., an elderly spouse dies, leaving widow age 47 who is not disabled).

**Rent to owner.** The total monthly rent payable to the owner under the lease for the unit (also known as contract rent). Rent to owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.

**Residency Preference.** A PHA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference area").

**Residency Preference Area.** The specified area where families must reside to qualify for a residency preference.

**Responsible entity.** For the public housing and the Section 8 tenant-based assistance, project-based voucher assistance, and moderate rehabilitation programs, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

**Secretary.** The Secretary of Housing and Urban Development.

**Section 8.** Section 8 of the United States Housing Act of 1937.

**Section 8 covered programs.** All HUD programs which assist housing under Section 8 of the 1937 Act, including Section 8 assisted housing for which loans are made under section 202 of the Housing Act of 1959.

**Section 214.** Section 214 of the Housing and Community Development Act of 1980, as amended

**Section 214 covered programs** is the collective term for the HUD programs to which the restrictions imposed by Section 214 apply. These programs are set forth in 24 CFR §5.500.

**Security Deposit.** A dollar amount (maximum set according to the regulations) which can be used for unpaid rent or damages to the owner upon termination of the lease.

**Set-up charges.** In a manufactured home space rental: Charges payable by the family for assembling, skirting and anchoring the manufactured home.

**Shared housing.** A unit occupied by two or more families. The unit consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family. A special housing type: see §982.615 to §982.618.

**Single Person.** A person living alone or intending to live alone.

**Single room occupancy housing (SRO).** A unit that contains no sanitary facilities or food preparation facilities, or contains either, but not both, types of facilities. A special housing type: see §982.602 to §982.605.

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

**Special admission.** Admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position.

**Special housing types.** See subpart M of part 982. Subpart M states the special regulatory requirements for: SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

**Specified Welfare Benefit Reduction.** Those reductions of welfare benefits (for a covered family) that may not result in a reduction of the family rental contribution. A reduction of welfare benefits because of fraud in connection with the welfare program, or because of welfare sanction due to noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

**Spouse.** The marriage partner of the head of household.

**Stalking.** To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.

**State Wage Information Collection Agency (SWICA).** The state agency, including any Indian tribal 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.

**Subsidy standards.** Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

**Suspension.** Stopping the clock on the term of a family's voucher after the family submits a request for approval of the tenancy. If the PHA decides to allow extensions or suspensions of the voucher term, the PHA administrative plan must describe how the PHA determines whether to grant extensions or suspensions, and how the PHA determines the length of any extension or suspension. The term on the family's voucher stops from the date the family submits a request for PHA approval of the tenancy, until the date the PHA notifies the family in writing whether the request has been approved or denied. This practice is also called "tolling".

**Tax Credit Rent.** With regard to certain tax credit units, the rent charged for comparable units of the same bedroom size in the building that has receive low-income housing tax credits but do not have any additional rental assistance (e.g. tenant-based voucher assistance).

**Tenancy Addendum.** For the Housing Choice Voucher Program, the lease language required by HUD in the lease between the tenant and the owner.

**Tenant.** The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit.

**Tenant rent to owner.** See “Family rent to owner”.

**Term of Lease.** The amount of time a tenant agrees in writing to live in a dwelling unit.

**Total Tenant Payment (TTP).** The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

**Unit.** Residential space for the private use of a family. The size of a unit is based on the number of bedrooms contained within the unit and generally ranges from zero (0) bedrooms to six (6) bedrooms.

**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 or approved by a PHA or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

**Utility reimbursement.** In the voucher program, the portion of the housing assistance payment which exceeds the amount of rent to owner.

**Utility hook-up charge.** In a manufactured home space rental: Costs payable by a family for connecting the manufactured home to utilities such as water, gas, electrical and sewer lines.

**Very Low Income Family.** A low-income family whose annual income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes. This is the income limit for the housing choice voucher program.

**Veteran.** A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.

**Violence Against Women Reauthorization Act (VAWA) of 2013.** Prohibits denying admission to the program to an otherwise qualified applicant or terminating assistance on the basis that the applicant or program participant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Violent criminal activity.** Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

**Voucher (Housing Choice Voucher).** A document issued by a PHA to a family selected for admission to the housing choice voucher program. This document describes the program and the procedures for PHA approval of a unit selected by the family. The voucher also states obligations of the family under the program.

**Voucher holder.** A family holding a voucher with an unexpired term (search time).

**Voucher program.** The housing choice voucher program.

**Waiting list admission.** An admission from the PHA waiting list.

**Welfare assistance.** Income assistance from Federal or State welfare programs, including assistance provided under TANF and general assistance. Does not include assistance directed solely to meeting housing expenses, nor programs that provide health care, child care or other services for working families. For the FSS PROGRAM (984.103(b)), “welfare assistance” includes only cash maintenance payments from Federal or State programs designed to meet a family’s ongoing basic needs, but does not include food stamps, emergency rental and utilities assistance, SSI, SSDI, or Social Security.

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>HUD-50058 Instruction Booklet<br/> <a href="http://portal.hud.gov/hudportal/documents/huddoc?id=50058i.pdf">http://portal.hud.gov/hudportal/documents/huddoc?id=50058i.pdf</a></p>                                                                                                                                                                  |
| <p><b><a href="https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04901.pdf">HUD Final Rule, Streamlining Administrative Regulations</a></b><br/> <a href="https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04901.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-03-08/pdf/2016-04901.pdf</a></p>                                                    |
| <p>Joint Statement of the Department of Housing and Urban Development and the Department of Justice, issued May 17, 2004<br/> <a href="http://www.hud.gov/offices/fheo/library/huddojstatement.pdf">http://www.hud.gov/offices/fheo/library/huddojstatement.pdf</a></p>                                                                                |
| <p>Notice of Guidance to Federal Assistance Recipients Regarding Title VI Prohibition Affecting Limited English Proficient Persons, published December 19, 2003<br/> <a href="http://www.hud.gov/offices/fheo/promotingfh/FederalRegistepublishedguidance.pdf">http://www.hud.gov/offices/fheo/promotingfh/FederalRegistepublishedguidance.pdf</a></p> |
| <p>Notice PIH 2012-10, Verification of Social Security Numbers (SSNs) and Supplemental Security Income (SSI) Benefits; and Effective Use of the Enterprise Income Verification (EIV) System's Identity Verification Report<br/> <a href="http://portal.hud.gov/huddoc/pih2012-10.pdf">http://portal.hud.gov/huddoc/pih2012-10.pdf</a></p>              |
| <p>Notice PIH 2010-19, Administrative Guidance for Effective and Mandated Use of the Enterprise Income Verification (EIV) System<br/> <a href="http://www.hud.gov/offices/pih/publications/notices/10/pih2010-19.pdf">http://www.hud.gov/offices/pih/publications/notices/10/pih2010-19.pdf</a></p>                                                    |
| <p>Notice PIH 2010-26 (HA), Nondiscrimination and Accessibility Notice<br/> <a href="http://www.hud.gov/offices/pih/publications/notices/10/pih2010-26.pdf">http://www.hud.gov/offices/pih/publications/notices/10/pih2010-26.pdf</a></p>                                                                                                              |
| <p>OMB Circular A-133<br/> <a href="http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2010">http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2010</a></p>                                                                                                                                                           |
| <p>Project-Based Voucher Program; Final Rule<br/> <a href="http://www.gpo.gov/fdsys/pkg/FR-2005-10-13/pdf/05-20035.pdf">http://www.gpo.gov/fdsys/pkg/FR-2005-10-13/pdf/05-20035.pdf</a></p>                                                                                                                                                            |
| <p>Rental Housing Integrity Improvement Program (RHIIP) Frequently Asked Questions.<br/> <a href="http://www.hud.gov/offices/pih/programs/ph/rhiip/faq.cfm">www.hud.gov/offices/pih/programs/ph/rhiip/faq.cfm</a></p>                                                                                                                                  |
| <p>VAWA Final Rule<br/> <a href="http://www.gpo.gov/fdsys/pkg/FR-2010-10-27/pdf/2010-26914.pdf">http://www.gpo.gov/fdsys/pkg/FR-2010-10-27/pdf/2010-26914.pdf</a></p>                                                                                                                                                                                  |
| <p><b><a href="https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf">Violence Against Women Reauthorization Act of 2013</a></b><br/> <a href="https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf">https://www.gpo.gov/fdsys/pkg/BILLS-113s47enr/pdf/BILLS-113s47enr.pdf</a></p>                                    |
| <p>Verification FAQ<br/> <a href="http://www.hud.gov/offices/pih/programs/ph/rhiip/faq_verif.cfm">www.hud.gov/offices/pih/programs/ph/rhiip/faq_verif.cfm</a></p>                                                                                                                                                                                      |
| <p>Verification Guidance, March 2004 (attachment to Notice PIH 2004-1)<br/> <a href="http://www.hud.gov/offices/pih/publications/notices/04/verifguidance.pdf">http://www.hud.gov/offices/pih/publications/notices/04/verifguidance.pdf</a></p>                                                                                                        |

The HUD Web site is <http://portal.hud.gov/hudportal/HUD>.

Guidebooks, handbooks and other HUD resources may be found at the HUDClips Web site:  
[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/administration/hudclips](http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips)



## Chapter 3

### ELIGIBILITY

#### INTRODUCTION

SNRHA is responsible for ensuring that every individual and family admitted to the HCV program meets all program eligibility requirements. This includes any individual approved to join the family after the family has been admitted to the program. The family must provide any information needed by the PHA to confirm eligibility and determine the level of the family's assistance. This Chapter defines both criteria for admission and denial of admission to the program. Applications are taken to compile a waiting list. The policy of this PHA is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply to ensure compliance with HUD criteria.

SNRHA staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by SNRHA pertaining to their eligibility.

In the case of disputes on eligibility/ineligibility criteria that are pending the outcome of legal proceedings (i.e., currently under appeal in a court of law), SNRHA will determine the family to be ineligible at that time. If the legal decision is rendered that the person did meet the eligible factors, SNRHA shall restore the application to the original date and time, and reinstate the applicant to any other preference factors that SNRHA has adopted. If the legal decision is rendered that the person did not meet the eligibility factors, SNRHA shall provide the applicant with access to the grievance process in accordance with applicable requirements.

To be eligible for the HCV program:

- The applicant family must:
  - Qualify as a family as defined by HUD and SNRHA.
  - Have income at or below HUD-specified income limits.
  - Qualify on the basis of citizenship or the eligible immigrant status of family members.
  - Contain at least one family member who is either a U.S. citizen or has eligible immigration status before SNRHA may provide any financial assistance.
  - Provide social security numbers for all family members in compliance with HUD's Rent Reform Notice effective January 2010, unless the family member is 62 or older as of January 2010 and already under the program.
  - SNRHA shall require social security numbers for all family members regardless of age in compliance with the federally mandated criminal record requirements for all adult family members.
  - Consent to SNRHA's collection and use of family information as provided for in SNRHA-provided consent forms.



- Be represented by a head of household who is 18 or older or an emancipated youth at the time of application submission.
- Be eligible for assistance in accordance with the restrictions on assistance to students enrolled in an institution of higher education (24 CFR 5.612).

SNRHA must determine that the current or past behavior of household members does not include activities that are prohibited by HUD or SNRHA.

- Reasons for denial of admission are addressed in Chapter 12 under Denials/Termination of Assistance. These reasons for denial constitute additional admission criteria.
- Evidence of Citizenship/Eligible Immigrant Status will not be verified until the family is selected from the waiting list for final eligibility processing for issuance of a Voucher.

This chapter contains three parts:

Part I: Definitions of Family and Household Members. This part contains HUD and SNRHA definitions of family and household members and explains initial and ongoing eligibility issues related to these members.

Part II: Basic Eligibility Criteria. This part discusses income eligibility, and rules regarding citizenship, social security numbers, and family consent.

Part III: Denial of Assistance. This part covers factors related to an applicant's past or current conduct (e.g. criminal activity) that can cause SNRHA to deny assistance.

## **PART I: DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS**

### **3-I.A. OVERVIEW**

Some eligibility criteria and program rules vary depending upon the composition of the family requesting assistance. In addition, some requirements apply to the family as a whole and others apply to individual persons who will live in the assisted unit. This part provides information that is needed to correctly identify family and household members, and to apply HUD's eligibility rules.

### **3-I.B. FAMILY AND HOUSEHOLD [24 CFR 982.201(c),] FR Notice 02/03/12; Notice PIH 2014-20**

The terms *family* and *household* have different meanings in the HCV program.

#### **Family**

To be eligible for assistance, an applicant must qualify as a family. *Family* as defined by HUD includes, but not limited to the following, regardless of actual or perceived sexual orientation, gender identify, or marital status, a single person, who may be an elderly person, a disabled person, near elderly person, or any other single person; or group of persons residing together. Such group includes, but is not limited to a family with or without children (a child who is temporarily away from the family), a near-elderly family, a disabled family, a displaced family, or the remaining member of a tenant family. SNRHA has the discretion to determine if any other



group of persons qualifies as a family. Equal access final rule requires that all eligible individual regardless of sexual orientation, gender or marital status be consider as a family.

#### SNRHA Policy

A family also includes two or more individuals who are not related by blood, marriage, adoption, or other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual income and other resources will be available to meet the needs of the family. Each family must identify the individual's to be included in the family at the time of application, and must update this information if the family composition changes within 10 calendar date of the change in writing.

Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

#### **Household**

*Household* is a broader term that includes additional people who, with SNRHA's permission, live in an assisted unit, such as live-in aides, foster children, and foster adults.

#### ***HEAD OF HOUSEHOLD [24 CFR 5.504(b)]***

*Head of household* means the adult member of the family who is considered the head for purposes of determining income eligibility and rent. The head of household is responsible for ensuring that the family fulfills all of its responsibilities under the program, alone or in conjunction with a co-head or spouse.

#### SNRHA Policy

The family may designate any qualified family member as the head of household. The head of household must have the legal capacity to enter into a lease under state and local law. A minor who is emancipated under state law may be designated as head of household.

#### **Spouse of Head**

Spouse means the husband or wife of the head.

For proper application of the Non-citizens Rule, the definition of spouse is: the marriage partner who, in orders to dissolve the relationship, and would have to be divorced. It includes the partner in a common law marriage. The term "spouse" does not apply to boyfriends, girlfriends, significant others, or co-heads when used in connection with the non-citizen rule.

#### **Co-Head**

An individual in the household who is equally responsible for the lease with the Head of Household. A family may have a spouse or co-head, but not both. A co-head never qualifies as a dependent nor shall any family have more than one co-head.





### **3-I.C. FAMILY BREAK-UP AND REMAINING MEMBER OF TENANT FAMILY**

#### **Family Break-up [24 CFR 982.315]**

SNRHA has discretion to determine which members of an assisted family continue to receive assistance if the family breaks up. However, if a court determines the disposition of property between members of the assisted family in a divorce or separation decree, SNRHA is bound by the court's determination of which family members continue to receive assistance.

#### SNRHA Policy

When a family on the waiting list breaks up into two otherwise eligible families, only one of the new families may retain the original application date. Other former family members may make a new application with a new application date if the waiting list is open.

If a family breaks up into two otherwise eligible families while receiving assistance, only one of the new families will continue to be assisted.

In the absence of a judicial decision, or an agreement among the original family members, the Admissions Manager or their designee will determine which family retains their placement on the waiting list, or will continue to receive assistance taking into consideration the following factors: (1) which family member applied as head of household (this will be given primary consideration); (2) the interest of any minor children, including custody arrangements; (3) the interest of any ill, elderly, or disabled family members; (4) any possible risks to family members as a result of domestic violence or criminal activity; and (5) the recommendations of social service professionals.

Documentation of these factors is the responsibility of the application families. If the families do not provide the documentation, they may be denied placement on the waiting list.

If there is a family break up of participants, only one of the new families will continue to receive assistance and that will be the head of household on the original application; unless, as a result of domestic violence which is reported and VAWA rules apply or judicial decision is provided to SNRHA.

#### Multiple Families in the Same Household

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

#### **Remaining Member of a Tenant Family [24 CFR 5.403]**

The HUD definition of family includes the *remaining member of a tenant family*, which is a member of an assisted family who remains in the unit when other members of the family have left the unit. Household members such as live-in aides, foster children, and foster adults do not qualify as remaining members of a family.



If dependents are the only “remaining members of a tenant family” and there is no family member able to assume the responsibilities of the head of household, see Chapter 5 for the policy on “Caretakers for a Child.”

### **3-I.D. HEAD OF HOUSEHOLD [24 CFR 5.504(b)]**

*Head of household* means the adult member of the family who is considered the head for purposes of determining income eligibility and rent. The head of household is responsible for ensuring that the family fulfills all of its responsibilities under the program, alone or in conjunction with a co-head or spouse.

#### SNRHA Policy

The family may designate any qualified family member as the head of household.

The head of household must have the legal capacity to enter into a lease under state and local law. A minor who is emancipated under state law may be designated as head of household. Head of household for purpose of determining who can remove a family member from the voucher or application is defined as the person completing said field on the original application. The head of household cannot be switched after submission of an application prior to being housed, unless the head of household removes themselves; or as a result of VAWA after becoming a participant or the death of head of household.

### **3-I.E. SPOUSE, COHEAD, AND OTHER ADULT**

A family may have a spouse or co-head, but not both [HUD-50058 IB, p. 13].

*Spouse* means the marriage partner of the head of household.

#### SNRHA Policy

A *marriage partner* includes the partner in a "common law" marriage as defined in state law. The term “spouse” does not apply to friends, roommates, or significant others who are not marriage partners. A minor who is emancipated under state law may be designated as a spouse.

A *co-head* is an individual in the household who is equally responsible with the head of household for ensuring that the family fulfills all of its responsibilities under the program, but who is not a spouse. A family can have only one co-head.

#### SNRHA Policy

Minors who are emancipated under state law may be designated as a co-head.

*Other adult* means a family member, other than the head, spouse, or co-head, who is 18 years of age or older. Foster adults and live-in aides are not considered other adults.

### **3-I.F. DEPENDENT [24 CFR 5.603]**

A *dependent* is a family member who is under 18 years of age or a person of any age who is a person with a disability or a full-time student, except that the following persons can never be dependents: the head of household, spouse, co-head, foster children/adults and live-in aides.



Identifying each dependent in the family is important because each dependent qualifies the family for a deduction from annual income as described in Chapter 6.

### **Joint Custody of Dependents**

#### SNRHA Policy

Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or participant family 51 percent of the time which shall be defined as 183 calendar days of the year, which do not have to run consecutively.

When more than one applicant or participant family is claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. SNRHA will make the determination based on available documents such as court orders.

Consideration may also be given to the person who receives the income for the care of the child.

### **3-I.G. FULL-TIME STUDENT [24 CFR 5.603; HCV GB, p. 5-29]**

A *full-time student* (FTS) is a person who is attending school or vocational training on a full-time basis. The time commitment or subject load that is needed to be full-time is defined by the educational institution.

Identifying each FTS is important because: (1) each family member that is an FTS, other than the head, spouse, or co-head, qualifies the family for a dependent deduction, and (2) the wage income of such an FTS is treated differently from the income of other family members.

### **3-I.H. ELDERLY AND NEAR-ELDERLY PERSONS, AND ELDERLY FAMILY [24 CFR 5.100 and 5.403]**

#### **Elderly Persons**

An *elderly person* is a person who is at least 62 years of age.

#### **Near-Elderly Persons**

A *near-elderly person* is a person who is 50-61 years of age.

#### **Elderly Family**

An *elderly family* is one in which the head, spouse, cohead, or sole member is an elderly person. Identifying elderly families is important because these families qualify for special deductions from income as described in Chapter 5.

### **3-I.I. PERSONS WITH DISABILITIES AND DISABLED FAMILY [24 CFR 5.403]FR Notice 02/02/12**

#### **Persons with Disabilities**



Under the HCV program, special rules apply to persons with disabilities and to any family whose head, spouse, or co-head is a person with disabilities. The technical definitions of individual with disabilities are provided in Exhibit 3-1 at the end of this chapter. These definitions are used for a number of purposes including ensuring that persons with disabilities are not discriminated against based upon disability.

As discussed in Chapter 2, SNRHA must make all aspects of the HCV program accessible to persons with disabilities and consider reasonable accommodations requested based upon a person's disability.

### **Disabled Family**

A *disabled family* is one in which the head, spouse, or co-head is a person with disabilities. Identifying disabled families is important because these families qualify for special deductions from income as described in Chapter 5.

Even though persons with drug or alcohol dependencies are considered persons with disabilities for the purpose of non-discrimination, this does not prevent SNRHA from denying assistance for reasons related to alcohol and drug abuse following policies found in Part III of this chapter, or from terminating assistance following the policies in Chapter 12.

### **3-I.J. GUESTS [24 CFR 5.100]**

A *guest* is a person temporarily staying in the unit with the consent of a member of the household who has express or implied authority to so consent.

#### SNRHA Policy

A guest can remain in the assisted unit no longer than 30 consecutive calendar days or a total of 60 cumulative calendar days during any 12-month period. A verified full-time college student may be a guest up to 90 consecutive calendar days. A minor with whom the family has shared custody shall be a guest up to 180 calendar days.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the assisted household more than 50 percent of the time, are not subject to the time limitations of guests as described above.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure is expected to last 40 consecutive calendar days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return. Approvals must be done, in writing prior to the guest remaining in the unit past 30 consecutive calendar days. The exception will be when guardianship is being processed and SNRHA has documents from the courts to verify the process has begun.

### **3-I.K. FOSTER CHILDREN AND FOSTER ADULTS**



*Foster adults* are usually persons with disabilities, unrelated to the tenant family, who are unable to live alone [24 CFR 5.609].

The term *foster child* is not specifically defined by the regulations.

Foster children and foster adults that are living with an applicant or assisted family are considered household members but not family members. The income of foster children/adults is not counted in family annual income, and foster children/adults do not qualify for a dependent deduction [24 CFR 5.603; HUD-50058 IB, p. 13].

### SNRHA Policy

A *foster child* is a child that is in the legal guardianship or custody of a state, county, or private adoption or foster care agency, yet is cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency.

A foster child or foster adult may be allowed to reside in the unit if their presence would not result in a violation of HQS space standards according to 24 CFR 982.401.

Children that are temporarily absent from the home as a result of placement in foster care are discussed in Section 3-I.L.

### **3-I.L. ABSENT FAMILY MEMBERS**

Individuals may be absent from the family, either temporarily or permanently, for a variety of reasons including educational activities, placement in foster care, employment, illness, incarceration, and court order.

#### **Definitions of Temporarily and Permanently Absent**

##### SNRHA Policy

Generally an individual who is or is expected to be absent from the assisted unit for 180 consecutive calendar days or less is considered temporarily absent and continues to be considered a family member. Generally an individual who is or is expected to be absent from the assisted unit for more than 180 consecutive calendar days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

#### **Absent Students**

##### SNRHA Policy

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to SNRHA indicating that the student has established a separate household or the family declares that the student has established a separate household.



### **Absences Due to Placement in Foster Care [24 CFR 5.403]**

Children temporarily absent from the home as a result of placement in foster care are considered members of the family.

#### SNRHA Policy

If a child has been placed in foster care, SNRHA will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member. 'Permanently removed' is defined as more than 365 calendar days. When any family member is absent for more than 30 calendar days, the head of household must notify SNRHA in writing within ten (10) calendar days of their departure and notify in writing when they return.

Failure, by the family, to report the absence of the children may result in termination from the program. The head of household is responsible for reporting this change in household composition in writing within 10 calendar days of the child(ren) being removed from the home.

### **Absent Head, Spouse, Co-head, or other Adult:**

#### SNRHA Policy

An employed head, spouse, or co-head absent from the unit will continue to be considered a family member, unless a legal separation or divorce has been applied for, or the individual has been removed from the household as covered in VAWA.

- The family must promptly notify SNRHA when the family is absent from the unit.

#### SNRHA Policy

Notice is required under this provision only when all family members will be absent from the unit for an extended period. An extended period is defined as any period greater than 30 calendar days. Written notice must be provided to SNRHA at the start of the extended absence. No absences from the unit shall be approved for more than 30 consecutive calendar days unless it is approved as a reasonable accommodation for medical treatments/care.

Family members absent for more than 180 days due to employment or active duty in the military shall be considered a family member and income will be considered.

### **Family Members Permanently Confined for Medical Reasons [HCV GB, p. 5-22]**

If a family member is confined to a nursing home or hospital on a permanent basis, that person is no longer considered a family member and the income of that person is not counted [HCV GB, p. 5-22].

#### SNRHA Policy

SNRHA will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a



determination, the person generally will be considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member. 'Permanent' for this purpose is defined as 180 calendar days or more.

### **Return of Permanently Absent Family Members**

#### SNRHA Policy

The family must request SNRHA approval for the return of any adult family members that SNRHA has determined to be permanently absent. The individual is subject to the eligibility and screening requirements discussed elsewhere in this chapter.

### **3-I.M. LIVE-IN AIDE CFR (982.316)**

*Live-in aide* means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) is determined to be essential to the care and well-being of the persons, (2) is not obligated for the support of the persons, (3) would not be living in the unit except to provide the necessary supportive services [24 CFR 5.403] and must be 18 years of age.

SNRHA must approve a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR 8, to make the program accessible to and usable by the family member with disabilities.

A live-in aide is a member of the household, not the family, and the income of the aide is not considered in income calculations [24 CFR 5.609(b)]. Relatives may be approved as live-in aides if they meet all of the criteria defining a live-in aide. However, a relative who serves as a live-in aide is not considered a family member and would not be considered a remaining member of a tenant family.

#### SNRHA Policy

A Live-in Aide may only reside in the unit with the approval of SNRHA. A family's request for a live-in aide must be made in writing or as an accommodation, can request staff assistance in completing a request as needed. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker, that the live-in aide is essential for the care and well-being of the elderly, near-elderly (50-61), or disabled family member. For continued approval, the family must submit a new, written request-subject to SNRHA verification-at each annual reexamination.

In addition, the family and live-in aide will be required to submit a certification stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care, and (2) would not be living in the unit except to provide the necessary supportive services.

Income of the live-in aide will not be counted in the family's income.



The approval of a live-in aide shall increase the maximum permitted voucher size by 1-bedroom to accommodate the need for a live-in aide regardless if the live-in-aide has children or not. The voucher will not be increased prior to the Live-In-Aide being identified and approved.

Live-in aides are not subject to Non-Citizen Rule requirements.

Live-in aides may not be considered as a remaining member of the tenant family.

Live-in aides must submit social security number verifications

SNRHA will not approve a particular person as a live-in aide, and may withdraw such approval if [24 CFR 982.316(b)]:

The person commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program; or

The person commits drug-related criminal activity or violent criminal activity; or

The person currently owes rent or other amounts to SNRHA or to another PHA in connection with Section 8, Project-Based Section 8 or public housing assistance under the 1937 Act; or

The person has violated any family obligations under the program as published under CFR 982.551; or

The person has been convicted of manufacturing or producing methamphetamine, on the premises of an assisted housing project; or

The person has been evicted from any federally subsidized housing program for any reason; or

The person has been identified as someone who has to register as a sex offender; or

The person is not qualified to provide the needed care.

Within 10 business days of receiving a request for a live-in aide, including all required documentation/verification related to the request, SNRHA will notify the family of its decision in writing.

## **PART II: BASIC ELIGIBILITY CRITERIA**

### **3-II.A. INCOME ELIGIBILITY AND TARGETING**

#### **Income Limits**

HUD is required by law to set income limits that determine the eligibility of applicants for HUD's assisted housing programs, including the housing choice voucher program. The income limits are published annually and are based on HUD estimates of median family income in a particular area or county, with adjustments for family size.





### **Types of Low-Income Families [24 CFR 5.603(b)]**

*Low-income family.* A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

*Very low-income family.* A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

*Extremely low-income family.* A family whose annual income does not exceed 30 percent of the median income for the area, adjusted for family size.

HUD may establish income ceilings higher or lower than 30, 50, or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.

### **Using Income Limits for Eligibility [24 CFR 982.201(b)]**

Income limits are used for eligibility only at admission. Eligibility is established by comparing a family's annual income with HUD's published income limits. To be income-eligible, a family must be one of the following:

- An *extremely low-income* family.
- A *very low-income* family.
- A *low-income* family that has been "continuously assisted" under the 1937 Housing Act. A family is considered to be continuously assisted if the family is already receiving assistance under any 1937 Housing Act program at the time the family is admitted to the HCV program [24 CFR 982.4].

#### SNRHA Policy

SNRHA will consider a family to be continuously assisted if the family was leasing a unit under any 1937 Housing Act program at the time they were issued a voucher by SNRHA.

- A *low-income* family that qualifies for voucher assistance as a non-purchasing household living in HOPE 1 (public housing homeownership), HOPE 2 (multifamily housing homeownership) developments, or other HUD-assisted multifamily homeownership programs covered by 24 CFR 248.173.
- A *low-income* or *moderate-income* family that is displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract on eligible low-income housing as defined in 24 CFR 248.101.

HUD permits SNRHA to establish additional categories of low-income families that may be determined eligible. The additional categories must be consistent with SNRHA plan and the consolidated plans for local governments within SNRHA's jurisdiction.

#### SNRHA Policy

SNRHA has not established any additional categories of eligible low-income families.



### **Using Income Limits for Targeting [24 CFR 982.201]**

At least 75 percent of the families admitted to SNRHA's program during a SNRHA fiscal year must be extremely low-income families. HUD may approve exceptions to this requirement if SNRHA demonstrates that it has made all required efforts, but has been unable to attract an adequate number of qualified extremely low-income families.

Families continuously assisted under the 1937 Housing Act and families living in eligible low-income housing that are displaced as a result of prepayment of a mortgage or voluntary termination of a mortgage insurance contract are not subject to the 75 percent restriction.

### **3-II.B. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5, Subpart E]**

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or noncitizens that have eligible immigration status. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance.

All applicant families must be notified of the requirement to submit evidence of their citizenship status when they apply. Where feasible, and in accordance with SNRHA's Limited English Proficiency Plan, the notice must be in a language that is understood by the individual if the individual is not proficient in English.

#### **Declaration [24 CFR 5.508]**

HUD requires each family member to declare whether the individual is a citizen, a national, or an eligible noncitizen, except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are considered to be ineligible noncitizens. For citizens, nationals and eligible noncitizens the declaration must be signed personally by the head, spouse, co-head, and any other family member 18 or older, and by a parent or guardian for minors. The family must identify in writing any family members who elect not to contend their immigration status (see Ineligible Noncitizens below). No declaration is required for live-in aides, foster children, or foster adults.

#### ***U.S. Citizens and Nationals***

In general, citizens and nationals are required to submit only a signed declaration that claims their status. However, HUD regulations permit SNRHA to request additional documentation of their status, such as a passport.

#### **SNRHA Policy**

Family members who declare citizenship or national status will not be required to provide additional documentation unless SNRHA receives information indicating that an individual's declaration may not be accurate. SNRHA shall not provide assistance to any family prior to the verification of eligibility for the individual or at least one member of the family pursuant to this section.



### ***Eligible Noncitizens***

In addition to providing a signed declaration, those declaring eligible noncitizen status must sign a verification consent form and cooperate with SNRHA efforts to verify their immigration status as described in Chapter 6. The documentation required for establishing eligible noncitizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, the person's age, and the date on which the family began receiving HUD-funded assistance.

Lawful residents of the Marshall Islands, the Federated States of Micronesia, and Palau, together known as the Freely Associated States, or FAS, are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504].

### ***Ineligible Noncitizens***

Those noncitizens who do not wish to contend their immigration status are required to have their names listed on a non-contending family members listing, signed by the head, spouse, or co-head (regardless of citizenship status), indicating their ineligible immigration status. SNRHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

Providing housing assistance to noncitizen students is prohibited [24 CFR 5.522]. This prohibition extends to the noncitizen spouse of a noncitizen student as well as to minor children who accompany or follow to join the noncitizen student. Such prohibition does not extend to the citizen spouse of a noncitizen student or to the children of the citizen spouse and noncitizen student. Such a family is eligible for prorated assistance as a mixed family.

### **Mixed Families**

A family is eligible for assistance as long as at least one member is a citizen, national, or eligible noncitizen. Families that include eligible and ineligible individuals are considered *mixed families*. Such families will be given notice that their assistance will be prorated and that they may request a hearing if they contest this determination. See Chapter 5 for a discussion of how rents are prorated, and Chapter 14 for a discussion of informal hearing procedures.

### **Ineligible Families [24 CFR 5.514(d), (e), and (f)]**

A PHA may elect to provide assistance to a family before the verification of the eligibility of the individual or one family member [24 CFR 5.512(b)]. Otherwise, no individual or family may be assisted prior to the affirmative establishment by SNRHA that the individual or at least one family member is eligible. Verification of eligibility for this purpose occurs when the individual or family members have submitted documentation to SNRHA in accordance with program requirements [24 CFR 5.512(a)].

SNRHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).



### SNRHA Policy

SNRHA will not provide assistance to a family before the verification of the eligible citizenship status of at least one family member. The eligible member does not have to be an adult in order for SNRHA to assist the family.

When SNRHA determines that an applicant family does not include any citizens, nationals, or eligible noncitizens, following the verification process, the family will be sent a written notice within 10 business days of the determination.

The notice will explain the reasons for the denial of assistance, that the family may be eligible for proration of assistance, and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request an informal hearing with SNRHA. The informal hearing with SNRHA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the informal hearing process.

Informal hearing procedures are contained in Chapter 14.

### **Timeframe for Determination of Citizenship Status [24 CFR 5.508(g)]**

For new occupants joining the assisted family, SNRHA must verify status at the first interim or regular reexamination following the person's occupancy, whichever comes first.

If an individual qualifies for a time extension for the submission of required documents, SNRHA must grant such an extension for no more than 30 calendar days [24 CFR 5.508(h)].

### SNRHA Policy

SNRHA will verify the status of applicants at the time other eligibility factors are determined.

### **3-II.C. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218] Notice PIH 2012-10**

SNRHA will require the disclosure of the SSN of all family members regardless of age if they have declared citizenship or eligible immigration status.

### SNRHA Policy

SNRHA will follow this requirement.

Assistance cannot be provided to a family until all SSN documentation requirements are met. A detailed discussion of acceptable documentation is provided in Chapter 6.

If a new adult member is added to the family, the new member's SSN documentation must be submitted by the family at the time they are added to the household. If any member of the family obtains a previously undisclosed SSN, or has been assigned a new SSN, the documentation must be submitted within 90 calendar days.



According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher Final Rule," participants adding children under the age of six (6), SNRHA shall require a social security card be provided within 90 days from the date of move in.

SNRHA must deny assistance to an applicant family if they do not meet the SSN disclosure, documentation and verification, and certification requirements contained in 24 CFR 5.216. SNRHA must terminate assistance of the entire family even if only one member of the family fails to provide required documentation for a social security number. Note: These requirements do not apply to noncitizens who do not content eligible immigration status.

### **3-II.D. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230, HCV GB, p. 5-13]**

HUD requires each adult family member, and the head of household, spouse, or co-head, regardless of age, to sign form HUD-9886, Authorization for the Release of Information/Privacy Act Notice, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance. Chapter 6 provides detailed information concerning the consent forms and verification requirements.

SNRHA must deny admission to the program if any member of the applicant family fails to sign and submit the consent forms for obtaining information in accordance with 24 CFR 5, Subparts B and F [24 CFR 982.552(b)(3)].

### **3-II.E. STUDENTS ENROLLED IN INSTITUTIONS OF HIGHER EDUCATION [24 CFR 5.612 and FR Notice 4/10/06]**

Section 327 of Public Law 109-115 and the implementing regulation at 24 CFR 5.612 established new restrictions related to the eligibility of certain students (both part- and full-time) who are enrolled in institutions of higher education.

If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, and does not have a dependent child, the student's eligibility must be examined along with the income eligibility of the student's parents. In these cases, both the student and the student's parents must be income eligible for the student to receive HCV assistance. If, however, a student in these circumstances is determined independent from his/her parents in accordance with SNRHA policy, the income of the student's parents will not be considered in determining the student's eligibility.

The new law does not apply to students who reside with parents who are applying to receive HCV assistance. It is limited to students who are seeking assistance on their own, separately from their parents.

#### **Definitions**

In determining whether and how the new eligibility restrictions apply to a student, SNRHA will rely on the following definitions [FR 4/10/06, p. 18148].

#### ***Dependent Child***



In the context of the student eligibility restrictions, *dependent child* means a dependent child of a student enrolled in an institution of higher education. The dependent child must also meet the definition of *dependent* in 24 CFR 5.603, which states that the dependent must be a member of the assisted family, other than the head of household or spouse, who is under 18 years of age, or is a person with a disability, or is a full-time student. Foster children and foster adults are not considered dependents.

### ***Independent Student***

#### SNRHA Policy

SNRHA will consider a student “independent” from his or her parents and the parents’ income will not be considered when determining the student’s eligibility if the following four criterions are all met:

The individual/student is of legal contract age under state law.

The individual/student has established a household separate from his/her parents for at least one year prior to application for occupancy or the individual meets the U.S. Department of Education’s definition of independent student.

To be considered an *independent student* according to the Department of Education, a student must meet one or more of the following criteria:

Be at least 24 years old by December 31 of the award year for which aid is sought.

Be an orphan or a ward of the court through the age of 18.

Be a veteran of the U.S. Armed Forces.

Have one or more legal dependents other than a spouse (for example, dependent children or an elderly dependent parent).

Be a graduate or professional student.

Be married.

The individual/student was not claimed as a dependent by his/her parents pursuant to IRS regulations, as demonstrated on the parents’ most recent tax forms.

The individual/student provides a certification of the amount of financial assistance that will be provided by his/her parents. This certification must be signed by the individual providing the support and must be submitted even if no assistance is being provided.

SNRHA will verify that a student meets the above criteria in accordance with the policies in Section 6.

### ***Institution of Higher Education***

SNRHA will use the statutory definition under section 102 of the Higher Education Act of 1965 to determine whether a student is attending an *institution of higher education* (see Exhibit 3-2).

### ***Parents***



### SNRHA Policy

For purposes of student eligibility restrictions, the definition of *parents* includes biological or adoptive parents, stepparents (as long as they are currently married to the biological or adoptive parent), and guardians (e.g., grandparents, aunt/uncle, godparents, etc).

### ***Veteran***

#### SNRHA Policy

A *veteran* is a person who served in the active military, naval, or air service and who was discharged or released from such service under conditions other than dishonorable.

### **Determining Student Eligibility**

If a student is applying for assistance on his/her own, apart from his/her parents, SNRHA must determine whether the student is subject to the eligibility restrictions contained in 24 CFR 5.612. If the student is subject to those restrictions, SNRHA must ensure that: (1) the student is individually eligible for the program, (2) either the student is independent from his/her parents or the student's parents are income eligible for the program, and (3) the "family" with which the student is applying is collectively eligible for the program.

#### SNRHA Policy

For any student who is subject to the 5.612 restrictions, SNRHA will:

Follow its usual policies in determining whether the student individually and the student's "family" collectively are eligible for the program.

Determine whether the student is independent from his/her parents in accordance with the definition of *independent student* in this section.

Follow the policies below, if applicable, in determining whether the student's parents are income eligible for the program.

If SNRHA determines that the student, the student's parents (if applicable), or the student's "family" is not eligible, SNRHA will send a notice of denial in accordance with the policies in Section 3-III.F, and the applicant family will have the right to request an informal review in accordance with the policies in Section 14.

### ***Determining Parental Income Eligibility***

#### SNRHA Policy

For any student who is subject to the 5.612 restrictions and who does not satisfy the definition of *independent student* in this section, SNRHA will determine the income eligibility of the student's parents as follows:

If the student's parents are married and living together, SNRHA will obtain a joint income declaration and certification of joint income from the parents.

If the student's parent is widowed or single, SNRHA will obtain an income declaration and certification of income from that parent.



If the student's parents are divorced or separated, SNRHA will obtain an income declaration and certification of income from each parent.

If the student has been living with one of his/her parents and has not had contact with or does not know where to contact his/her other parent, SNRHA will require the student to submit a certification under penalty of perjury describing the circumstances and stating that the student does not receive financial assistance from the other parent. SNRHA will then obtain an income declaration and certification of income from the parent with whom the student has been living or had contact.

In determining the income eligibility of the student's parents, SNRHA will use the income limits for the jurisdiction in which the parents live.

### **3.II.F. OTHER CRITERIA FOR ADMISSIONS [24 CFR 982.552(b)]**

If any applicant deliberately misrepresents the information on which eligibility or tenant rent is established, SNRHA may deny assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Addendum)

### **3.II.G. CRIMINAL SCREENING [24 CFR 982.307]**

SNRHA will take into consideration all of the criteria for admission in this chapter and Chapter 12.

SNRHA will conduct criminal screening on all families at the time of admission (including port-in participants) and at any other time required to verify reported incidents.

All incoming portables will also have criminal screening conducted. SNRHA will not hold up on leasing a client while awaiting results of such screening for portable families, but may terminate assistance if leased or deny assistance if not leased.

SNRHA will screen families for drug-related or criminal activity (Chapter 12- Denial or Termination of Assistance.) SNRHA will not be liable or responsible to the owner or other persons for the family's behavior or the family's conduct in tenancy. Metro screenings will be good for 12 months; FBI screening shall be good for 12 months from date of approval.

Federal law states that, notwithstanding any other provision of law, the National Crime Information Center, police departments, and other law enforcement agencies shall upon request, provide PHAs information regarding the criminal conviction records of adult applicants and adult participants.

This information is to be provided for persons 18 years of age or older, or for those convicted of a crime as an adult.

These provisions of law pre-empt any contrary provision in State, local, or tribal laws, and prevail over any contrary federal requirements. These provisions do not pre-empt or limit any laws or authority that permits broader access to records.

SNRHA will utilize to the fullest extent of federal, state and local laws all forms of criminal records for purposes of initial screening and/or participant termination.





The owner is responsible for screening and selection of the family to occupy the owner's unit. At or before SNRHA approval of the tenancy, SNRHA will inform the owner that screening and selection for tenancy is the responsibility of the owner. SNRHA will require the owner or manager to sign an acknowledgement of screening responsibility form that must be returned with RFTA.

**Owner Screening Factors Include: [24 CFR 982.307(a) (3)]**

- Payment of rent and utility bills.
- Caring for a unit and premises.
- Respecting the rights of other residents to the peaceful enjoyment of their housing.
- Drug-related criminal activity or other criminal activity that is a threat to the health, safety or property of others; and
- Compliance with other essential conditions of tenancy.

SNRHA will advise families how to file a complaint if they have been discriminated against by an owner. SNRHA will advise the family to make a Fair Housing complaint. SNRHA may also report the owner to HUD (Fair Housing/Equal Opportunity) or the local Fair Housing Organization. SNRHA will further advise landlords regarding fair housing issues (to be included with the RFTA packet) and SNRHA's responsibility to enforce the same.

**3.II.H. CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT**

Changes that occur during the period between issuance of a voucher and lease up may affect the family's eligibility or share of the rental payment. Changes must be reported within 10 calendar days and verification cannot be more than 60 calendar days old on date of issuance of the voucher.

**3.II.I. INELIGIBLE FAMILIES**

Families determined to be ineligible will be notified in writing of the reason for denial and given an opportunity to request an informal review, or an informal hearing if they were denied due to noncitizen status. See Chapter 14, "Complaints and Appeals" for additional information about reviews and hearings.

*SNRHA further ensures that all applicant/tenant files are maintained in a confidential manner to ensure privacy. All eligibility requirements and rent calculation reported via MTCS for which SNRHA receives errors, are corrected when identified and retransmits to HUD. The data reported on the 50058 is also checked against file records during SNRHA's quality control.*

**PART III: DENIAL OF ASSISTANCE**

**3-III.A. OVERVIEW**



A family that does not meet the eligibility criteria discussed in Parts I and II, must be denied assistance. In addition, HUD requires or permits SNRHA to deny assistance based on certain types of current or past behaviors of family members.

### **Forms of Denial [24 CFR 982.552(a)(2); HCV GB, p. 5-35]**

Denial of assistance includes any of the following:

- Not placing the family's name on the waiting list.
- Denying or withdrawing a voucher.
- Not approving a request for tenancy or refusing to enter into a HAP contract.
- Refusing to process a request for or to provide assistance under portability procedures.

### **Prohibited Reasons for Denial of Program Assistance [24 CFR 982.202(b), Pub.L. 109-162]**

HUD rules prohibit denial of program assistance to the program based on any of the following criteria:

- Age, disability, race, color, religion, sex, or national origin. (See Chapter 2 for additional information about fair housing and equal opportunity requirements.)
- Where a family lives prior to admission to the program.
- Where the family will live with assistance under the program. Although eligibility is not affected by where the family will live, there may be restrictions on the family's ability to move outside SNRHA's jurisdiction (See Chapter 10, Portability.)
- Whether members of the family are unwed parents, recipients of public assistance, or children born out of wedlock.
- Whether the family includes children.
- Whether a family decides to participate in a family self-sufficiency program.
- Whether or not a qualified applicant has been a victim of domestic violence, dating violence, or stalking

### **3-III.B. MANDATORY DENIAL OF ASSISTANCE [24 CFR 982.553(a)]**

HUD requires SNRHA to deny assistance in the following cases:

- Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity. HUD permits, but does not require, SNRHA to admit an otherwise-eligible family if the household member has completed a SNRHA-approved drug rehabilitation program or the circumstances which led to eviction no longer exist (e.g., the person involved in the criminal activity no longer lives in the household).
- SNRHA determines that any household member is currently engaged in the use of illegal drugs.



### SNRHA Policy

*Currently engaged in* is defined as any use of illegal drugs during the previous six months.

- SNRHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing (including Public Housing, Section 8 Tenant-Based or Project-Based Units.)
- Any household member is subject to a lifetime registration requirement under a state sex offender registration program.
- Failure to provide verification of social security number as required by HUD via HUD's Rent Reform Notice effective January 2010.

SNRHA's policy as relates to mandatory denial of assistance is found in Chapter 12, Part I.

### **3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ASSISTANCE**

HUD permits, but does not require, the PHA to deny assistance for certain criminal activity.

SNRHA's policy as relates to permitted reasons for denial of assistance is found in Chapter 12, Part I.

### **3-III.D. SCREENING**

#### **Screening for Eligibility**

SNRHA is authorized to obtain criminal conviction records from law enforcement agencies to screen applicants for admission to all SNRHA subsidized programs. This authority assists SNRHA in complying with HUD requirements and SNRHA policies to deny assistance to applicants who are engaging in or have engaged in certain criminal activities. In order to obtain access to the records SNRHA must require every applicant family to submit a consent form signed by each adult household member [24 CFR 5.903].

#### SNRHA Policy

SNRHA will perform a criminal background check through law enforcement for every adult household member except Veteran Affairs Supportive Housing (VASH) applicants. For VASH, only sex offender information shall be considered. SNRHA shall use the DRU Sjodin National Sex Offender Public Website (NSOPW) database encouraged by HUD in PIH Notice 2012-28 at <http://www.nsopw.gov>.

SNRHA shall complete fingerprints and will request information from the National Crime Information Center (NCIC) using a third party vendor for criminal background checks.

SNRHA will perform a check on the National Sex Offenders web site for every adult household member as well as a State Lifetime Sex Offender Registration check to



determine whether any household member is subject to a lifetime registration requirement under a state sex offender program in the state where the housing is located, as well as in any other state where a household member is known to have resided [24 CFR 982.553(a) (2) (i)]. SNRHA shall aggressively pursue termination or assistance for tenants subject to a lifetime registration requirement to the extent currently under law.

If SNRHA proposes to deny assistance based on a criminal record or on lifetime sex offender registration information, SNRHA must notify the household of the proposed action and must provide the subject of the record and the applicant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to a denial of admission. [24 CFR 5.903(f) and 5.905(d)]. If the family request the report after 30 days of the notice, the record may not be available.

SNRHA will take into consideration all of the criteria for admission in Chapter 12.

SNRHA will conduct criminal screening on all adult members at the time of admission and annual recertification as required to verify reported incidents.

#### SNRHA Policy

All incoming portables will also have criminal screening conducted. SNRHA will not hold up on leasing a client while awaiting results of such screening for portable families, but may terminate assistance if leased or deny assistance if not leased.

SNRHA will screen families for drug-related or violent criminal activity (See Chapter 12).

SNRHA will not be liable or responsible to the owner or other persons for the family's behavior or the family's conduct in tenancy.

#### SNRHA Policy

Criminal screenings will be good for 12 months.

Federal law states that, notwithstanding any other provision of law, the National Crime Information Center, police departments, and other law enforcement agencies shall upon request, provide PHA's information regarding the criminal conviction records of adult applicants and adult participants.

This information is to be provided for persons 18 years of age or older, or for those convicted of a crime as an adult.

These provisions of law pre-empt any contrary provision in State, local, or tribal laws, and prevail over any contrary federal requirements. These provisions do not pre-empt or limit any laws or authority that permits broader access to records.

SNRHA will utilize to the fullest extent of federal, state and local laws all forms of criminal records for purposes of initial screening and/or participant termination.

#### **Screening for Suitability as a Tenant [24 CFR 982.307]**

SNRHA has no liability or responsibility to the owner for the family's behavior or suitability for tenancy. SNRHA may opt to conduct additional screening to determine whether an applicant is likely to be a suitable tenant.



### SNRHA Policy

SNRHA will not conduct additional screening to determine an applicant family's suitability for tenancy.

The owner is responsible for screening and selection of the family to occupy the owner's unit. SNRHA must inform the owner that screening and selection for tenancy is the responsibility of the owner. An owner may consider a family's history with respect to factors such as: payment of rent and utilities, caring for a unit and premises, respecting the rights of other residents to the peaceful enjoyment of their housing, criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

HUD requires SNRHA to provide prospective owners with the family's current and prior address (as shown in SNRHA records) and the name and address (if known) of the owner at the family's current and prior addresses. HUD permits SNRHA to provide owners with additional information, as long as families are notified that the information will be provided, and the same type of information is provided to all owners.

### SNRHA Policy

SNRHA will inform owners of their responsibility to screen prospective tenants, and will provide owners, when requested, with the required known name and address information, at the time of the initial HQS inspection or before. SNRHA will not provide any additional information to the owner, such as tenancy history, criminal history, etc.

## **3-III.E. CRITERIA FOR DECIDING TO DENY ASSISTANCE**

SNRHA's criteria for denial of assistance is found in Chapter 12.

## **3-III.F. NOTICE OF ELIGIBILITY OR DENIAL**

If the family is eligible for assistance, SNRHA will notify the family when it extends the invitation to attend the voucher briefing appointment, as discussed in Chapter 7.

If SNRHA determines that a family is not eligible for the program for any reason, the family must be notified promptly. The notice must describe: (1) the reasons for which assistance has been denied, (2) the family's right to an informal review, and (3) the process for obtaining the informal review [24 CFR 982.554 (a)]. See Chapter 14, for informal review policies and procedures.

### SNRHA Policy

The family will be notified of a decision to deny assistance in writing within 10 business days of the determination.

If SNRHA uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must be provided to the subject of the record [24 CFR 5.903 (f) and 5.905 (d)] and SNRHA must give the family an opportunity to dispute the accuracy and relevance of that record, in the informal review process in accordance with program requirements [24 CFR 982.553(d)].



### SNRHA Policy

If based on a criminal record or sex offender registration information, an applicant family appears to be ineligible SNRHA will notify the family in writing of the denial and provide a copy of the record to the applicant upon their request. The letter will advise the applicant of their right to dispute the accuracy and relevance of the record, and shall further advise the applicant of their rights to request an informal review of the intended denial action. The record will be provided to the applicant in person upon presentation of valid government-issued photo identification. The family will be given 10 business days to dispute the accuracy and relevance of the information. If the family does not contact SNRHA to dispute the information within that 10 business day period, SNRHA will proceed with issuing the notice of denial of admission. A family that does not exercise their right to dispute the accuracy of the information prior to issuance of the official denial letter will still be given the opportunity to do so as part of the informal review process.

Notice requirements related to denying assistance to noncitizens are contained in Section 3-II.B.

Notice policies related to denying admission to applicants who may be victims of domestic violence, dating violence, or stalking are contained in Section 3-III.G.

### **3-III.G. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING [Pub.L. 109-162]**

The Violence Against Women Reauthorization Act of 2005 (VAWA) prohibits denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking. Specifically, Section 606(1) of VAWA adds the following provision to Section 8 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the housing choice voucher program:

- That an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate reason for denial of program assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.
- Additionally, VAWA 2013, extends housing protections to survivors of sexual assault, adds “intimate partner” to the list of eligible relations covered in the definition of *domestic violence*.

### **Definitions**

As used in VAWA:

- The term domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an



adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

- The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - The length of the relationship
  - The type of relationship
  - The frequency of interaction between the persons involved in the relationship
- The term *stalking* means:
  - To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or
  - To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and
  - In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.

The term *immediate family member* means, with respect to a person:

- A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the position or place of a parent; or
- Any other person living in the household of that person and related to that person by blood and marriage.

## **Notification and Victim Documentation**

### SNRHA Policy

SNRHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history that would warrant denial under SNRHA's policies. Therefore, if SNRHA makes a determination to deny admission to an applicant family, SNRHA will include in its notice of denial a statement of the protection against denial provided by VAWA and will offer the applicant the opportunity to provide documentation affirming that the cause of the unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, or stalking.

The documentation must include one of the following elements:

A signed statement by the victim that provides the name of the perpetrator and certifies that the incidents in question are bona fide incidents of actual or threatened domestic violence, dating violence, or stalking, or

One of the following:



- a. A police or court record documenting the actual or threatened abuse, or
- b. A statement signed by an employee, agent, or volunteer of a victim service provider; an attorney; a medical professional; or another knowledgeable professional from whom the victim has sought assistance in addressing the actual or threatened abuse. The professional must attest under penalty of perjury that the incidents in question are bona fide incidents of abuse, and the victim must sign or attest to the statement.
- c. The HUD VAWA Certification form.

The applicant must submit the required documentation with her or his request for an informal review (see section 14) or must request an extension in writing at that time. If the applicant so requests, SNRHA will grant an extension of 10 business days, and will postpone scheduling the applicant's informal review until after it has received the documentation or the extension period has elapsed. If after reviewing the documentation provided by the applicant SNRHA determines the family is eligible for assistance, no informal review will be scheduled and SNRHA will proceed with admission of the applicant family.

## **Perpetrator Removal or Documentation of Rehabilitation**

### SNRHA Policy

In cases where an applicant family includes the perpetrator as well as the victim of domestic violence, dating violence, or stalking, SNRHA will proceed as above but will require, in addition, either (a) that the perpetrator be removed from the applicant household and not reside in the assisted housing unit or (b) that the family provide documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment.

If the family elects the second option, the documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation. This additional documentation must be submitted within the same time frame as the documentation required above from the victim.

## **SNRHA Confidentiality Requirements**

All information provided to SNRHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in





writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.



## EXHIBIT 3-1: DETAILED DEFINITIONS RELATED TO DISABILITIES

### Person with Disabilities [24 CFR 5.403]

The term *person with disabilities* means a person who has any of the following types of conditions:

- Has a disability, as defined in 42 U.S.C. Section 423(d)(1)(A), which reads:

Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which 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 has attained the age of 55 and is blind (within the meaning of “blindness” as defined in section 416(i)(1) of this title), inability 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.
- Has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act [42 U.S.C.6001(8)], which defines developmental disability in functional terms as:

A severe, chronic disability of a person 5 years of age or older which:

  - Is attributable to a mental or physical impairment or combination of mental and physical impairments;
  - Is manifested before the person attains age twenty-two;
  - Is likely to continue indefinitely;
  - Results in substantial functional limitations in three or more of the following areas of major life activity: (i) self-care, (ii) receptive and responsive language, (iii) learning, (iv) mobility, (v) self-direction, (vi) capacity for independent living, and (vii) economic self-sufficiency; *and*
  - Reflects the person’s need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated; except that such term, when applied to infants and young children, means individuals from birth to age 5, inclusive, who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities if services are not provided.”
- Has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.



People with the acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for AIDS are not excluded from this definition.

A person whose disability is based solely on any drug or alcohol dependence does not qualify as a person with disabilities for the purposes of this program.

For purposes of reasonable accommodation and program accessibility for persons with disabilities, the term person with disabilities refers to an individual with handicaps.

### **Individual with Handicaps [24 CFR 8.3]**

*Individual with handicaps* means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. The term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

(1) Physical or mental impairment includes:

- (a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
- (b) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

(2) *Major life activities* means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(3) Has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) *Is regarded as having an impairment* means:

- (a) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation;
- (b) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or
- (c) Has none of the impairments defined in paragraph (1) of this section but is treated by a recipient as having such an impairment.



**EXHIBIT 3-2: DEFINITION OF INSTITUTION OF HIGHER EDUCATION**  
**[20 U.S.C. 1001 and 1002]**

**Eligibility of Students for Assisted Housing Under Section 8 of the U.S. Housing Act of 1937; Supplementary Guidance; Notice [Federal Register, April 10, 2006]**

*Institution of Higher Education* shall have the meaning given this term in the Higher Education Act of 1965 in 20 U.S.C. 1001 and 1002.

*Definition of “Institution of Higher Education” From 20 U.S.C. 1001*

- (a) Institution of higher education. For purposes of this chapter, other than subchapter IV and part C of subchapter I of chapter 34 of Title 42, the term “institution of higher education” means an educational institution in any State that
- (1) Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;
  - (2) Is legally authorized within such State to provide a program of education beyond secondary education;
  - (3) Provides an educational program for which the institution awards a bachelor’s degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree;
  - (4) Is a public or other nonprofit institution; and
  - (5) Is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted pre-accreditation status by such an agency or association that has been recognized by the Secretary for the granting of pre-accreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.
- (b) Additional institutions included. For purposes of this chapter, other than subchapter IV and part C of subchapter I of chapter 34 of Title 42, the term “institution of higher education” also includes—
- (1) Any school that provides not less than a 1-year program of training to prepare students for gainful employment in a recognized occupation and that meets the provision of paragraphs (1), (2), (4), and (5) of subsection (a) of this section; and
  - (2) A public or nonprofit private educational institution in any State that, in lieu of the requirement in subsection (a)(1) of this section, admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located.
- (c) List of accrediting agencies. For purposes of this section and section 1002 of this title, the Secretary shall publish a list of nationally recognized accrediting agencies or associations that the Secretary determines, pursuant to subpart 2 of part G of subchapter IV of this chapter, to be reliable authority as to the quality of the education or training offered.



*Definition of “Institution of Higher Education” From 20 U.S.C. 1002*

(a) Definition of institution of higher education for purposes of student assistance programs

(1) Inclusion of additional institutions. Subject to paragraphs (2) through (4) of this subsection, the term “institution of higher education” for purposes of subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42 includes, in addition to the institutions covered by the definition in section 1001 of this title—

(A) A proprietary institution of higher education (as defined in subsection (b) of this section);

(B) A postsecondary vocational institution (as defined in subsection (c) of this section); and

(C) Only for the purposes of part B of subchapter IV of this chapter, an institution outside the United States that is comparable to an institution of higher education as defined in section 1001 of this title and that has been approved by the Secretary for the purpose of part B of subchapter IV of this chapter.

(2) Institutions outside the United States

(A) In general. For the purpose of qualifying as an institution under paragraph (1)(C), the Secretary shall establish criteria by regulation for the approval of institutions outside the United States and for the determination that such institutions are comparable to an institution of higher education as defined in section 1001 of this title (except that a graduate medical school, or a veterinary school, located outside the United States shall not be required to meet the requirements of section 1001 (a)(4) of this title). Such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B of subchapter IV of this chapter unless—

(i) In the case of a graduate medical school located outside the United States—

(I)(aa) At least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 1091(a) (5) of this title in the year preceding the year for which a student is seeking a loan under part B of subchapter IV of this chapter; and

(bb) At least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part B of subchapter IV of this chapter; or

(II) The institution has a clinical training program that was approved by a State as of January 1, 1992; or



- (ii) In the case of a veterinary school located outside the United States that does not meet the requirements of section 1001(a)(4) of this title, the institution's students complete their clinical training at an approved veterinary school located in the United States.
  - (B) Advisory panel
    - (i) In general. For the purpose of qualifying as an institution under paragraph (1) (C) of this subsection, the Secretary shall establish an advisory panel of medical experts that shall—
      - (I) Evaluate the standards of accreditation applied to applicant foreign medical schools; and
      - (II) Determine the comparability of those standards to standards for accreditation applied to United States medical schools.
    - (ii) Special rule if the accreditation standards described in clause (i) are determined not to be comparable, the foreign medical school shall be required to meet the requirements of section 1001 of this title.
  - (C) Failure to release information. The failure of an institution outside the United States to provide, release, or authorize release to the Secretary of such information as may be required by subparagraph (A) shall render such institution ineligible for the purpose of part B of subchapter IV of this chapter.
  - (D) Special rule. If, pursuant to this paragraph, an institution loses eligibility to participate in the programs under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42, then a student enrolled at such institution may, notwithstanding such loss of eligibility, continue to be eligible to receive a loan under part B while attending such institution for the academic year succeeding the academic year in which such loss of eligibility occurred.
- (3) Limitations based on course of study or enrollment. An institution shall not be considered to meet the definition of an institution of higher education in paragraph (1) if such institution—
- (A) Offers more than 50 percent of such institution's courses by correspondence, unless the institution is an institution that meets the definition in section 2471 (4) (C) of this title;
  - (B) Enrolls 50 percent or more of the institution's students in correspondence courses, unless the institution is an institution that meets the definition in such section, except that the Secretary, at the request of such institution, may waive the applicability of this subparagraph to such institution for good cause, as determined by the Secretary in the case of an institution of higher education that provides a 2-or 4-year program of instruction (or both) for which the institution awards an associate or baccalaureate degree, respectively;



- (C) Has a student enrollment in which more than 25 percent of the students are incarcerated, except that the Secretary may waive the limitation contained in this subparagraph for a nonprofit institution that provides a 2-or 4-year program of instruction (or both) for which the institution awards a bachelor's degree, or an associate's degree or a postsecondary diploma, respectively; or
  - (D) Has a student enrollment in which more than 50 percent of the students do not have a secondary school diploma or its recognized equivalent, and does not provide a 2-or 4-year program of instruction (or both) for which the institution awards a bachelor's degree or an associate's degree, respectively, except that the Secretary may waive the limitation contained in this subparagraph if a nonprofit institution demonstrates to the satisfaction of the Secretary that the institution exceeds such limitation because the institution serves, through contracts with Federal, State, or local government agencies, significant numbers of students who do not have a secondary school diploma or its recognized equivalent.
- (4) Limitations based on management. An institution shall not be considered to meet the definition of an institution of higher education in paragraph (1) if—
- (A) The institution, or an affiliate of the institution that has the power, by contract or ownership interest, to direct or cause the direction of the management or policies of the institution, has filed for bankruptcy, except that this paragraph shall not apply to a nonprofit institution, the primary function of which is to provide health care educational services (or an affiliate of such an institution that has the power, by contract or ownership interest, to direct or cause the direction of the institution's management or policies) that files for bankruptcy under chapter 11 of title 11 between July 1, 1998, and December 1, 1998; or
  - (B) The institution, the institution's owner, or the institution's chief executive officer has been convicted of, or has pled nolo contendere or guilty to, a crime involving the acquisition, use, or expenditure of funds under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42, or has been judicially determined to have committed fraud involving funds under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42.
- (5) Certification. The Secretary shall certify an institution's qualification as an institution of higher education in accordance with the requirements of subpart 3 of part G of subchapter IV of this chapter.
- (6) Loss of eligibility. An institution of higher education shall not be considered to meet the definition of an institution of higher education in paragraph (1) if such institution is removed from eligibility for funds under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42 as a result of an action pursuant to part G of subchapter IV of this chapter.



(b) Proprietary institution of higher education

(1) Principal criteria. For the purpose of this section, the term “proprietary institution of higher education” means a school that—

- (A) Provides an eligible program of training to prepare students for gainful employment in a recognized occupation;
- (B) Meets the requirements of paragraphs (1) and (2) of section 1001 (a) of this title;
- (C) Does not meet the requirement of paragraph (4) of section 1001 (a) of this title;
- (D) Is accredited by a nationally recognized accrediting agency or association recognized by the Secretary pursuant to part G of subchapter IV of this chapter;
- (E) Has been in existence for at least 2 years; and
- (F) Has at least 10 percent of the school’s revenues from sources that are not derived from funds provided under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42, as determined in accordance with regulations prescribed by the Secretary.

(2) Additional institutions. The term “proprietary institution of higher education” also includes a proprietary educational institution in any State that, in lieu of the requirement in paragraph (1) of section 1001 (a) of this title, admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located.

(c) Postsecondary vocational institution.

(1) Principal criteria. For the purpose of this section, the term “postsecondary vocational institution” means a school that—

- (A) Provides an eligible program of training to prepare students for gainful employment in a recognized occupation;
- (B) Meets the requirements of paragraphs (1), (2), (4), and (5) of section 1001 (a) of this title; and
- (C) Has been in existence for at least 2 years.

(2) Additional institutions. The term “postsecondary vocational institution” also includes an educational institution in any State that, in lieu of the requirement in paragraph (1) of section 1001 (a) of this title, admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located.





## **EXHIBIT 3-3: HCV STUDENT ELIGIBILITY CRITERIA**

Eligibility of Students for Assisted Housing under Section 8 of the U.S. Housing Act of 1937

### **Summary**

On December 30, 2005, HUD published a final rule (FR-5036-F-01), entitled, “Eligibility of Students for Assisted Housing under Section 8 of the U.S. Housing Act of 1937,” implementing section 327 of the Appropriations Act of Fiscal Year (FY) 2006.

The final rule became effective January 30, 2006. In brief, the law and final rule require that if a student is enrolled at an institution of higher education, is under the age of 24, is not a veteran, is unmarried and does not have a dependent child, is individually ineligible for section 8 assistance, or the student’s parents are, individually or jointly, ineligible for assistance, no section 8 assistance can be provided to the student.

To assist public housing agencies (PHAs) in implementing the new law and final rule, and to ensure that section 8 assistance is provided to those truly in need of and eligible for assistance, the Department issued supplement guidance on April 10, 2006, entitled, “Eligibility of Students for Assisted Housing Under Section 8 of the U.S. Housing Act of 1937; Supplemental Guidance.”

Following are two groups of questions and answers: Group I and Group II concerning Section 327 of the Act and the implementing final rule. Group III is definitions.

#### Group I:

- Section 8 eligibility
- Income determinations
- Rent

#### Group II:

- Applicability
- Agency policies
- Reexamination of Family Income
- Reexamination of Family Income and Termination of Assistance
- Pro-ration of Assistance

#### Group III:

- HCV Student Rule Definitions



**Group I: Section 8 Eligibility, Income Determinations, and Rent**

|          | <b>Section 327 of the FY 2006 Appropriations Act</b> | <b>Final Rule, FR-5036-F-01</b> | <b>Question</b>                                                                                                                                                                                                                                                                                           | <b>Answer</b>                                                                                                                                                                                                                                                                                 |
|----------|------------------------------------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1</b> | Sections 327(a) and (b)                              | Section 5.612 and 5.609(b)(9)   | Do the Act and final rule apply to the Public Housing program?                                                                                                                                                                                                                                            | No. The Act and the implementing final rule (FR-5036-F-01) do not apply to the Public Housing program. The Act and final rule apply only to Section 8 programs.                                                                                                                               |
| <b>2</b> | Sections 327(a) and (b)                              | Section 5.612 and 5.609(b)(9)   | Do the Act and final rule apply to students that currently reside with parents in a section 8 rental assisted unit or students applying for section 8 assistance with their parents?                                                                                                                      | No. The new law and final rule do not apply to these students. The law and final rule focus on students who are under the age of 24, are not veterans, are unmarried, or are without children who seek or receive Section 8 assistance separate from their parents.                           |
| <b>3</b> | Section 327(a)(1)                                    | Section 5.612(a)                | Do the student eligibility requirements apply to full and part-time students who are enrolled at an institution of higher education?                                                                                                                                                                      | Yes. The eligibility requirements apply to both full and part-time students enrolled at an institution of higher education, as defined under 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).                                                                                        |
| <b>4</b> | Section 327(a)(1)-(6)                                | Section 5.612(a)-(f)            | Do the Act and final rule provisions mean that a student enrolled at an institution of higher education who is under the age of 24, not a veteran, unmarried, and does not have any dependent children applying for Section 8 assistance in the Section 8 program is ineligible for Section 8 assistance? | Yes. The Act and final rule provisions mean that a student enrolled at an institution of higher education who is under the age of 24, not a veteran, unmarried, and does not have any children IS NOT ELIGIBLE for Section 8 programs, jointly, are income eligible for Section 8 assistance. |
| <b>5</b> | Section 327(a)(6)                                    | Section 5.612(f)                | Concerning the eligibility of parents, individually or jointly, do parents have to meet all HUD program eligibility requirements in order for the student to be eligible for Section 8 housing assistance?                                                                                                | No. Since Section 327 is focused on income eligibility of a higher education student, the Department interprets the section's reference to the eligibility of the parents to also refer to income eligibility.                                                                                |



|   | Section 327 of the FY 2006 Appropriations Act | Final Rule, FR-5036-F-01 | Question                                                                                                                                                                                                                                                   | Answer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---|-----------------------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6 | Section 327(a)(6)                             | Section 5.612(f)         | Also concerning the eligibility of parents, individually or jointly, how does the PHA know whether to determine the eligibility of the parents “individually” or “jointly”? Are there any established criteria a PHA may use in making this determination? | <p>PHAs may adopt and implement the following criteria for determining whether to obtain the declaration and certification of income from parents, individually or jointly. If the student’s parents are married and living with each other, obtain the declaration and certification of income from each parent.</p> <ul style="list-style-type: none"> <li>• If the student’s parent is widowed or single, obtain the declaration and certification of income from that parent.</li> <li>• If the student’s parents are divorced or separated, obtain the declaration and certification of income from each parent.</li> <li>• If the student has been living with one of his or her parents and has not had contact with or does not know where to contact his or her other parent, obtain from the student a certification under penalty of perjury, addressing the circumstances (including a statement that the student has not received financial assistance from the parent) and obtain from the parent whom the student has been living or has contact with the declaration and certification of income.</li> </ul> |



|          | <b>Section 327 of the FY 2006 Appropriations Act</b> | <b>Final Rule, FR-5036-F-01</b> | <b>Question</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Answer</b>                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------|------------------------------------------------------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>7</b> | Section 327(a)(6)                                    | Section 5.612(f)                | In determining the eligibility of the parent(s) to receive assistance, which HUD Income Limit area should the PHA use: the income limit for the area where the student intends to reside, or the income limit for the area where the parent(s) currently resides? For example, if the student is applying for Section 8 housing assistance in Johnson City, Tennessee, but the parent(s) lives in New York City, New York, which HUD Income Limit area should be used in determining the parent(s) program eligibility? | The PHA should use the Income Limit for the area where the parent(s) resides (24 CFR 982.201(b) (4)). In the example provided, the PHA should use the income limit for the area in New York where the parent(s) lives.                                                                                                                                                                                                            |
| <b>8</b> | Section 327(a)(6)                                    | Section 5.612(f)                | Which income limit (i.e., extremely low income, very-low income, or low income) should a PHA use in determining the income eligibility of the parent(s)?                                                                                                                                                                                                                                                                                                                                                                | Both students and parents must meet the low-income limit.                                                                                                                                                                                                                                                                                                                                                                         |
| <b>9</b> | Section 327(a)(6)                                    | Section 5.612(f)                | How should the PHA define parents?<br><br>What if the student lives with a grandparent, aunt, uncle, guardian, etc., do they have to meet the qualifications also?                                                                                                                                                                                                                                                                                                                                                      | For purposes of the student eligibility restrictions, and consistent with longstanding HUD policy regarding eligibility for the section 8 programs, the term “parents” means the biological or adoptive parents, or guardians (e.g., stepparents, grandparents, aunt/uncle, godparents, etc.), or such other definition as may be adopted by the PHA, Owner, or Manager through appropriate amendment to its admissions policies. |



|           | <b>Section 327 of the FY 2006 Appropriations Act</b> | <b>Final Rule, FR-5036-F-01</b> | <b>Question</b>                                                                                                                                                                                                                                                                                                                                                                   | <b>Answer</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------|------------------------------------------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>10</b> | Section 327(a)(6)                                    | Section 5.612(f)                | <p>In admitting college students to Section 8 rental programs, it appears that the PHA will now have to determine the eligibility of the:</p> <ol style="list-style-type: none"> <li>1. Student</li> <li>2. Parent(s), unless the income of the student is demonstrated to the absence of, or his/her independence from parent(s)</li> <li>3. Student family household</li> </ol> | <p>Correct. The PHA will have to determine the eligibility of each student family member, parents (in cases where the student has not established independence from parents), and the student family household as a unit. For example, three college students applying for Section 8 rental housing assistance, as a family unit, would have to be income eligible for Section 8 assistance (24 CFR 982.201). Also, under 5.612(f), each student individually would have to be eligible and the parent(s) of each student would have to be the student's parents is not relevant or the student can eligible for Section 8 rental assistance, unless the student can show the income of the student's parents is not relevant or the student can demonstrate to the absence of, no financial support from parent(s) or his or her independence from, parents.</p> |



|           | <b>Section 327 of the FY 2006 Appropriations Act</b> | <b>Final Rule, FR-5036-F-01</b> | <b>Question</b>                                                                                                                                  | <b>Answer</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------|------------------------------------------------------|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>11</b> | Section 327(b)                                       | Section 5.609(b)(9)             | What exactly are the types of “financial assistance” under the Higher Education Act of 1965 that must be considered as income under Section 327? | Types of financial assistance under the Higher Education Act of 1965 would include: the Pell Grant, the Federal Supplemental Educational Opportunity Grant (FSEOG), and Academic Achievement Incentive Scholarships, State assistance under the Leveraging Educational Assistance Partnership Program, the Robert C. Byrd Honors Scholarship Program, and federal Work-Study (FWS) programs. Although considered “financial assistance” under the Higher Education Act of 1965, Perkins loans, Stafford loans, and Plus loans are not considered income for purposes of determining student eligibility for Section 8 housing assistance. For complete information, see Title IV, Part A, under the Higher Education Act of 1965, as amended, located at: <a href="http://www.ed.gov/policy/highered/leg/hea98/index.html">http://www.ed.gov/policy/highered/leg/hea98/index.html</a> |
| <b>12</b> | Section 327(b)                                       | Section 5.609(b)(9)             | Is the income students receive from federal Work-Study (FWS) programs considered earned income for purposes of determining income eligibility?   | Yes. It is considered financial assistance under the Higher Education Act of 1965. If its financial assistance under the Act, then it is counted as income under 327.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |



**Group II: Applicability, Agency Policies, Verifications/Reexaminations, Continuation and Termination of Assistance (24 CFR 982.552(b) (5))**

|    | Category        | Question                                                                                                                                                                | Answer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13 | Applicability   | Will the students currently participating in HUD's Section 8 program be grandfathered into the program? Does the rule apply to existing Section 8 student participants? | No. Neither section 327 nor the final rule provides for a grandfathering clause for current Section 8 student participants. Therefore, section 327 and the final rule apply to existing Section 8 student participants. However, as previously stated, the law and final rule do not focus on students residing with their parents in a section 8 assisted unit or students who reside with their parents who are applying to receive Section 8 assistance. Rather, it focuses on certain students who seek or receive Section 8 assistance separate from their parents.                                                                                                                      |
| 14 | Agency Policies | Do PHAs have to update their Administrative Policies (24 CFR 982.54) before implementing Section 327 and final rule?                                                    | Yes. PHAs must immediately update their Administrative Plans to reflect discretionary policies concerning the new income eligibility restrictions for students (24 CFR 982.54).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 15 | Verifications   | Will PHAs now be required to obtain income information on the parents, in determining the eligibility of parents for Section 8 rental assistance?                       | Yes. To satisfy this requirement, PHAs may accept from a parent (s) a declaration <and> certification of income, which includes a penalty of perjury. The PHA retains the right to request and review, supporting documentation at any time the PHA determines the declaration, certification, and eligibility are in question. Supporting documentation includes, but is not limited to: IRS tax returns, consecutive and original pay stubs, bank statements, pension benefit statements, Temporary Assistance to Needy Families (TANF) award letter, Social Security Administration (SSA) award letter, and other official and authentic documents from a federal, State, or local agency. |



|    | Category                                                     | Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Answer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 16 | Verifications                                                | Since Section 8 assistance can no longer be provided to certain students (24 CFR 5.612), and this may include a parent's income reexamining eligibility test, does this mean that PHAs will have to verify the parent's income eligibility annually, during reexamination, to determine whether the student continues to be eligible for the program after admissions? Prior to the effective date of the final rule, PHAs administering Section 8 programs did not have to verify the income of eligibility (i.e., family meets income limits) of the family after admissions. | PHAs administering the Section 8 program will have to verify the income eligibility of the parent(s), at least annually, to determine whether the student remains eligible for the Section 8 program. In accordance with 24 CFR 982.552(b)(5), if after the parent's income, the student is determined to be ineligible for Section 8 assistance, as specified in 24 CFR 5.612, the PHA must terminate assistance to that family member (i.e., student). Again, the family is entitled to an informal hearing to discuss the termination of assistance.                                                                                                                                      |
| 17 | Reexamination of Family Income                               | The preamble of the final rule "strongly encourages PHAs, Owners, and Management Agents administering Section 8 programs to, as soon as it is practicable, recertify existing Section 8 participants that have family members that may meet the requirements of Section 327 of the Act." What does this mean? What happens if the PHA cannot recertify Section 8 participants until the family's next annual recertification? Will the PHA be penalized?                                                                                                                        | HUD understands that some PHAs may not have the resources or the capability to recertify participant family income until the family's next annual recertification. However, in order to remedy the problem of ineligible college students participating in HUD's Section 8 rental assistance programs, as quickly as possible, the Department recommends recertification sooner rather than later (i.e., as soon as it is practicable). If a PHA is unable to recertify family income until the next annual reexamination, that PHA will not be penalized. The latest time, however, that the eligibility and income requirements can be implemented is at the time of annual reexamination. |
| 18 | Reexamination of Family Income and Termination of Assistance | As it concerns 24 CFR 982.552(b)(5) of the final rule, if after reexamining a student household's income (the student's or parent(s) income), the PHA determines the student is no longer eligible for Section 8 rental assistance, is the student family entitled to a grievance hearing?                                                                                                                                                                                                                                                                                      | Yes. Applicant and participant student households are entitled to request and receive an informal hearing to discuss the reasons for the denial or termination of assistance, in accordance with established program procedures and requirements (See 24 CFR 982.554 and 24 CFR 982.555, respectively).                                                                                                                                                                                                                                                                                                                                                                                      |





|    | Category                                   | Question                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Answer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 19 | Continuation and Termination of Assistance | Scenario I: Three full-time college students apply for Section 8 housing. Two are eligible under Section 327(a) of the Act and 24 CFR 5.612 of the final rule, and one student is ineligible. Does the PHA deny Section 8 rental housing assistance to the entire family—all three students—or can the student family choose to remove the ineligible student from the family application so the two eligible students can be admitted to the program?                                        | In scenario I described, the PHA will notify the applicant student family of its decision to deny assistance to the student household because of one of the student's ineligibility for Section 8 assistance. The notice will state that the student household may request an informal review of the PHA's decision and how to obtain the review (24 CFR 982.554). During the informal review, the student family may choose to remove the ineligible student from the family application for assistance so that the two eligible students may be admitted to the program. The PHA must notify the student household of the PHA's final decision after the informal review, including a brief statement of the reasons for the final decision.                                                                                                                                                           |
| 20 | Continuation and Termination of Assistance | Scenario II: Three full-time college students are residing in a Section 8 rental assistance unit. Two are eligible under Section 327(a) of the Act and 24 CFR 5.612 of the final rule, and one student is ineligible. Does the PHA terminate the Section 8 rental assistance to the entire family—all three students—or can the student family choose to remove the ineligible student from the student household so the two eligible students can continue to be assisted under the program. | In scenario II described, the PHA will notify the student household of its decision to terminate Section 8 rental assistance to the family. The notice will contain a brief reason for the PHA's decision (i.e., ineligibility of a college student 24 CFR 5.612) and inform the student household of its right to an informal hearing. For the housing choice voucher (HCV) program, eligible students residing in households with ineligible students shall not have their assistance terminated, but shall be issued a voucher to move with continued assistance in accordance with program regulations or shall be given the opportunity to lease in place if the terminated ineligible student members elect to move out of the assisted unit. HUD will issue separate guidance for PHAs administering the Moderate Rehabilitation, Project-Based Certificate, and Project- Based Voucher programs. |
| 21 | Pro-ration of Assistance                   | Can the PHA prorate the student household's assistance, based on a percentage of the total number of members of the family household that are eligible for assistance?                                                                                                                                                                                                                                                                                                                        | No. PHAs may not prorate assistance to family households composed of eligible and ineligible students.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



### Group III: HCV Student Rule Definitions

|    | Section 327 of the FY 2006 Appropriations Act | Final Rule, FR-5036-F-01          | Question                                                                                                            | Answer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----|-----------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 22 | Section 327(a)(1)                             | Section 5.612(a)                  | What is the definition of an institution of higher education under section 102 of the Higher Education Act of 1965? | Also provided in Appendix A of the supplemental guidance, a complete definition of an institution of higher education under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) can be found on GPO Access, United States Code Main Page at: <a href="http://www.gpoaccess.gov/uscode/index.html">http://www.gpoaccess.gov/uscode/index.html</a> .                                                                                                                                                                                                                                        |
| 23 | Section 327(a)(3)                             | Section 5.612(c)                  | What is the definition of a “veteran”?                                                                              | For purposes of administering the student eligibility restrictions, PHAs may find it useful to adopt the term “veteran” as used by the Department of Veterans Affairs (38 U.S.C. 101(2)): (2) the term “veterans” means 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. A complete definition of veteran (38 U.S.C. 101) can be found on GPO Access, United States Code Main Page at: <a href="http://www.gpoaccess.gov/uscode/index.html">http://www.gpoaccess.gov/uscode/index.html</a> . |
| 24 | Sections 327(a) and (b)                       | Sections 5.612(e) and 5.609(b)(9) | As used in the Act and final rule, how are the terms “dependent child” and “dependent children” defined?            | “Dependent child” and “dependent children,” as used in the Act and final rule, have the same meaning as provided at 24 CFR 5.603: 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 a person with a disability, or is a full-time student. To be sure, the child or children must reside in the student family household.                                                                                                                                                                            |



|           | <b>Section 327 of the FY 2006 Appropriations Act</b> | <b>Final Rule, FR-5036-F-01</b> | <b>Question</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Answer</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------|------------------------------------------------------|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>25</b> | Section 327(b)                                       | Section 5.609(b)(9)             | <p>Does financial assistance include federal, State, and local grants, scholarships, and loans?</p> <p>Section 327(b) states: “any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.”</p> | <p>Student financial assistance, as used in the Act and final rule, means any assistance (in excess of amounts received for tuition) that an individual receives:</p> <ol style="list-style-type: none"> <li>1. Under the Higher Education Act of 1965</li> <li>2. From private sources</li> <li>3. From an institute of higher education</li> </ol> <p>Such financial assistance may include federal, State, and local grants and scholarships (athletic and academic), fellowships and student educational financial assistance from parents, guardians, or other persons residing outside of the student family household. HUD has interpreted the term “financial assistance,” as used in Section 327(b) to not include loan proceeds for the purpose of determining income.</p> |
| <b>26</b> | Section 327(b)                                       | Section 5.609(b)(9)             | In the new law, how is student to be defined?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Student means all students enrolled either full-time or part-time at an institution of higher education. The new law does not exempt part-time students.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>27</b> | Section 327(b)                                       | Section 5.609(b)(9)             | What is included in tuition? Does it include other fees charged by the educational institution?                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Tuition shall have the meaning given this term by the institution of higher education in which the student is enrolled.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |



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## Chapter 5

### INCOME AND SUBSIDY DETERMINATIONS

[24 CFR Part 5, Subparts E and F; 24 CFR 982]

#### INTRODUCTION

A family's income determines eligibility for assistance and is also used to calculate the family's share of rent and to determine the amount of SNRHA's subsidy. SNRHA will use the policies and methods described in this chapter to ensure that only eligible families receive assistance and that no family pays more or less than its obligation under the regulations.

SNRHA will use the methods as set forth in this Administrative Plan to verify and determine that family income at admission and reexamination is correct. The accurate calculation of Annual Income and Adjusted Income will ensure that families are not paying more or less money for rent than their obligation under the Regulations.

This Chapter defines the allowable expenses and deductions to be subtracted from Annual Income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subparts E and F, and further instructions set forth in HUD Notices and Memoranda. The formula for the calculation of TTP is specific and not subject to interpretation. SNRHA's policies in this Chapter address those areas which allow SNRHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

This chapter describes HUD regulations and the SNRHA policies related to these topics in three parts as follows:

- Part I: Annual Income. HUD regulations specify the sources of income to include and exclude to arrive at a family's annual income. These requirements and PHA policies for calculating annual income are found in Part I.
- Part II: Adjusted Income. Once annual income has been established HUD regulations require the PHA to subtract from annual income any of five mandatory deductions for which a family qualifies. These requirements and PHA policies for calculating adjusted income are found in Part II.
- Part III: Calculating Family Share and PHA Subsidy. This part describes the statutory formula for calculating total tenant payment (TTP), the use of utility allowances, and the methodology for determining PHA subsidy and required family payment.

#### PART I: ANNUAL INCOME

##### 5-I.A. OVERVIEW

Income: Includes all amounts monetary or not received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be included and what is to be excluded in the federal regulations. In accordance with this definition, all income that is not



specifically excluded in the regulations is counted. This includes all earned income and regular monetary and non-monetary gifts and contributions.

The general regulatory definition of *annual income* shown below is from 24 CFR 5.609.

#### **5.609 Annual income.**

(a) Annual income means all amounts, monetary or not, which:

(1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or

(2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

(3) Which are not specifically excluded in paragraph [5.609(c)].

(4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

**Annual Income** is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income that has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits.

In addition to this general definition, HUD regulations establish policies for treating specific types of income and assets. The full texts of those portions of the regulations are provided in exhibits at the end of this chapter as follows:

- Annual Income Inclusions (Exhibit 5-1)
- Annual Income Exclusions (Exhibit 5-2)
- Treatment of Family Assets (Exhibit 5-3)
- Earned Income Disallowance for Persons with Disabilities (Exhibit 5-4)
- The Effect of Welfare Benefit Reduction (Exhibit 5-5)

Sections 5-I.B and 5-I.C discuss general requirements and methods for calculating annual income. The rest of this section describes how each source of income is treated for the purposes of determining annual income. HUD regulations present income inclusions and exclusions separately [24 CFR 5.609(b) and 24 CFR 5.609(c)]. In this plan, however, the discussions of income inclusions and exclusions are integrated by topic (e.g., all policies affecting earned income are discussed together in section 6-I.D). Verification requirements for annual income are discussed in Chapter 6.

#### **5-I.B. HOUSEHOLD COMPOSITION AND INCOME**

Income received by all family members must be counted unless specifically excluded by the regulations. It is the responsibility of the head of household to report changes in family composition. The rules on which sources of income are counted vary somewhat by family member. The chart below summarizes how family composition affects income determinations.



| <b>Summary of Income Included and Excluded by Person</b>                  |                                                                                                                                                                            |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Live-in aides                                                             | Income from all sources is excluded [24 CFR 5.609(c)(5)].                                                                                                                  |
| Foster child or foster adult                                              | Income from all sources is excluded [24 CFR 5.609(c)(2)].                                                                                                                  |
| Head, spouse, or cohead<br>Other adult family members                     | All sources of income not specifically excluded by the regulations are included.                                                                                           |
| Children under 18 years of age                                            | Employment income is excluded [24 CFR 5.609(c)(1)].<br>All other sources of income, except those specifically excluded by the regulations, are included.                   |
| Full-time students 18 years of age or older (not head, spouse, or cohead) | Employment income above \$480/year is excluded [24 CFR 5.609(c)(11)].<br>All other sources of income, except those specifically excluded by the regulations, are included. |

### **5.I.C. TEMPORARY/PERMANENTLY ABSENT [24CFR 5.609(a)(1);982.551]**

The income of family members approved to live in the unit will be counted, even if the family member is temporarily absent from the unit [HCV GB, p. 5-18].

#### SNRHA Policy

Generally an individual who is or is expected to be absent from the assisted unit for 180 consecutive calendar days or less is considered temporarily absent and continues to be considered a family member. Generally an individual who is or is expected to be absent from the assisted unit for more than 180 consecutive calendar days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

SNRHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent. In addition, SNRHA must count the income of the spouse or the head of the household if that person is temporarily absent, even if that person is not on the lease in compliance with 24 CFR 5.609 (a) (1).

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hostile fire pay and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition in writing or other method as needed for disabled persons within 10 calendar days of the change, including marriages. SNRHA will evaluate absences from the unit using this policy. Permanently absent shall be defined as separated, divorced, placed in nursing home or incarcerated for more than 180 calendar days.

### **Absence of Any Member**

#### SNRHA Policy

Any member of the household will be considered permanently absent if s/he is away from the unit for more than three (3) consecutive months or as otherwise provided in this Chapter,



except students or children with shared custody for which the head of household has notified SNRHA of their absence in writing. If a family is going to be away from their unit for more than 30 calendar days they “must” receive “prior” written approval from SNRHA before leaving the unit.

***Under no circumstances can the entire family be absent from the unit for more than 180 calendar days.*** 24 CFR 982.312

## **Absent Students**

### SNRHA Policy

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to SNRHA indicating that the student has established a separate household or the family declares that the student has established a separate household.

*Full time students who attend school away from the home will be treated in the following manner:*

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of Voucher size.

## **Absences Due to Placement in Foster Care**

Children temporarily absent from the home as a result of placement in foster care are considered members of the family [24 CFR 5.403].

### SNRHA Policy

If a child has been placed in foster care, SNRHA will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member. ‘Permanently removed’ is defined as more than 365 calendar days.

## **Absent Head, Spouse, or Co-head**

### SNRHA Policy

An employed head, or co-head absent from the unit more than 180 consecutive calendar days due to employment will continue to be considered a family member. Spouse will be considered as part of the family and their income will count even if they are not in the unit “unless” the head of household certifies that the spouse is no longer in the unit or contributing to the family. Failure to notify staff in writing prior to the spouse returning to the unit or within 10 calendar days of receiving any contribution to the household shall result in termination of assistance.

SNRHA Certification of Marital status form, which certifies that the spouse is not a member of the household and will not reside in the assisted unit nor provide income to





the family living in the assisted unit shall be signed by the head of household as applicable. Signing this form shall result in termination of assistance if any statement are found to be untrue.

### **Family Members Permanently Confined for Medical Reasons**

If a family member is confined to a nursing home or hospital on a permanent basis, that person is no longer considered a family member and the income of that person is not counted [HCV GB, p. 5-22].

#### SNRHA Policy

SNRHA will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

When an individual who has been counted as a family member is determined permanently absent, the family is eligible for the medical expense deduction only if the remaining head, spouse, or co-head qualifies as an elderly person or a person with disabilities.

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, SNRHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in "less" than 180 consecutive calendar days, the family member will not be considered permanently absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with SNRHA's "Absence of Entire Family" policy.

### **Absence Due to Incarceration**

#### SNRHA Policy

If the sole member is incarcerated for more than 90 calendar days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for 90 calendar days.

SNRHA will determine if the reason for incarceration is for drug-related or violent criminal activity and, if so, will terminate assistance to the family (see Chapter 12: Denial and Termination of Assistance.)

### **Joint Custody of Dependents**

#### SNRHA Policy

Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or participant family 51 percent or more of



the time. Consideration may also be given to the person who receives the income for the care of the child.

When more than one applicant or participant family is claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. If there is a dispute about which family should claim them, SNRHA will make the determination based on available documents such as court orders.

## **Caretakers for a Child**

### SNRHA Policy

If neither a parent nor a designated guardian remains in a household receiving HCV assistance, SNRHA will take the following actions.

- (1) If a responsible agency has determined that another adult is to be brought into the assisted unit to care for a child for an indefinite period, the designated caretaker will not be considered a family member until a determination of custody or legal guardianship is made.
- (2) If a caretaker has assumed responsibility for a child without the involvement of a responsible agency or formal assignment of custody or legal guardianship, the caretaker will be treated as a visitor for 90 calendar days but not exceed 120 calendar days. After the time has elapsed, the caretaker will be considered a family member unless information is provided that would confirm that the caretaker's role is temporary. In such cases SNRHA will extend the caretaker's status as an eligible visitor.
- (3) At any time that custody or guardianship legally has been awarded to a caretaker, the housing choice voucher will be transferred to the caretaker.
- (4) During any period that a caretaker is considered a visitor, the income of the caretaker is not counted in annual income and the caretaker does not qualify the family for any deductions from income.

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, SNRHA will treat that adult as a visitor for the first 90 calendar days.

If, by the end of that period, court-awarded custody or legal guardianship has been awarded to the caretaker, the Voucher will be transferred to the caretaker.

If the appropriate agency cannot confirm the guardianship status of the caretaker, SNRHA will review the status at 30 calendar day intervals.

If custody or legal guardianship has not been awarded by the court, but the action is in process, SNRHA will secure verification from social services staff or the attorney as to the status.

If custody is awarded for a limited time in excess of stated period, SNRHA will state in writing that the transfer of the Voucher is for that limited time or as long as they have custody of the children. SNRHA will use discretion as deemed appropriate in determining any further assignment of the Voucher on behalf of the children.



The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made but this shall not exceed 120 calendar days.

SNRHA must receive court awarded guardianship or custody within 120 calendar days or must withdraw the assistance.

When SNRHA approves a person to reside in the unit as caretaker for the child(ren), the income should not be counted pending a final disposition. SNRHA will work with the appropriate service agencies and the landlord to provide a smooth transition in these cases.

### **Unauthorized Residents [24 CFR 551(h)(2)]**

Only household members listed on the HUD 50058 are permitted to reside in the assisted unit.

#### SNRHA Policy

Adults who reside in the assisted unit, for more than thirty (30) consecutive calendar days or for a minimum period of sixty (60) cumulative calendar days during a twelve (12) month period and are not listed on the HUD 50058 form, will be deemed unauthorized residents, unless SNRHA has provided prior approval and is in the process of said resident being evaluated for eligibility.

In those cases where SNRHA has reason to believe that the family has an unauthorized resident in the assisted unit, a family must demonstrate that the person is not an unauthorized resident by submitting at least one of the following:

1. A written notarized statement from the landlord
2. A legible copy of the person's current driver's license or State identification or vehicle registration which is current.
3. A lease in their name at another address shall be the most prudent choice of evidence.
4. Mail sent to the assisted unit may be considered as unauthorized occupancy.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, the individual will be considered an unauthorized member of the household and SNRHA will terminate assistance since prior approval was not requested for the addition.

### **Minors and College Students:**

#### SNRHA Policy

Minors and college students who were part of the family but who now live away from home during the school year **and** are no longer on the lease may visit for up to 90 days per year.

### **Reporting Absences to SNRHA**

#### SNRHA Policy

If a family member leaves the household, the family must report this change to SNRHA, in writing, within 10 calendar days of the change and certify as to whether the member is temporarily absent or permanently absent. Additionally, prior to the family leaving the



unit for more than 30 calendar days they must notify SNRHA in writing or other method as needed for a disabled person.

SNRHA will conduct an interim evaluation for changes which affect the Total Tenant Payment in accordance with the interim policy.

## **Temporary Guardianship**

### SNRHA Policy

SNRHA shall require participants who are requesting to add family members that are minors and who are not their children by birth, foster care, court awarded custody, or court awarded guardianship to sign SNRHA's form certifying they have the child(ren) parent's consent to care for the child full-time. The family must also provide proof of income for the care of the child such as TANF payment or other support, if any income is being received by an adult for the care of the child. The family member must be the payee. School record (if the child is of school age), must be provided to document the subsidized residence as the record of enrollment for the child(ren).

SNRHA shall verify through welfare and the district attorney's office any payments being made for children residing in its HCV subsidized units.

SNRHA will not accept temporary guardianship for the purpose of dependent deductions and/or occupancy subsidy.

SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

SNRHA shall not approve additions for any reason if it will result in overcrowding as defined in HUD regulations.

## **5.I.D. ANTICIPATING ANNUAL INCOME**

SNRHA is required to count all income "anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date" [24 CFR 5.609(a)(2)]. The exception to this will be for elderly and disabled families with "fixed non-waged income". Policies related to anticipating annual income are provided below.

### **Basis of Annual Income Projection**

SNRHA generally will use current circumstances to determine anticipated income for the coming 12-month period. HUD authorizes SNRHA to use other than current circumstances to anticipate income when:

- An imminent change in circumstances is expected [HCV GB, p. 5-17]
- It is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income) [24 CFR 5.609(d)]



- SNRHA believes that past income is the best available indicator of expected future income [24 CFR 5.609(d)]

#### SNRHA Policy

When SNRHA cannot readily anticipate income based upon current circumstances (e.g., in the case of seasonal employment, unstable working hours, or suspected fraud), SNRHA will review and analyze historical data for patterns of employment, paid benefits, and receipt of other income and use the results of this analysis to establish annual income. Anytime current circumstances are not used to project annual income, a clear rationale for the decision will be documented in the file. In all such cases the family may present information and documentation to SNRHA to show why the historic pattern does not represent the family's anticipated income. SNRHA shall also use pass fixed income (non-wages) for elderly or disabled clients along with EIV and any posted increases.

When Annual Income cannot be anticipated for a full twelve months, SNRHA may average known sources of income that vary to compute an annual income.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

#### **Using Enterprise Income Verification (EIV) to Project Income**

HUD requires the use of (EIV) verifications. EIV is "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 large number of individuals" [VG, p. 7]. This will be used for elderly and disabled families with "fixed non-wage income".

HUD allows SNRHA to use EIV information in conjunction with family-provided documents to anticipate income [EIV].

#### SNRHA Policy:

Whenever possible, SNRHA will use HUD's EIV system. When EIV is obtained and the family does not dispute the EIV employer data, SNRHA will use current tenant-provided documents to project annual income. When the tenant provided documents are pay stubs, SNRHA will make every effort to obtain the last four (4) consecutive pay stubs dated within the last 60 calendar days.

SNRHA will obtain written and/or oral third-party verification in accordance with the verification requirements and policy in Chapter 7 in the following cases:

If EIV or other UIV data is not available,

If the family disputes the accuracy of the EIV employer data, and/or

If SNRHA determines additional information is needed.

In such cases, SNRHA will review and analyze current data to anticipate annual income. In all cases, the family file will be documented with a clear record of the reason for the



decision, and a clear audit trail will be left as to how SNRHA annualized projected income.

### **Use of Historical Income Data**

When SNRHA cannot readily anticipate income (e.g., in cases of seasonal employment, unstable working hours, or suspected fraud), SNRHA will review historical income data for patterns of employment, paid benefits, and receipt of other income.

### ***MINIMUM INCOME – Zero Income Interims***

There is no minimum income requirement.

#### SNRHA Policy

Families who report zero income are required to complete a written certification every 180 calendar days that will be verified with all federal, state and local agencies and other sources, as appropriate, including credit checks, to verify income sources, and an interim will be submitted to MTCS.

Families that report zero income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, and other subsistence of expenses in writing. SNRHA will require a printout of utility bills for the past three (3) consecutive months to be submitted at interim evaluations for participants claiming zero income. The average for the last three months of utility bill payments over the amount of the family's Utility Reimbursement Payment will be averaged, and annualized. The results analyzed to determine the possibility of un-reported or under-reported income, shall be counted as income.

When the amounts indicate that the family has received monies from outside sources or that an outside source has paid the family's bills on their behalf, SNRHA will call the family into an interview to discuss how the family has made the payments. When it is discovered that an outside source has provided money to the family, or has paid the bills on the family's behalf, SNRHA will send third party verification to the providing party to determine whether the income is sporadic or recurring in order to determine whether the amount is to be included in the family's annual income. SNRHA will also verify no other income has been received via third party verification at the 180 calendar days interim examinations being sent to such agencies as the unemployment department, welfare, and child support, and will perform credit checks to identify reoccurring payments.

If the family's expenses exceed their known income, SNRHA will make inquiry of the head of household as to the nature of the family's resources and terminate the family for fraud, or offer a repayment agreement when documented evidence indicates the family has unreported income, which includes receiving funds from other parties or individuals that has not been reported. Failure to enter into a repayment agreement and pay the required 25% within the established guidelines shall result in the termination of the subsidy. Only two (2) repayment agreements will ever be approved for any one HCV household. The second cannot be approved unless the first has been paid in full.



Repeating this action after the 2<sup>nd</sup> violation of unreported income will result in termination from the HCV program.

### ***Known Changes in Income***

If SNRHA verifies an upcoming increase or decrease in income, annual income will be calculated by applying each income amount to the appropriate part of the 12-month period.

**Example:** An employer reports that a full-time employee who has been receiving \$6/hour will begin to receive \$6.25/hour in the eighth week after the effective date of the reexamination. In such a case the PHA would calculate annual income as follows:  $(\$6/\text{hour} \times 40 \text{ hours} \times 7 \text{ weeks}) + (\$6.25 \times 40 \text{ hours} \times 45 \text{ weeks})$ .

The family may present information that demonstrates that implementing a change before its effective date would create a hardship for the family. In such cases the PHA will calculate annual income using current circumstances and then require an interim reexamination when the change actually occurs. This requirement will be imposed even if SNRHA's policy in Chapter 11 does not require interim reexaminations for other types of changes.

## **5-I.E. EARNED INCOME**

### **Types of Earned Income Included in Annual Income**

#### ***Wages and Related Compensation***

The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services is included in annual income [24 CFR 5.609(b)(1)].

#### **SNRHA Policy**

When Annual Income cannot be anticipated for a full twelve months due to frequent job changes or irregular amounts of pay received, SNRHA shall average known sources of income that vary to compute an annual income. Typically, the most current quarter's amount of income will be used for averaging.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

#### ***Some Types of Military Pay***

All regular pay, special pay and allowances of a member of the Armed Forces are counted [24 CFR 5.609(b)(8)] except for the special pay to a family member serving in the Armed Forces who is exposed to hostile fire [24 CFR 5.609(c)(7)].



## ***CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS [24 CFR 5.603(d)]***

### **SNRHA Policy**

Contributions to company retirement/pension funds are handled as follows:

While an individual is employed, contributions will be counted as assets but limited to only amount the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

## **Types of Earned Income Not Counted in Annual Income**

### ***Temporary, Nonrecurring, or Sporadic Income [24 CFR 5.609(c)(9)]***

This type of income (including gifts) is not included in annual income.

### **SNRHA Policy**

Sporadic income is income that is received periodically and cannot be reliably predicted. For example, the income of an individual who works “occasionally” as a handyman would be considered sporadic if future work cannot be anticipated and no historic, stable pattern of income existed.

### ***Children’s Earnings***

Employment income earned by children (including foster children) under the age of 18 years of age is not included in annual income [24 CFR 5.609(c)(1)]. (See Eligibility chapter for a definition of *foster children*.)

### ***Certain Earned Income of Full-Time Students***

Earnings in excess of \$480 for each full-time student 18 years old or older (except for the head, spouse, or cohead) are not counted [24 CFR 5.609(c)(11)]. To be considered “full-time,” a student must be considered “full-time” by an educational institution with a degree or certificate program [HCV GB, p. 5-29].

## ***INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME [24 CFR 982.54(d) (10)]***

### **SNRHA Policy**

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, SNRHA will calculate the income by using the following methodology and use the income figure which would result in a lower payment by the family:

Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member after 180 calendar days or when doctor certification of length of absence is received, whichever comes first.





### ***Income of a Live-in Aide***

Income earned by a live-in aide, as defined in [24 CFR 5.403], is not included in annual income [24 CFR 5.609(c)(5)]. (See Eligibility chapter for a full discussion of live-in aides.)

### ***Income Earned under Certain Federal Programs***

Income from some federal programs is specifically excluded from consideration as income [24 CFR 5.609(c)(17)], including:

- Payments to volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058)
- Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b))
- Awards under the federal work-study program (20 U.S.C. 1087)
- Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f))
- Allowances, earnings, and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))
- Allowances, earnings, and payments to participants in programs funded under the Workforce Investment Act of 1998 (29 U.S.C. 2931)

### ***Resident Service Stipend***

Amounts received under a resident service stipend are not included in annual income. A resident service stipend is a modest amount (not to exceed \$200 per individual per month) received by a resident for performing a service for SNRHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of SNRHA's governing board. No resident may receive more than one such stipend during the same period of time [24 CFR 5.600(c)(8)(iv)].

### ***State and Local Employment Training Programs***

Incremental earnings and benefits to any family member resulting 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 are excluded from annual income. 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 training program [24 CFR 5.609(c)(8)(v)]. Effective July 2012, funding received under programs funded in whole or in part under the Job Training Partnership Act, which was repealed by Congress, but clarifies that the exclusion for allowance, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998 still applies to HUD programs.

#### **SNRHA Policy**

SNRHA defines *training program* as “a learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a



period of time. It is designed to lead to a higher level of proficiency, and it enhances the individual's ability to obtain employment. It may have performance standards to measure proficiency. Training may include, but is not limited to: (1) classroom training in a specific occupational skill, (2) on-the-job training with wages subsidized by the program, or (3) basic education" [expired Notice PIH 98-2, p. 3].

SNRHA defines *incremental earnings and benefits* as the difference between: (1) the total amount of welfare assistance and earnings of a family member prior to enrollment in a training program, and (2) the total amount of welfare assistance and earnings of the family member after enrollment in the program [expired Notice PIH 98-2, pp. 3-4].

In calculating the incremental difference, SNRHA will use as the pre-enrollment income the total annualized amount of the family member's welfare assistance and earnings reported on the family's most recently completed HUD-50058.

End of participation in a training program must be reported in accordance with SNRHA's interim reporting requirements.

### ***HUD-Funded Training Programs***

Amounts received under training programs funded in whole or in part by HUD [24 CFR 5.609(c)(8)(i)] are excluded from annual income. Eligible sources of funding for the training include operating subsidy, Section 8 administrative fees, and modernization, Community Development Block Grant (CDBG), HOME program, and other grant funds received from HUD.

#### SNRHA Policy

To qualify as a training program, the program must meet the definition of *training program* provided above for state and local employment training programs.

### ***Earned Income Tax Credit***

Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j)), are excluded from annual income [24 CFR 5.609(c)(17)]. Although many families receive the EITC annually when they file taxes, an EITC can also be received throughout the year. The prorated share of the annual EITC is included in the employee's payroll check.

### ***Earned Income Disallowance***

The earned income disallowance for persons with disabilities is discussed in section 5-I.E below.

## **5-I.F. EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES [24 CFR 5.617]**

The earned income disallowance (EID) encourages people with disabilities to enter the work force by not including the full value of increases in earned income for a period of time. The full text of 24 CFR 5.617 is included as Exhibit 5-4 at the end of this chapter. Eligibility criteria and limitations on the disallowance are summarized below.



## Eligibility

This disallowance applies only to individuals in families already participating in the HCV program (not at initial examination). To qualify, the family must experience an increase in annual income that is the result of one of the following events:

- Employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment. *Previously unemployed* includes a person who annually has earned not more than the minimum wage applicable to the community multiplied by 500 hours. The applicable minimum wage is the federal minimum wage unless there is a higher state or local minimum wage.
- Increased earnings by a family member who is a person with disabilities and whose earnings increase during participation in an economic self-sufficiency or job-training program. A self-sufficiency program includes a program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work to such families [24 CFR 5.603(b)].
- New employment or increased earnings by a family member who is a person with disabilities and who has received benefits or services under Temporary Assistance for Needy Families (TANF) or any other state program funded under Part A of Title IV of the Social Security Act within the past six months. If the benefits are received in the form of monthly maintenance, there is no minimum amount. If the benefits or services are received in a form other than monthly maintenance, such as one-time payments, wage subsidies, or transportation assistance, the total amount received over the six-month period must be at least \$500.

## Calculation of the Disallowance

Calculation of the earned income disallowance for an eligible member of a qualified family begins with a comparison of the member's current income with his or her "prior income."

### SNRHA Policy

SNRHA defines *prior income*, or *prequalifying income*, as the family member's last certified income prior to qualifying for the EID.

The family member's prior, or prequalifying, income remains constant throughout the period that he or she is receiving the EID.

## *Initial 12-Month Exclusion*

During the initial 12-month exclusion period, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded.

### SNRHA Policy

The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings whether the family reports the earnings or not.



### ***Second 12-Month Exclusion and Phase-In***

During the second 12-month exclusion period, the exclusion is reduced to half (50 percent) of any increase in income attributable to employment or increased earnings.

### ***Lifetime Limitation***

The EID has a two-year (-24 month) lifetime maximum. The two-year eligibility period begins at the same time the initial exclusion period begins and ends 24 months later. The one-time eligibility for the EID applies even if the eligible individual begins to receive assistance from another housing agency, if the individual moves between public housing and Section 8 assistance, or if there are breaks in assistance.

### **5-I.G. BUSINESS INCOME [24 CFR 5.609(b)(2)]**

Annual income includes “the net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family” [24 CFR 5.609(b)(2)].

#### **Business Expenses**

Net income is “gross income less business expense” [HCV GB, p. 5-19].

##### SNRHA Policy

To determine business expenses that may be deducted from gross income, the PHA will use current applicable Internal Revenue Service (IRS) rules for determining allowable business expenses [see IRS Publication 535], unless a topic is addressed by HUD regulations or guidance as described below.

#### **Business Expansion**

HUD regulations do not permit SNRHA to deduct from gross income expenses for business expansion.

##### SNRHA Policy

*Business expansion* is defined as any capital expenditures made to add new business activities, to expand current facilities, or to operate the business in additional locations. For example, purchase of a street sweeper by a construction business for the purpose of adding street cleaning to the services offered by the business would be considered a business expansion. Similarly, the purchase of a property by a hair care business to open at a second location would be considered a business expansion.

#### **Capital Indebtedness**

HUD regulations do not permit the PHA to deduct from gross income the amortization of capital indebtedness.

##### SNRHA Policy



*Capital indebtedness* is defined as the principal portion of the payment on a capital asset such as land, buildings, and machinery. This means SNRHA will allow as a business expense interest, but not principal, paid on capital indebtedness.

### **Negative Business Income**

If the net income from a business is negative, no business income will be included in annual income; a negative amount will not be used to offset other family income.

### **Withdrawal of Cash or Assets from a Business**

HUD regulations require SNRHA to include in annual income the withdrawal of cash or assets from the operation of a business or profession unless the withdrawal reimburses a family member for cash or assets invested in the business by the family.

#### SNRHA Policy

Acceptable investments in a business include cash loans and contributions of assets or equipment. For example, if a member of an assisted family provided an up-front loan of \$2,000 to help a business get started, SNRHA will not count as income any withdrawals from the business up to the amount of this loan until the loan has been repaid. Investments do not include the value of labor contributed to the business without compensation.

### **Co-owned Businesses**

#### SNRHA Policy

If a business is co-owned with someone outside the family, the family must document the share of the business it owns. If the family's share of the income is lower than its share of ownership, the family must document the reasons for the difference.

## **5-I.H. ASSETS [24 CFR 5.609(b)(3) and 24 CFR 5.603(b)]**

### **Overview**

There is no asset limitation for participation in the HCV program. However, HUD requires that SNRHA include in annual income the "interest, dividends, and other net income of any kind from real or personal property" [24 CFR 5.609(b)(3)]. This section discusses how the income from various types of assets is determined. For most types of assets, SNRHA must determine the value of the asset in order to compute income from the asset. Therefore, for each asset type, this section discusses:

- How the value of the asset will be determined
- How income from the asset will be calculated

Exhibit 5-1 provides the regulatory requirements for calculating income from assets [24 CFR 5.609(b)(3)], and Exhibit 5-3 provides the regulatory definition of *net family assets*. This section begins with a discussion of general policies related to assets and then provides HUD rules and PHA policies related to each type of asset.

### **General Policies**

#### ***Income from Assets***



SNRHA generally will use current circumstances to determine both the value of an asset and the anticipated income from the asset. As is true for all sources of income, HUD authorizes the PHA to use other than current circumstances to anticipate income when (1) an imminent change in circumstances is expected (2) it is not feasible to anticipate a level of income over 12 months or (3) the PHA believes that past income is the best indicator of anticipated income. For example, if a family member owns real property that typically receives rental income but the property is currently vacant, the PHA can take into consideration past rental income along with the prospects of obtaining a new tenant.

#### SNRHA Policy

Anytime current circumstances are not used to determine asset income, a clear rationale for the decision will be documented in the file. In such cases the family may present information and documentation to SNRHA to show why the asset income determination does not represent the family's anticipated asset income.

#### ***Valuing Assets***

The calculation of asset income sometimes requires the PHA to make a distinction between an asset's market value and its cash value.

- The market value of an asset is its worth (e.g., the amount a buyer would pay for real estate or the balance in an investment account).
- The cash value of an asset is its market value less all reasonable amounts that would be incurred when converting the asset to cash.

#### SNRHA Policy

Reasonable costs that would be incurred when disposing of an asset include, but are not limited to, penalties for premature withdrawal, broker and legal fees, and settlement costs incurred in real estate transactions [HCV GB, p. 5-28].

#### ***Assets Disposed of for Less Than Fair Market Value***

#### SNRHA Policy

SNRHA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. SNRHA will count the difference between the market value and the actual payment received in calculating total assets. Assets disposed of as a result of foreclosure or bankruptcies are not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of a divorce or separation are not considered to be assets disposed of for less than fair market value.

SNRHA's minimum threshold for counting assets disposed of for less than Fair Market value is \$1,000. If the total value of assets disposed of within a one-year period is less than \$1,000, they will not be considered an asset. Income from assets disposed of for less than Fair Market value will be imputed for two years from the date of divestiture.

#### ***Family Declaration***

#### SNRHA Policy

Families must sign a declaration form at initial certification and each annual recertification identifying all assets that have been disposed of for less than fair market



value or declaring that no assets have been disposed of for less than fair market value. SNRHA may verify the value of the assets disposed of if other information available to SNRHA does not appear to agree with the information reported by the family

### ***Lump-Sum Receipts 24 CFR 5.609***

Payments that are received in a single lump sum, such as inheritances, capital gains, lottery winnings, insurance settlements, and proceeds from the sale of property, are generally considered assets, not income. However, such lump-sum receipts are counted as assets only if they are retained by a family in a form recognizable as an asset (e.g., deposited in a savings or checking account) [RHIP FAQs]. (For a discussion of lump-sum payments that represent the delayed start of a periodic payment, most of which are counted as income, see sections 6-I.H and 6-I.I.)

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, are not included in income but may be included in assets.

Lump-sum payments caused by delays in processing periodic payments such as unemployment or welfare assistance are counted as income. Lump sum payments from Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments that have accumulated due to a dispute will be treated the same as periodic payments that are deferred due to delays in processing.

#### SNHRA Policy

To determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt, SNRHA will calculate retroactively.

### ***Retroactive Calculation Methodology***

#### SNHRA Policy

SNRHA will go back to the date the lump-sum payment was received but never further back than the date of admission.

SNRHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due SNRHA.

At SNRHA's option, SNRHA may enter into a Payment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

### ***Attorney Fees***

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.



### ***Imputing Income from Assets [24 CFR 5.609(b)(3)]***

When net family assets are \$5,000 or less, SNRHA will include in annual income the actual income anticipated to be derived from the assets. When the family has net family assets in excess of \$5,000, the PHA will include in annual income the greater of (1) the actual income derived from the assets or (2) the imputed income. Imputed income from assets is calculated by multiplying the total cash value of all family assets by the current HUD-established passbook savings rate.

### ***Determining Actual Anticipated Income from Assets***

It may or may not be necessary for the PHA to use the value of an asset to compute the actual anticipated income from the asset. When the value is required to compute the anticipated income from an asset, the market value of the asset is used. For example, if the asset is a property for which a family receives rental income, the anticipated income is determined by annualizing the actual monthly rental amount received for the property; it is not based on the property's market value. However, if the asset is a savings account, the anticipated income is determined by multiplying the market value of the account by the interest rate on the account.

### ***Withdrawal of Cash or Liquidation of Investments***

Any withdrawal of cash or assets from an investment will be included in income except to the extent that the withdrawal reimburses amounts invested by the family. For example, when a family member retires, the amount received by the family from a retirement plan is not counted as income until the family has received payments equal to the amount the family member deposited into the retirement fund.

### ***Jointly Owned Assets***

The regulation at 24 CFR 5.609(a)(4) specifies that annual income includes "amounts derived (during the 12-month period) from assets to which any member of the family has access."

#### SNRHA Policy

If an asset is owned by more than one person and any family member has unrestricted access to the asset, SNRHA will count the full value of the asset. A family member has unrestricted access to an asset when he or she can legally dispose of the asset without the consent of any of the other owners.

If an asset is owned by more than one person, including a family member, but the family member does not have unrestricted access to the asset, the PHA will prorate the asset according to the percentage of ownership. If no percentage is specified or provided for by state or local law, SNRHA will prorate the asset evenly among all owners.

## **Types of Assets**

### ***Checking and Savings Accounts***

For regular checking accounts and savings accounts, *cash value* has the same meaning as *market value*. If a checking account does not bear interest, the anticipated income from the account is zero.

#### SNRHA Policy





In determining the value of a checking account, SNRHA will use the current balance.

In determining the value of a savings account, SNRHA will use the current balance.

In determining the anticipated income from an interest-bearing checking or savings account, SNRHA will multiply the value of the account by the current actual rate of interest paid on the account.

In lieu of the calculation described above, SNRHA can use the actual amount received over the last calendar year in determining the anticipated amount of interest if it is anticipated that the average balance will remain constant (similar to the balance for the last twelve months).

### ***Investment Accounts Such as Stocks, Bonds, Saving Certificates, and Money Market Funds***

Interest or dividends earned by investment accounts are counted as actual income from assets even when the earnings are reinvested. The cash value of such an asset is determined by deducting from the market value any broker fees, penalties for early withdrawal, or other costs of converting the asset to cash.

#### SNRHA Policy

In determining the market value of an investment account, SNRHA will use the value of the account on the most recent investment report.

How anticipated income from an investment account will be calculated depends on whether the rate of return is known. For assets that are held in an investment account with a known rate of return (e.g., savings certificates), asset income will be calculated based on that known rate (market value multiplied by rate of earnings). When the anticipated rate of return is not known (e.g., stocks), SNRHA will calculate asset income based on the earnings for the most recent reporting period.

In lieu of the calculation described above, SNRHA can use the actual current received over the last calendar year in determining the anticipated amount of interest if it is anticipated that the average balance will remain constant (similar to the balance for the last twelve months).

### ***Equity in Real Property or Other Capital Investments***

Equity (cash value) in a property or other capital asset is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and reasonable costs (such as broker fees) that would be incurred in selling the asset [HCV GB, p. 5-25].

Equity in real property and other capital investments is considered in the calculation of asset income except for the following types of assets:

- Equity accounts in HUD homeownership programs [24 CFR 5.603(b)]
- The value of a home currently being purchased with assistance under the HCV program Homeownership Option for the first 10 years after the purchase date of the home [24 CFR 5.603(b)]
- Equity in owner-occupied cooperatives and manufactured homes in which the family lives [HCV GB, p. 5-25]



- Equity in real property when a family member's main occupation is real estate [HCV GB, p. 5-25]. This real estate is considered a business asset, and income related to this asset will be calculated as described in section 6-I.F.
- Interests in Indian Trust lands [24 CFR 5.603(b)]
- Real property and capital assets that are part of an active business or farming operation [HCV GB, p. 5-25]

A family may have real property as an asset in two ways: (1) owning the property itself and (2) holding a mortgage or deed of trust on the property. In the case of a property owned by a family member, the anticipated asset income generally will be in the form of rent or other payment for the use of the property. If the property generates no income, actual anticipated income from the asset will be zero.

In the case of a mortgage or deed of trust held by a family member, the outstanding balance (unpaid principal) is the cash value of the asset. The interest portion only of payments made to the family in accordance with the terms of the mortgage or deed of trust is counted as anticipated asset income.

#### SNRHA Policy

In the case of capital investments owned jointly with others not living in a family's unit, a prorated share of the property's cash value will be counted as an asset unless SNRHA determines that the family receives no income from the property and is unable to sell or otherwise convert the asset to cash.

#### ***Trusts***

A *trust* is a legal arrangement generally regulated by state law in which one party (the creator or grantor) transfers property to a second party (the trustee) who holds the property for the benefit of one or more third parties (the beneficiaries).

#### *Revocable Trusts*

If any member of a family has the right to withdraw the funds in a trust, the value of the trust is considered an asset [HCV GB, p. 5-25]. Any income earned as a result of investment of trust funds is counted as actual asset income, whether the income is paid to the family or deposited in the trust.

#### *Non-revocable Trusts*

In cases where a trust is not revocable by, or under the control of, any member of a family, the value of the trust fund is not considered an asset. However, any income distributed to the family from such a trust is counted as a periodic payment or a lump-sum receipt, as appropriate [24 CFR 5.603(b)]. (Periodic payments are covered in section 6-I.H. Lump-sum receipts are discussed earlier in this section.)

#### ***Retirement Accounts***

##### *Company Retirement/Pension Accounts*

In order to correctly include or exclude as an asset any amount held in a company retirement or pension account by an employed person, the PHA must know whether the money is accessible before retirement [HCV GB, p. 5-26].



While a family member is employed, only the amount the family member can withdraw without retiring or terminating employment is counted as an asset [HCV GB, p. 5-26].

After a family member retires or terminates employment, any amount distributed to the family member is counted as a periodic payment or a lump-sum receipt, as appropriate [HCV GB, p. 5-26], except to the extent that it represents funds invested in the account by the family member.

(For more on periodic payments, see section 6-I.H.) The balance in the account is counted as an asset only if it remains accessible to the family member.

#### *IRA, Keogh, and Similar Retirement Savings Accounts*

IRA, Keogh, and similar retirement savings accounts are counted as assets even though early withdrawal would result in a penalty [HCV GB, p. 5-25].

#### ***Personal Property***

Personal property held as an investment, such as gems, jewelry, coin collections, antique cars, etc., is considered an asset [HCV GB, p. 5-25].

##### SNRHA Policy

In determining the value of personal property held as an investment, the PHA will use the family's estimate of the value. SNRHA may obtain an appraisal to confirm the value of the asset. The family must cooperate with the appraiser, but cannot be charged any costs related to the appraisal.

Generally, personal property held as an investment generates no income until it is disposed of. If regular income is generated (e.g., income from renting the personal property), the amount that is expected to be earned in the coming year is counted as actual income from the asset.

Necessary items of personal property are not considered assets [24 CFR 5.603(b)].

##### SNRHA Policy

Necessary personal property consists of only those items not held as an investment, and may include clothing, furniture, household furnishings, jewelry, and vehicles, including those specially equipped for persons with disabilities.

#### ***Life Insurance***

The cash value of a life insurance policy available to a family member before death, such as a whole life or universal life policy, is included in the calculation of the value of the family's assets [HCV GB 5-25]. The cash value is the surrender value. If such a policy earns dividends or interest that the family could elect to receive, the anticipated amount of dividends or interest is counted as income from the asset whether or not the family actually receives it.

### **5-I.I. PERIODIC PAYMENTS**

Periodic payments are forms of income received on a regular basis. HUD regulations specify periodic payments that are and are not included in annual income.

#### **Periodic Payments Included in Annual Income**



- Periodic payments from sources such as social security, unemployment and welfare assistance, annuities, insurance policies, retirement funds, and pensions. However, periodic payments from retirement accounts, annuities, and similar forms of investments are counted only after they exceed the amount contributed by the family [24 CFR 5.609(b)(4) and (b)(3)].
- Disability or death benefits and lottery receipts paid periodically, rather than in a single lump sum [24 CFR 5.609(b)(4) and HCV, p. 5-14]

### **Lump-Sum Payments for the Delayed Start of a Periodic Payment**

Most lump sums received as a result of delays in processing periodic payments, such as unemployment or welfare assistance, are counted as income. However, lump-sum receipts for the delayed start of periodic social security or supplemental security income (SSI) payments are not counted as income [CFR 5.609(b)(4)].

#### SNRHA Policy

When a delayed-start payment is received and reported during the period in which SNRHA is processing an annual reexamination, SNRHA will adjust the family share and SNRHA subsidy retroactively for the period the payment was intended to cover. The family may pay in full any amount due or request to enter into a repayment agreement with SNRHA.

### **Periodic Payments Excluded from Annual Income**

- Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the assisted family, who are unable to live alone) [24 CFR 5.609(c)(2)]

#### SNRHA Policy

SNRHA will exclude payments for the care of foster children and foster adults only if the care is provided through an official arrangement with a local welfare agency [HCV GB, p. 5-18].

- 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 [24 CFR 5.609(c)(16)]
- Amounts received under the Low-Income Home Energy Assistance Program (42 U.S.C. 1626(c)) [24 CFR 5.609(c)(17)]
- Amounts received under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q) [24 CFR 5.609(c)(17)]
- Earned Income Tax Credit (EITC) refund payments (26 U.S.C. 32(j)) [24 CFR 5.609(c)(17)].  
*Note:* EITC may be paid periodically if the family elects to receive the amount due as part of payroll payments from an employer.
- Lump sums received as a result of delays in processing Social Security and SSI payments (see section 6-I.J.) [24 CFR 5.609(b)(4)].

### **5-I.J. PAYMENTS IN LIEU OF EARNINGS**



Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay, are counted as income [24 CFR 5.609(b)(5)] if they are received either in the form of periodic payments or in the form of a lump-sum amount or prospective monthly amounts for the delayed start of a periodic payment. If they are received in a one-time lump sum (as a settlement, for instance), they are treated as lump-sum receipts [24 CFR 5.609(c)(3)]. (See also the discussion of periodic payments in section 5-I.H and the discussion of lump-sum receipts in section 5-I.G.)

## **5-I.K. WELFARE ASSISTANCE**

### **Overview**

Welfare assistance is counted in annual income. Welfare assistance includes Temporary Assistance for Needy Families (TANF) and any payments to individuals or families based on needs that are made under programs funded separately or jointly by federal, state, or local governments [24 CFR 5.603(b)].

### **Sanctions Resulting in the Reduction of Welfare Benefits [24 CFR 5.615]**

SNRHA must make a special calculation of annual income when the welfare agency imposes certain sanctions on certain families. The full text of the regulation at 24 CFR 5.615 is provided as Exhibit 5-5. The requirements are summarized below. This rule applies only if a family was receiving HCV assistance at the time the sanction was imposed.

#### ***Covered Families***

The families covered by 24 CFR 5.615 are those “who receive welfare assistance or other public assistance benefits ‘welfare benefits’ from a State or other public agency (‘welfare agency’) under a program for which Federal, State or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance” [24 CFR 5.615(b)].

#### ***Imputed Income***

When a welfare agency imposes a sanction that reduces a family's welfare income because the family commits fraud or fails to comply with the agency's economic self-sufficiency program or work activities requirement, SNRHA must include in annual income “imputed” welfare income. SNRHA must request that the welfare agency inform SNRHA when the benefits of an HCV participant family are reduced. The imputed income is the amount the family would have received if the family had not been sanctioned.

This requirement does not apply to reductions in welfare benefits: (1) at the expiration of the lifetime or other time limit on the payment of welfare benefits, (2) if a family member is unable to find employment even though the family member has complied with the welfare agency economic self-sufficiency or work activities requirements, or (3) because a family member has not complied with other welfare agency requirements [24 CFR 5.615(b)(2)].

#### ***Offsets***

The amount of the imputed income is offset by the amount of additional income the family begins to receive after the sanction is imposed. When the additional income equals or exceeds the imputed welfare income, the imputed income is reduced to zero [24 CFR 5.615(c)(4)].



## **5-I.L. PERIODIC AND DETERMINABLE ALLOWANCES [24 CFR 5.609(b)(7)]**

Annual income includes periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing with an assisted family.

### **Alimony and Child Support**

SNRHA must count alimony or child support amounts awarded as part of a divorce or separation agreement.

#### SNRHA Policy

SNRHA will count court-awarded amounts for alimony and child support unless SNRHA verifies that: (1) the payments are not being made, and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [HCV GB, pp. 5-23 and 5-47].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

Regular alimony and child support payments are counted as income for calculation of the family's share of the rental payment.

SNRHA will accept verification that the family is receiving an amount less than the award if:

SNRHA receives verification from the agency responsible for enforcement or collection.

The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

When child support or alimony fluctuates, SNRHA will follow the policy below.

#### SNRHA Policy

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

1. SNRHA shall add the total of all payments listed for the past twelve months. The total shall then be considered anticipated income.
2. When verification documents from the DA's office indicated no payment for more than 60 calendar days, no income will be anticipated from child support/alimony. Participants are required to report all changes within ten (10) calendar days in writing including when child support/alimony is not received and/or starts.
3. When a family first begins to receive child support/alimony or a new child/alimony support order is established, the amount of the ordered payment



will be annualized and included in annual income. The participant is required to report all changes in income within 10 calendar days in writing.

### **Regular Contributions or Gifts [24 CFR 5.609]**

SNRHA must count as income regular monetary and nonmonetary contributions or gifts from persons not residing with an assisted family [24 CFR 5.609(b)(7)]. Regular shall be defined as monetary and/or nonmonetary contributions or gifts provided to the family for two months or more. Temporary, nonrecurring, or sporadic income and gifts are not counted [24 CFR 5.609(c)(9)].

#### SNRHA Policy

Examples of regular contributions include: (1) regular payment of a family's bills (e.g., utilities, telephone, rent, credit cards, and car payments), (2) cash or other liquid assets provided to any family member on a regular basis, and (3) "in-kind" contributions such as groceries and clothing provided to a family on a regular basis.

Nonmonetary contributions will be valued at the cost of purchasing the items, as determined by SNRHA.

Any contribution or gift received for two consecutive months or more will be considered a "regular" contribution or gift. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. Sporadic income is defined as contributions of monetary gifts for less than 2 months within a calendar year and not made for two consecutive months. Additionally, sporadic income will be defined as earned income of less than 5 hours per month for no more than two consecutive months. (See Chapter 6 on "Verification Procedures" for further definition.)

If the family's expenses exceed its known income, SNRHA will question the family about contributions and gifts.

For contributions that may vary from month to month (e.g., utility payments), SNRHA will include an average amount based upon past history.

### **5-I.M. STUDENT FINANCIAL ASSISTANCE [24 CFR 5.609(b)(9)]**

In 2005, Congress passed a law (for section 8 programs only) requiring that certain student financial assistance be included in annual income. Prior to that, the full amount of student financial assistance was excluded. For some students, the full exclusion still applies.

#### **Student Financial Assistance Included in Annual Income [24 CFR 5.609(b)(9) and FR 4/10/06]**

The regulation requiring the inclusion of certain student financial assistance applies only to students who satisfy all of the following conditions:

- They are enrolled in an institution of higher education, as defined under the Higher Education Act (HEA) of 1965.



- They are seeking or receiving Section 8 assistance on their own—that is, apart from their parents—through the HCV program, , the project-based voucher program, or the moderate rehabilitation program.
- They are under 24 years of age **OR** they have no dependent children.

For students who satisfy these three (3) conditions, any financial assistance in excess of tuition received: (1) under the 1965 HEA, (2) from a private source, or (3) from an institution of higher education, as defined under the 1965 HEA, must be included in annual income.

To determine annual income in accordance with the above requirements, SNRHA will use the definitions of *dependent child*, *institution of higher education*, and *parents* in Section 3-II.E, along with the following definitions [FR 4/10/06, pp. 18148-18150]:

- *Assistance under the Higher Education Act of 1965* includes Pell Grants, Federal Supplement Educational Opportunity Grants, Academic Achievement Incentive Scholarships, State Assistance under the Leveraging Educational Assistance Partnership Program, the Robert G. Byrd Honors Scholarship Program, and Federal Work Study programs.
- *Assistance from private sources* means assistance from nongovernmental sources, including parents, guardians, and other persons not residing with the student in an HCV assisted unit.
- *Tuition* will have the meaning given this term by the institution of higher education in which the student is enrolled.

#### **Student Financial Assistance Excluded from Annual Income [24 CFR 5.609(c)(6)]**

Any student financial assistance not subject to inclusion under 24 CFR 5.609(b)(9) is fully excluded from annual income under 24 CFR 5.609(c)(6), whether it is paid directly to the student or to the educational institution the student is attending. This includes any financial assistance received by:

- Students residing with parents who are seeking or receiving Section 8 assistance.
- Students who are enrolled in an educational institution that does **not** meet the 1965 HEA definition of *institution of higher education*.
- Students who are over 23 **AND** have at least one dependent child, as defined in Section 3-II.E.
- Students who are receiving financial assistance through a governmental program not authorized under the 1965 HEA.

#### **5-I.N. ADDITIONAL EXCLUSIONS FROM ANNUAL INCOME**

Other exclusions contained in 24 CFR 5.609(c) that have not been discussed earlier in this chapter include the following:

- Reimbursement of medical expenses [24 CFR 5.609(c)(4)].





- Amounts received by participants in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred and which are made solely to allow participation in a specific program [24 CFR 5.609(c)(8)(iii)].
- 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) [(24 CFR 5.609(c)(8)(ii)].
- 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 [24 CFR 5.609(c)(10)].
- Adoption assistance payments in excess of \$480 per adopted child [24 CFR 5.609(c)(12)].
- Refunds or rebates on property taxes paid on the dwelling unit [24 CFR 5.609(c)(15)].
- 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 [24 CFR 5.609(c)(16)].
- Amounts specifically excluded by any other federal statute [24 CFR 5.609(c)(17)]. HUD publishes an updated list of these exclusions periodically. It includes:
  - (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b)).
  - (b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058).
  - (c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c)).
  - (d) Income derived from certain sub-marginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e).
  - (e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f)).
  - (f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b)) (Effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Act of 1998 (29 U.S.C. 2931)).
  - (g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-04).
  - (h) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408).
  - (i) Subject to the annual income inclusions for the HCV Program CFR 5.609(b) (9), the amount of scholarships funded under title IV of the Higher Education Act of 1965, including awards under the federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu).



- (j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f)).
- (k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent*-product liability litigation, M.D.L. No. 381 (E.D.N.Y.).
- (l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721).
- (m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q).
- (n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j)).
- (o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L.95-433).
- (p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d)).
- (q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran born with certain birth defects and children of certain Korean service veterans.(38 U.S.C. 1805).
- (r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602).
- (s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).
- (t) EID income exclusions as allowed within the regulations.
- (u) The Medicare incentive payments.
- (v) Kinship care payments
- (vi) Educational benefits through the Department of Veteran Affairs Vocational rehabilitation and employment division-Chapter 31 Program including books, tuition, supplies, and payments for Veterans.
- (w) Exclusion of Mandatory Education Fees from Income (per HUD's Final Rule dated March 8, 2016.)

Subject to the additional income inclusion for the HCV program on annual income for students of higher education, the full amount of student financial assistance paid directly to the student or to the educational institution [24 CFR 5.609(c)(6)], except that in accordance with Section 224 of the FY 2005 Appropriations Act, the portion of any athletic scholarship assistance available for housing costs must be included in annual income [PIH Notice 2005-16].

#### SNRHA Policy



Regular financial support from parents or guardians to students for food, clothing personal items, and entertainment **is not** considered tuition and is included **in** annual income.

## **PART II: ADJUSTED INCOME**

### **5-II.A. INTRODUCTION**

#### **Overview**

HUD regulations require SNRHA to deduct from annual income any of five mandatory deductions for which a family qualifies. The resulting amount is the family's adjusted income. Mandatory deductions are found in 24 CFR 5.611.

5.611(a) Mandatory deductions. In determining adjusted income, the responsible entity [PHA] must deduct the following amounts from annual income:

- (1) \$480 for each dependent;
- (2) \$400 for any elderly family or disabled family;
- (3) The sum of the following, to the extent the sum exceeds three percent of annual income:
  - (i) Unreimbursed medical expenses of any elderly family or disabled family;
  - (ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus; and
- (4) Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.

This part covers policies related to these mandatory deductions. Verification requirements related to these deductions are found in Chapter 6.

#### **Anticipating Expenses**

##### SNRHA Policy

Generally, SNRHA will use current circumstances to anticipate expenses. When possible, for costs that are expected to fluctuate during the year (e.g., child care during school and non-school periods and cyclical medical expenses), SNRHA will estimate costs based on historic data and known future costs.

If a family has an accumulated debt for medical or disability assistance expenses, SNRHA will include as an eligible expense the portion of the debt that the family expects to pay during the period for which the income determination is being made. However, amounts previously deducted will not be allowed even if the amounts were not paid as expected in a preceding period. SNRHA shall require the family to provide documentation of payments made in the preceding year.



### **5-II.B. DEPENDENT DEDUCTION**

A deduction of \$480 is taken for each dependent [24 CFR 5.611(a)(1)]. *Dependent* is defined as any family member other than the head, spouse, or co-head who is under the age of 18 or who is 18 or older and is a person with disabilities or a full-time student. Foster children, foster adults, and live-in aides are never considered dependents [24 CFR 5.603(b)].

### **5-II.C. ELDERLY OR DISABLED FAMILY DEDUCTION**

A single deduction of \$400 is taken for any elderly or disabled family [24 CFR 5.611(a)(2)]. An *elderly family* is a family whose head, spouse, co-head, or sole member is 62 years of age or older, and a *disabled family* is a family whose head, spouse, co-head, or sole member is a person with disabilities [24 CFR 5.403].

### **5-II.D. MEDICAL EXPENSES DEDUCTION [24 CFR 5.611(a)(3)(i)]**

Unreimbursed medical expenses may be deducted to the extent that, in combination with any disability assistance expenses, they exceed three percent of annual income.

The medical expense deduction is permitted only for families in which the head, spouse, or co-head is at least 62 or is a person with disabilities. If a family is eligible for a medical expense deduction, the medical expenses of all family members are counted [VG, p. 28].

#### **Definition of *Medical Expenses***

HUD regulations define *medical expenses* at 24 CFR 5.603(b) to mean “medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance.”

#### SNRHA Policy

The most current IRS Publication 502, *Medical and Dental Expenses*, will be used to determine the costs that qualify as medical expenses.



| <b>Summary of Allowable Medical Expenses from IRS Publication 502</b>                                                                                                                                                                                       |                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Services of medical professionals                                                                                                                                                                                                                           | Substance abuse treatment programs                                                                                                              |
| Surgery and medical procedures that are necessary, legal, noncosmetic                                                                                                                                                                                       | Psychiatric treatment                                                                                                                           |
| Services of medical facilities                                                                                                                                                                                                                              | Ambulance services and some costs of transportation related to medical expenses                                                                 |
| Hospitalization, long-term care, and in-home nursing services                                                                                                                                                                                               | The cost and care of necessary equipment related to a medical condition (e.g., eyeglasses/lenses, hearing aids, crutches, and artificial teeth) |
| Prescription medicines and insulin                                                                                                                                                                                                                          | Cost and continuing care of necessary service animals                                                                                           |
| Improvements to housing directly related to medical needs (e.g., ramps for a wheel chair, handrails)                                                                                                                                                        | Medical insurance premiums or the cost of a health maintenance organization (HMO)                                                               |
| <p><b>Note:</b> This chart provides a summary of eligible medical expenses only. Detailed information is provided in IRS Publication 502. Medical expenses are considered only to the extent they are not reimbursed by insurance or some other source.</p> |                                                                                                                                                 |

***MEDICAL EXPENSES [24 CFR 5.609(a) (2), 5.603]***

SNRHA Policy

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

**Nonprescription medicines must be doctor-recommended in order to be considered medical expenses.**

Nonprescription medicines will be counted toward medical expenses for families who qualify if the family furnishes legible receipts and staff must attempt to get third party verification from a doctor or professional service provider.

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses.

**5-II.E. DISABILITY ASSISTANCE EXPENSES DEDUCTION [24 CFR 5.603(b) and 24 CFR 5.611(a)(3)(ii)]**

Reasonable expenses for attendant care and auxiliary apparatus for a disabled family member may be deducted if they: (1) are necessary to enable a family member 18 years or older to work, (2) are not paid to a family member or reimbursed by an outside source, (3) in combination with any medical expenses, exceed three percent of annual income, and (4) do not exceed the earned income received by the family member who is enabled to work.

**Earned Income Limit on the Disability Assistance Expense Deduction**

A family can qualify for the disability assistance expense deduction only if at least one family member (who may be the person with disabilities) is enabled to work [24 CFR 5.603(b)].

The disability expense deduction is capped by the amount of “earned income received by family members who are 18 years of age or older and who are able to work” because of the expense [24 CFR 5.611(a)(3)(ii)]. The earned income used for this purpose is the amount verified before any earned income disallowances or income exclusions are applied.



### SNRHA Policy

The family must identify the family members enabled to work as a result of the disability assistance expenses. In evaluating the family's request, SNRHA will consider factors such as how the work schedule of the relevant family members relates to the hours of care provided, the time required for transportation, the relationship of the family members to the person with disabilities, and any special needs of the person with disabilities that might determine which family members are enabled to work.

When SNRHA determines that the disability assistance expenses enable more than one family member to work, the expenses will be capped by the sum of the family members' incomes.

### **Eligible Disability Expenses**

Examples of auxiliary apparatus are provided in the *HCV Guidebook* as follows: "Auxiliary apparatus are items such as wheelchairs, ramps, adaptations to vehicles, or special equipment to enable a blind person to read or type, but only if these items are directly related to permitting the disabled person or other family member to work" [HCV GB, p. 5-30].

HUD advises PHAs to further define and describe auxiliary apparatus [VG, p. 30].

### ***Eligible Auxiliary Apparatus***

#### SNRHA Policy

Expenses incurred for maintaining or repairing an auxiliary apparatus are eligible. In the case of an apparatus that is specially adapted to accommodate a person with disabilities (e.g., a vehicle or computer), the cost to maintain the special adaptations (but not maintenance of the apparatus itself) is an eligible expense. The cost of service animals trained to give assistance to persons with disabilities, including the cost of acquiring the animal, veterinary care, food, grooming, and other continuing costs of care, will be included.

### ***Eligible Attendant Care***

The family determines the type of attendant care that is appropriate for the person with disabilities.

#### SNRHA Policy

Attendant care includes, but is not limited to, reasonable costs for home medical care, nursing services, in-home or center-based care services, interpreters for persons with hearing impairments, and readers for persons with visual disabilities.

Attendant care expenses will be included for the period that the person enabled to work is employed plus reasonable transportation time. The cost of general housekeeping and personal services is not an eligible attendant care expense. However, if the person enabled to work is the person with disabilities, personal services necessary to enable the person with disabilities to work are eligible.

If the care attendant also provides other services to the family, SNRHA will prorate the cost and allow only that portion of the expenses attributable to attendant care that enables a family member to work. For example, if the care provider also cares for a child who is



not the person with disabilities, the cost of care must be prorated. Unless otherwise specified by the care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

### ***Payments to Family Members***

No disability assistance expenses may be deducted for payments to a member of an assisted family [24 CFR 5.603(b)]. However, expenses paid to a relative who is not a member of the assisted family may be deducted if they are not reimbursed by an outside source.

### **Necessary and Reasonable Expenses**

The family determines the type of care or auxiliary apparatus to be provided and must describe how the expenses enable a family member to work. The family must certify that the disability assistance expenses are necessary and are not paid or reimbursed by any other source.

#### SNRHA Policy

SNRHA determines the reasonableness of the expenses based on typical costs of care or apparatus in the locality. To establish typical costs, SNRHA will collect information from organizations that provide services and support to persons with disabilities. A family may present, and the PHA will consider, the family's justification for costs that exceed typical costs in the area.

### **Families That Qualify for Both Medical and Disability Assistance Expenses**

#### SNRHA Policy

This policy applies only to families in which the head or spouse is 62 or older or is a person with disabilities or when a family also includes a person with disabilities that qualifies for a disability expense.

When expenses anticipated by a family could be defined as either medical or disability assistance expenses, SNRHA will consider them medical expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

### **5-II.F. CHILD CARE EXPENSE DEDUCTION**

HUD defines *child care expenses* at 24 CFR 5.603(b) as “amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.”

#### **Clarifying the Meaning of *Child* for This Deduction**

Child care expenses do not include child support payments made to another on behalf of a minor who is not living in an assisted family's household [VG, p. 26]. However, child care expenses for foster children that are living in the assisted family's household, are included when determining the family's child care expenses [HCV GB, p. 5-29].



## **Qualifying for the Deduction**

### ***Determining Who Is Enabled to Pursue an Eligible Activity***

#### SNRHA Policy

The family must identify the family member(s) enabled to pursue an eligible activity. The term *eligible activity* in this section means any of the activities that may make the family eligible for a child care deduction (seeking work, pursuing an education, or being gainfully employed).

In evaluating the family's request, SNRHA will consider factors such as how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### ***Seeking Work***

#### SNRHA Policy

If the child care expense being claimed is to enable a family member to seek employment, the family must provide evidence of the family member's efforts to obtain employment at each reexamination. The deduction may be reduced or denied if the family member's job search efforts are not commensurate with the child care expense being allowed by SNRHA.

To qualify for childcare deductions under the provision of actively seeking employment, the family member may be a participant in an official job search program or may simply demonstrate independent job search activities. In either case, in order to verify the time spent in seeking employment, SNRHA will require the family to maintain a log that reflects the following:

- The date and time of departure from home, (including time needed to drop off children for childcare, if provided outside the home);

- The name and location of the prospective employer, unemployment office or employment agency;

- The name of the person(s) contacted and telephone number;

- The length of time for completion of the application, the interview, testing or other job search activity;

- The time the children are picked up and the time arrived at home;

- The name, address, telephone number and social security number of the childcare provider; and

- The total amount paid for the childcare.

If multiple applications or interviews are held consecutively or on the same day, the above information should be provided for each prospective employer or agency. SNRHA will use this information to verify the contacts and the eligibility of childcare expenses. Since job search activities may be irregular and not easily anticipated, SNRHA may





attempt a limited inclusion at the annual certification and conduct an interim examination after some actual expenditures have been incurred. In many instances, job search periods will be of limited duration, but in some cases the job search period may be extended, especially if the type of employment sought is limited in availability, employment opportunities of any kind are scarce or the job skills needed are unusual.

### ***Furthering Education***

#### SNRHA Policy

If the child care expense being claimed is to enable a family member to further his or her education, the member must be enrolled in school (academic or vocational) or participating in a formal training program. The family member is not required to be a full-time student, but the time spent in educational activities must be commensurate with the child care claimed.

### ***Being Gainfully Employed***

#### SNRHA Policy

If the child care expense being claimed is to enable a family member to be gainfully employed, the family must provide evidence of the family member's employment during the time that child care is being provided. Gainful employment is any legal work activity (full- or part-time) for which a family member is compensated. Childcare will be capped by the amount of earned income of the individual that is freed to work. In the case of EID, the cap for the amount of earned income will be the amount after the EID is applied for the individual that is freed to work.

### **Earned Income Limit on Child Care Expense Deduction**

When a family member looks for work or furthers his or her education, there is no cap on the amount that may be deducted for child care – although the care must still be necessary and reasonable, as defined by SNRHA's survey results. SNRHA shall not deduct unreasonable childcare expenses. However, when child care enables a family member to work, the deduction is capped by "the amount of employment income that is included in annual income" [24 CFR 5.603(b)].

The earned income used for this purpose is the amount of earned income verified after any earned income disallowances or income exclusions are applied.

When the person who is enabled to work is a person with disabilities who receives the earned income disallowance (EID) or a full-time student whose earned income above \$480 is excluded, child care costs related to enabling a family member to work may not exceed the portion of the person's earned income that actually is included in annual income. For example, if a family member who qualifies for the EID makes \$15,000 but because of the EID only \$5,000 is included in annual income, child care expenses are limited to \$5,000.

SNRHA must not limit the deduction to the least expensive type of child care. If the care allows the family to pursue more than one eligible activity, including work, the cap is calculated in proportion to the amount of time spent working [HCV GB, p. 5-30].



## SNRHA Policy

When the child care expense being claimed is to enable a family member to work, only one family member's income will be considered for a given period of time. When more than one family member works during a given period, the PHA generally will limit allowable child care expenses to the earned income of the lowest-paid member. The family may provide information that supports a request to designate another family member as the person enabled to work. However, the child care provider must be 18 years of age for the expense to be considered as eligible.

### **Eligible Child Care Expenses**

The type of care to be provided is determined by the assisted family. SNRHA may not refuse to give a family the child care expense deduction because there is an adult family member in the household that may be available to provide child care [VG, p. 26].

### ***Allowable Child Care Activities***

#### SNRHA Policy

For school-age children, costs attributable to public or private school activities during standard school hours are not considered. Expenses incurred for supervised activities after school or during school holidays (e.g., summer day camp, after-school sports league) are allowable forms of child care.

The costs of general housekeeping and personal services are not eligible. Likewise, child care expenses paid to a family member who lives in the family's unit are not eligible; however, payments for child care to relatives who do not live in the unit are eligible.

If a child care provider also renders other services to a family or child care is used to enable a family member to conduct activities that are not eligible for consideration, SNRHA will prorate the costs and allow only that portion of the expenses that is attributable to child care for eligible activities. For example, if the care provider also cares for a child with disabilities who is 13 or older, the cost of care will be prorated. Unless otherwise specified by the child care provider, the calculation will be based upon the number of hours spent in each activity and/or the number of persons under care.

### ***Necessary and Reasonable Costs***

Child care expenses will be considered necessary if: (1) a family adequately explains how the care enables a family member to work, actively seek employment, or further his or her education, and (2) the family certifies, and the child care provider verifies, that the expenses are not paid or reimbursed by any other source.

#### SNRHA Policy

Child care expenses will be considered for the time required for the eligible activity plus reasonable transportation time. For child care that enables a family member to go to school, the time allowed may include not more than one study hour for each hour spent in class.

Unreimbursed child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment.



In the case of a child attending private school, only after-hours care can be counted as a child care expense.

Allowability of deductions for child care expenses is based on the following guidelines:

**Child care to work:** The maximum child care expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working, except as noted above.

**Child care for school:** The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school. Reasonable time shall be defined as a maximum of 1 hour each way.

**Amount of Expense:** To establish the reasonableness of child care costs, SNRHA will use the schedule of child care costs from the local welfare agency and survey local providers annually to determine reasonable expenses for child care. Families may present, and SNRHA will consider, justification for costs that exceed typical costs in the area.

### **PART III: CALCULATING FAMILY SHARE AND SNRHA SUBSIDY**

#### **5-III.A. OVERVIEW OF RENT AND SUBSIDY CALCULATIONS**

##### **TTP Formula [24 CFR 5.628]**

HUD regulations specify the formula for calculating the total tenant payment (TTP) for an assisted family. TTP is the highest of the following amounts, rounded to the nearest dollar:

- 30 percent of the family's monthly adjusted income (adjusted income is defined in Part II)
- 10 percent of the family's monthly gross income (annual income, as defined in Part I, divided by 12)
- The welfare rent (in as-paid states only)
- A minimum rent between \$0 and \$50 that is established by the PHA

SNRHA has authority to suspend and exempt families from minimum rent when a financial hardship exists, as defined in section 5-III.B.

The amount that a family pays for rent and utilities (the family share) will never be less than the family's TTP but may be greater than the TTP depending on the rent charged for the unit the family selects.

##### ***Welfare Rent [24 CFR 5.628]***

###### SNRHA Policy

Welfare rent does not apply in this locality.

##### ***Minimum Rent [24 CFR 5.630]***

###### SNRHA Policy

The minimum rent for this locality is \$50.



### **Family Share [24 CFR 982.305(a)(5)]**

If a family chooses a unit with a gross rent (rent to owner plus an allowance for tenant-paid utilities) that exceeds SNRHA's applicable payment standard: (1) the family will pay more than the TTP, and (2) at initial occupancy SNRHA may not approve the tenancy if it would require the family share to exceed 40 percent of the family's monthly adjusted income. The income used for this determination must have been verified no earlier than 60 calendar days before the family's voucher was issued. (For a discussion of the application of payment standards, see section 6-III.C.)

### **SNRHA Subsidy [24 CFR 982.505(b)]**

SNRHA will pay a monthly housing assistance payment (HAP) for a family that is equal to the lower of (1) the applicable payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP. (For a discussion of the application of payment standards, see Section 5-III.C)

### **Utility Reimbursement [24 CFR 982.514(b)]**

When SNRHA subsidy for a family exceeds the rent to owner, the family is due a utility reimbursement. HUD permits the PHA to pay the reimbursement to the family or directly to the utility provider.

#### SNRHA Policy

SNRHA will make utility reimbursements to the family.

According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," the PHA may elect to establish policies regarding the frequency of Utility Reimbursement Payments (URP) for payments made to the family,

1. The PHA will have the option of making URPs not less than each calendar-year quarter for reimbursements. In the event a family leaves the program in advance of its next quarterly reimbursement, the PHA would be required to reimburse the family for a prorated share of the applicable reimbursement. PHAs exercising this option must have a hardship policy in place for participants.
2. If the PHA elects to pay the utility supplier directly, the PHA must notify the family of the amount paid to the utility supplier.

At this time, SNRHA will continue issuing monthly checks for utility reimbursement.

## **5-III.B. FINANCIAL HARDSHIPS AFFECTING MINIMUM RENT [24 CFR 5.630]**

### **Overview**

If SNRHA establishes a minimum rent greater than zero, SNRHA must grant an exemption from the minimum rent if a family is unable to pay the minimum rent because of financial hardship.

The financial hardship exemption applies only to families required to pay the minimum rent. If a family's TTP is higher than the minimum rent, the family is not eligible for a hardship exemption. If SNRHA determines that a hardship exists, the family share is the highest of the remaining components of the family's calculated TTP.



## **HUD-Defined Financial Hardship**

Financial hardship includes the following situations:

- (1) The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program. This includes a family member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996.

### SNRHA Policy

A hardship will be considered to exist only if the loss of eligibility has an impact on the family's ability to pay the minimum rent.

For a family waiting for a determination of eligibility, the hardship period will end as of the first of the month following: (1) implementation of assistance, if approved, or (2) the decision to deny assistance. A family whose request for assistance is denied may request a hardship exemption based upon one of the other allowable hardship circumstances.

- (2) The family would be evicted because it is unable to pay the minimum rent.

### SNRHA Policy

For a family to qualify under this provision, the cause of the potential eviction must be the family's failure to pay rent to the owner or tenant-paid utilities.

- (3) Family income has decreased because of changed family circumstances, including the loss of employment.
- (4) A death has occurred in the family.

### SNRHA Policy

In order to qualify under this provision, a family must describe how the death has created a financial hardship (e.g., because of funeral-related expenses or the loss of the family member's income).

- (5) The family has experienced other circumstances determined by SNRHA.

### SNRHA Policy

SNRHA has not established any additional hardship criteria.

## **Implementation of Hardship – Exemption**

### ***Determination of Hardship***

When a family requests a financial hardship exemption, SNRHA must suspend the minimum rent requirement beginning the first of the month following the family's request.

SNRHA then determines whether the financial hardship exists and whether the hardship is temporary or long-term.

### SNRHA Policy

SNRHA defines temporary hardship as a hardship expected to last 90 calendar days or less. Long-term hardship is defined as a hardship expected to last more than 90 calendar days.



When the minimum rent is suspended, the family share reverts to the highest of the remaining components of the calculated TTP. The example below demonstrates the effect of the minimum rent exemption.

| <b>Example: Impact of Minimum Rent Exemption</b>       |                                |                                     |                                |
|--------------------------------------------------------|--------------------------------|-------------------------------------|--------------------------------|
| Assume the PHA has established a minimum rent of \$35. |                                |                                     |                                |
| <b>Family Share – No Hardship</b>                      |                                | <b>Family Share – With Hardship</b> |                                |
| \$0                                                    | 30% of monthly adjusted income | \$0                                 | 30% of monthly adjusted income |
| \$15                                                   | 10% of monthly gross income    | \$15                                | 10% of monthly gross income    |
| N/A                                                    | Welfare rent                   | N/A                                 | Welfare rent                   |
| \$35                                                   | Minimum rent                   | \$35                                | Minimum rent                   |
| Minimum rent applies.                                  |                                | Hardship exemption granted.         |                                |
| TTP = \$35                                             |                                | TTP = \$15                          |                                |

SNRHA Policy

To qualify for a hardship exemption, a family must submit a request for a hardship exemption in writing. The request must explain the nature of the hardship and how the hardship has affected the family’s ability to pay the minimum rent.

SNRHA will make the determination of hardship within 30 calendar days.

***No Financial Hardship***

If SNRHA determines there is no financial hardship, SNRHA will reinstate the minimum rent and require the family to repay the amounts suspended.

SNRHA Policy

SNRHA will require the family to repay the suspended amount within 30 calendar days of SNRHA’s notice that a hardship exemption has not been granted.

***Temporary Hardship***

If SNRHA determines that a qualifying financial hardship is temporary, SNRHA must suspend the minimum rent for the 90 calendar day period beginning the first of the month following the date of the family’s request for a hardship exemption.

At the end of the 90 calendar day suspension period, the family must resume payment of the minimum rent and must repay SNRHA the amounts suspended. HUD requires SNRHA to offer a reasonable repayment agreement, on terms and conditions established by SNRHA. SNRHA also may determine that circumstances have changed and the hardship is now a long-term hardship.

SNRHA Policy

SNRHA will enter into a repayment agreement in accordance with the procedures found in Chapter 14 of this plan.

***Long-Term Hardship***

If SNRHA determines that the financial hardship is long-term, SNRHA must exempt the family from the minimum rent requirement for so long as the hardship continues. The exemption will apply from the first of the month following the family’s request until the end of the qualifying



hardship. When the financial hardship has been determined to be long-term, the family is not required to repay the minimum rent.

### SNRHA Policy

The hardship period ends when any of the following circumstances apply:

- (1) At an interim or annual reexamination, the family's calculated TTP is greater than the minimum rent.
- (2) For hardship conditions based on loss of income, the hardship condition will continue to be recognized until new sources of income are received that are at least equal to the amount lost. For example, if a hardship is approved because a family no longer receives a \$60/month child support payment, the hardship will continue to exist until the family receives at least \$60/month in income from another source or once again begins to receive the child support.
- (3)

## **5-III.C. APPLYING PAYMENT STANDARDS [24 CFR 982.505]**

### **Overview**

SNRHA's schedule of payment standards is used to calculate housing assistance payments for HCV families. This section covers the application of SNRHA's payment standards. The establishment and revision of SNRHA's payment standard schedule are covered in Chapter 16.

*Payment standard* is defined as "the maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family)" [24 CFR 982.4(b)].

The payment standard for a family is the lower of (1) the payment standard for the family unit size, which is defined as the appropriate number of bedrooms for the family under SNRHA's subsidy standards [24 CFR 982.4(b)], or (2) the payment standard for the size of the dwelling unit rented by the family.

If SNRHA has established an exception payment standard for a designated part of an FMR area and a family's unit is located in the exception area, SNRHA must use the appropriate payment standard for the exception area.

SNRHA is required to pay a monthly housing assistance payment (HAP) for a family that is the lower of (1) the payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP.

If during the term of the HAP contract for a family's unit, the owner lowers the rent, SNRHA will recalculate the HAP using the lower of the initial payment standard or the gross rent for the unit [HCV GB, p. 7-8].

### **Changes in Payment Standards**

When SNRHA revises its payment standards during the term of the HAP contract for a family's unit, it will apply the new payment standards in accordance with HUD regulations.

### ***Decreases***



If the amount on the payment standard schedule is decreased during the term of the HAP contract, the lower payment standard generally will be used beginning at the effective date of the family's second regular reexamination following the effective date of the decrease in the payment standard. SNRHA will determine the payment standard for the family as follows:

**Step 1:** At the first regular reexamination following the decrease in the payment standard, SNRHA will determine the payment standard for the family using the lower of the payment standard for the family unit size or the size of the dwelling unit rented by the family.

**Step 2:** SNRHA will compare the payment standard from step 1 to the payment standard last used to calculate the monthly housing assistance payment for the family. The payment standard used by SNRHA at the first regular reexamination following the decrease in the payment standard will be the higher of these two payment standards. SNRHA will advise the family that the application of the lower payment standard will be deferred until the second regular reexamination following the effective date of the decrease in the payment standard.

**Step 3:** At the second regular reexamination following the decrease in the payment standard, the lower payment standard will be used to calculate the monthly housing assistance payment for the family unless SNRHA has subsequently increased the payment standard, in which case the payment standard will be determined in accordance with procedures for increases in payment standards described below.

### ***Increases***

If the payment standard is increased during the term of the HAP contract, the increased payment standard will be used to calculate the monthly housing assistance payment for the family beginning on the effective date of the family's first regular reexamination on or after the effective date of the increase in the payment standard.

Families requiring or requesting interim reexaminations will not have their HAP payments calculated using the higher payment standard until their next annual reexamination [HCV GB, p. 7-8].

### ***Changes in Family Unit Size***

Irrespective of any increase or decrease in the payment standard, if the family unit size increases or decreases during the HAP contract term, the new family unit size must be used to determine the payment standard for the family beginning at the family's first regular reexamination following the change in family unit size.

### ***Reasonable Accommodation***

If a family requires a higher payment standard as a reasonable accommodation for a family member who is a person with disabilities, SNRHA is allowed to establish a higher payment standard for the family within the basic range (90-110 percent). Over the basic range, SNRHA will seek HUD's approval.

## **5-III.D. APPLYING UTILITY ALLOWANCES [24 CFR 982.517]**

### **Overview**

SNRHA established utility allowance schedule is used in determining the family's share and SNRHA subsidy. SNRHA must use the appropriate utility allowance for the size of dwelling unit





actually leased by a family rather than the voucher unit size for which the family qualifies using SNRHA subsidy standards.

### **Reasonable Accommodation**

HCV program regulations require SNRHA to approve a utility allowance amount higher than shown on SNRHA's schedule if a higher allowance is needed as a reasonable accommodation for a family member with a disability. For example, if a family member with a disability requires such an accommodation, SNRHA will approve an allowance for air-conditioning, even if SNRHA has determined that an allowance for air-conditioning generally is not needed.

The family must request the higher allowance and provide SNRHA with an explanation of the need for the reasonable accommodation and information about the amount of additional allowance required [HCV GB, p. 18-8].

### **Utility Allowance Revisions**

At reexamination, SNRHA must use SNRHA current utility allowance schedule [24 CFR 982.517(d)(2)].

#### SNRHA Policy

Revised utility allowances will be applied to a family's rent and subsidy calculations at the first annual reexamination that is effective after the allowance is adopted.

### **5-III.E. PRORATED ASSISTANCE FOR MIXED FAMILIES [24 CFR 5.520]**

HUD regulations prohibit assistance to ineligible family members. A *mixed family* is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. SNRHA must prorate the assistance provided to a mixed family. SNRHA will first determine assistance as if all family members were eligible and then prorate the assistance based upon the percentage of family members that actually are eligible. For example, if SNRHA subsidy for a family is calculated at \$500 and two of four family members are ineligible, SNRHA subsidy would be reduced to \$250.



**EXHIBIT 5-1: ANNUAL INCOME INCLUSIONS [24 CFR 5.609]**

*(a) Annual income means all amounts, monetary or not, which:*

- (1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
- (2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- (3) Which are not specifically excluded in paragraph (c) of this section.
- (4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

*(b) Annual income includes, but is not limited to:*

- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
- (2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
- (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in

paragraph (b) (2) of this section. Any withdrawal of cash or assets from an investment will be 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 shall include 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;

(4) 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 (except as provided in paragraph (c)(14) of this section);

(5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);

(6) Welfare assistance payments.

(i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:

(A) Qualify as assistance under the TANF program definition at 45 CFR 260.31<sup>1</sup>; and

(B) Are not otherwise excluded under paragraph (c) of this section.

(ii) 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

<sup>1</sup> Text of 45 CFR 260.31 follows.



amount of welfare assistance income to be included as income shall consist 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 paragraph shall be the amount resulting from one application of the percentage.

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section)

(9) For section 8 programs only and as provided in 24 CFR 5.612, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph, "financial assistance" does not include loan proceeds for the purpose of determining income.

**HHS DEFINITION OF "ASSISTANCE"**

**45 CFR: GENERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES**

**260.31 What does the term "assistance" mean?**

(a)(1) The term "assistance" includes cash, payments, vouchers, and other forms of benefits designed to meet a family's ongoing basic needs (i.e., for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).

(2) It includes such benefits even when they are:

(i) Provided in the form of payments by a TANF agency, or other agency on its behalf, to individual recipients; and

(ii) Conditioned on participation in work experience or community service (or any other work activity under 261.30 of this chapter).

(3) Except where excluded under paragraph (b) of this section, it also includes supportive services such as transportation and child care provided to families who are not employed.

(b) [The definition of "assistance"] excludes: (1) Nonrecurrent, short-term benefits that:

(i) Are designed to deal with a specific crisis situation or episode of need;

(ii) Are not intended to meet recurrent or ongoing needs; and

(iii) Will not extend beyond four months.

(2) Work subsidies (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training);

(3) Supportive services such as child care and transportation provided to families who are employed;

(4) Refundable earned income tax credits;

(5) Contributions to, and distributions from, Individual Development Accounts;



- (6) Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support; and
- (7) Transportation benefits provided under a Job Access or Reverse Commute project, pursuant to section 404(k) of [the Social Security] Act, to an individual who is not otherwise receiving assistance.
- (8) Income received under provisions of 38 U.S.C. 1805 to a child suffering from Spina Bifida who is a child of a Vietnam veteran.
- (9) Amounts received under the School Lunch Act and the Child Nutrition Act of 1966 (42 U.S.C. 1780(b)), including reduced-price

lunches and food under the Special Supplemental Food Program for Women, Infants, and Children (WIC).

(10) Payments received by members of the Seneca Nation under the Seneca Nation Settlement Act of 1990.

(11) Payments from any deferred Department of Veteran Affairs disability benefits that are received in a lump-sum amount or in prospectively monthly amounts.

(12) Amounts received by or on behalf of a veteran for service-connected disability, death, dependency, or indemnity compensation if the recipient is assisted under a program authorized by the Native American Housing Assistance and Self-Determination Act of 1996.



## EXHIBIT 5-2: ANNUAL INCOME EXCLUSIONS

### 24 CFR 5.609

(c) Annual income does not include the following:

- (1) Income from employment of children (including foster children) under the age of 18 years;
- (2) 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);
- (3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);
- (4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- (5) Income of a live-in aide, as defined in Sec. 5.403;
- (6) Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- (8) (i) Amounts received under training programs funded by HUD;

(ii) 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);

(iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;

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

(v) 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;

(9) Temporary, nonrecurring or sporadic income (including gifts);



(10) 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;

(11) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);

(12) Adoption assistance payments in excess of \$480 per adopted child;

(13) [Reserved]

(14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or prospective monthly amounts.

(15) 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;

(16) 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

(17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. [See the following chart for a list of benefits that qualify for this exclusion.]

|                                                                            |
|----------------------------------------------------------------------------|
| Sources of Income Excluded by Federal Statute from Consideration as Income |
|----------------------------------------------------------------------------|

|                                                     |
|-----------------------------------------------------|
| for Purposes of Determining Eligibility or Benefits |
|-----------------------------------------------------|

a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b));

b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);

c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c));

d) Income derived from certain sub-marginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);

e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));

f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931);

g) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub.L- 94-540, 90 Stat. 2503-04);

h) The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408);



i) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);

For the HCV program, the exception found in 327 of Public Law 109-115 applies and requires that the amount of financial assistance in excess of tuition shall be considered as income in accordance with the provisions codified at 24 CFR 5.609 (b)(9), except for those persons with disabilities as defined by 42 USC 1437 (b)(E).

j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f));

k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in In Re Agent-product liability litigation, M.D.L. No. 381 (E.D.N.Y.);

l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);

m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);

n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j));

o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);

p) Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d));

q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran born with certain birth defects, and to children of certain Korean service veterans. (38 U.S.C. 1805);

r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and

s) Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).

t) Amounts specially executed by any other federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusion set forth in 24 CFR 5.609 (c) apply.



## EXHIBIT 5-3: TREATMENT OF FAMILY ASSETS

### 24 CFR 5.603(b) Net Family Assets

(1) Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.

(2) 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 under Sec. 5.609.

(3) In determining net family assets, PHAs 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.

(4) For purposes of determining annual income under Sec. 5.609, the term "net family assets" does not include the value of a home currently being purchased with assistance under part 982, subpart M of this title. This exclusion is limited to the first 10 years after the purchase date of the home.





## EXHIBIT 5-4: EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES

### 24 CFR 5.617 Self-sufficiency incentives for persons with disabilities—Disallowance of increase in annual income.

(a) *Applicable programs.* The disallowance of increase in annual income provided by this section is applicable only to the following programs: HOME Investment Partnerships Program (24 CFR part 92); Housing Opportunities for Persons with AIDS (24 CFR part 574); Supportive Housing Program (24 CFR part 583); and the Housing Choice Voucher Program (24 CFR part 982).

(b) *Definitions.* The following definitions apply for purposes of this section.

*Disallowance.* Exclusion from annual income.

*Previously unemployed* includes a person with disabilities who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

*Qualified family.* A family residing in housing assisted under one of the programs listed in paragraph (a) of this section or receiving tenant-based rental assistance under one of the programs listed in paragraph (a) of this section.

(1) Whose annual income increases as a result of employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;

(2) Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or

(3) Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the responsible entity in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance-- provided that the total amount over a six-month period is at least \$500.

(c) *Disallowance of increase in annual income—*

(1) Initial twelve month exclusion. During the cumulative twelve month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income (as defined in the regulations governing the applicable program listed in paragraph (a) of this section) of a qualified family any increase in income of the family member who is a person with disabilities as a result of employment over prior income of that family member.



(2) Second twelve month exclusion and phase-in. During the second cumulative twelve month period after the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income of a qualified family fifty percent of any increase in income of such family member as a result of employment over income of that family member prior to the beginning of such employment.

(3) Maximum four year disallowance. The disallowance of increased income of an individual family member who is a person with disabilities as provided in paragraph (c)(1) or (c)(2) is limited to a lifetime 48 month period. The disallowance only applies for a maximum of twelve months for disallowance under paragraph (c)(1) and a maximum of twelve months for disallowance under paragraph (c)(2), during the 48 month period starting from the initial exclusion under paragraph (c)(1) of this section.

*(d) Inapplicability to admission.* The disallowance of increases in income as a result of employment of persons with disabilities under this section does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).



## EXHIBIT 5-5: THE EFFECT OF WELFARE BENEFIT REDUCTION

### 24 CFR 5.615

#### **Public housing program and Section 8 tenant-based assistance program: How welfare benefit reduction affects family income.**

(a) *Applicability.* This section applies to covered families who reside in public housing (part 960 of this title) or receive Section 8 tenant-based assistance (part 982 of this title).

(b) *Definitions.* The following definitions apply for purposes of this section: *Covered families.* Families who receive welfare assistance or other public assistance benefits ("welfare benefits") from a State or other public agency ("welfare agency") under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance.

*Economic self-sufficiency program.* See definition at Sec. 5.603.

*Imputed welfare income.* The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.

*Specified welfare benefit reduction.*

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

(2) "Specified welfare benefit reduction" does not include a reduction or termination of welfare benefits by the welfare agency:

(i) at expiration of a lifetime or other time limit on the payment of welfare benefits;

(ii) because a family member is not able to obtain employment, even though the family member has complied with welfare agency economic self-sufficiency or work activities requirements; or

(iii) because a family member has not complied with other welfare agency requirements.

(c) *Imputed welfare income.*

(1) A family's annual income includes the amount of imputed welfare income (because of a specified welfare benefits reduction, as specified in notice to the PHA by the welfare agency), plus the total amount of other annual income as determined in accordance with Sec. 5.609.

(2) At the request of the PHA, the welfare agency will inform the PHA in writing of the amount and term of any specified welfare benefit reduction for a family member, and the reason for such reduction, and will also inform the PHA of any subsequent changes in the term or amount of such specified welfare benefit reduction. The PHA will use this information to determine the amount of imputed welfare income for a family.

(3) A family's annual income includes imputed welfare income in family annual income, as determined at the PHA's interim or regular reexamination of family income and composition, during the term of the welfare benefits reduction (as specified in information provided to the PHA by the welfare agency).



(4) The amount of the imputed welfare income is offset by the amount of additional income a family receives that commences after the time the sanction was imposed. When such additional income from other sources is at least equal to the imputed

(5) The PHA may not include imputed welfare income in annual income if the family was not an assisted resident at the time of sanction.

*(d) Review of PHA decision.*

(1) Public housing. If a public housing tenant claims that the PHA has not correctly calculated the amount of imputed welfare income in accordance with HUD requirements, and if the PHA denies the family's request to modify such amount, the PHA shall give the tenant written notice of such denial, with a brief explanation of the basis for the PHA determination of the amount of imputed welfare income. The PHA notice shall also state that if the tenant does not agree with the PHA determination, the tenant may request a grievance hearing in accordance with part 966, subpart B of this title to review the PHA determination. The tenant is not required to pay an escrow deposit pursuant to Sec. 966.55(e) for the portion of tenant rent attributable to the imputed welfare income in order to obtain a grievance hearing on the PHA determination.

(2) Section 8 participant. A participant in the Section 8 tenant-based assistance program may request an informal hearing, in accordance with Sec. 982.555 of this title, to review the PHA determination of the amount of imputed welfare income that must be included in the family's annual income in accordance with this section. If the family claims that such amount is not correctly calculated in accordance with HUD requirements, and if the PHA denies the family's request to modify such amount, the PHA shall give the family written notice of such denial, with a brief explanation of the basis for the PHA

determination of the amount of imputed welfare income. Such notice shall also state that if the family does not agree with the PHA determination, the family may request an informal hearing on the determination under the PHA hearing procedure.

*(e) PHA relation with welfare agency.*

(1) The PHA must ask welfare agencies to inform the PHA of any specified welfare benefits reduction for a family member, the reason for such reduction, the term of any such reduction, and any subsequent welfare agency determination affecting the amount or term of a specified welfare benefits reduction. If the welfare agency determines a specified welfare benefits reduction for a family member, and gives the PHA written notice of such reduction, the family's annual incomes shall include the imputed welfare income because of the specified welfare benefits reduction.

(2) The PHA is responsible for determining the amount of imputed welfare income that is included in the family's annual income as a result of a specified welfare benefits reduction as determined by the welfare agency, and specified in the notice by the welfare agency to the PHA. However, the PHA is not responsible for determining whether a reduction of welfare benefits by the welfare agency was correctly determined by the welfare agency in accordance with welfare program requirements and procedures, nor for providing the opportunity for review or hearing on such welfare agency determinations.

(3) Such welfare agency determinations are the responsibility of the welfare agency, and the family may seek appeal of such determinations through the welfare agency's normal due process procedures. The PHA shall be entitled to rely on the welfare agency notice to the PHA of the welfare agency's determination of a specified welfare benefits reduction.



## Chapter 6

### VERIFICATION

[24 CFR 982.516, 24 CFR 982.551, 24 CFR 5.230]

#### INTRODUCTION

SNRHA must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain the family's consent to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. SNRHA must not pass on the cost of verification to the family.

SNRHA will follow the verification guidance provided by HUD in PIH Notice 2004-01 and 2013-3 Verification Guidance and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary SNRHA policies.

Part I describes the general verification process. More detailed requirements related to individual factors are provided in subsequent parts including family information (Part II), income and assets (Part III), and mandatory deductions (Part IV).

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies of SNRHA.

#### PART I: GENERAL VERIFICATION REQUIREMENTS

##### 6-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 982.516 AND 982.551, 24 CFR 5.230]

The family must supply any information that SNRHA or HUD determines is necessary to the administration of the program and must consent to SNRHA verification of that information [24 CFR 982.551].

##### Consent Forms

It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and SNRHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.



## **Penalties for Failing to Consent [24 CFR 5.232]**

If any family member who is required to sign a consent form fails to do so, SNRHA will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with SNRHA procedures.

## **6-I.B. OVERVIEW OF VERIFICATION REQUIREMENTS**

### **HUD's Verification Hierarchy**

HUD authorizes SNRHA to use six methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires SNRHA to use the most reliable form of verification that is available and to document the reasons when SNRHA uses a lesser form of verification.

#### SNRHA Policy

**Upfront Income Verification (UIV):** The verification of income at admission or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. HUD's **Enterprise Income Verification System (EIV)** is considered to be this method. This is currently not available for applicants.

SNRHA shall not verify income in accordance with the following Verification Hierarchy for fully excluded income such as Supplemental Nutrition Assistance Program (SNAP) benefits formerly known as food stamps. Document on file narratives shall not be required for fully excluded incomes to state why third party verification was not received. (PIH Notice-2013-4). Additionally, SNRHA shall not enter this income on section 7 of the HUD form 50058. SNRHA shall accept the participant's self-certification on the reexamination application of fully excluded income. SNRHA has the option of requiring additional verification, as needed.

SNRHA shall not follow the Verification Hierarchy below when completing annuals reexaminations for elderly or disabled families on "fixed" non-wage income.

SNRHA shall simplify the requirements associated with determining the annual income of participants on "fixed income- non-wage" when 100% of the family's income consists fixed income. SNRHA has opted to conduct streamlined reexaminations by recalculating of the family's income by applying any published cost of living adjustments to the previously verified income amount in compliance with PIH Notice 2013-03.

For the purpose of this policy, as noted in PIH 2013-03, fixed income includes income from:

1. Social Security payments including SSI and SSDI
2. Federal, State, local and private pensions plans; and



3. Other periodic payments from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amount from year to year.

**The Verification Hierarchy.** SNRHA shall begin with the highest level of verification techniques, except as noted in 6.I.B. PHAs are required to access the EIV system and obtain an Income Report for each household. SNRHA shall maintain the Income Report in the tenant’s file along with the form HUD-50058 and other supporting documentation to support income and rent determinations for all mandatory annual reexaminations of family income and composition.

If the Income Report does not contain any employment and income information for the family, SNRHA shall attempt the next lower level verification technique, as noted in the below:

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

## Verification Technique Definitions

### Third Party Verification Techniques

**Upfront Income 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. PHAs 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.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either within the 60 calendar 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 report, and employer 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.

SNRHA shall require four (4) current and consecutive pay stubs for determining annual income for wages. For new income sources or if there is a decrease in earned income, SNRHA will require the last two (2) consecutive current pay stubs or a new hire/updated letter with date of hire, wages, and hours. SNRHA should project income based on the information from a traditional written third party verification form or the best available information.

**Note:** Documents older than 60 calendar days (from SNRHA's 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. A standardized form to collect information from a third party source. The form is completed by the third party by hand (in writing or typeset). SNRHA shall 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.

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

The exception to third party verification can be found at 24 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 the 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 deductions from annual income; and (iv) other factors that affect the determination of adjusted income.

**How to comply with and reduce administrative burden of third party verification requirements of family annual income.** PHAs can comply with and reduce administrative burden of third party verification requirements for employment, wage, and unemployment compensation and social security benefits and any other information that is verifiable using EIV by:

**a.** Reviewing the EIV Income Report to confirm/validate tenant-reported income;

and;

**b.** Printing and maintaining an EIV Income Report (or an EIV Individual Control Number (ICN) page for interim reexaminations as prescribed in Section 12 of this Notice) in the tenant file; and;

**c.** Obtaining current acceptable participant-provided documentation to supplement EIV information; and;

**d.** Using current tenant-provided documentation and/or third party verification to calculate annual income.

**Note:** Social Security benefit information in EIV is updated every three months. If the tenant agrees with the EIV-reported benefit information, PHAs do not need to obtain or request a benefit verification letter from the tenant. See PIH Notice 2010-03 for guidance on verifying Social Security benefit income through the EIV system.



The PHA may also reduce the administrative burden of obtaining third party verification by relying on acceptable documents that are generated by a third party, but provided by the tenant. 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.).

**When the PHA is required to request written third party verification.** The PHA must request written third party verification under the following circumstances:

- a. When the participant disputes the EIV information and is unable to provide acceptable documentation to support his/her dispute (24 CFR §5.236(b));
- b. When the PHA requires additional information that is not available in EIV and /or the tenant is unable to provide the PHA with current acceptable tenant-provided documentation. Examples of additional information, includes but is not limited to:
  - i. Effective dates of income (i.e. employment, unemployment compensation, or social security benefits)
  - ii. For new employment: pay rate, number of hours worked per week, pay frequency, etc.
  - iii. Confirmation of change in circumstances (i.e. reduced hours, reduced rate of pay, temporary leave of absence, etc.)

*Note:* 24 CFR §5.236(a), prohibits PHAs from taking adverse action based solely on EIV

### **Requirements for Acceptable Documents**

#### SNRHA Policy

Any documents used for verification must be the original (not photocopies) and generally must be dated within 60 calendar days of the date they are provided to SNRHA. The documents must not be damaged, altered or in any way illegible. All tenant supplied documents should be dated no more than 60 calendar days before the effective date of the family's reexamination or SNRHA's request date, if the document represents the most recent scheduled report from a source. For example, if the holder of a pension annuity provides semi-annual reports, SNRHA would accept the most recent report.

Print-outs from web pages are considered original documents.

Pay stubs which must be current and consecutive when used with EIV and must not be older than 60 calendar days from the request date or 60 calendar days prior to the annual recertification effective date. Four consecutive pay stubs will be required when using EIV for annuals and two for new hire verifications.

Examples of acceptable tenant-provided documentation (generated by a third party source) include, but are not limited to: pay stubs, payroll summary reports, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices, bank statements, and local agencies, employer letter/notices. Current acceptable tenant-provided documents must be used for income and rent determinations. SNRHA is required to obtain a minimum of four 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 written third party verification form or the best available information.

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

SNRHA staff member who views the original document must make a photocopy.

Any family self-certifications must be made in a format acceptable to SNRHA and must be signed in the presence of a SNRHA representative or SNRHA notary public.

### **File Documentation**

SNRHA must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that SNRHA has followed all of the verification policies set forth in this plan. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

#### SNRHA Policy

SNRHA will document, in the family file, the following:

Reported family annual income;

Value of assets;

Expenses related to deductions from annual income;

Other factors influencing the adjusted income or income-based rent determination.

When SNRHA is unable to obtain 3rd party verification, SNRHA will document in the family file the reason that third-party verification was not available (including oral verification attempt) and will place a photocopy of any original document(s) in the family file. [24 CFR 960.259(c)(1); VG, p.15].

### **6-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

HUD strongly recommends the use of up-front income verification (UIV). UIV is "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 large number of individuals" [VG, p. 7]. UIV includes the HUD EIV system and other upfront verification tools such as the Work Number.

HUD allows SNRHA to use the EIV information in conjunction with family-provided documents to anticipate income.

#### SNRHA Policy

SNRHA will inform all applicants and participants of its use of the following UIV resources during the admission and reexamination process:



## HUD's Enterprise Income Verification System (EIV)

SNRHA must restrict access to and safeguard EIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.

There may be legitimate differences between the information provided by the family and EIV-generated information. No adverse action can be taken against a family until SNRHA has independently verified the EIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of SNRHA.

### **Use of HUD's Enterprise Income Verification (EIV) System**

HUD's EIV system contains data showing earned income, unemployment benefits, Social Security and SSI benefits for participant families. HUD requires SNRHA to use the EIV system when available. The following policies will apply when SNRHA has access to HUD's EIV system.

The EIV system contains two main components: tenant income data reports and "exceeds threshold" reports.

#### ***Tenant Income Data (TID) Reports (EIV)***

The data shown on TID reports is updated quarterly. Data may be between 3 and 6 months old at the time reports are generated.

#### SNRHA Policy

SNRHA will obtain EIV reports for annual reexaminations on a monthly basis. SNRHA shall also obtain EIV reports for interims. Reports will be generated as part of the regular reexamination process.

EIV reports will be compared to family-provided information as part of the annual reexamination process. EIV reports may also be used to meet the regulatory requirement for third party verification, as described above. Policies for resolving discrepancies between EIV reports and family-provided information will be resolved as described in Chapter 5.I.D. and in this chapter.

EIV reports will be retained in participant's files with the applicable annual or interim reexamination documents.

When SNRHA determines through EIV reports and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 16, Program Integrity.



### ***Exceeds Threshold Reports (ETRs)***

The ETR is a tool for identifying families who may have concealed or under-reported income. Data in the ETR represents income for past reporting periods and may be between 6 months and 30 months old at the time ETRs are generated.

Families who have not concealed or under-reported income may appear on the ETR in some circumstances, such as loss of a job or addition of new family members.

#### SNRHA Policy

SNRHA will generate and review ETRs on a monthly basis. The ETR threshold percentage will be adjusted as necessary based on the findings in the ETRs.

In reviewing ETRs, SNRHA will begin with the largest discrepancies. The top ten families will be reviewed monthly.

When SNRHA determines that a participant appearing on the ETR has not concealed or under-reported income, the participant's name will be placed on a list of "false positive" reviews. To avoid multiple reviews in this situation, participants appearing on this list will be eliminated from ETR processing until a subsequent interim or annual reexamination has been completed.

When it appears that a family may have concealed or under-reported income, SNRHA will request third-party written verification of the income in question.

When SNRHA determines through ETR review and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 16, Program Integrity.

### ***Income Discrepancy Resolution***

SNRHA shall reconcile income discrepancies.

#### SNRHA Policy

SNRHA shall proceed as follows:

SNRHA shall identify underreported income and/or unreported income sources: EIV Income Discrepancies Reports shall be run at least quarterly and appropriate actions taken.

No adverse action may be taken based **solely** on EIV data. In order to protect any individual whose records are being used in a matching program, no recipient agency, non-Federal agency, or source agency may suspend, terminate, reduce or make a final denial of any financial assistance or payment under a Federal Benefit program to such individual, as a result of information produced by such matching program, until the agency has independently verified the information;

Review current and historical 50058s;



Verify effective dates of new and terminated income sources;

Discuss the income discrepancy with the tenant;

View past and current interim and annual recertification documents in the tenant's file;

Obtain additional documents from the tenant and/or third party (if necessary);

Obtain Social Security Earnings Statement (SSA Form 7004) for historical wage earnings (Form available on HUD's website) for retroactive rent calculations.

### ***EIV Identity Verification***

The EIV system verifies tenant identities against SSA records. These records are compared to PIC data for a match on Social Security number, name, and date of birth.

PHAs are required to use EIV's Identify Verification Reports on a monthly basis to improve the availability of income information in EIV (Notice 2012-10)

When identity verification for a participant fails, a message will be displayed within the EIV system and no income information will be displayed.

#### **SNRHA Policy**

SNRHA will identify participants whose identity verification has failed as part of the annual reexamination process.

SNRHA will attempt to resolve PIC/SSA discrepancies by reviewing file documents. When SNRHA determines that discrepancies exist due to SNRHA errors such as spelling errors or incorrect birth dates, the errors will be corrected promptly and correction transmitted to HUD.

### **Review of EIV Reports:**

SNRHA shall monitor EIV Reports according to the following schedule:

- The following reports shall be ran and reviewed and appropriate actions taken:
  - Identity Verification Report (Failed EIF Pre-screening; Failed Verification, Pending Verification) Monthly
  - Income Discrepancies –Quarterly
  - Debts Owed to Other PHAs – Admissions Department
  - Multiple Subsidy –At Admissions and Quarterly
  - Deceased Tenants –Monthly
  - New Hires- Quarterly
  - Immigration Reports – Monthly

Outcomes of these reviews shall be maintained in binders for future reference.



## **6-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION**

### **Reasonable Effort and Timing**

Unless third-party verification is not required as described herein, HUD requires SNRHA to make an attempt to obtain third-party verification before using another form of verification [VG, p. 15].

### SNRHA Policy

SNRHA will diligently seek third-party verification using the chart above as guideline for order of verifications, except as noted for streamlining for elderly (62 years old) and disabled on fixed (non-waged) income AND who receive income only from fixed income sources. (see charts on pages 6-3 and 6-4)

Fixed income sources include Social Security and SSI, governmental or private pensions, and other periodic payments that are of substantially the same amounts from year to year. In a streamlined annual reexamination, the PHA calculates annual income by applying any published cost of living adjustment (COLA) to the previously-verified income amount.

For elderly and disabled families with fixed incomes, SNRHA will recalculate annual income by applying any published COLA to previously-verified amounts. Current documentation of fixed income is not required.

With HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher Final Rule, "

### **Streamline Annual Reexaminations for Fixed Incomes:**

For families whose income consists solely of fixed sources.

The final rule provides for a streamlined income determination for any fixed source of income, even if a person or a family with a fixed source of income also has a non-fixed source of income. SNRHA shall apply to a previously determined or verified source of income a cost of living adjustment (COLA) or interest rate adjustment specific to each source of income. The COLA or current interest rate must be obtained from a public source or from tenant provided third party generated documentation.

In the absence of such verification for any source of fixed income third-party verification of income must be obtained. The final rule adopts an expanded list of fixed income sources of income. With respect to income from annuities (or other retirement benefits programs, insurance policies, disability for death benefits, or other similar types of periodic receipts) if a family





member receives income from any of these sources and the income consists solely of periodic payments at a reasonable predictable level, then the income source may be considered “fixed.”

“Family member with a fixed source of income” is defined as a family member whose income includes periodic payments at reasonable predictable levels from one or more of the following sources:

- i) Social Security, Supplemental Security Income, Supplemental Disability Insurance
- ii) Federal, state, local, or private pension plans
- iii) Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other similar types of periodic receipts, or
- iv) Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.

If the family receives any income from a non-fixed income source, SNRHA will not streamline the annual reexamination. If written 3<sup>rd</sup> party is required and is not received or available by the client, after 10 calendar days, staff will then attempt an oral verification if the written third party is not received. File narratives shall be documented whenever UIV or third party written is not used. Information received orally from third parties may be used either to clarify information provided in writing by the third party or as independent verification when written third-party verification is not received in a timely fashion.

SNRHA may mail, fax, or e-mail third-party written verification requests and will accept third-party responses using any of these methods. SNRHA will send a written request for verification to each required source within 5 business days of securing a family’s authorization for the release of the information and give the source 10 calendar days to respond in writing. If a response has not been received by the 11<sup>th</sup> business day, SNRHA will request third-party oral verification.

SNRHA will make a minimum of two attempts, (one written and one oral, if needed) to obtain third-party verification. A record of each attempt to contact the third-party source (including no-answer calls) and all contacts with the source will be documented in the file. Regarding third-party oral verification, SNRHA staff will record in the family’s file the name and title of the person contacted, the date of the conversation (or attempt), the telephone number used, and the facts provided.

When any source responds verbally to the initial written request for verification SNRHA will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

### **Third-Party Written Verification**

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



Verifications received electronically directly from the source as well as items as noted above in the Chart (Including those provided directly from a clients) are considered third party written verifications.

#### SNRHA Policy

SNRHA will accept verifications in the form of computerized printouts, showing payments, faxed, mailed or received via upfront verification systems directly from the following agencies:

Social Security Administration –EIV;

Veterans Administration;

Welfare Assistance;

Unemployment Compensation Board;

City or County Courts;

Other State and Federal Offices, including HUD.

SNRHA will use computer printouts as well as other acceptable forms of third party verification that do not appear as altered and are on a business or other entity's letterhead, received directly from the family for calculation family's income. Staff must attempt third party verification when EIV nor family provided acceptable documentation is not available. If no response, then staff must attempt oral verifications and must document on the file narrative why third party was not used and complete an oral verification form.

If the family disputes the information provided by the third party, the staff is to seek further clarification by phone with the third party. The information provided by the 3rd party is to prevail.

#### **Third-Party Oral Verification**

##### SNRHA Policy

Oral third-party verification will be used when written third-party verification is delayed; not returned within 10 calendar days or not possible. When third-party oral verification is used, staff will be required to complete an Oral Verification/Review of Documents form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, SNRHA will document the file narrative and utilize documents provided by the participant. If the oral is provided by telephone, SNRHA must originate the call.

#### **Review of Documents**

##### SNRHA Policy

In the event that third-party written is not returned within 10 calendar days or oral verification is unavailable, or the information has not been verified by the third party within 10 calendar days, SNRHA will notate the file narrative accordingly; ensure copies of documents requiring the third party verification are in file. Oral third party verification



should be attempted prior to utilizing documents provided by the family as the primary source if the documents provide complete information and the file narrative must be documented.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete an Oral Verification/Review of Documents form.

SNRHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs;
- Computer printouts from the employer;
- Employer's letters and wage printouts;
- Bank Statements;
- Award Letters;
- Pension Letters;
- Signed letters (provided that the information is confirmed by phone);
- Other documents noted in this Chapter as acceptable verification.

Although these documents will be accepted, SNRHA will also mail third party verifications to the source; attempt upfront verification and use these documents only after there has been no response to the third party verification method.

SNRHA will accept faxed documents.

SNRHA will accept mail from the third party source.

SNRHA will accept hand carried documents from clients as long as they do not appear as altered and provide required documentation regarding wages.

SNRHA will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, SNRHA will attempt to contact the verification provider by telephone to resolve the discrepancy. If the attempt to resolve the discrepancy by telephone is unsuccessful, SNRHA will use the third party verification.

SNRHA will not delay the processing of an application beyond 30 calendar days, except due to screening for criminal history, because a third party information provider does not return the verification in a timely manner. The next steps in the verification process shall be attempted after 10 calendar days, unless the family has been given an extension.

### **Self-Certification/Self-Declaration**

When verification cannot be made by third-party verification, including oral verification or review of documents, families will be required to submit a self-certification.



### SNRHA Policy

Self-certification means a statement under penalty of perjury, and the signature must be witnessed by SNRHA staff.

### **When Third-Party Information is Late**

When third-party verification has been requested and the timeframes for submission have been exceeded, SNRHA will use the information from documents on a provisional basis.

### SNRHA Policy

If SNRHA later receives third-party verification that differs from the amounts used in income and rent determinations and it is past the deadline for processing the reexamination, SNRHA will conduct an interim reexamination to adjust the figures used for the reexamination, regardless of SNRHA's interim reexamination policy, if needed.

### **When Third-Party Verification is Not Required**

#### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth and for verification of checking/saving accounts.

#### ***Certain Assets and Expenses***

SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value [HCV GB, p. 5-28].

SNRHA will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification [VG, p. 15].

### SNRHA Policy

SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$1,000 annually **and** the family has original documents that support the declared amount.

#### ***Certain Income, Asset and Expense Sources***

SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification [VG, p. 15]. For example, SNRHA will rely upon review of documents when SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.



### SNRHA Policy

SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

If the family cannot provide original documents, SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost [VG, p. 18].

### ***RELEASE OF INFORMATION [24 CFR 5.230]***

Adult family members (age 18 and older) will be required to sign the HUD 9886 Release of Information/Privacy Act form. In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice. Additional release forms as developed by SNRHA are considered required forms that all applicants and participants must sign.

Each member requested to consent to the release of specific information will be provided with appropriate forms for their review and signature.

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

### ***COMPUTER MATCHING***

Where allowed by HUD and/or other State or local agencies, computer matching will be done for upfront verifications.

### SNRHA Policy

SNRHA will utilize the HUD established computer-based Tenant Eligibility Verification System (EIV) for obtaining Social Security benefits, Supplemental Security Income benefit history and tenant income discrepancy reports from the Social Security Administration. Additionally, to the extent possible, SNRHA will use the UIV systems to obtain upfront verification of wages and Child Support data systems for verification of child support when available.

When computer matching results in a discrepancy with information in SNRHA records, SNRHA will follow up with the family and verification sources to resolve this discrepancy. If the family has unreported or underreported income, SNRHA will follow the procedures in the Program Integrity Addendum of the Administrative Plan.



### ***ITEMS TO BE VERIFIED [24 CFR 982.516]***

All income not specifically excluded by the regulations.

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

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

Child care expense where it allows an adult family member to be employed, search for employment, or to further his/her education.

Total un-reimbursed medical expenses of all family members in households whose head or spouse is elderly or disabled.

Un-reimbursed disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family that allows an *adult* family member to be employed.

Disability for determination of preferences, allowances or deductions.

Eligible immigrant status;

Social Security Numbers for all family members except non-citizens.

(Note: When HUD changes the requirements to require all family members to provide social security numbers, regardless of age, SNRHA will follow this requirement):

"Preference" status;

Familial/Marital status when needed for head or spouse definition to determine deductions;

Need for reasonable accommodations; and/or

Verification of sanctions by the Nevada Office of Human Services that TANF benefits have been reduced for either welfare fraud or failure to comply with economic self-sufficiency requirements.

### **SNRHA Policy**

SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance with economic self-sufficiency requirements *before* denying the family's request for rent reduction. The verification will include the amount of the sanction and the duration.

### ***VERIFICATION GUIDANCE [24 CFR 982.516]***

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

### **Employment Income**



## SNRHA Policy

Verification forms request the employer to specify the:

Dates of employment;

Amount and frequency of pay;

Date of the last pay increase;

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months;

Year to date earnings;

Estimated income from overtime, tips, bonus pay expected during next 12 months.

*Acceptable methods of verification include, in this order:*

1. EIV with a minimum of four (4) consecutive current paystubs.

2. Third party written verification.

Employment verification form completed by the employer.

3. Oral third party.

4. Review of documents.

Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings. At least pay stubs are required when third party verification cannot be obtained.

5. W-2 forms and IRS Form 4506-T release.

6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

## **Social Security, Pensions, Supplementary Security Income (SSI), Disability Income**

### SNRHA Policy

*Acceptable methods of verification include, in this order:*

For elderly and disabled families with fixed incomes, the PHA will recalculate annual income by applying any published COLA to previously-verified amounts. Current documentation of fixed income is not required.

If the family receives any income from a non-fixed income source, SNRHA will not streamline the annual reexamination.



1. Published cost of living adjustments to previously verified income amounts
2. EIV
3. Benefit verification form completed by agency providing the benefits.
4. Award or benefit notification letters prepared and signed by the providing agency that is no more than 60 calendar days old.

### **Unemployment Compensation**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Verification form completed by the unemployment compensation agency.
3. Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
4. Payment stubs

### **Welfare Payments or General Assistance**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. Written statement from payment provider indicating the amount of grant/payment, start date of payments, family members, and anticipated changes in payment in the next 12 months.
2. Computer-generated Notice of Action.

### **Alimony or Child Support Payments**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. Print out received via 3rd party verification from the DA's office.
2. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
3. A third party verification form completed by the person paying the support.
4. A letter from the person paying the support.
5. Copy of latest check and/or payment stubs from Court Trustee. SNRHA must record the date, amount, and number of the check if not photocopied.





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

If payments are irregular, the family must provide:

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A self-certification from the family indicating the amount(s) received.

A welfare Notice of Action showing amounts received by the DA –Child Support Division.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

## **Net Income from a Business**

### SNRHA Policy

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

*Acceptable methods of verification include:*

1. IRS Form 1040, including:
  - Schedule C (Small Business)
  - Schedule E (Rental Property Income)
  - Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

2. Audited or unaudited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
5. Family's self-certification as to net income realized from the business during previous years.

## **Child Care Business**



### SNRHA Policy

The childcare provider must be 18 years of age or older.

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

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

If the family has filed a tax return, the family will be required to provide it via Form IRS 4506-T.

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

### **Recurring Gifts**

#### SNRHA Policy

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

- The person who provides the gifts;
- The value of the gifts;
- The regularity (dates) of the gifts and/or
- The purpose of the gifts.

SNRHA shall send out verifications to the donors.

### **Full-time Student Status**

Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by students is not counted towards family income.

#### SNRHA Policy

Verification of full time student status includes:

Written verification from the registrar's office or other school official.

School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution. (State of Nevada: 12 credits)



## ***VERIFICATION OF ASSETS***

### **Family Assets**

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

SNRHA shall not verify income of assets that are less than \$5,000.00. However, participants must list assets and value on their continued occupancy form, which must be signed and dated. This shall be considered as self-certification of accurate information. SNRHA reserves the right to request additional verifications, if necessary to document that assets do not exceed \$5,000- in net value or is there is a discrepancy with information provided. All assets must be reported on Form HUD-50058, including assets that do not exceed \$5,000.

**According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," SNRHA must obtain third party verification every three (3) years.**

*Acceptable verification may include any of the following:*

Verification forms, letters, or documents from a financial institution or broker.

Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

Real estate taxes statements if the approximate current market value can be reduced from assessment.

Financial statements for business assets.

Copies of closing documents showing the selling price and the distribution of the sales proceeds.

Appraisals of personal property held as an investment.

Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

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

#### **SNRHA Policy**



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

If the family certifies that they have disposed of assets for less than fair market value, verification is required that shows: (a) all assets disposed for less than FMV, (b) the date they were disposed, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible. Family certification will be accepted if no other verification is possible.

## ***VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME [24 CFR 982.516]***

### **Medical Expenses**

#### SNRHA Policy

Eligible families who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:

Written verification by an eye doctor, optician, otolaryngologist, hearing aide provider, or other medical practitioner or provider of medical equipment of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written verification from a medical lab, provider of oxygen, blood products, or other specialized medical supplies of (a) the anticipated medical costs to be incurred by the family and regular payments will be reimbursed by insurance or a government agency.

Written verification from the provider of medical equipment such as hospital bed, scooter, wheelchair, commode, artificial limbs, etc. of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

For attendant care paid to an individual:

A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.

Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies



of canceled checks the family used to make those payments) or stubs from the agency providing the services.

Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

Copies of payment agreements or most recent invoice that verify payments made on outstanding attendant care bills that will continue over all or part of the next 12 months.

Receipts or other record of attendant care expenses incurred during the past 12 months that can be used to anticipate future attendant care expenses.

SNRHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

### **Assistance to Persons with Disabilities [24 CFR 5.611(c)]**

In All Cases:

#### SNRHA Policy

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

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

Attendant Care:

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

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

Auxiliary Apparatus:

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

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

### **Live-In Aide**

#### SNRHA Policy

When a participant requires a live-in aide, SNRHA shall submit their signed reasonable accommodation request form to the medical professional noted on their request for third



party verification of the need. Once approved by the 504 officer, the participant shall have 30 calendar days to submit the name of the live-in aide and schedule them to come in for screening. The voucher size shall NOT be increased until such time as SNRHA staff has completed their screening of the Live-In Aide in compliance with HUD guidance. The participant shall be allowed to submit another name for a live-in aide if the first does not pass the screening process but must submit this name within 14 calendar days of the denial notice.

The approved voucher size would be adjusted, if required to accommodate a room for the live-in aide. Each year SNRHA at annual recertification time shall re-verify the need for a live-in aide.

### ***VERIFYING NON-FINANCIAL FACTORS [24 CFR 982.153(b) (15)]***

#### **Verification of Legal Identity**

In order to prevent program abuse, SNRHA will require applicants/participants to furnish verification of legal identity for all adult family members.

##### SNRHA Policy

The documents listed below will be considered acceptable verification of legal identity for adults, as long as they include a picture of the individual. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

- Driver's license
- U.S. passport
- Department of Motor Vehicles Identification Card
- Validated Sheriff Card
- Military Identification
- DMV Instructional ID
- Clark County Heath Card with valid photo ID
- Veteran's ID with photo

An original Certificate of Birth is required for all minors. Other documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

- Adoption papers
- Custody agreement
- School records
- Hospital Birth Certifications
- Passport



Health and Human Services ID (foster children; adopted children)

I-94

### SNRHA Policy

Verification of divorce or separation status will be a Certification of Absent Spouse form being completed by the head of household or any other adult household member, unless the family wishes to submit a formal divorce or separation document from the courts.

Verification of a separation may be a copy of court-ordered maintenance or other records.

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns, or being a domestic partner as recognized in the State of Nevada (according to Senate Bill 283.))

### ***Familial Relationships***

#### SNRHA Policy

Verification of guardianship is:

Court-ordered assignment

Verification from social services agency

Other family relationships will be verified through birth certificates or other relevant documents.

SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

### ***Verification of Permanent Absence of Family Member***

If an adult member who was formerly a member of the household or was never reported and identified by staff as being a spouse and is reported permanently absent by the family, SNRHA will consider any of the following as verification:

- Husband or wife institutes divorce action.
- Husband or wife institutes legal separation.
- Order of protection/restraining order obtained by one family member against another.
- SNRHA separation affidavit.

### ***Verification of Change in Family Composition***



SNRHA may verify changes in family composition (either reported or unreported) through one or more of the following actions: letters, telephone calls, utility records, inspections, landlords, credit data, school, or DMV records, and other sources.

***Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512, 5.514]***

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

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury, the Declaration 214 Form, noting that they are a citizen or national.

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status (Declaration 214 Form) and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status (Declaration 214 Form) and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. SNRHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, SNRHA must request within ten (10) calendar days that the INS conduct a manual search.

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

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

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

Additionally, SNRHA must terminate assistance for at least 24 months if it determines that a family has knowingly permitted an ineligible person to live in the assisted unit without informing SNRHA.

***Time of Verification***

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination.

SNRHA will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family.





For family members added after other members have been verified, the verification occurs upon approval of additional person by SNRHA.

Once verification has been completed for any covered program, it shall be verified annually unless their eligibility immigration status changes to permanent resident. In the case of port-in families, if the initial PHA does not supply the documents, SNRHA must conduct the determination and/or when SNRHA notes a Resident Alien Card with an expiring date or no date of expiration.

#### Acceptable Documents of Eligible Immigration

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

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

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

#### SNRHA Policy

SNRHA will recertify eligible immigration status one year prior to expiration date of the following documents:

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)

#### ***Medical Need for Larger Unit***

##### SNRHA Policy

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional as a reasonable accommodation for a disabled family member. At each annual Housing Quality Inspection, staff will verify that the additional room is still being used for medical equipment. When this is not the case, the voucher will be decreased in compliance with HUD guidance.

#### ***VERIFICATION OF WAITING LIST PREFERENCES [24 CFR 5.410-5.430]***

SNRHA must verify any preferences claimed by an applicant.



## SNRHA Policy

### ***Terminated for Insufficient Program Funding***

SNRHA will verify this preference using SNRHA's termination records.

### ***Residency Preference:***

For families who live, work or have been hired to work in the jurisdiction of SNRHA. Families must provide proof of residency to qualify for this preference such as a Nevada Issued driver's license or lease for a unit within Clark County.

The signature on the application will serve as self-certification for the residency preference. In cases where there is questions regarding eligibility to go portable, SNRHA may request additional verification such as a Nevada Driver License or Identification card issued on or prior to the date of application, employment records, school records, social security award letters or welfare eligibility letter addressed to the applicant's Las Vegas address at or before the time of application.

### ***Veterans' preference:***

This preference is available to current members of the U.S. Military Armed Forces, veterans, or surviving spouses of veterans.

SNRHA will require U.S. government documents which indicate that the applicant qualifies under the above definition.

### ***Working preference:***

Families with at least one adult who is employed at least 20 hours per week: Employment will be verified.

Families with active participants in accredited educational and training programs designed to prepare the individual for the job market: SNRHA will require a statement from the agency or institution providing the education or training.

Elderly families: head or spouse 62 years of age or older

Families whose head is receiving income based on their inability to work: An Award letter or other proof of eligibility for Social Security Disability or Supplemental Security Income will be acceptable for the receipt of income based on their inability to work.

Families whose head, spouse, or sole member is a person with disability and who is certified to be unable to work whether or not they receive income on this basis, if both the head of household or spouse is either elderly or disabled.

## **When Third-Party Verification is Not Required**

### ***Primary Documents***



Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

### *Certain Assets and Expenses*

#### SNRHA Policy

SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value [HCV GB, p. 5-28].

SNRHA will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification [VG, p. 15].

#### SNRHA Policy

SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually. The continued occupancy form certification shall be considered as the family's certification. For families whose assets do not exceed \$5,000 in net value, the PHA will accept family self-certification of asset value and anticipated income.

SNRHA may require additional verification if necessary to document that assets do not exceed \$5,000 in net value.

### *Certain Income, Asset and Expense Sources*

SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification [VG, p. 15]. For example, SNRHA will rely upon review of documents when SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### SNRHA Policy

SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

SNRHA will document in the family file the reason that the third-party verification was not available and will place a photocopy of the original document(s) in the family file. [VG, p. 15].

If the family cannot provide original documents, SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost [VG, p. 18].

## **6-I.E. REVIEW OF DOCUMENTS**



**Using Review of Documents as Verification**

SNRHA Policy

If SNRHA has determined that third-party verification is not available or not required, SNRHA will use documents provided by the family as verification.

SNRHA may also review documents when necessary to help clarify information provided by third parties. In such cases SNRHA will document in the file how SNRHA arrived at a final conclusion about the income or expense to include in its calculations.

**6-I.F. SELF-CERTIFICATION**

SNRHA Policy

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to SNRHA.

**6-I.G. ASSETS (24 CFR 5.609 (b)(3) AND 24 CFR 5.603 (b))**

There is no asset limitation for participation in the HCV program. However, HUD requires the PHA include in annual income the anticipated “interest, dividends, and other net income of any kind from real or personal property (24 CFR 5.609 (b) (3)).

Notice PIH 2012-29 requires PHAs to establish an imputed asset passbook savings rate based on the national average rate. The rate previously established by HUD field offices. The imputed asset income calculation is only performed if the net value of the family’s asset exceeds \$5,000.00.

SNRHA shall establish a rate of 0.75 percent (three quarters of one percent) of the national rate. This is a “safe harbor.” SNRHA will be in compliance with the safe harbor guidance when the national rate is anywhere from zero percent to 1.5 percent.

**PART II: VERIFYING FAMILY INFORMATION**

**6-II.A. VERIFICATION OF LEGAL IDENTITY**

SNRHA Policy

SNRHA will require families to furnish verification of legal identity for each household member.

| <b>Verification of Legal Identity for Adults</b> | <b>Verification of Legal Identity for Children</b> |
|--------------------------------------------------|----------------------------------------------------|
| Driver's license                                 | Certificate of birth                               |
| U.S. passport                                    | Adoption papers                                    |
| Department of Motor Vehicles Identification Card | Custody agreement                                  |
| Validated Sheriff Card                           | School records                                     |



|                                                                                                                                              |                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Military Identification</p> <p>DMV Instructional ID</p> <p>Clark County Heath Card with valid photo ID</p> <p>Veteran’s ID with photo</p> | <p>Hospital Birth Certifications</p> <p>Passport</p> <p>Health and Human Services ID (foster children; adopted children)</p> <p>I-94</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required. For all members of the household the first and last name on the Legal documents provided must match the social security record.

**6-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and HCV GB, p. 5-12]**

Every family member must provide documentation of a valid social security number (SSN) unless they are a non-citizen or non-eligible immigrant.

SNRHA Policy

SNRHA will request to copy the family member’s social security card.

If the social security card is not available, SNRHA will accept the following documents as evidence if the SSN is provided on the document:

Other identification cards issued by a federal, state or local agency, a medical insurance company or provider, or employer or trade union.

Benefit award letters from a government agency; retirement benefit letters; life insurance policies.

Any document issued by the Social Security Administration that clearly lists the family member’s social security number and name.

SNRHA will instruct the family to obtain a duplicate card from the local Social Security Administration (SSA) office.

For individuals who are at least 62 years of age and/or disabled and are unable to submit the required documentation of their SSN within the initial 90 calendar day period, SNRHA will grant an additional 30 calendar days to provide documentation as a reasonable accommodation.

Social security numbers must be verified only once during continuously-assisted occupancy. For all members of the household the first and last name on the Legal documents provided must match the social security record.

If any adult family member obtains a SSN after admission to the program, the new SSN must be disclosed within 90 calendar days.

The social security numbers of household members, such as live-in aids, must be verified for the purpose of conducting criminal background checks.



## **6-II.C. FAMILY RELATIONSHIPS**

Applicants and program participants are required to identify the relationship of each household member to the head of household. If an applicant list themselves as married and not list a spouse, they will still be required to submit a separation , divorce decree, or SNRHA’s Certification of Marital Status form. Definitions of the primary household relationships are provided in the Eligibility chapter.

### SNRHA Policy

Other family relationships will be verified through birth certificates or other relevant documents.

### **Marriage**

#### SNRHA Policy

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

### **Separation or Divorce**

#### SNRHA Policy

SNRHA will require the family (head of household) to sign a Certification of Marital Status to document the divorce, or separation. The family may submit a certified copy of a divorce decree, signed by a court officer, or a copy of a court-ordered maintenance or other court record to document a separation.

### **Absence of Adult Member**

#### SNRHA Policy

SNRHA will consider any of the following as verification:

Husband or wife institutes divorce action

Husband or wife institutes legal separation.

Order of protection/restraining order obtained by one family member against another.

Certification of the spouse no longer living in the unit or contributing to the family.

### **Foster Children and Foster Adults**

#### SNRHA Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.



## **6-II.D. DOCUMENTATION OF AGE**

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.

### SNRHA Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, SNRHA will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

## **6-II.E. VERIFICATION OF STUDENT STATUS**

### **General Requirements**

#### SNRHA Policy

SNRHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family reports full-time student status for an adult other than the head, spouse, or co-head.

The family reports child care expenses to enable a family member to further his or her education.

The family includes a student enrolled in an *institution of higher education*.

The family claims an income exclusion because the student is receiving earned income and only the first \$480 is included as income.

### **Restrictions on Assistance to Students Enrolled in Institutions of Higher Education**

This section applies only to students who are seeking assistance on their own, separately from their parents. It does not apply to students residing with parents who are seeking or receiving HCV assistance.

#### SNRHA Policy

In accordance with the verification hierarchy described in Section 6-1.B, SNRHA will determine whether the student is exempt from the restrictions in 24 CFR 5.612 by verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see Section Exhibit 3-2).



The student is at least 24 years old.

The student is a veteran, as defined in Section 3-II.E.

The student is married.

The student has at least one dependent child, as defined in Section 3-II.E.

If SNRHA cannot verify at least one of these exemption criteria, SNRHA will conclude that the student is subject to the restrictions on assistance at 24 CFR 5.612. In addition to verifying the student's income eligibility, SNRHA will then proceed to verify either the student's parents' income eligibility or the student's independence from his/her parents (see below).

### ***Independent Student***

#### **SNRHA Policy**

SNRHA will verify a student's independence from his/her parents to determine that the student's parents' income is not relevant for determining the student's eligibility by doing all of the following:

Either reviewing or verifying previous address information to determine whether the student has established a household separate from his/her parents for at least one year or reviewing and verifying documentation relevant to determining whether the student meets the U.S. Department of Education's definition of *independent student* (see Section 3-II.E).

Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent.

Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0.

### **6-II.F. DOCUMENTATION OF DISABILITY**

SNRHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income. SNRHA is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. SNRHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If SNRHA receives a verification document that provides such information, the PHA will not place this information in the tenant file. Under no circumstances will the PHA request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at [www.os.dhhs.gov](http://www.os.dhhs.gov).

The above cited regulation does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities [VG, p. 24]:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy





- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance

### **Family Members Receiving SSA Disability Benefits**

Verification of the receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income disallowances and deductions [VG, p. 23].

#### SNRHA Policy

For family members claiming disability who receive disability benefits from the SSA, SNRHA will attempt to obtain information about disability benefits through the HUD Enterprise Income Verification (EIV) system when it is available. If documentation from HUD's EIV System is not available, SNRHA will request a current (dated within the last 60 calendar days) SSA benefit verification letter from each family member claiming disability status. If the family is unable to provide the document(s), SNRHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant or participant receives the benefit verification letter they will be required to provide it to SNRHA.

### **Family Members Not Receiving SSA Disability Benefits**

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.403.

#### SNRHA Policy

For family members claiming disability who do not receive disability benefits from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

## **PART III: VERIFYING INCOME AND ASSETS**

Chapter 5, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by



the family must be verified. This part provides SNRHA policies that supplement the general verification procedures specified in Part I of this chapter.

### **6-III.A. EARNED INCOME**

#### **Wages**

##### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV with four (4) consecutive current paystubs for annuals and 2 for New Hires.
2. Acceptable 3<sup>rd</sup> Party written verification provided by the participant/applicant.
3. Third party written verification.  
(Employment verification form completed by the employer)
4. Oral third party – Staff must document the file narrative to outline why other steps above were not available.
5. W-2 forms and IRS Form 4506-T release.
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

#### **Tips**

##### SNRHA Policy

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year. Interruption of employment due to temporary leave of absence (i.e. maternity leave, short-term disability): upon verification that earnings have stopped, an interim will be conducted to remove the income. The family may be required to complete a Zero Income Questionnaire/Certification. The family is required to report any other income received in lieu of earnings. The family will be required to report when the income starts again. At that time an interim will be conducted to add the income back into the family budget.

### **6-III.B. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS**

#### **Social Security/SSI Benefits**

##### SNRHA Policy



To verify the SS/SSI benefits of applicants, SNRHA will request a current (dated within the last 60 calendar days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), the PHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant has received the benefit verification letter they will be required to provide it to SNRHA.

To verify the SS/SSI benefits of participants, SNRHA will obtain information about social security/SSI benefits through the HUD EIV System and any post increases. If benefit information is not available in HUD systems, SNRHA will request a current SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s) the PHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the participant has received the benefit verification letter they will be required to provide it to SNRHA.

### **6-III. C. ASSETS AND INCOME FROM ASSETS**

#### **Assets Disposed of for Less than Fair Market Value**

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. SNRHA needs to verify only those certifications that warrant documentation [HCV GB, p. 5-28].

##### SNRHA Policy

SNRHA will verify the value of assets disposed of only if:

SNRHA does not already have a reasonable estimation of its value from previously collected information, or

The amount reported by the family in the certification appears obviously in error.

Example 1: An elderly participant reported a \$10,000 certificate of deposit at the last annual reexamination and SNRHA verified this amount. Now the person reports that she has given this \$10,000 to her son. SNRHA has a reasonable estimate of the value of the asset; therefore, re-verification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately \$5,000. Based upon market conditions, this declaration does not seem realistic. Therefore, SNRHA will verify the value of this asset.

### **6-III.D. NET INCOME FROM RENTAL PROPERTY**

##### SNRHA Policy

The family must provide:



A current executed lease for the property that shows the rental amount or certification from the current tenant.

A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income). If schedule E was not prepared, SNRHA will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

### **6-III.E. RETIREMENT ACCOUNTS**

#### SNRHA Policy

SNRHA shall use the streamlined procedure in compliance with PIH Notice 2013-3 which allows the use of previously published cost of living adjustments to verify income amounts if this income is from annuities, insurance policies, retirement funds, or other retirement or non wage income. When third-party verification is not available the type of original document that will be accepted depends upon the family member's retirement status.

*Before* retirement, SNRHA will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 6 months from the effective date of the examination.

*Upon* retirement, SNRHA will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.

*After* retirement, SNRHA will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

### **6-III.F. INCOME FROM EXCLUDED SOURCES**

SNRHA must obtain verification for income exclusions only if, without verification, SNRHA would not be able to determine whether the income is to be excluded. For example: If a family's 16 year old has a job at a fast food restaurant, SNRHA will confirm that SNRHA records verify the child's age but will not send a verification request to the restaurant. However, if a family claims the earned income disallowance for a source of income, both the source and the income must be verified.

#### SNRHA Policy

SNRHA will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share (as is the case with the earned income disallowance). In all other cases, including food stamps, SNRHA will



report the amount to be excluded as indicated on documents provided by the family, including the family's written certification.

### **6-III.G. ZERO/EXTREMELY LOW ANNUAL INCOME STATUS**

#### SNRHA Policy

Families claiming to have no annual income will be required to execute verification forms to determine that certain forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household.

## **PART IV: VERIFYING MANDATORY DEDUCTIONS**

### **6-IV.A. DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS**

The dependent and elderly/disabled family deductions require only that the PHA verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

#### **Dependent Deduction**

See Chapter 5 for a full discussion of this deduction. SNRHA must verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or co-head of the family and is not a foster child.
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student.

#### **Elderly/Disabled Family Deduction**

See Eligibility chapter for a definition of elderly and disabled families and Chapter 5 for a discussion of the deduction. SNRHA must verify that the head, spouse, or co-head is 62 years of age or older or a person with disabilities.

### **6-IV.B. MEDICAL EXPENSE DEDUCTION**

Policies related to medical expenses are found in Chapter 5.

#### **Amount of Expense**

#### SNRHA Policy

SNRHA will provide a third-party verification form directly to the medical provider requesting the needed information.

Medical expenses will be verified through:

Third-party verification form signed by the provider, when possible.

If third-party is not possible, copies of cancelled checks used to make medical expense payments and/or printouts or receipts from the source will be used. In this



case SNRHA will make a best effort to determine what expenses from the past are likely to continue to occur in the future. SNRHA will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming 12 months.

In addition, SNRHA must verify that:

- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

### **Eligible Household**

The medical expense deduction is permitted only for households in which the head, spouse, or cohead is at least 62, or a person with disabilities. SNRHA must verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter of this plan.

### **Qualified Expenses**

To be eligible for the medical expenses deduction, the costs must qualify as medical expenses. See Chapter 5 for SNRHA policy on what counts as a medical expense.

### **Unreimbursed Expenses**

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source.

### **Expenses Incurred in Past Years**

#### SNRHA Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, SNRHA will verify:

- The anticipated repayment schedule
- The amounts paid in the past, and
- Whether the amounts to be repaid have been deducted from the family's annual income in past years

## **6-IV.C. DISABILITY ASSISTANCE EXPENSES**

Policies related to disability assistance expenses are found in Chapter 5.

### **Amount of Expense**



## *Attendant Care*

### SNRHA Policy

SNRHA will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:

Third-party verification form signed by the provider, when possible.

If third-party is not possible, copies of cancelled checks used to make attendant care payments and/or receipts from care source.

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 months.

## *Auxiliary Apparatus*

### SNRHA Policy

Expenses for auxiliary apparatus will be verified through:

Third-party verification of anticipated purchase costs of auxiliary apparatus. If third-party is not possible, billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months.

If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months.

In addition, SNRHA must verify that:

The family member for whom the expense is incurred is a person with disabilities.

The expense permits a family member, or members, to work (see Chapter 5).

The expense is not reimbursed from another source (see Chapter 5).

The expense does not exceed the amount of the earned income of the individual freed for work.

## **Family Member is a Person with Disabilities**

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. SNRHA will verify that the expense is incurred for a person with disabilities.

## **Family Member(s) Permitted to Work**

SNRHA must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.



### SNRHA Policy

SNRHA will seek third-party verification from a Rehabilitation Agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work.

If third-party and document review verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work.

### **Unreimbursed Expenses**

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

### SNRHA Policy

An attendant care provider will be asked to certify that, to the best of the provider's knowledge, the expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

## **6-IV.D. CHILD CARE EXPENSES**

SNRHA must verify that:

- The child is eligible for care.
- The costs claimed are not reimbursed.
- The costs enable a family member to pursue an eligible activity.
- The costs are for an allowable type of childcare.
- The costs are reasonable if seeking employment or furthering education.

### **Eligible Child**

To be eligible for the childcare deduction, the costs must be incurred for the care of a child under the age of 13. SNRHA will verify that the child being cared for (including foster children) is under the age of 13.

### **Unreimbursed Expense**

To be eligible for the childcare deduction, the costs must not be reimbursed by another source.

### SNRHA Policy

The childcare provider will be asked to certify that, to the best of the provider's knowledge, the childcare expenses are not paid by or reimbursed to the family from any





source. The family will be required to certify that the childcare expenses are not paid by or reimbursed to the family from any source.

SNRHA must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

### ***Information to be Gathered***

SNRHA will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### ***Seeking Work***

Whenever possible SNRHA will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases SNRHA will request verification from the agency of the member's job seeking efforts to date and require the family to submit to SNRHA any reports provided to the other agency.

In the event third-party verification is not available, SNRHA will provide the family with a form on which the family member must record job search efforts. SNRHA will review this information at each subsequent reexamination for which this deduction is claimed.

### ***Furthering Education***

SNRHA will ask that the academic or vocational educational institution verify that the person permitted to further his or her education by the childcare is enrolled and provide information about the timing of classes for which the person is registered

### ***Gainful Employment***

SNRHA will seek verification from the employer of the work schedule of the person who is permitted to work by the childcare. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified.

## **Allowable Type of Child Care**

The type of care to be provided is determined by the family.

### **SNRHA Policy**

SNRHA will verify that the type of childcare selected by the family is allowable, as described in Chapter 5.

SNRHA will verify that the fees paid to the childcare provider cover only childcare costs (e.g., no housekeeping services or personal services) and are paid only for the care of an



eligible child (e.g., prorate costs if some of the care is provided for ineligible family members).

SNRHA will verify the childcare provider is not a family member residing in the household. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.

### **Reasonableness of Expenses**

Only reasonable childcare costs can be deducted for seeking employment or furthering education.

#### SNRHA Policy

To verify that the childcare costs are reasonable, the actual costs the family incurs will be compared with SNRHA's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable.

If the family presents a justification for costs that exceed typical costs in the area, SNRHA will request additional documentation, as required, to support a determination that the higher cost is appropriate.

SNRHA will send out our childcare verification form when child care expenses are being verified. This form must be completed with all questions answered and returned by mail or fax. This form will be the only verification childcare form acceptable by our agency. Private childcare providers that do not have tax identification numbers must complete the section that requests their social security numbers or their INS number.

Written verification from the person who receives the payments is required. If the child care provider is licensed, the provider is required to provide their Employment Identification Number.

Verifications must specify the child care provider's business or individual name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Families must certify as to whether any of those payments have been or will be paid or reimbursed by outside sources.

**U.S. Department of Housing and Urban Development Office of Public and Indian Housing**  
**The New HUD Regulation: 24 CFR 5.233.** Effective January 31, 2010, all PHAs are required to use the EIV system in its entirety. This means that PHAs must use all features of the EIV system to:

- a. Verify tenant employment and income information during mandatory reexaminations of family composition and income in accordance with 24 CFR §5.236, and HUD



administrative guidance; and

- b. Reduce administrative and subsidy payment errors in accordance with HUD administrative guidance.

All PHAs are required to review the EIV Income Report of each family before or during mandatory annual and interim reexaminations of family income and/or composition to reduce tenant under reporting of income and improper subsidy payments. EIV is classified as an UIV technique (or automated written third party verification), which helps to identify income sources and/or amounts that the tenant may not have disclosed. This UIV technique in many instances will reduce the need to mail or fax third party verification request forms to an income source. EIV also provides various reports to assist PHAs with the following:

- a. Identifying tenants whose reported personal identifiers do not match the SSA database;
- b. Identifying tenants who need to disclose a SSN;
- c. Identifying tenants whose alternate identification number (Alt ID) needs to be replaced with a SSN;
- d. Identifying tenants who may not have reported complete and accurate income information;
- e. Identifying tenants who have started a new job;
- f. Identifying tenants who may be receiving duplicate rental assistance;
- g. Identifying tenants who are deceased and possibly continuing to receive rental assistance;
- h. Identifying former tenants of PIH rental assistance programs who voluntarily or involuntarily left the program and have a reportable adverse status and/or owe money to a PHA or Section 8 landlord.

### **Verification Hierarchy:**

PHAs are required to access the EIV system and obtain an Income Report for each household. The PHA is required to maintain the Income Report in the tenant file along with the form HUD-50058 and other supporting documentation to support income and rent determinations for all mandatory annual reexaminations of family income and composition. 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.

### **Level Verification Technique Ranking:**

- 6 Upfront Income Verification(UIV)** using HUD's Enterprise Income Verification (EIV) system (not available for income verifications of applicants) **Highest** (Mandatory)
- 5 Upfront Income Verification (UIV)** using non-HUD system **Highest** (Optional)



**4 Written third Party Verification High** (Mandatory to supplement EIV-reported income sources and when EIV has no data; Mandatory for non-EIV reported income sources; Mandatory when tenant disputes EIV reported employment and income information **and** is unable to provide acceptable documentation to support dispute)

### **3 Written Third Party Verification Form**

**Medium-Low**(Mandatory if written third party verification documents are not available or rejected by the PHA; and when the applicant or tenant is unable to provide acceptable documentation)

**2 Oral Third Party Verification Low** (Mandatory if written third party verification is not available) Must document file narrative when this verification system is used.

**1 Tenant Declaration Low** (Use as a last resort when unable to obtain any type of third party verification)

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

**Verification Technique Definitions Third Party Verification Techniques Upfront Income 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. PHAs 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.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either within the 60 calendar 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 report, employer 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, four 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 written third party verification form or the best available information.

**Note:** Documents older than 60 calendar 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. A standardized form to collect information from a third party source. The form is completed by the third party by hand (in writing or typeset). PHAs 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.

**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. PHA 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 file the reason(s) why third party verification was not available.**

The exception to third party verification can be found at 24 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 the 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 deductions from annual income; and (iv) other factors that affect the determination of adjusted income.

**How to comply with and reduce administrative burden of third party verification requirements of family annual income .** PHAs can comply with and reduce administrative burden of third party verification requirements for employment, wage, unemployment compensation and social security benefits, and any other information that is verifiable using EIV by:

- a.** Reviewing the EIV Income Report to confirm/validate tenant-reported income; and;
- b.** Printing and maintaining an EIV Income Report (or an EIV Individual Control Number (ICN) page for interim reexaminations as prescribed in Section 12 of this Notice) in the tenant file; and
- c.** Obtaining current acceptable tenant-provided documentation to supplement EIV information; and
- d.** Using current tenant-provided documentation and/or third party verification to calculate annual income.

**Note:** Social Security benefit information in EIV is updated every three months. If the tenant agrees with the EIV-reported benefit information, PHAs do not need to obtain or request a benefit verification letter from the tenant. See PIH Notice 2010-03 for guidance on verifying Social Security benefit income through the EIV system.



The PHA may also reduce the administrative burden of obtaining third party verification by relying on acceptable documents that are generated by a third party, but provided by the tenant. 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.).

**When the PHA is required to request written third party verification** The PHA must request written third party verification under the following circumstances:

- a. When the tenant disputes the EIV information and is unable to provide acceptable documentation to support his/her dispute (24 CFR §5.236(b));
- b. When the PHA requires additional information that is not available in EIV and /or the tenant is unable to provide the PHA with current acceptable tenant-provided documentation. Examples of additional information, includes but is not limited to:
  - i. Effective dates of income (i.e. employment, unemployment compensation, or social security benefits)
  - ii. For new employment: pay rate, number of hours worked per week, pay frequency, etc.
  - iii. Confirmation of change in circumstances (i.e. reduced hours, reduced rate of pay, temporary leave of absence, etc.)

*Note:* 24 CFR §5.236(a), prohibits PHAs from taking adverse action based solely on EIV information.

**Type of file documentation required to demonstrate PHA compliance with mandated use of EIV as a third party source to verify tenant employment and income information (24 CFR §5.233(a)(2)(i)).**

- A. For each new admission (form HUD-50058 action type 1), the PHA is required to do the following:
  - i. Review the EIV Income Report to confirm/validate family-reported income within 120 calendar days of the PIC submission date; and
  - ii. Print and maintain a copy of the EIV Income Report in the tenant file; and
  - iii. Resolve any income discrepancy with the family within 60 calendar days of the EIV Income Report date.
- B. For each historical adjustment (form HUD-50058 action type 14), the PHA is required to do the following:
  - i. Review the EIV Income Report to confirm/validate family-reported income within 120 calendar days of the PIC submission date; and
  - ii. Print and maintain a copy of the EIV Income Report in the tenant file; and
  - iii. Resolve any income discrepancy with the family within 60 calendar days of the EIV



Income Report date.

C. For each interim reexamination (form HUD-50058 action type 3) of family income and composition, the PHA is required to have the following documentation in the tenant file:

i. **ICN Page** when there is **no** household income discrepancy noted on the household's Income Discrepancy Report tab or Income Discrepancy Report. (PHAs have the discretion to print the EIV Income report, however, only the ICN page is required.) See sample screen shot below.

**Note:** The ICN Page is available from the Summary Report tab. See sample screen shot below:

ii. **EIV Income Report** when there **is** an income discrepancy noted on the household's Income Discrepancy Report tab or Income Discrepancy Report. See sample screen shot below.

D. For each annual reexamination of family income and composition, the PHA is required to have the following documentation in the tenant file:

i. **No Dispute of EIV Information:** EIV Income Report, current acceptable tenant-provided documentation, and *if necessary* (as determined by the PHA), traditional third party verification form(s). See examples 1 and 3 below.

ii. **Disputed EIV Information:** EIV Income report, current acceptable tenant provided documentation, and/or traditional third party verification form(s) for disputed information. See example 2 below.

iii. **Tenant-reported income not verifiable through EIV system:** Current tenant-provided documents, and *if necessary* (as determined by the PHA), traditional third party verification form(s). See example 3 below.

### **Example 1: No Disputed EIV Information & Tenant Provided Documents**

You are conducting an annual re-exam with tenant, Mary Jones. Ms. Jones reports that she is employed at the ABC Box Company. You pull up the EIV income report for the Jones family, which shows quarterly wages from the ABC Box Company for the full year of 2008, and the first two quarters of 2009. Last year's (2009) annual re-exam reflects wages from the same employer. There is no other income information on the report. The PHA may streamline the income verification process by requesting Ms. Jones provide current pay stubs dated within the last 60 calendar days of the interview or PHA request date. The PHA must obtain a minimum of two current and consecutive pay stubs from Ms. Jones. Since there is no disparity between tenant-reported and EIV-reported income, the PHA may obtain original and current tenant-provided pay stubs to calculate annual income.

The PHA may **not** use quarterly EIV wage (or unemployment benefit) information to calculate annual income since this information is at least six months old and more current income information (from pay stubs) is available.





## **Example 2: Disputed EIV Information & No Tenant-Provided Documents**

You are conducting an annual re-exam with tenant, Bob Miller. Mr. Miller reports that his only source of income is monetary support from his sister, Betty Miller. You pull up the EIV income report for the Miller family, which shows quarterly wages from the Home Depot for the full year of 2008, and the first two quarters of 2009. There is no other income information on the EIV report. Last year's (2009) annual re-exam reflects no wage information and only source of income is other non-wage income (monetary support from family member).

You inform Mr. Miller that the EIV system shows wages from the Home Depot and ask him to provide you with current pay stubs. Mr. Miller states that he does not work there and has no pay stubs.

Because Mr. Miller disputes the EIV-reported income and is unable to provide documents to support his dispute, the PHA **must** request written third party verification from Home Depot. You mail a third party verification request form to the address listed for Home Depot. A few calendar days later, you receive the third party verification request form back from Home Depot, which indicates that Mr. Miller has been employed there since January 5, 2008, and a payroll summary report, showing Mr. Miller's bi-weekly gross and net pay since January 2008. Since the disputed EIV information has been confirmed to be correct by the independent third party source (Home Depot), the PHA will use the income information from the payroll summary report to calculate annual income. The PHA would also calculate the retroactive rent (using the information provided by Home Depot) since Mr. Miller failed to disclose his employment at the 2008 and 2009, annual re-exams.

The PHA would also inform Mr. Miller of this retroactive rent and take action according to PHA-established policies.

## **Example 3: Tenant Unreported Income , Income not Verifiable through EIV & Tenant- Provided Documents**

You are conducting an annual re-exam with tenant, Sharon Duvet. Ms. Duvet reports that her only source of income is child support and provides you with four current and consecutive child support pay stubs. You pull up the EIV Income Report for the Duvet family, which shows: hire date at the District Police Department effective January 9, 2005; quarterly wages from the District Police Department for the full years of 2005, 2006, 2007, and 2008, and the first two quarters of 2009. There is no other income information on the EIV Income Report. Last year's (2009) annual re-exam reflects income from only child support. You inform Ms. Duvet that the EIV system is showing wages from the District Police Department and you ask her to provide you with current pay stubs. Ms. Duvet admits that she has been working at the District Police Department and indicates that she can provide you with current pay stubs. You inform Ms.



Duvet that you will also have to calculate her retroactive rent for the previous years in which she did not disclose her employment. You go over the EIV-reported wages with Ms. Duvet and she indicates that she does not dispute the information.

Since Ms. Duvet does not dispute the EIV-reported information, the PHA may use the tenant provided documents to calculate income and rent for the 2010 annual reexam, and use the EIV-reported earnings for years 2005 through 2008, to calculate the retroactive rent Ms. Duvet will owe. The PHA should require Ms. Duvet to provide her last pay stub from 2009, or her 2009 W- 2, to calculate the retroactive rent for 2009. The PHA will use the tenant-provided child support pay stubs (child support income is not available in EIV) to calculate annual income from this source.

**What if the tenant does *not* provide the PHA with requested information?** If the tenant does not provide the requested information, the PHA may mail or fax a third party verification request form to the third party source. The PHA is ***required*** to request third party verification when the tenant disputes EIV information and the tenant is unable to provide acceptable documentation to support disputed information. However, the PHA should ***also*** remind the tenant that s/he is required to supply any information requested by the PHA for use in a regularly scheduled annual or interim reexamination of family income and composition.

The PHA may determine that the tenant is not in compliance with program requirements and terminate tenancy or assistance, or both, if the tenant fails to provide the requested information in a timely manner (as prescribed by the PHA).

**How to use EIV to reduce administrative and subsidy payment errors.** EIV has the ability to identify other potential issues which may impact a family's level of assistance. EIV contains stand-alone reports, which a PHA may generate at any time (i.e. Deceased Tenants Report, New Hires Report, Multiple Subsidy Report, Identity Verification Report, Income Discrepancy Report, Debts Owed to PHAs & Termination Report, and Immigration Report).

However, it should be noted that the information from these stand-alone reports are contained in the Income Report for each household. PHAs are required to address any and all potential issues at the time of the annual or interim reexam, as conveyed in the Income Report. PHAs may use the stand-alone reports to monitor staff's progress in reducing the following administrative and subsidy payment errors by using the listed reports:

- a. Incorrect/invalid SSNs/name/date of birth – Identity Verification Report
- b. Follow-up with families who need to disclose a SSN – Immigration Report
- c. Duplicate rental assistance – Multiple Subsidy Report
- d. Unreported increase in income – Income discrepancy Report
- e. Improper payments on behalf of deceased tenants – Deceased Tenants Report
- f. Unreported new employment (PHAs with interim increase policy) – New Hires Report
- g. Adverse Termination/Outstanding Debt to PHA – Debts Owed to PHAs & Termination Search



In order to ensure PHAs are aware of potential subsidy payment errors, PHAs are **required** to monitor the following EIV reports on a monthly basis:

1. Deceased Tenants Report
2. Identity Verification Report
3. Immigration Report

In order to ensure PHAs are aware of potential subsidy payment errors, PHAs are **required** to monitor the following EIV reports on a quarterly basis:

1. Income Discrepancy Report
2. Multiple Subsidy Report (and at Admissions)
3. New Hires Report (if your agency has an interim increase policy)

**How to use the EIV Income Report as a third party source to verify tenant employment and income information.** The EIV Income Report provides a variety of information about each household member of the family. The report contains the following information for each household member:

- A. Personal identifiers: name, date of birth, and SSN
- B. Identity verification status (pending, verified, deceased, or failed)
- C. Employment information

1. New Hire Information (W-4)
  - a. Date hired
  - b. Employer name
2. Employer name, address, and employer identification number of current and past employers.
3. Quarterly earnings
  - a. Quarterly unemployment compensation
  - b. Social Security benefit information
4. Social Security (SS) benefits
  - a. Payment status code
  - b. Date of current entitlement
  - c. Current net monthly benefit amount (if payable)
  - d. Gross monthly benefit history (last 8 changes in benefit amount)
  - e. Lump sum payment amount and date
  - f. Payee name and address
5. Dual Entitlement (Social Security benefits under another person's SSN)
  - a. Claim Number (the other person's SSN)



- b. Payment status code
- c. Date of current entitlement
- d. Current net monthly benefit amount (if payable)
- e. Gross monthly benefit history (last 8 changes in benefit amount)
- f. Payee name and address

#### 6. Supplemental Security Income (SSI)

- a. Payment status code
- b. Alien indicator
- c. Current net monthly benefit amount
- d. Current monthly state supplement benefit amount (if available)
- e. Gross monthly benefit history (last 8 changes in benefit amount)
- f. Payee name and address

#### 7. Medicare data

- a. Payee name and address
- b. Monthly hospital insurance premium amount, buy-in status, and buy-in start and end dates
- c. Monthly supplemental medical insurance premium amount, buy-in status, and buy-in start and end dates
- d. Disability status and onset date
- e. Identity verification status
- f. Indicator of possible multiple rental subsidy
- g. Indicator of debt and/or termination information from another PHA (effective September 2010)

All EIV Income Reports contain the date the report was generated and by whom; and the date EIV received each type of information. To minimize tenant underreporting of income, PHAs are required to obtain an EIV Income Report for each family any time the PHA conducts an annual or interim reexamination of family income and composition.

In accordance with 24 CFR §5.236(b) (2) (3), PHAs are required to compare the information on the EIV report with the family-reported information. If the EIV report reveals an income source that was not reported by the tenant or a substantial difference in the reported income information, the PHA is required to take the following actions:

1. Discuss the income discrepancy with the tenant; and
2. Request the tenant to provide any documentation to confirm or dispute the unreported or underreported income and/ or income sources; and
3. In the event the tenant is unable to provide acceptable documentation to resolve the income discrepancy, the PHA is required to request from the third party source, any information necessary to resolve the income discrepancy; and
4. If applicable, determine the tenant's underpayment of rent as a result of unreported or underreported income, retroactively\*; and



5. Take any other appropriate action as directed by HUD or the PHA's administrative policies.

\*The PHA is required to determine the retroactive rent as far back as the existence of complete file documentation (form HUD-50058 and supporting documentation) to support such retroactive rent determinations.

**Note:** A substantial difference is defined as an amount equal to or greater than \$2,400, annually. The tenant must be provided an opportunity to contest the PHA's determination of tenant rent underpayment. HUD regulations require PHAs to promptly notify tenants in writing of any adverse findings made on the basis of the information verified through the aforementioned income discrepancy resolution process. The tenant may contest the findings in accordance with the PHA's established grievance procedures, as required by HUD. The PHA may not terminate, deny, suspend, or reduce the family's assistance until the expiration of any notice or grievance period.

When there is an unsubstantial or no disparity between tenant-reported and EIV-reported income information, the PHA is required to obtain from the tenant, any necessary documentation to complete the income determination process. As noted previously, the PHA may reject any tenant-provided documentation, if the PHA deems the documentation unacceptable. The PHA may reject documentation provided by the tenant for only the following HUD-approved reasons:

1. The document is not an original; or
2. The original document has been altered, mutilated, or is not legible; or
3. The document appears to be a forged document (i.e. does not appear to be authentic).

The PHA should explain to the tenant, the reason(s) the submitted documents are not acceptable and request the tenant to provide additional documentation. If at any time, the tenant is unable to provide acceptable documentation that the PHA deems necessary to complete the income determination process, the PHA is required to submit a traditional third party verification form to the third party source for completion and submission to the PHA.

If the third party source does not respond to the PHA's request for information, the PHA is required to document the tenant file of its attempt to obtain third party verification and that no response to the third party verification request was received.

The PHA should then pursue lower level verifications in accordance with the verification hierarchy listed in section 8 of this notice.

**Tenant Repayment Agreement.** Tenants are required to reimburse the PHA if they were charged less rent than required by HUD's rent formula due to the tenant's underreporting or failure to report income. The tenant is required to reimburse the PHA for the difference between the tenant rent that should have been paid and the tenant rent that was charged. This rent underpayment is commonly referred to as retroactive rent. If the tenant refuses to enter



into a repayment agreement or fails to make payments on an existing or new repayment agreement, the PHA **must** terminate the family's tenancy or assistance, or both. HUD does **not** authorize any PHA-sponsored amnesty or debt forgiveness programs.

All repayment agreements must be in writing, dated, signed by both the tenant and the PHA, include the total retroactive rent amount owed, amount of lump sum payment made at time of execution, if applicable, and the monthly repayment amount. At a minimum, repayment agreements must contain the following provisions:

- a. Reference to the paragraphs in the Public Housing lease or Section 8 information packet whereby the tenant is in non-compliance and may be subject to termination of tenancy or assistance, or both.
- b. The monthly retroactive rent repayment amount is in addition to the family's regular rent contribution and is payable to the PHA.
- c. The terms of the agreement may be renegotiated if there is a decrease or increase in the family's income.
- d. Late and missed payments constitute default of the repayment agreement and may result in termination of tenancy and/or assistance unless balance is paid in full no later than the last day of the month of the default.

PHAs are required to determine retroactive rent amount as far back as the PHA has documentation of family reported income. For example, if the PHA determines that the family has not reported income for a period of five years and only has documentation for the last three years, the PHA is only able to collect for those years.

SNRHA shall offer the opportunity to all household to provide additional contact information on the HUD form 92006 at the time of application. Families are not required to supply the information but SNRHA shall offer the family an opportunity to complete the form.

**EXHIBIT 6-1: SUMMARY OF DOCUMENTATION REQUIREMENTS FOR NONCITIZENS [HCV GB, pp. 5-9 and 5-10]**

- **All** noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the PHA.
- Except for persons 62 or older, all noncitizens must sign a verification consent form
- Additional documents are required based upon the person's status.

**Elderly Noncitizens**

- A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits.

**All other Noncitizens**

- Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below.



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Form I-551 Alien Registration Receipt Card (for permanent resident aliens)</li> <li>• Form I-94 Arrival-Departure Record annotated with one of the following:             <ul style="list-style-type: none"> <li>• “Admitted as a Refugee Pursuant to Section 207”</li> <li>• “Section 208” or “Asylum”</li> <li>• “Section 243(h)” or “Deportation stayed by Attorney General”</li> <li>• “Paroled Pursuant to Section 221 (d)(5) of the USCIS”</li> </ul> </li> </ul>   | <ul style="list-style-type: none"> <li>• Form I-94 Arrival-Departure Record with no annotation accompanied by:             <ul style="list-style-type: none"> <li>• A final court decision granting asylum (but only if no appeal is taken);</li> <li>• A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90);</li> <li>• A court decision granting withholding of deportation; or</li> <li>• A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).</li> </ul> </li> </ul> |
| <ul style="list-style-type: none"> <li>• Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                   | <p>Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <ul style="list-style-type: none"> <li>• A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or</li> <li>• Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the <i>Federal Register</i></li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |



## Chapter 7

### BRIEFINGS AND VOUCHER ISSUANCE

#### INTRODUCTION

This chapter explains the briefing and voucher issuance process. When a family is determined eligible for the Housing Choice Voucher (HCV) program, SNRHA must ensure that the family fully understands the way the program operates and the family's obligations under the program. This is accomplished through both an oral briefing and provision of a briefing packet containing written documentation of information the family needs to know. Once the family is fully informed of the program's requirements, SNRHA issues the family a voucher. The voucher includes the unit size the family qualifies for based on SNRHA's subsidy standards, as well as the dates of issuance and expiration of the voucher. The voucher is the document that permits the family to begin its search for a unit, and limits the amount of time the family has to successfully locate an acceptable unit.

This chapter describes HUD regulations and SNRHA policies related to these topics in two parts:

Part I: Briefings and Family Obligations. This part details the program's requirements for conducting briefings of families orally, and for providing written materials describing the program and its requirements. It includes a particular focus on the family's obligations under the program.

Part II: Subsidy Standards and Voucher Issuance. This part discusses SNRHA's standards for determining how many bedrooms a family of a given composition qualifies for, which in turn affects the amount of subsidy the family can receive. It also discusses the policies that dictate how vouchers are issued, and how long families have to locate a unit.

#### PART I: BRIEFINGS AND FAMILY OBLIGATIONS

##### 7-I.A. OVERVIEW

SNRHA's goals and objectives are designed to assure that families selected to participate are equipped with the tools necessary to locate an acceptable housing unit. Families are provided sufficient knowledge and information regarding the program and how to achieve maximum benefit while complying with program requirements. When eligibility has been determined, SNRHA will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, SNRHA procedures, and how to lease a unit. The family will also receive a briefing packet that provides more detailed information about the program including the benefits of moving outside areas of poverty and minority concentration. This Chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.





HUD regulations require SNRHA to conduct mandatory briefings for applicant families. The briefing provides a broad description of owner and family responsibilities, explains SNRHA's procedures, and includes instructions on how to lease a unit. This part describes how oral briefings will be conducted, specifies what written information will be provided to families, and lists the family's obligations under the program.

### **ISSUANCE OF VOUCHERS [24 CFR 982.204(d), 982.54(d) (2)]**

When funding is available, SNRHA will issue Vouchers to applicants whose eligibility has been determined. The number of Vouchers issued will be designed to ensure that SNRHA stays as close as possible to 100 percent lease-up and maximizes SNRHA annual budget authority. SNRHA performs a monthly calculation manually to determine whether applications can be processed, the number of Vouchers that can be issued, and to what extent SNRHA can over-issue (issue more Vouchers than the budget allows to achieve lease-up because some families will not lease).

SNRHA may over-issue Vouchers only to the extent necessary to meet leasing goals. If SNRHA finds it is over-leased, it must adjust future issuance of Vouchers in order not to exceed the ACC budget limitations over the fiscal year.

### **7-I.B. BRIEFING [24 CFR 982.301]**

SNRHA must provide the family an oral briefing and provide the family with a briefing packet containing written information about the program. Families may be briefed individually or in groups. At the briefing, SNRHA must ensure effective communication in accordance with Section 504 requirements (Section 504 of the Rehabilitation Act of 1973), and ensure that the briefing site is accessible to individuals with disabilities. For a more thorough discussion of accessibility requirements, refer to Chapter 2.

#### SNRHA Policy

Briefings will be conducted in group or individual meetings. Families who attend group briefings and still have the need for individual assistance will be referred to their assigned Occupancy Specialist.

Briefings will be conducted in English. Briefings will also be conducted in Spanish, as requested prior to the briefing date and time and may be one-on-one. As noted in the policy on individuals who are Limited English Proficient, if any eligible population group grows enough, briefings will be conducted (and material provided) in those other languages. See LEP policy in Chapter 2 and Addendum B.

The purpose of the briefing is to explain how the program works and the documents in the Voucher holder's packet to families so that they are fully informed about the program. This will not only provide knowledge of the program but also enable participants to utilize the program to their full advantage. It will also prepare clients to discuss leasing options with potential owners and property managers.



SNRHA will not issue a Voucher to a family unless the household representative attends a briefing and signs the Voucher. The voucher will only be signed by the head-of-household (HoH) or spouse (SNRHA must have a copy of the marriage certificate on file in order for the spouse to sign) or person with power of attorney for the HoH. (SNRHA must have a copy of the power of attorney on file). Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. SNRHA will conduct additional or individual briefings for families with verified disabilities at their home, upon request by the family, if required as a reasonable accommodation.

## **Notification and Attendance**

### SNRHA Policy

Families will be notified of their eligibility for assistance at the time they are invited to attend a briefing. The notice will identify who is required to attend the briefing, as well as the date and time of the scheduled briefing.

All returned mail will be checked against the full application to verify if a secondary address is listed, and if so the letter will be sent to that address. If the notice is returned by the post office and there is no second address, the applicant will be withdrawn and their name will not be placed back on the waiting list.

Applicants who fail to attend a scheduled briefing will automatically be scheduled for a final briefing. SNRHA will notify the family of the date and time of the final scheduled briefing. Applicants who fail to attend two scheduled briefings, without SNRHA approval, will be denied assistance.

### **Oral Briefing [24 CFR 982.301(a)]**

Each briefing must provide information on the following subjects:

- How the Housing Choice Voucher program works
- Family and owner responsibilities
- Where the family can lease a unit, including renting a unit inside or outside SNRHA's jurisdiction
- For families eligible under portability, an explanation of portability. SNRHA cannot discourage eligible families from moving under portability. All families attending the briefing receive portability information and requirements.
- For families living in high-poverty census tracts, an explanation of the advantages of moving to areas outside of high-poverty concentrations and
- For families receiving welfare-to-work vouchers, a description of any local obligations of a welfare-to-work family and an explanation that failure to meet the obligations is grounds for denial of admission or termination of assistance.



### SNRHA Policy

When SNRHA-owned units are available for lease, SNRHA will inform the family during the oral briefing that the family has the right to select any eligible unit available for lease, and is not obligated to choose a SNRHA-owned unit.

### **Briefing Packet [24 CFR 982.301(b)]**

If the family includes a person with disabilities, SNRHA will ensure compliance with CFR 8.6 to ensure effective communication. Additionally, persons who qualify for Mainstream Voucher and said vouchers are available, shall be issued that voucher type.

Documents and information provided in the briefing packet must include the following:

- The term of the voucher and SNRHA's policies on any extensions or suspensions of the term (Tolling). If SNRHA allows extensions, the packet must explain how the family can request an extension and provide the form
- A description of the method used to calculate the housing assistance payment for a family, including how SNRHA determines the payment standard for a family, how SNRHA determines total tenant payment for a family, and information on the payment standard and utility allowance schedule
- An explanation of how SNRHA determines the maximum allowable rent for an assisted unit
- Where the family may lease a unit. For a family that qualifies to lease a unit outside SNRHA jurisdiction under portability procedures, the information must include an explanation of how portability works and a list of contacts
- The HUD-required tenancy addendum and lease requirements
- The form the family must use to request approval of tenancy, and a description of the procedure for requesting approval for a tenancy and submitting the completed packet for lease-up. SNRHA requires a signed lease by both parties with no effective date, to be attached to the Request For Tenancy Approval (RFTA) when it is returned
- A statement of SNRHA policy on providing information about families to prospective owners
- SNRHA occupancy standards including when and how exceptions are made
- The HUD brochure on how to select a unit and/or the HUD brochure "A Good Place to Live" on how to select a unit that complies with HQS
- The HUD pamphlet regarding lead-based paint entitled *Protect Your Family from Lead in Your Home*
- Information on federal, state and local equal opportunity laws and a copy of the housing discrimination complaint form. SNRHA will also include the pamphlet "Fair Housing: It's Your Right"



- A list of landlords or other parties willing to lease to assisted families or help families find units, especially outside areas of poverty or minority concentration. This list identifies units that have been stated as being accessible by the owners
- Helpful Hints Brochure –How to Keep Your Section 8 Assistance
- The family obligations under the program
- The grounds on which SNRHA may terminate assistance for a participant family because of family action or failure to act
- SNRHA informal hearing procedures including when SNRHA is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing
- Informational packet including an explanation of how portability works, including a list of neighboring housing agencies with the names, address and telephone number of a portability contact person at each for use by families who move under portability
- Expanding Housing Opportunities [24 CFR 985.3(g)]
- A map showing areas representing various income levels of the jurisdiction and surrounding areas for the purpose of expanding housing opportunities for families
- Information regarding SNRHA’s outreach program which assists families who are interested in, or experiencing difficulty in obtaining available housing units in areas outside of minority concentration locations
- Procedures for notifying SNRHA and/or HUD of program abuses such as side payments, extra charges, violation of tenant rights, and owner’s failure to repair
- Resource Guide –which include contacts to assist disabled persons with accessible unit modifications and deposits as well as service providers for all low-income families within our community
- Side-payments are prohibited (including Pool Fees; HOA fees, gardening/landscaping, and/or Management Fees)
- Terminations as a result of evictions for cause
- Requirements for reporting income and family composition changes between annual and form to report these changes
- Information on security deposits and legal referral services
- Exercising choice in residency
- Choosing a unit carefully and only after due consideration –must live in the unit for one year
- The Family Self-Sufficiency Program and Interest Form
- LEP Pamphlet
- Reasonable Accommodation Notice
- Ground for Termination of Assistance



- Occupancy Specialist Contact Information

If the PHA is located in a metropolitan FMR area, the following additional information must be included in the briefing packet in order to receive full points under SEMAP Indicator 7, Expanding Housing Opportunities [24 CFR 985.3(g)].

- Information about the characteristics of these areas including job opportunities, schools, transportation and other services
- An explanation of how portability works, including a list of portability contact persons for neighboring PHAs including names, addresses, and telephone numbers

### **Additional Items to be Included in the Briefing Packet**

In addition to items required by the regulations, SNRHA may wish to include supplemental materials to help explain the program to both participants and owners [HCV GB p. 8-7]

#### SNRHA Policy

SNRHA will provide the following additional materials in the briefing packet:

When SNRHA-owned units are available for lease, a written statement that the family has the right to select any eligible unit available for lease, and is not obligated to choose a SNRHA-owned unit.

Information on how to fill out and file a housing discrimination complaint form.

The publication *Things You Should Know (HUD-1140-OIG)* that explains the types of actions a family must avoid and the penalties for program abuse.

### **7-I.C. FAMILY OBLIGATIONS**

The obligations of the family are described in the housing choice voucher (HCV) regulations and on the voucher itself. These obligations include responsibilities the family is required to fulfill, as well as prohibited actions. SNRHA must inform families of these obligations during the oral briefing, and the same information must be included in the briefing packet. When the family's unit is approved and the HAP contract is executed, the family must meet those obligations in order to continue participating in the program. Violation of any family obligation may result in termination of assistance, as described in Chapter 12.

#### **Time Frames for Reporting Changes Required By Family Obligations**

##### SNRHA Policy

Unless otherwise noted below, when family obligations require the family to respond to a request or notify SNRHA of a change, notifying SNRHA of the request or change within 10 calendar days is considered prompt notice.

When a family is required to provide notice to SNRHA, the notice must be in writing.

#### **Family Obligations [24 CFR 982.551]**

Following is a listing of a participant family's obligations under the HCV program:



- The family must supply any information that SNRHA or HUD determines to be necessary, including submission of required evidence of citizenship or eligible immigration status
- The family must supply any information requested by SNRHA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition
- The family must disclose and verify social security numbers and sign and submit consent forms for obtaining information
- Any information supplied by the family must be true and complete
- The family is responsible for any Housing Quality Standards (HQS) breach by the family caused by failure to pay tenant-provided utilities or appliances, or damages to the dwelling unit or premises beyond normal wear and tear caused by any member of the household or guest

#### SNRHA Policy

Damages beyond normal wear and tear will be considered to be damages which could be assessed against the security deposit. When a court awards damages to the landlord, the tenant must make financial restitution to the landlord within 30 calendar days of the date on the notice. The PHA shall mail a copy of any court judgments to the tenant when provided if the owner. If the tenant fails to pay within 30 calendar days or enter into a repayment agreement with the owner and comply with the terms of the repayment agreement, the tenant's voucher shall be terminated.

- The family must allow SNRHA to inspect the unit at reasonable times and after reasonable notice, as described in Chapter 8 of this plan
- The family must not commit any serious or repeated violation of the lease

#### SNRHA Policy

SNRHA will determine if a family has committed serious or repeated violations of the lease based on available evidence, including but not limited to, a court-ordered eviction, or an owner's notice to evict.

Serious and repeated lease violations will include, but not be limited to, nonpayment of rent, disturbance of neighbors, destruction of property, living or housekeeping habits that causes damages to the unit or premises and/or criminal activity. Generally, the criterion to be used is whether the reason for the eviction was through no fault of the tenant or guests.

The family must notify SNRHA and the owner before moving out of the unit or terminating the lease.

#### SNRHA Policy

The family must comply with lease requirements regarding written notice to the owner. The family must provide written notice to SNRHA at the same time the owner is notified.

- The family must promptly give SNRHA a copy of any owner eviction notice



- The family must use the assisted unit for residence by the family. The unit must be the family's only residence
- The composition of the assisted family residing in the unit must be approved by SNRHA. The family must promptly notify SNRHA in writing of the birth, adoption, or court-awarded custody of a child within ten (10) calendar days. The family must request SNRHA approval to add any other family member as an occupant of the unit, including a new spouse

#### SNRHA Policy

The request to add a family member must be submitted in writing and approved prior to the person moving into the unit. SNRHA will determine eligibility of the new member in accordance with the policies in Chapter 2.

- The family must promptly notify SNRHA in writing if any family member no longer lives in the unit, within ten (10) calendar days
- If SNRHA has given approval, a foster child or a live-in aide may reside in the unit. SNRHA has the discretion to adopt reasonable policies concerning residency by a foster child or a live-in aide, and to define when SNRHA consent may be given or denied. For policies related to the request and approval/disapproval of foster children, foster adults, and live-in aides, see Chapter 2 and Chapter 11 (Section II.B)
- The family must not sublease the unit, assign the lease, or transfer the unit

#### SNRHA Policy

Subleasing includes receiving payment to cover rent and utility costs by a person living in the unit who is not listed as a family member.

- The family must supply any information requested by SNRHA to verify that the family is living in the unit or information related to family absence from the unit

The family must promptly notify SNRHA when the family is absent from the unit.

#### SNRHA Policy

Notice is required under this provision only when all family members will be absent from the unit for an extended period. An extended period is defined as any period greater than 30 calendar days. Written notice must be provided to SNRHA at the start of the extended absence.

- The family must pay utility bills and provide and maintain any appliances that the owner is not required to provide under the lease [Form HUD-52646, Voucher]
- The family must not own or have any interest in the unit, (other than in a cooperative and owners of a manufactured home leasing a manufactured home space)
- Family members must not commit fraud, bribery, or any other corrupt or criminal act in connection with the program. (See Chapter 16, Program Integrity for additional information)
- Family members must not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of



other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 for HUD and SNRHA policies related to drug-related and violent criminal activity

- Members of the household must not engage in abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 for a discussion of HUD and SNRHA policies related to alcohol abuse
- An assisted family or member of the family must not receive HCV program assistance while receiving another housing subsidy, for the same unit or a different unit under any other federal, state or local housing assistance program
- A family must not receive HCV program assistance while residing in a unit owned by a parent, child, grandparent, grandchild, sister, or brother of any member of the family, unless the PHA has determined (and has notified the owner and the family of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities [Form HUD-52646, Voucher].

### ***Move Briefing***

A move briefing will be held for participants who will be reissued a voucher to move and have given proper notice (written 30 day notice or 60 days if the participant have leases at tax credit properties) of intent to vacate to their landlord and SNRHA. This briefing includes incoming and outgoing portable families. SNRHA shall assist outgoing ports in identifying the correct staff at the PHA within the area that they are moving. Participants cannot exercise the portability right if they would be in violation of their lease or entered the program from a location other than Clark County and have not lived in SNRHA's jurisdiction for at least one year. SNRHA shall not issue a voucher to the participant if any form of an eviction notice "for cause" has been served and submitted to SNRHA. The owner/manager shall have no more than 30 calendar days to submit a court order summary of judgment to SNRHA. If SNRHA does not receive this document within 30 calendar days of the notice to vacate, the family shall be issued a voucher, if they have given a written 30 calendar days notice to their property owner or manager. The family's assistance may still be terminated if a summary of judgment is received even after they have moved or been issued a voucher to move, as SNRHA shall consider the summary of eviction for cause as documentation of a serious lease violation.

Program participants with disabilities who need to move to a new unit for reasons related to their disability must first receive approval from SNRHA which shall be verified by their doctor or other professional medical provider. Then additional approval from the owner as documented by the owner/manager signing a mutual rescission form shall be required. If such permission is obtained, SNRHA will permit the family to move.

### ***Owner Briefing***

Briefings are held for owners annually or as needed to market the Section 8 Housing Choice Voucher Program. All new owners and current owners are notified in writing. Prospective owners are also welcome. The purpose of the briefing is to assure successful owner participation in the program. The briefing covers the responsibilities and roles of the three parties.





### ***ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION***

SNRHA is committed to providing its Section 8 participants with the broadest possible range of housing choices. At the briefing, families are encouraged to search for housing in non-impacted areas and informed that SNRHA will provide assistance to families who wish to do so. Non-impacted area is defined as census tracts within Clark County that are neither poverty-impacted areas nor areas of racial concentration identified by the Clark County and the HUD voluntary compliance agreement (VCA) as such.

SNRHA has areas of poverty and minority concentration clearly delineated in order to provide families with information and encouragement in seeking housing opportunities outside highly concentrated areas. SNRHA encourages participation by owners of units outside of areas of poverty and minority concentration. SNRHA will also continue to be members of the NV Apartment Association and use media and other educational forums to promote the Housing Choice Program throughout all communities. This outreach includes developing partnerships with agencies that represent the disabled population within our communities.

SNRHA has developed and provides all participants with its deconcentration map that show various areas and information about facilities and services in neighboring areas such as schools, transportation, and supportive and social services.

SNRHA will investigate and analyze when Voucher holders are experiencing difficulties locating or obtaining housing units outside areas of concentration. A report of where families are currently leased vs. where families are moving will be maintained for SEMAP reporting purposes, which address deconcentration efforts of SNRHA.

The assistance provided to such families includes:

- Providing families with a search record form to gather and record information
- Direct contact with landlords
- Counseling with the family
- Providing information about services in various non-impacted areas
- Meeting with neighborhood groups to promote understanding
- Formal or informal discussions with landlord groups
- Formal or informal discussions with social service agencies

SNRHA shall provide all applicants at their briefing an explanation of portability under the Housing Choice Voucher Program, including in the packet shall be a listing of the names and phone numbers of contact persons at neighboring housing authorities.

### ***ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION***

SNRHA will give participants a copy of HUD form 903 to file a complaint.

(See Chapter 2 regarding Fair Housing and Reasonable Accommodation)



## ***SECURITY DEPOSIT REQUIREMENTS [24 CFR 982.313]***

### ***Leases Effective on or after October 2, 1995***

The owner is not required to but may collect a (one) month security deposit from the tenant.

The owner may collect a security deposit from the tenant family that does not exceed one month's contract rent, which has been to be private market practice. If the owner collects less than one (1) month's rent as security deposit from unassisted rental units, the security deposits on the Section 8 assisted units must be established at the same amount.

For lease-in-place families, responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owner should settle the issue with the tenant prior to the beginning of assistance. When the tenant moves out of the dwelling unit, the owner, subject to State or local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid rent payable by the tenant, damages to the unit or for other amounts the tenant owes under the lease. The owner must give the tenant a written list of all items charged against the security deposit, and the amount of each item. After deducting the amount, if any, used to reimburse the owner, the owner must refund the full amount of the unused balance to the tenant within 30 calendar days.

If the security deposit is insufficient to cover amounts the tenant owes under the lease, the owner may seek to collect the balance from the tenant.

### ***TERM OF VOUCHER [24 CFR 982.303, 982.54(d) (11)]***

During the briefing session, each household will be issued a Voucher, which represents a contractual agreement between SNRHA and the Family specifying the rights and responsibilities of each party. It does not constitute admission to the program, which occurs when the lease and contract become effective.

### ***Expirations***

The Voucher is valid for a period of at least sixty calendar days from the date of issuance. The family must submit a Request for Tenancy Approval (RFTA) and a signed Lease (with no execution date) within the sixty calendar day period unless an extension has been granted by SNRHA prior to the expiration date on the voucher. SNRHA shall issue all vouchers for disabled families for an initial period of 90 calendar days to promote full participation of persons with disabilities. An additional 30 calendar day extension may be requested if a unit is not located within the 90 calendar day period. SNRHA will only provide an additional extension of another 30 calendar days as a reasonable accommodation, if the disabled or elderly family requests a reasonable accommodation and it is approved prior to the voucher expiration date. No extensions shall be approved for more than 150 days. This policy is consistent with the Executive Order 13217 "Community-Based Alternatives for Individuals with Disabilities."

If the Voucher has expired, and has not been extended by SNRHA or expires after an extension, the family will be denied assistance. The family will not be entitled to a review or hearing. If the family is currently assisted, they may remain as a participant in their unit if there is an assisted lease/contract in effect.



### ***Suspensions***

When a Request for Tenancy Approval (RFTA) is received, SNRHA will deduct the number of calendar days remaining on the voucher from that date the RFTA is received by SNRHA.

### ***Extensions***

SNRHA will extend the term of the voucher for up to 150 calendar days from the beginning of the initial term (issuance date of voucher) if the family needs and request an extension as a reasonable accommodation to make the program accessible and usable by a family member with a disability. The reasonable accommodation must be approved by the 504 Officer.

A family may request an extension of the Voucher time-period. All requests for extensions must be received prior to the expiration date of the Voucher. SNRHA shall not issue extensions for more than 30 calendar days for port-in participants to ensure compliance with billing requirements established by HUD, unless as a reasonable accommodation for a disabled or elderly client.

A family may submit a written request for an extension of time to search for suitable housing. The written request must be received before the expiration date on the voucher. SNRHA will evaluate each request and determine the likelihood of the family finding housing with additional time to look. An approved extension will be granted for a 30 calendar day period of time with proof of search effort with at least five units viewed.

Extensions are permissible at the discretion of SNRHA up to a maximum of additional 30 calendar days for:

- Extenuating circumstances (such as hospitalization or a family emergency for an extended period of time, which has affected the family's ability to find a unit within the initial sixty calendar day period). Verification is required.
- The family was prevented from finding a unit due to disability accessibility requirements or large size, defined as 4 or more bedrooms, requirement. The Search Record is part of the required verification.

### ***Assistance to Voucher Holders***

Families who require additional assistance during their search may call SNRHA office to request assistance. Voucher holders will be notified at their briefing session that SNRHA periodically updates the listing of available units and how the updated list may be obtained. Disabled voucher holders may contact the Housing Choice Voucher (HCV) Department if they require additional assistance in locating a unit or an extension of time as a reasonable accommodation.

SNRHA will assist families in negotiating with owners and provide other assistance related to the family's search for housing.

### ***REMAINING MEMBER OF TENANT FAMILY – RETENTION OF VOUCHER [24 CFR 982.315]***

To be considered the remaining member of the tenant family, the person must have been previously approved by SNRHA to be living in the unit. An adult, other than the co-head can take over the voucher if the voucher holder decides they no longer want the voucher. This



includes other adult children in the unit. However, the adult would be required to complete and pass a criminal background check prior to the voucher being reassigned and must have been listed as an original member of the household at the time of the original application or approved as a household member who is at least 18 years of age by SNRHA who has been added to the household for more than two (2) years.

In the event of a death or removal of the only adult in the unit, the person receiving court awarded guardianship will be assigned the voucher, if they request it.

A live-in aide, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

- The court has to have awarded emancipated minor status to the minor or
- SNRHA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the child(ren) for an indefinite period. The adult must meet all eligibility requirements of the Housing Choice Voucher Program
- The Court has awarded custody of the minors to another adult who must meet all eligibility requirements of the Housing Choice Voucher Program
- Only one voucher will be issued in the case where award of children are given to more than one adult. The adult receiving the greater number of children will receive the voucher, if he/she meets all other program requirements. In the case of equal number of children and multiple parents or guardians, neither parent will receive the voucher unless a formal court decision is rendered and provided to SNRHA providing guidance for which adult is to receive the voucher.(See Chapter 5 regarding Caretaker for Children) A reduction in family size may require a reduction in the voucher family unit size.
- SNRHA shall conduct an overview briefing for new Head of Household regarding family obligations.

## **PART II: SUBSIDY STANDARDS AND VOUCHER ISSUANCE**

### **7-II.A. OVERVIEW**

HUD guidelines require that SNRHA establish subsidy standards for the determination of family unit size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the unit size selected by the family must be within the minimum unit size requirements of HUD's Housing Quality Standards. This Chapter explains the subsidy standards that will be used to determine the voucher size (family unit size) for various sized families when they are selected from the waiting list, as well as SNRHA's procedures when a family's size changes or a family selects a unit size that is different from the size of the voucher issued, voucher term, and to any extensions of the voucher term.



SNRHA must establish subsidy standards that determine the number of bedrooms needed for families of different sizes and compositions. This part presents the policies that will be used to determine the family unit size (also known as the voucher size) a particular family should receive, and the policies that govern making exceptions to those standards.

#### **7-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]**

For each family, SNRHA determines the appropriate number of bedrooms under SNRHA subsidy standards and enters the family unit size on the voucher that is issued to the family. The family unit size does not dictate the size of unit the family must actually lease, nor does it determine who within a household will share a bedroom/sleeping room.

The following requirements apply when SNRHA determines family unit size:

- The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding
- The subsidy standards must be consistent with space requirements under the housing quality standards
- The subsidy standards must be applied consistently for all families of like size and composition
- A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size
- A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family

Any live-in aide (approved by SNRHA to reside in the unit to care for a family member who is disabled) must be counted in determining the family unit size. Upon SNRHA approval of a request for the addition of a live-in aide, SNRHA shall notify participants that they have been approved for a live-in aide and that they must submit the name, SSN, and any other required information of their selection for screening. The proposed live-in aide must sign consent forms in order for SNRHA to conduct the screening. The live-in aide must be approved or disapproved within 30 calendar days of the requested reasonable accommodation request notice, unless SNRHA is awaiting verifications. The voucher allocation increase will be processed for the approved reasonable accommodation once the live-in aide is approved.

- Unless a live-in aide resides with a family, the family unit size for any family consisting of a single person must be either a zero or one-bedroom unit, as determined under SNRHA subsidy standards.
- SNRHA will not issue a larger voucher due to additions of minors to the household of family members other than by birth, adoption, marriage, court-awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services. SNRHA will not increase the bedroom size for a participant when an adult (18 years old and older) is being added to the household, including if the adult to be added is a child of the head of household or co-head.



- SNRHA will consider those minor children of family members that are temporarily placed in foster care in determining the family unit size (voucher size).
- When Department of Family Services (DFS) requires a larger size unit in order for the child/ren to be returned to the home, SNRHA will increase the voucher size as needed prior to the annual reexamination. However, the family may not move if they are in the initial term of their lease, and SNRHA will still not permit overcrowding.

Unless a live-in aide resides with a family, the family unit size for any family consisting of a single person must be either a zero or one-bedroom unit, as determined under SNRHA subsidy standards.

SNRHA Policy

SNRHA will assign one (1) bedroom for each two (2) persons within the household, except in the following circumstances:

Persons of the opposite sex (other than spouses) will be allocated a separate bedroom.

Foster children will be included in determining unit size only if they will be in the unit for more than 12 months.

Live-in aides will be allocated a separate bedroom. No additional bedrooms are provided for the attendant’s family.

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

Space will not be provided for a family member, other than a spouse, who will be absent most of the time, such as a member who is away in the military.

A single pregnant woman with no family members must be treated as a two-person family.

Single person families shall be allocated a one (1) bedroom voucher.

SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

SNRHA will reference the following chart in determining the appropriate voucher size for a family:

|                                                                                               |                                                     |
|-----------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <b><i>GUIDELINES FOR DETERMINING VOUCHER SIZE</i></b>                                         |                                                     |
| The lowest bedroom size to comply with two persons per bedroom shall apply regardless of age. |                                                     |
| <b>Voucher Size</b>                                                                           | <b>Persons in Household<br/>(Minimum – Maximum)</b> |



|            |       |
|------------|-------|
| 0 Bedroom  | 1-1   |
| 1 Bedroom  | 1-2   |
| 2 Bedrooms | 2-4   |
| 3 Bedrooms | 3-6   |
| 4 Bedrooms | 5-8   |
| 5 Bedrooms | 7-10  |
| 6 Bedrooms | 10-12 |

**For example:** One bedroom shall be assigned for the head/spouse or head and co-head. For any other person in the household SNRHA shall issue two (2) persons per bedroom. Opposite sexes (except the head/spouse or co-head) shall receive separate bedrooms regardless of age or generations. Additions of adults shall not result in additional bedroom size increases nor will they be allowed if the results will cause overcrowding.

SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

If SNRHA errs in the bedroom size designation, the family will be issued a voucher of the appropriate size.

### **7-II.C. EXCEPTIONS TO SUBSIDY STANDARDS**

In determining family unit size for a particular family, SNRHA may grant an exception to its established subsidy standards as a reasonable accommodation. [24 CFR 982.402(b)(8)].

Reasons may include, but are not limited to:

- A need for an additional bedroom for medical equipment
- A need for a separate bedroom for reasons related to a family member's disability, medical or health condition

For a single person who is not elderly, disabled, or a remaining family member, an exception cannot override the regulatory limit of a zero or one-bedroom [24 CFR 982.402(b)(8)].

#### SNRHA Policy

The family must request any exception to the subsidy standards in writing. The request must explain the need or justification for a larger family unit size, and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source (e.g., doctor or health professional). The family's continued need for an additional bedroom due to special medical equipment or a live-in aide must be re-verified at annual reexamination.



SNRHA will notify the family of its determination within 10 calendar days of receiving the family's request and verification of the need from a professional person. If a participant family's request is denied, the notice will inform the family of their right to request an informal hearing.

## **7-II.D. VOUCHER ISSUANCE [24 CFR 982.302]**

When a family is selected from the waiting list (or as a special admission as described in Chapter 3), or when a participant family wants to move to another unit, the PHA issues a Housing Choice Voucher, form HUD-52646. This chapter deals only with voucher issuance for applicants. For voucher issuance associated with moves of program participants, please refer to Chapter 10.

The voucher is the family's authorization to search for housing. It specifies the unit size for which the family qualifies, and includes both the date of voucher issuance and date of expiration. It contains a brief description of how the program works and explains the family obligations under the program. The voucher is evidence that SNRHA has determined the family to be eligible for the program, and that SNRHA expects to have money available to subsidize the family if the family finds an approvable unit. However, SNRHA does not have any liability to any party by the issuance of the voucher, and the voucher does not give the family any right to participate in SNRHA's housing choice voucher program [Voucher, form HUD-52646].

A voucher can be issued to an applicant family only after SNRHA has determined that the family is eligible for the program based on information received within the 60 calendar days prior to issuance [24 CFR 982.201(e)] and after the family has attended an oral briefing [HCV 8-1].

### SNRHA Policy

Vouchers will be issued to eligible applicants immediately following the mandatory briefing.

SNRHA should have sufficient funds to house an applicant before issuing a voucher. If funds are insufficient to house the family at the top of the waiting list, SNRHA must wait until it has adequate funds before it calls another family from the list [HCV GB p. 8-10].

### SNRHA Policy

Prior to issuing any vouchers, SNRHA will determine whether it has sufficient funding in accordance with the policies in Chapter 16.

If SNRHA determines there is insufficient funding after a voucher has been issued, SNRHA may rescind the voucher and place the affected family back on the waiting list.

## ***VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS [24 CFR 982.315]***

When a family assisted under the HCV program becomes divided into two otherwise eligible families (due to divorce, legal separation, or the division of the family)

1. and the new families cannot agree which new family unit should continue to receive the assistance,
2. and there is no determination by a court,





The HCV Manager shall consider the following factors to determine which of the families will continue to be assisted:

- Role of domestic violence in the split.
- Which family member was listed as head-of-household on the original application

Documentation of these factors is the responsibility of the participant families. If either or both of the families do not provide the documentation within 30 calendar days SNRHA will terminate assistance on the basis of failure to provide information necessary for a recertification.

## **7-II.E. VOUCHER TERM, AND EXTENSIONS**

### **Voucher Term [24 CFR 982.303]**

The initial term of a voucher must be at least 60 calendar days. The initial term must be stated on the voucher [24 CFR 982.303(a)].

#### SNRHA Policy

The initial voucher term will be 60 calendar days. Elderly and disabled vouchers shall be issued for 90 calendar days with one extension of 30 calendar days.

The family must submit a RFTA and proposed lease within the 60 calendar day period unless SNRHA grants an extension. One 30 calendar day extension shall be granted if requested “prior” to the expiration of the voucher.

### **Extensions of Voucher Term [24 CFR 982.303(b)]**

SNRHA has the authority to grant extensions of search time, to specify the length of an extension, and to determine the circumstances under which extensions will be granted. Extensions shall be granted for 30 calendar days, only once.

SNRHA must approve additional search time if needed as a reasonable accommodation to make the program accessible to and usable by a person with disabilities. The extension period must be reasonable for the purpose.

The family must be notified in writing of SNRHA’s decision to approve or deny an extension. SNRHA’s decision to deny a request for an extension of the voucher term is not subject to informal review [24 CFR 982.554(c)(4)].

#### SNRHA Policy

SNRHA will automatically approve one 30 calendar day extension upon written request from the family, however, the request for an extension must be received prior to the expiration date of the initial 60 calendar day time frame.

SNRHA will approve one (1) additional 30 calendar day extension only in the following circumstances:

It is necessary as a reasonable accommodation for a person with disabilities. It is necessary due to reasons beyond the family’s control, as determined by SNRHA. The



following is a list of extenuating circumstances that SNRHA may consider in making its decision. The presence of these circumstances does not guarantee that an extension will be granted:

- Serious illness or death in the immediate family

SNRHA shall require the family to provide documentation to support the request. All requests for extensions to the voucher term must be made in writing and submitted to SNRHA prior to the expiration date of the voucher (or extended term of the voucher). SNRHA will decide whether to approve or deny an extension request within 10 calendar days of the date the request is received, and will immediately provide the family written notice of its decision.

SNRHA may grant one or more extensions of the term, but the initial term plus any extensions will not exceed 120 calendar days from the initial date of issuance unless as a reasonable accommodation for a disabled or elderly person or an director's approval of extenuating circumstances as outlined above. Ports shall be allowed only one extension of 30 calendar days to ensure compliance with HUD's billing requirements, unless as a reasonable accommodation for disabled or elderly clients.

### **Suspensions of Voucher Term [24 CFR 982.303(c)]**

SNRHA must provide for suspension of the initial or any extended term of the voucher from the date the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied.

“Suspension” means stopping the clock on a family's voucher term from the time a family submits the RFTA until the time SNRHA approves or denies the request [24 CFR 982.4].

SNRHA's determination not to suspend a voucher term is not subject to informal review [24 CFR 982.554(c)(4)]

#### SNRHA Policy

When a Request for Tenancy Approval and proposed lease and all other required documents listed in the RFTA checklist are received by SNRHA, the term of the voucher will be suspended while SNRHA processes the request.

### **Expiration of Voucher Term**

Once a family's housing choice voucher term (including any extensions) expires, the family is no longer eligible to search for housing under the program. If the family still wishes to receive assistance, SNRHA shall require that the family reapply when SNRHA reopens its waiting list. Such a family does not become ineligible for the program on the grounds that it was unable to locate a unit before the voucher expired [HCV GB p. 8-13].

#### SNRHA Policy

If a family's voucher term or extension expires before the family has submitted a Request for Tenancy Approval (RFTA), SNRHA will require the family to reapply for assistance. If the RFTA that was submitted prior to the expiration date of the voucher is



subsequently disapproved by SNRHA (after the voucher term has expired), the family will be given the remaining tolling days on the voucher.

Within 30 business days after the expiration of the voucher term or any extension, SNRHA will notify the family in writing that the voucher term has expired and their application withdrawn.

### **Changes in Family Composition**

The voucher size is determined prior to the briefing by comparing the family composition to SNRHA subsidy standards. If an applicant requires a change in the voucher size, based on the requirement of SNRHA subsidy standards, the above reference guidelines will apply. Applicants must notify SNRHA with 10 calendar days of any changes in family composition. All changes must be submitted in writing or other methods needed by a person with a disability to SNRHA.

### **Changes for Participants**

The members of the family residing in the unit must be approved by SNRHA. The family must obtain approval of any additional family member before the new member occupies the unit except for additions by birth, adoption, or court-awarded custody, court awarded guardianship or foster children, in that case the family must inform SNRHA within 10 calendar days in writing. Further, changes in household composition due to marriage must also be reported within 10 calendar days in writing or other method needed by a person with a disability to SNRHA. The spouse, as with all additions to the program over 18 years of age, must be screened by SNRHA and shall be required to sign all authorization forms. The new spouse's income and other adults will count, pursuant to 24 CFR 5.609 (a) (1) unless a legal separation or divorce has been submitted to SNRHA.

SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

The exception will be as an approved reasonable accommodation for a disabled family member, for a live-in aide, medical equipment, or other accommodations verified by a medical professional.

### **Under-housed and Over-housed Families**

If a unit does not meet HQS space standards due to an increase or decrease in family size, (unit too small) or the family no longer meets SNRHA's occupancy standards, SNRHA will issue a new voucher of the appropriate size, at annual recertification date if the addition to the unit has been approved by SNRHA or is due to a birth of a child/ren. SNRHA shall not approve additions to the unit that would result in the family being under housed. If the increase in family size results in the assisted unit failing HQS space standards, SNRHA shall issue a larger voucher at their annual recertification date. The HAP shall be terminated as of the anniversary date of the contract.



### ***SNRHA ERROR IN DETERMINING VOUCHER SIZE***

If SNRHA errs in the bedroom size designation, the family will be issued a Voucher of the appropriate size so that the family is not penalized. At the next annual re-examination or move the family's voucher size shall be adjusted to the requirements of SNRHA's occupancy standards. If the err is found prior to the initial leasing, the voucher size shall be adjusted at that time. Changes to the family's voucher due to updated subsidy standards such as not increasing voucher sizes for new family members that are not by birth, marriage, adoption, or foster care, shall be grandfathered in. However, no new family members can be added to the family that are not in compliance with new policies. This includes adding children that are 18 and older back into the family. A larger voucher size shall not be issued.

### **UNIT SIZE SELECTED [24 CFR 982.402(c)]**

The family may select a different size dwelling unit than that listed on the Voucher. There are three criteria to consider:

- **Subsidy Limitation**: The family unit size as determined for a family under SNRHA subsidy standard for a family assisted in the voucher program is based on SNRHA's adopted payment standards. The payment standard for a family shall be the lower of:
  - The payment standard amount for the family unit size or
  - The payment standard amount for the unit size rented by the family
- **Utility Allowance**: The utility allowance used to calculate the gross rent is based on the actual size of the unit the family selects, regardless of the size authorized on the family's Voucher.
- **Housing Quality Standards (HQS)**: The standards allow two persons per living/sleeping room and permit maximum occupancy levels (assuming a living room is used as a living/sleeping area) as shown in the table in section 7.II.B. The levels may be exceeded if a room in addition to bedrooms and living room is used for sleeping.



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## Chapter 8

### HOUSING QUALITY STANDARDS AND RENT REASONABLENESS DETERMINATIONS

[24 CFR 982 Subpart I and 24 CFR 982.507]

#### INTRODUCTION

HUD requires that all units occupied by families receiving Housing Choice Voucher (HCV) assistance meet HUD's Housing Quality Standards (HQS) and permits SNRHA to establish additional requirements. The use of the term "HQS" in this plan refers to the combination of both HUD and SNRHA-established requirements. HQS inspections are required before the Housing Assistance Payments (HAP) Contract is signed and at least annually during the term of the contract.

HUD also requires PHAs to determine that units rented by families assisted under the HCV program have rents that are reasonable when compared to comparable unassisted units in the market area.

HQS are the HUD minimum quality standards for tenant-based programs. HQS standards are required both at initial occupancy and during the term of the lease. HQS standards apply to the building and premises, as well as the unit. Newly leased units must pass the HQS inspection before the beginning date of the assisted lease and HAP contract.

SNRHA will inspect each unit under contract at least annually. SNRHA will also have a Supervisor HQS inspector or other designated staff, perform quality control inspections on the number of files required for file sampling by SEMAP annually. The results of these quality control inspections will be maintained for future audits to document that SNRHA meets required standards and to assure consistency in SNRHA's program.

This chapter describes SNRHA's procedures for performing HQS and other types of inspections, and SNRHA standards for the timeliness of repairs. It also explains the responsibilities of the owner and family, and the consequences of non-compliance with HQS requirements for both families and owners.

This chapter explains HUD and SNRHA requirements related to housing quality and rent reasonableness as follows:

Part I. Physical Standards. This part discusses the physical standards required of units occupied by HCV-assisted families and identifies decisions about the acceptability of the unit that may be made by the family based upon the family's preference. It also identifies life-threatening conditions that must be addressed on an expedited basis.

Part II. The Inspection Process. This part describes the types of inspections SNRHA will make and the steps that will be taken when units do not meet HQS.

Part III. Rent Reasonableness Determinations. This part discusses the policies SNRHA will use to make rent reasonableness determinations.

Special HQS requirements for homeownership, manufactured homes, and other special housing types are discussed in Chapter 15 to the extent that they apply in this jurisdiction.



## **PART I: PHYSICAL STANDARDS**

### **8-I.A. GENERAL HUD REQUIREMENTS**

#### **HUD Performance and Acceptability Standards**

HUD's performance and acceptability standards for HCV-assisted housing are provided in 24 CFR 982.401. These standards are the responsibility of the owner unless otherwise stated on the lease. In accordance with the HAP contract, Part B, 3(a): The owner must maintain the contract unit and premises in accordance with the Housing Quality Standards (HQS.) These standards cover the following areas:

- Sanitary facilities
- Food preparation and refuse disposal
- Space and Security
- Thermal Environment
- Illumination and electricity
- Structure and materials
- Interior Air Quality
- Water Supply
- Lead-based paint
- Access
- Site and neighborhood
- Sanitary condition
- Smoke Detectors

A summary of HUD performance criteria is provided in Attachment 8-1. Additional guidance on these requirements is found in the following HUD resources:

- Housing Choice Voucher Guidebook, Chapter 10.
- HUD Housing Inspection Manual for Section 8 Housing
- HUD Inspection Form, form HUD-52580 (3/01) and Inspection Checklist, form HUD-52580-A (9/00)
- HUD Notice 2003-31, Accessibility Notice: Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Architectural Barriers Act of 1968 and the Fair Housing Act of 1988.

#### **Tenant Preference Items**

HUD requires SNRHA to enforce minimum HQS but also requires that certain judgments about acceptability be left to the family. For example, SNRHA must ensure that the unit contains the required sanitary facilities, but the family decides whether the cosmetic condition of the facilities



is acceptable. Attachment 8-2 summarizes those items that are considered tenant preferences.**Modifications to Provide Accessibility**

Under the Fair Housing Act of 1988 an owner must not refuse the request of a family that contains a person with a disability to make necessary and reasonable modifications to the unit. Such modifications are at the family's expense. The owner may require restoration of the unit to its original condition if the modification would interfere with the owner or next occupant's full enjoyment of the premises. The owner may not increase a customarily required security deposit. However, the landlord may negotiate a restoration agreement that requires the family to restore the unit and, if necessary to ensure the likelihood of restoration, may require the tenant to pay a reasonable amount into an interest bearing escrow account over a reasonable period of time. The interest in any such account accrues to the benefit of the tenant. The owner may also require reasonable assurances that the quality of the work will be acceptable and that any required building permits will be obtained. [24 CFR 100.203; Notice 2003-31].

Modifications to units to provide access for a person with a disability must meet all applicable HQS requirements and conform to the design, construction, or alteration of facilities contained in the UFAS and the ADA Accessibility Guidelines (ADAAG) [28 CFR 35.151(c) and Notice 2003-31] See Chapter 2 of this plan for additional information on reasonable accommodations for persons with disabilities.

#### SNRHA Policy

Any owner that intends to negotiate a restoration agreement or require an escrow account must submit the agreement(s) to SNRHA for review.

### **8-I.B. ADDITIONAL LOCAL REQUIREMENTS**

SNRHA may impose additional quality standards as long as the additional criteria are not likely to adversely affect the health or safety of participant families or severely restrict housing choice. HUD approval is required if more stringent standards are imposed. HUD approval is not required if SNRHA additions are clarifications of HUD's acceptability criteria or performance standards [24 CFR 982.401(a)(4)].

#### **Thermal Environment [HCV GB p.10-7]**

SNRHA must define a “healthy living environment” for the local climate. This may be done by establishing a temperature that the heating system must be capable of maintaining, that is appropriate for the local climate.

#### SNRHA Policy

The heating system must be capable of maintaining an interior temperature of 65 degrees Fahrenheit between October 1 and May 1. The air conditioning system must be capable of maintaining an interior temperature of 74 degrees Fahrenheit between May 1 and October 1.

### **Clarifications of HUD Requirements**





## SNRHA Policy

As permitted by HUD, SNRHA has adopted the following specific requirements that elaborate on HUD standards.

### ***Walls***

In areas where plaster or drywall is sagging, severely cracked, or otherwise damaged, it must be repaired or replaced.

### ***Windows***

Window sashes must be in good condition, solid and intact, and properly fitted to the window frame. Damaged or deteriorated sashes must be replaced.

Windows must be weather-stripped as needed to ensure a weather-tight seal.

Window screens must be in good condition (applies only if screens are present).

### ***Doors***

All exterior doors must be weather-tight to avoid any air or water infiltration, be lockable, have no holes, have all trim intact, and have a threshold.

All interior doors must have no holes, have all trim intact, and be openable without the use of a key.

Double cylinder deadbolt locks are NOT permitted on any door under any circumstances.

### ***Floors***

All wood floors must be sanded to a smooth surface and sealed. Any loose or warped boards must be resecured and made level. If they cannot be leveled, they must be replaced.

All floors must be in a finished state. Raw wood or unsealed concrete is not permitted.

While baseboards are preferred in dwelling units, the absence of baseboards throughout a unit (in of itself) shall not be cause for a FAIL rating on an HQS Inspection. However, if baseboards are present in all but one or two areas in a unit, then the baseboards should be required in those areas to preserve a "finished look". Vinyl baseboards are permitted.

### ***Sinks***

All sinks and commode water lines must have shut off valves, unless faucets are wall mounted.

All worn or cracked toilet seats and tank lids must be replaced and toilet tank lid must fit properly.

If any sink in a unit is equipped with a built-in stopper device, the device must be in working condition.

### ***Security***



If window security bars or security screens are present on emergency exit windows, they must be equipped with a quick release system. The owner is responsible for ensuring that the family is instructed on the use of the quick release system.

### **Additional SNRHA Local Requirements:**

All appliances provided by the owner must be kept in safe and working condition.

All holes in walls are to be patched with the exception of minor nail holes.

Doorstops are required on all doors subject to damaging walls when opened.

If cabinets are designed to have drawers and doors, all must be operational.

All doors designed with knobs should have all knobs present and in working condition.

All closets designed with doors should have all knobs present and in working condition.

All sliding patio doors must have proper rollers so that they are in easy working condition.

All plumbing fixtures must be free from drips and leaks.

All severely chipped or rusted sinks must be patched, repaired, or replaced.

All holes in the yard area which could be a tripping hazard must be corrected.

The presence and location of smoke detectors in all HCV units must be in compliance with HUD's regulations.

Units must be clearly identified with house or apartment numbers.

Bars, grilles, grates, or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

- Such devices are equipped with approved release mechanisms which are operable from the inside without the use of a key or special knowledge or effort; and

There shall be no missing circuit breakers or openings in the circuit panel. The circuit panel (breaker box) shall be a dead front with no openings.

### **8-I.C. LIFE THREATENING CONDITIONS [24 CFR 982.404(a)]**

HUD requires SNRHA to define life threatening conditions and to notify the owner or the family (whichever is responsible) of the corrections required. The responsible party must correct life threatening conditions within 24 hours of SNRHA notification. A re-inspection will be conducted to verify the items have been repaired. Life threatening conditions are defined as:

“Any condition that renders a dwelling unit unfit for human habitation and/or places the occupants of said dwelling unit in an immediate, dangerous, and/or health/safety situation including deficient heating and/or cooling of the unit.”

### SNRHA Policy

The following are considered life threatening conditions:



Any condition that jeopardizes the security of the unit

Major plumbing leaks or flooding, waterlogged ceiling or floor in imminent danger of falling

Natural or LP gas or fuel oil leaks

Any electrical problem or condition that could result in shock or fire

Absence of a working heating system when outside temperature is below 60 degrees.

Utilities not in service, including no running hot water

Conditions that present the imminent possibility of injury

Obstacles that prevent safe entrance or exit from the unit

Absence of at least one functioning toilet in the unit

Inoperable smoke detectors in the unit which result in non-compliance with HUD regulations (one on each level of each habitable area) regarding the number and location of smoke detectors.

No air conditioning during the summer months May –Oct

No heating during the winter months Oct –April

Inoperable refrigerator or stove.

If an owner fails to correct life threatening conditions as required by SNRHA, the housing assistance payment (HAP) contract will be terminated.

If a family fails to correct a family caused life threatening condition as required by SNRHA, SNRHA shall terminate the family's assistance.

The owner will be required to repair an inoperable smoke detector unless SNRHA determines that the family has intentionally disconnected it (by removing batteries or other means). In this case, the family will be required to repair the smoke detector within 24 hours.

## **8-I.D. OWNER AND FAMILY RESPONSIBILITIES [24 CFR 982.404]**

### **Family Responsibilities**

The family is responsible for correcting the following HQS deficiencies:

- Tenant-paid utilities not in service (usually gas, electricity and water).
- Failure to provide or maintain family-supplied appliances (including ensuring all burners on stove are operable).
- Failure to maintain the unit and premises in decent and sanitary conditions which could result in potential health and/or safety concerns.



- Damages to the unit or premises caused by a household member or guest beyond normal wear and tear that result in HQS deficiencies.
- Tenant may be billed for the cost of repairs made by the owner that were determined to be caused by the family.

### **Owner Responsibilities**

The owner is responsible for all HQS violations not listed as a family responsibility above, even if the violation is caused by the family's living habits (e.g., vermin infestation). However, if the family's actions constitute a serious or repeated lease violation the owner may take legal action to evict the family.

Owners are responsible for conducting intermitent inspections to ensure HQS Standards are being met.

### **8-I.E. SPECIAL REQUIREMENTS FOR CHILDREN WITH ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL [24 CFR 35.1225]**

If SNRHA is notified by a public health department or other medical health care provider, or verifies information from a source other than a public health department or medical health care provider, that a child of less than 6 years of age, living in an HCV-assisted unit has been identified as having an environmental intervention blood lead level, SNRHA must complete a risk assessment of the dwelling unit. The risk assessment must be completed in accordance with program requirements, and the result of the risk assessment must be immediately provided to the owner of the dwelling unit. In cases where the public health department has already completed an evaluation of the unit, this information must be provided to the owner.

Within 30 calendar days after receiving the risk assessment report from SNRHA, or the evaluation from the public health department, the owner is required to complete the reduction of identified lead-based paint hazards in accordance with the lead-based paint regulations [24 CFR 35.1325 and 35.1330]. If the owner does not complete the "hazard reduction", as required the dwelling unit is in violation of HQS and SNRHA will take action in accordance with Section 8-II.G.

Additionally, SNRHA shall submit a listing to Clark County Health Department of units under lease with children age 6 and under to determine if any have been identified as having elevated blood lead levels. This assessment shall be completed quarterly and the results maintained for future audits.

### **8-I.F. VIOLATION OF HQS SPACE STANDARDS [24 CFR 982.403]**

If SNRHA determines that a unit does not meet the HQS space standards because of an increase in family size or an approved change in family composition, SNRHA must issue the family a new voucher, and the family must try to find an acceptable unit as soon as possible within the term of the voucher. If an acceptable unit is available for rental by the family, SNRHA must terminate the HAP contract in accordance with its policies.

#### SNRHA Policy



A unit meets HQS space standard if the dwelling unit has at least one bedroom or living/sleeping room for each two persons. A living/sleeping room is considered space that is not a kitchen or a bathroom and which has a window (if designed to open, the window must open), and either a permanent light fixture and one electrical outlet or two electrical outlets (24 CFR 982.401(f)(2)).

## **PART II: THE INSPECTION PROCESS**

### **8-II.A. OVERVIEW [24 CFR 982.405]**

#### **Types of Inspections**

SNRHA conducts the following types of inspections as needed. Each type of inspection is discussed in the paragraphs that follow.

#### ***Initial Inspections [24 CFR 982.401 (a)]***

SNRHA conducts initial inspections in response to a request from the family to approve a unit for participation in the HCV program. The unit must pass the HQS inspection before the effective date of the HAP Contract. Utilities must be on prior to the scheduled inspection. These inspections shall be completed within 10 calendar days of receiving a complete RFTA packet as long as the rent is reasonable and does not exceed the family's 40% threshold and the utilities are in service at the unit. The 10 calendar days suspends when the utilities are not on or SNRHA is waiting responses from the owner to negotiate rental amounts. However, SNRHA will not hold a RFTA for more than 30 calendar days for any reason. If the owner does not have the unit ready for inspection within 30 calendar days, the original RFTA packet shall be void and the family advised to find another unit and submit another RFTA, if they have time remaining on their voucher.

At initial inspection of a vacant unit, SNRHA will inspect the unit in the presence of the owner or owner's representative. The presence of a family representative is permitted, but is not required.

#### ***The Initial Inspection will be conducted to:***

- Determine if the unit and property meet the HQS defined in this Plan.

If the unit fails the initial Housing Quality Standards inspection, the family and owner will be advised to notify SNRHA once repairs are completed.

On an initial inspection, the owner will be given up to up to 10 calendar days to correct the items noted as Fail, at the Inspector's discretion, depending on the amount and complexity of work to be done. No more than two inspections will be scheduled for any unit.

#### ***Annual Inspections [24 CFR 982.405(a)]***

HUD requires SNRHA to inspect each unit under lease at least annually to confirm that the unit still meets HQS. SNRHA conducts an inspection in accordance with Housing Quality Standards at least annually and begins scheduling 90 calendar days prior to the last annual inspection, so that the inspections are conducted at least annually, as required by SEMAP. Special inspections



may be scheduled between annual inspection dates. SNRHA may implement bi-annual HQS inspections in accordance with HUD guidance.

HQS deficiencies that cause a unit to fail must be corrected by the landlord unless it is a fail for which the tenant is responsible.

The family must allow SNRHA to inspect the unit at reasonable times with reasonable notice. [24 CFR 982.51 (d)]

Reasonable hours to conduct an inspection are between 8:00 A.M. and 5:00 P.M. If inspections are scheduled during other times, prior notice shall be provided to the tenant.

SNRHA will notify the family in writing at least 7 calendar days prior to the inspection, except emergency or 24 hour violation inspections.

### **Inspection**

The family and owner are notified of the date and time of the inspection appointment by mail. If the family is unable to be present, they must reschedule the appointment prior to the appointment date so that the inspection is completed within 30 calendar days of the original appointment but may not exceed 45 calendar days. Another adult may be present for the annual HQS inspection.

Participants who fail to have an annual HQS inspection will be considered to have violated a Family Obligation and their assistance will be terminated in accordance with the termination procedures in the Plan.

### **Re-inspection**

The family and owner are mailed a notice of the inspection appointment by mail. If the family fails to provide access for the inspection and does not contact SNRHA to reschedule the inspection prior to the scheduled appointment date, SNRHA shall automatically schedule a second appointment in writing. This second letter will be mailed at least five business days prior to the appointment date. If the family is not at home for the re-inspection appointment, SNRHA will consider the family to have violated a Family Obligation and their assistance will be terminated in accordance with the termination procedures in the Plan. Exception to written notices shall be re-inspections for emergency items.

The family is also notified that it is a Family Obligation to allow SNRHA to inspect the unit. If the family was responsible for a breach of HQS identified in Chapter 12, "Denial or Termination of Assistance," they will be advised of their responsibility to correct.

### **Special Inspections [24CFR 982.405 (c)]**

A special inspection may be requested by the owner, the family, or a third party as a result of problems identified with a unit between annual inspections. SNRHA may also conduct a special inspection based on information from third parties such as neighbors or public officials. Non-HQS inspections can be done without a prior notice for fraud.

SNRHA will inspect only the items that were reported, but if the Inspector notices additional deficiencies that would cause the unit to fail HQS the deficiency(ies) will be documented and the responsible party will be required to make the necessary repairs within established timeframes.



If the annual inspection date is within 90 calendar days of a special inspection, as long as all items are inspected that are included in an annual inspection, the special inspection will be categorized as an annual inspection, and all annual inspection procedures will be followed.

### ***Quality Control Inspections 24CFR 982.405 (b)***

HUD requires that a sample of units be re-inspected by a supervisor or other qualified individual to ensure that HQS are being enforced correctly and uniformly by all inspectors. Quality Control inspections will be performed by HQS Supervisor (HCVS) / Associate Deputy Directors (ADD), or assigned Senior OS for the number of units required by SEMAP. The purpose of Quality Control inspections is to ascertain that each inspector is conducting accurate and complete inspections, and to ensure that there is consistency among inspectors in application of the HQS.

The sampling of files will include recently completed inspections within the previous month of the date they are inspected), a cross-section of neighborhoods, and a cross-section of inspectors.

### ***Reasonable Accommodation: Additional Bedrooms***

SNRHA will include a review of actual bedroom use as part of the annual inspections for additional rooms for medical equipment and live-in aides to confirm the continued need for a reasonable accommodation.

### ***Inspection of PHA-owned Units [24 CFR 982.352(b)]***

SNRHA must obtain the services of an independent entity to perform all HQS inspections in cases where an HCV family is receiving assistance in a SNRHA-owned unit. A SNRHA-owned unit is defined as a unit that is owned by the PHA that administers the assistance under the consolidated ACC (including a unit owned by an entity substantially controlled by the PHA). The independent agency must communicate the results of each inspection to the family and SNRHA. The independent agency must be approved by HUD, and may be the unit of general local government for SNRHA jurisdiction (unless SNRHA is itself the unit of general local government or an agency of such government).

### ***Inspection Costs***

SNRHA may not charge the family or owner for unit inspections [24 CFR 982.405(e)]. In the case of inspections of SNRHA-owned units, SNRHA may compensate the independent agency from ongoing administrative fee for inspections performed. SNRHA and the independent agency may not charge the family any fee or charge for the inspection [24 CFR.982.352(b)].

### ***Notice and Scheduling***

The family must allow SNRHA to inspect the unit at reasonable times with reasonable notice [24 CFR 982.551(d)].

#### **SNRHA Policy**

Both the family and the owner will be given reasonable notice of all inspections. Except in the case of a life threatening emergency, reasonable notice is considered to be not less than 48 hours. Inspections may be scheduled between 8:00 a.m. and 5:00 p.m. "Generally" inspections will be conducted on business days only. In the case of a life threatening emergency, SNRHA will give as much notice as possible, given the nature of the emergency. Notice shall not be provided for fraud investigations.



## **Owner and Family Inspection Attendance**

HUD permits SNRHA to set policy regarding family and owner presence at the time of inspection [HCV GB p. 10-27].

### SNRHA Policy

At initial inspection of a vacant unit, SNRHA will inspect the unit in the presence of the owner or owner's representative. The presence of a family representative is permitted, but is not required.

## **8-II.B. INITIAL HQS INSPECTION [24 CFR 982.401(a)]**

### **Timing of Initial Inspections**

HUD requires the unit to pass HQS before the effective date of the lease and HAP Contract. HUD requires PHA with fewer than 1,250 budgeted units to complete the initial inspection, determine whether the unit satisfies HQS, and notify the owner and the family of the determination within 15 calendar days of submission of the Request for Tenancy Approval (RFTA). For PHAs with 1,250 or more budgeted units, to the extent practicable such inspection and determination must be completed within 15 calendar days. The 15 calendar day period is suspended for any period during which the unit is not available for inspection [982.305(b)(2)].

### SNRHA Policy

SNRHA will complete the initial inspection, determine whether the unit satisfies HQS, and notify the owner and the family of the determination within 15 calendar days of submission of the Request for Tenancy Approval (RFTA).

SNRHA shall accept (in accordance with HUD Federal Register 35974, dated June 25, 2014) inspections completed for HOME funds and LIHTC programs as initial inspections. Documents must be maintained in each file. The inspection must have a written cover indicating pass or fail and the effective date of the inspection. These shall be used only for new developments with HOME or LIHTC fund attached to the funding.

## **Inspection Results and Re-inspections**

### SNRHA Policy

If any HQS violations are identified, the owner or his/her representative will be notified of the deficiencies on-site with a written notice to follow no later than the next business day. This notice shall provide a time frame to correct violations. If requested by the owner, the time frame for correcting the deficiencies may be extended by SNRHA for good cause. A supervisor must approve all extensions. SNRHA will re-inspect the unit within 3 business days of the date the owner notifies SNRHA that the required corrections have been made.





If the time period for correcting the deficiencies (or any SNRHA-approved extension) has elapsed, or the unit fails HQS at the time of the re-inspection, SNRHA will notify the owner and the family that the unit has been rejected and that the family must search for another unit.

Following a failed re-inspection, the family may elect to submit a new Request for Tenancy Approval for the same unit if the family has not found another unit by the time the owner completes all repairs and the family continues to wish to live in the unit. The unit would be required to pass an inspection, a rent reasonableness determination is required, and a new lease and HAP Contract will need to be executed.

## **Utilities**

Generally, at initial lease-up the owner is responsible for demonstrating that all utilities are in working order including those utilities that the family will be responsible for paying.

### SNRHA Policy

The utilities must be on at the time of the initial inspection. If they are not on, the inspection will be rescheduled.

### SNRHA Policy

The stove and refrigerator must be in place regardless of whether the owner or the family is responsible to provide them.

## **8-II.C. ANNUAL HQS INSPECTIONS [ Final Rule Notice 6-25-2014]**

### **Scheduling the Inspection**

Each unit under a HAP contract must have an annual inspection within twelve (12) months after the date of the previous annual or initial inspection.

### SNRHA Policy

If an adult (person 18 or older) cannot be present on the scheduled date, the family should request that SNRHA reschedule the inspection. If the family misses the first scheduled appointment without requesting a new inspection date, SNRHA will automatically schedule a second inspection. If the family misses two scheduled inspections without SNRHA approval, SNRHA will consider the family to have violated its obligation to make the unit available for inspection. If the family is unable to be present but authorizes an adult representative to be present, and the adult presents valid photo ID the inspection will be conducted.

Failure to comply may result in termination of the family's assistance in accordance with Chapter 12.



## **8-II.D. SPECIAL INSPECTIONS [HCV GB, p. 10-30]**

SNRHA will conduct a special inspection if the owner, family, or another source reports HQS violations in the unit.

### SNRHA Policy

During a special inspection, SNRHA generally will inspect only those deficiencies that were reported. The inspector will record any additional HQS deficiencies that are observed during the course of the inspection and will require the responsible party to make the necessary repairs. If the annual inspection has been scheduled or is due within 90 calendar days of the date the special inspection is scheduled, SNRHA may elect to conduct a full annual inspection.

Non-HQS Special Inspections may be scheduled without notice to verify fraudulent activities and/or other occupancy complaints.

## **8-II.E. QUALITY CONTROL INSPECTIONS [24 CFR 982.405(b); HCV GB, p. 10-32]**

HUD requires SNRHA supervisor or other qualified person to conduct quality control inspections of a sample of units to ensure that each inspector is conducting accurate and complete inspections and that there is consistency in the application of the HQS.

The Inspection Supervisor or designee will conduct the quality control inspections by randomly selecting units that have been inspected within the previous month.

The unit sample must include only units that have been inspected within the preceding month. The selected sample will include (1) each type of inspection (initial, annual, and special), (2) inspections completed by each inspector, and (3) units from a cross-section of neighborhoods. Quality control inspections will be logged in a manner that is reviewable and retained for SEMAP confirmation.

## **8-II.F. INSPECTION RESULTS AND REINSPECTIONS FOR UNITS UNDER HAP CONTRACT**

### **Notification of Corrective Actions**

The owner and the family will be notified in writing of the results of all inspections. When an inspection identifies HQS failures, SNRHA will determine (1) whether or not the failure is a life threatening condition and (2) whether the family or owner is responsible.

### SNRHA Policy

When life threatening conditions are identified, SNRHA will immediately notify both parties by telephone, facsimile, or email. The notice will specify who is responsible for correcting the violation. The corrective actions must be taken within 24 hours of SNRHA's notice. A notification shall also be sent via certified mail and faxed, if a faxed number is available.



When failures that are not life threatening are identified, SNRHA will send the owner and the family a written notification of the inspection results within 1 business day of the inspection. The written notice will specify who is responsible for correcting the violation, and the time frame within which the failure must be corrected. Generally not more than 30 calendar days will be allowed for the correction, unless an extension for good cause is determined by the Section 8 Manager.

The notice of inspection results will inform the owner that if life threatening conditions are not corrected within 24 hours, and non-life threatening conditions are not corrected within the specified time frame (or any PHA-approved extension), the owner's HAP will be abated in accordance with SNRHA policy (see 8-II.G.). Likewise, in the case of family caused deficiencies, the notice will inform the family that if corrections are not made within the specified time frame (or any PHA-approved extension, if applicable) the family's assistance will be terminated in accordance with PHA policy (see Chapter 12).

## **Extensions**

For conditions that are life-threatening, SNRHA cannot grant an extension to the 24 hour corrective action period. For conditions that are not life-threatening, SNRHA may grant an exception to the required time frames for correcting the violation, if SNRHA determines that an extension is appropriate [24 CFR 982.404].

### SNRHA Policy

Extensions will be granted in cases where SNRHA has determined that the owner has made a good faith effort to correct the deficiencies but was unable to for reasons beyond the owner's control. Reasons may include, but are not limited to:

A repair cannot be completed because required parts or services are not available.

A repair cannot be completed because of weather conditions.

A reasonable accommodation is needed because the family includes a person with disabilities.

The length of the extension will be determined on a case by case basis, but will not exceed 60 calendar days, except in the case of delays caused by weather conditions. In the case of weather conditions, extensions may be continued until the weather has improved sufficiently to make repairs possible. The necessary repairs must be made within 15 calendar days, once the weather conditions have subsided. All requests for extensions must be submitted in writing to the Inspections Department and approved by the Housing Quality Standards (HQS) Supervisor and/or Housing Programs (HP) Management.

## **Re-inspections**

### SNRHA Policy

SNRHA will conduct a re-inspection immediately following the end of the corrective period, or any SNRHA approved extension.

The family and owner will be given reasonable notice of the re-inspection appointment. If the deficiencies have not been corrected by the time of the re-inspection, SNRHA will



send a notice of abatement to the owner, or in the case of family caused violations, a notice of termination to the family, in accordance with SNRHA policies. If SNRHA is unable to gain entry to the unit in order to conduct the scheduled re-inspection, SNRHA will consider the family to have violated its obligation to make the unit available for inspection. This may result in termination of the family's assistance in accordance with Chapter 12.

### **8-II.G. ENFORCING OWNER COMPLIANCE [24 CFR 982.405;982.453]**

If the owner fails to maintain the dwelling unit in accordance with HQS (as stated above in 8-I.B), SNRHA must take prompt and vigorous action to enforce the owner obligations.

#### **HAP Abatement**

If an owner fails to correct HQS deficiencies by the time specified by SNRHA, HUD requires SNRHA to abate housing assistance payments "no later" than the first of the month following the specified correction period (including any approved extension) [24 CFR 985.3(f)].

No retroactive payments will be made to the owner for the period of time the rent was abated.

#### SNRHA Policy

SNRHA will make all HAP abatements effective from the date of the second default notice if repairs are not made no later than the day/time of the scheduled re-inspection, unless there is an approved written extension by SNRHA management staff prior to the due date. SNRHA will inspect abated units within three (3) business days of the owner's notification that the work has been completed if the contract has not been cancelled.

During any abatement period the family continues to be responsible for its share of the rent. The owner must not seek payment from the family for abated amounts and may not use the abatement as cause for eviction. Payment will resume effective on the calendar day the unit passes inspection. The landlord is not entitled to any back rent from SNRHA for units that have been abated due to a failed HQS.

#### **HAP Contract Termination**

SNRHA must decide how long any abatement period will continue before the HAP contract will be terminated.

#### SNRHA Policy

SNRHA shall terminate the contract of the family 30 calendar days from the date of the initial default notice if repairs are not made. SNRHA will issue a voucher to permit the family to move to another unit as described in Chapter 10.

Normally the maximum length of time that a HAP may be abated is 30 calendar days. However, if the owner completes corrections and notifies SNRHA before the termination date of the HAP contract.

### **8-II.H. ENFORCING FAMILY COMPLIANCE WITH HQS [24 CFR 982.404(b)]**



Families are responsible for correcting any HQS violations listed in paragraph 8.I.D. If the family fails to correct a violation within the period allowed by SNRHA (and any written extensions), SNRHA will terminate the family's assistance, according to the policies described in Chapter 12.

If the owner carries out a repair for which the family is responsible under the lease, the owner may bill the family for the cost of the repairs.

### **PART III: RENT REASONABLENESS [24 CFR 982.507]**

#### **8-III.A. OVERVIEW**

No HAP contract can be approved until SNRHA has determined that the rent for the unit is reasonable. The purpose of the rent reasonableness test is to ensure that a fair rent is paid for each unit rented under the HCV program.

HUD regulations define a reasonable rent as one that does not exceed the rent charged for comparable, unassisted units in the same market area. HUD also requires that owners not charge more for assisted units than for comparable unassisted units on the premises. This part explains the method used to determine whether a unit's rent is reasonable.

#### **SNRHA-owned Units [24 CFR 982.352(b)]**

In cases where an HCV family is receiving assistance in a SNRHA-owned unit, SNRHA must obtain the services of an independent entity to determine rent reasonableness in accordance with program requirements, and to assist the family in negotiating the contract rent when the family requests assistance. A SNRHA-owned unit is defined as a unit that is owned by SNRHA that administers the assistance under the consolidated ACC (including a unit owned by an entity substantially controlled b(n)(a)4(B[a)6(t 3.72 is)-1([a)6(ts)-1([a)6o9e re3(vi)-2(c)4(e-1( te)4(e)4(dns)-1( o(e)-1



After the initial occupancy period, the owner may request a rent adjustment in accordance with the owner's lease. For rent increase requests after initial lease-up, SNRHA may request owners to provide information about the rents charged for other units on the premises, if the premises include more than 4 units. In evaluating the proposed rents in comparison to other unassisted units on the premises SNRHA will consider unit size and length of tenancy in the other units.

SNRHA will determine whether the requested increase is reasonable within five (5) business days of receiving the request from the owner. The owner will be notified of the determination in writing.

All rental increase adjustments must be received 60 calendar days prior to the anniversary date of the HAP contract and will be processed with the next annual recertification. Owners/managers who fail to submit at least 60 calendar days prior shall be denied their request for a rental increase for that year.

### **SNRHA- and HUD-Initiated Rent Reasonableness Determinations**

HUD requires SNRHA to make a determination of rent reasonableness (even if the owner has not requested a change) if there is a 5 percent decrease in the Fair Market Rent that goes into effect at least 60 calendar days before the contract anniversary date. HUD also may direct SNRHA to make a determination at any other time. SNRHA may decide that a new determination of rent reasonableness is needed at any time.

#### SNRHA Policy

In addition to the instances described above, SNRHA will make a determination of rent reasonableness at any time after the initial occupancy period if: (1) SNRHA determines that the initial rent reasonableness determination was in error or (2) SNRHA determines that the information provided by the owner about the unit or other units on the same premises was incorrect.

### **8-III.C. HOW COMPARABILITY IS ESTABLISHED**

SNRHA will determine and document on a case-by-case basis that the approved rent is reasonable in comparison to rent for other comparable unassisted units in the market. This applies to all programs.

SNRHA will not approve a lease until SNRHA determines that the initial rent to owner is a reasonable rent. SNRHA must re-determine the reasonable rent before any increase in the rent to owner, and if there is a five percent decrease in the published FMR in effect 60 calendar days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary.

SNRHA must re-determine rent reasonableness if directed by HUD and based on a need identified by SNRHA's auditing system. SNRHA may elect to re-determine rent reasonableness at any other time. At all times during the assisted tenancy, the rent to owner may not exceed the reasonable rent as most recently determined or re-determined by SNRHA

The owner will be advised that by accepting each monthly housing assistance payment s/he will be certifying that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises.



If requested, the owner must give SNRHA information on rents charged by the owner for other units in the premises or elsewhere.

The data for other unassisted units will be gathered from newspapers, Internet Realtors, professional associations, inquiries of owners, market surveys, and other available sources.

The market areas for rent reasonableness are census tracts and/or neighborhoods within 2 miles of the target unit to the extent possible. Subject units within a defined housing market area will be compared to similar units within the same area.

The following items will be used for rent reasonableness documentation:

### **Factors to Consider**

HUD requires SNRHA to take into consideration the factors listed below when determining rent comparability. SNRHA may use these factors to make upward or downward adjustments to the rents of comparison units when the units are not identical to the HCV-assisted unit.

- Location and age
- Unit size including the number of rooms and square footage of rooms
- The type of unit including construction type (e.g., single family, duplex, garden, low-rise, high-rise)
- The quality of the units including the quality of the original construction, maintenance and improvements made.
- Amenities, services, and utilities included in the rent
- Utilities

### **8-III.D. SNRHA RENT REASONABLENESS METHODOLOGY**

In accordance with the regulations and PIH 2003-12, the voucher program regulation at 24 CFR 982.507 requires SNRHA to certify that the rent charged to the housing choice voucher tenant is not more than the rent charged for other unassisted comparable units. Section 982.507(c) states that the owner must give SNRHA information requested by SNRHA on rents charged by the owner for other units in the premises or elsewhere. The RFTA, Form HUD-52517 was revised to add information from owners of multifamily properties on the rents charged for three (3) recent rentals of comparable unassisted units in the same complex. The owner supplies this information in Section 12a of the revised RFTA. SNRHA may use the information provided in Section 12a of the form to determine and document rent reasonableness for comparable unassisted units in the same apartment complex.

In adherence with HUD requirements, SNRHA utilizes a rent reasonableness system and database that compares similar units and includes and considers all of HUD's rent reasonableness factors. SNRHA will use 3 comparable units for each rent reasonableness determination.

SNRHA utilizes the GOsection8.com rent reasonable service which uses a hedonic valuation model (in this context hedonic price analysis determines how the price of a unit varies with its unique characteristics) to identify and compare the program subject unit to the most similar private market rental property units within a specific geographic radius, drawing on a data base



of non-subsidized comparables and current property listings in compliance with HUD Rent Reasonable requirements.

Gosection8.com hedonic pricing methodology adjusts the rental value of the comparable units, based on features that may differ between the comparable units and the subject unit. For example, when a comparable unit has a significant feature that the subject unit does not have (e.g., owner-paid utilities), the rental price of the comparable unit should be adjusted downward, as if the comparable unit also did not have this feature. The amount of the adjustment is equal to the value of that feature in the market.

Section 982.507(c) states that the owner must give SNRHA information requested by SNRHA on rents charged by the owner for other units in the premises or elsewhere. The RFTA, Form HUD-52517 was revised to add information from owners of multifamily properties on the rents charged for three (3) recent rentals of comparable unassisted units in the same complex.

The owner supplies this information in Section 12a of the revised RFTA. SNRHA may use the information provided in Section 12a of the form to determine and document rent reasonableness for comparable unassisted units in the same apartment complex.

## **How Market Data is Collected**

### SNRHA Policy

SNRHA will collect and maintain data on market rents in SNRHA's jurisdiction. Information sources include newspapers, realtors, market surveys, inquiries of owners and other available sources. The data will be maintained by bedroom size and market areas. Market areas may be defined by zip codes, census tract, neighborhood, and identifiable natural or man-made boundaries. The data will be updated on an ongoing basis and rent information that is more than 12 months old will be eliminated from the database. In the cases where a comparable is required, SNRHA shall provide for three (3) comparable units.

## **How Rents are Determined**

### SNRHA Policy

The rent for the unit proposed for HCV assistance will be compared to the rent charged for no less than three (3) comparable units in the same market area. SNRHA will develop a range of prices for comparable units within this rent range. Interactive maps with satellite overlays will be used to identify and select the most similar unsubsidized units in closest proximity to the subject unit, and comparable unit data characteristics will be used to select the most similar units. Because units may be similar, but not exactly like the unit proposed for HCV assistance, SNRHA may make adjustments to the range of prices to account for these differences.

## **Units That Must Not Be Used as Comparables**

Comparable units must represent unrestricted market rents. Therefore, units that receive some form of federal, state, or local assistance that imposes rent restrictions cannot be considered comparable units. These include units assisted by HUD through any of the following programs:





Section 8 project-based assistance, Section 236 and Section 221(d)(3) Below Market Interest Rate (BMIR) projects, HOME or Community Development Block Grant (CDBG) program-assisted units in which the rents are subsidized; units subsidized through federal, state, or local tax credits; units subsidized by the Department of Agriculture rural housing programs, and units that are rent-controlled by local ordinance.

Note: Notice PIH 2011-46 issued August 17, 2011, provides further guidance on the issue of what constitutes an assisted unit.

### **Rents Charged for Other Units on the Premises**

The Request for Tenancy Approval (HUD-52517) requires owners to provide information, on the form itself, about the rent charged for other unassisted comparable units on the premises if the premises include more than 4 units.

By accepting SNRHA payment each month the owner certifies that the rent is not more than the rent charged for comparable unassisted units on the premises. If asked to do so, the owner must give SNRHA information regarding rents charged for other units on the premises.

Information is gathered on unassisted rental units in SNRHA's market area, and each unit is rated, using SNRHA's rent reasonableness system. Using an automated method, the average rents are identified for units of like size and type within the same market area. Attempts will be made to localize the unit within the same census tract or the adjoining census tract. As many defined factors of the items listed above on the unit to be assisted will be compared, to those factors of comparable unassisted units in the database. The average will be adjusted up or down based on the estimated dollar value of the comparable items in comparison with the total database.

The unit and the comparables shall be maintained in the file.

## **EXHIBIT 8-1: OVERVIEW OF HUD HOUSING QUALITY STANDARDS**

Note: This document provides an overview of HQS. For more detailed information see the following documents:

- 24 CFR 982.401, Housing Quality Standards (HQS)
- Housing Choice Voucher Guidebook, Chapter 10.
- HUD Housing Inspection Manual for Section 8 Housing
- HUD Inspection Form, form HUD-52580 (3/01) and Inspection Checklist, form HUD-52580-A (9/00)

### **Sanitary Facilities**

The dwelling unit must include sanitary facilities within the unit. The sanitary facilities must be usable in privacy and must be in proper operating condition and adequate for personal cleanliness and disposal of human waste.

### **Food Preparation and Refuse Disposal**



The dwelling unit must have space and equipment suitable for the family to store, prepare, and serve food in a sanitary manner.

### **Space and Security**

The dwelling unit must provide adequate space and security for the family. This includes having at least one bedroom or living/sleeping room for each two persons.

### **Thermal Environment**

The unit must have a safe system for heating the dwelling unit. Air conditioning is not required but if provided must be in proper operating condition. The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Portable electric room heaters or kitchen stoves with built-in heating units are not acceptable as a primary source of heat for units located in climatic areas where permanent heat systems are required.

### **Illumination and Electricity**

Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants. The dwelling unit must have sufficient electrical sources so occupants can use essential electrical appliances. Minimum standards are set for different types of rooms. Once the minimum standards are met, the number, type and location of electrical sources are a matter of tenant preference.

### **Structure and Materials**

The dwelling unit must be structurally sound. Handrails are required when four or more steps (risers) are present, and protective railings are required when porches, balconies, and stoops are thirty inches or more off the ground. The elevator servicing the unit must be working [if there is one]. Manufactured homes must have proper tie-down devices capable of surviving wind loads common to the area.

### **Interior Air Quality**

The dwelling unit must be free of air pollutant levels that threaten the occupants' health. There must be adequate air circulation in the dwelling unit. Bathroom areas must have one openable window or other adequate ventilation. Any sleeping room must have at least one window. If a window was designed to be opened, it must be in proper working order.

### **Water Supply**

The dwelling unit must be served by an approved public or private water supply that is sanitary and free from contamination. Plumbing fixtures and pipes must be free of leaks and threats to health and safety.

### **Lead-Based Paint**

Lead-based paint requirements apply to dwelling units built prior to 1978 that are occupied or can be occupied by families with children less than six years of age, excluding zero bedroom dwellings. Owners must:

- Disclose known lead-based paint hazards to prospective tenants before the lease is signed,
- provide all prospective families with "Protect Your Family from Lead in Your Home",



- Stabilize deteriorated painted surfaces and conduct hazard reduction activities when identified by the PHA
- Notify tenants each time such an activity is performed
- Conduct all work in accordance with HUD safe practices
- As part of ongoing maintenance ask each family to report deteriorated paint.

For units occupied by environmental intervention blood lead level (lead poisoned) children under six years of age, a risk assessment must be conducted (paid for by the PHA). If lead hazards are identified during the risk assessment, the owner must complete hazard reduction activities.

See HCV GB p. 10-15 for a detailed description of these requirements. For additional information on lead-based paint requirements see 24 CFR 35, Subparts A, B, M, and R.

### **Access**

Use and maintenance of the unit must be possible without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire.

### **Site and Neighborhood**

The site and neighborhood must be reasonably free from disturbing noises and reverberations, excessive trash or vermin, or other dangers to the health, safety, and general welfare of the occupants.

### **Sanitary Condition**

The dwelling unit and its equipment must be in sanitary condition and free of vermin and rodent infestation. The unit must have adequate barriers to prevent infestation.

### **Smoke Detectors**

Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 (or its successor standards). If the dwelling unit is occupied by any person with a hearing impairment, smoke detectors must have an appropriate alarm system as specified in NFPA 74 (or successor standards).

### **Hazards and Health/Safety**

The unit, interior and exterior common areas accessible to the family, the site, and the surrounding neighborhood must be free of hazards to the family's health and safety.



|                                                                                   |
|-----------------------------------------------------------------------------------|
| <b>EXHIBIT 8-2: SUMMARY OF TENANT PREFERENCE AREAS RELATED TO HOUSING QUALITY</b> |
|-----------------------------------------------------------------------------------|

Note: This document provides an overview of unit and site characteristics and conditions for which the family determines acceptability. For more detailed information see the following documents:

- Housing Choice Voucher Guidebook, Chapter 10.
- HUD Housing Inspection Manual for Section 8 Housing
- HUD Inspection Form, form HUD-52580 (3/01) and Inspection Checklist, form HUD-52580-A (9/00)

Provided the minimum housing quality standards have been met, HUD permits the family to determine whether the unit is acceptable with regard to the following characteristics.

- *Sanitary Facilities.* The family may determine the adequacy of the cosmetic condition and quality of the sanitary facilities, including the size of the lavatory, tub, or shower; the location of the sanitary facilities within the unit; and the adequacy of the water heater.
  - *Food Preparation and Refuse Disposal.* The family selects size and type of equipment it finds acceptable. When the family is responsible for supplying cooking appliances, the family may choose to use a microwave oven in place of a conventional oven, stove, or range. When the owner is responsible for providing cooking appliances, the owner may offer a microwave oven in place of an oven, stove, or range only if other subsidized and unsubsidized units on the premises are furnished with microwave ovens only. The adequacy of the amount and type of storage space, the cosmetic conditions of all equipment, and the size and location of the kitchen are all determined by the family.
  - *Space and Security.* The family may determine the adequacy of room sizes and room locations. The family is also responsible for deciding the acceptability of the type of door and window locks, except for double cylinder dead bolts locks on doors which are prohibited.
  - *Energy conservation items.* The family may determine whether the amount of insulation, presence or absence of storm doors and windows and other energy conservation items are acceptable.
  - *Illumination and Electricity.* The family may determine whether the location and the number of outlets and fixtures (over and above those required to meet HQS standards) are acceptable or if the amount of electrical service is adequate for the use of appliances, computers, or stereo equipment.
- (6) *Structure and Materials.* Families may determine whether minor defects, such as lack of paint, or worn flooring or carpeting will affect the livability of the unit.
- (7) *Indoor Air.* Families may determine whether window and door screens, filters, fans, or other devices for proper ventilation are adequate to meet the family's needs. However, if screens are present they must be in good condition.
- (8) *Sanitary Conditions.* The family determines whether the sanitary conditions in the unit, including minor infestations, are acceptable.
- (9) *Neighborhood conditions.* Families may determine whether neighborhood conditions such as the presence of drug activity, commercial enterprises, and convenience to shopping will affect the livability of the unit.

Families have no discretion with respect to lead-based paint standards and smoke detectors.



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## Chapter 9

### GENERAL LEASING POLICIES REQUEST FOR APPROVAL OF TENANCY AND CONTRACT EXECUTION

#### INTRODUCTION [24 CFR 982.305(a)]

This Section covers the lease-up process from the family's submission of a Request for Tenancy Approval to execution of the HAP contract. SNRHA's program operations are designed to utilize available resources in a manner that is efficient and provide eligible families timely assistance based on the number of units that have been budgeted. SNRHA's objectives include maximizing HUD funds by providing assistance to as many eligible families and for as many eligible units as the budget will allow.

After families are issued a voucher, they may search for a unit anywhere within the jurisdiction of SNRHA, or outside of SNRHA's jurisdiction if they qualify for portability. The family must find an eligible unit under the program rules, with an owner/landlord who is willing to enter into a Housing Assistance Payments Contract with SNRHA. This Chapter defines the types of eligible housing, SNRHA's policies that pertain to initial inspections, lease requirements, owner disapproval, and the processing of Requests for Approval of Tenancy (RFTA).

Chapter 9 covers the lease-up process from the family's submission of a Request for Tenancy Approval to execution of the HAP contract.

In order for SNRHA to assist a family in a particular dwelling unit, or execute a Housing Assistance Payments (HAP) contract with the owner of a dwelling unit, SNRHA must determine that all the following program requirements are met:

- The unit itself must qualify as an eligible unit [24 CFR 982.305(a)]
- The unit must be inspected by the PHA and meet the Housing Quality Standards (HQS) [24 CFR 982.305(a)]
- The lease offered by the owner must be approvable and must include the required Tenancy Addendum [24 CFR 982.305(a)]
- The rent to be charged by the owner for the unit must be reasonable [24 CFR 982.305(a)]
- The owner must be an eligible owner, approvable by SNRHA, with no conflicts of interest [24 CFR 982.306]
- For families initially leasing a unit only: Where the gross rent of the unit exceeds the applicable payment standard for the family, the share of rent to be paid by the family cannot exceed 40 percent of the family's monthly adjusted income [24 CFR 982.305(a)]

#### 9-I.A. TENANT SCREENING

SNRHA has no liability or responsibility to the owner or other persons for the family's behavior or suitability for tenancy [24 CFR 982.307(a)(1)].



SNRHA may elect to screen applicants for family behavior or suitability for tenancy. See Chapter 3 for a discussion of SNRHA's policies with regard to screening applicant families for program eligibility [24 CFR 982.307(a)(1)].

The owner is responsible for screening and selection of the family to occupy the owner's unit. At or before SNRHA approval of the tenancy, SNRHA must inform the owner that screening and selection for tenancy is the responsibility of the owner [24 CFR 982.307(a)(2)]. SNRHA must also inform the owner or manager of their responsibility to comply with VAWA. [Pub.L. 109-162]

SNRHA must provide the owner with the family's current and prior address (as shown in SNRHA records); and the name and address (if known to SNRHA) of the landlord at the family's current and prior address. [24 CFR 982.307 (b)(1)].

SNRHA is permitted, but not required, to offer the owner other information in SNRHA's possession about the family's tenancy [24 CFR 982.307(b)(2)].

SNRHA's policy on providing information to the owner must be included in the family's briefing packet [24 CFR 982.307(b)(3)].

#### SNRHA Policy

SNRHA will not screen applicants for family behavior or suitability for tenancy.

SNRHA will not provide additional screening information to the owner.

### **9-I. B. REQUESTING TENANCY APPROVAL [Form HUD-52517]**

After the family is issued a voucher, the family must locate an eligible unit, with an owner or landlord willing to participate in the voucher program. Once a family finds a suitable unit and the owner is willing to lease the unit under the program, the owner and the family must request SNRHA to approve the assisted tenancy in the selected unit.

The owner and the family must submit all documents to SNRHA:

- Completed Request for Tenancy Approval (RFTA) – Form HUD-52517
- Copy of the proposed lease (signed by both parties with no effective date), including any addendum regarding utilities.
- W9 Form for legal owner (must include additional W-9 for payee, if other than owner)
- Direct Deposit Form- with voided check (must be pre-printed from bank or a statement from bank with business logo and information)
- Recorded Deed – staff will verify using Clark County Government websites
- Management Agreement, if applicable
- A Valid State-issued Business License, if applicable (Does not have to be for Nevada)
- Trust documents, if applicable to identify trustee bank assigned tax ID or EIN
- Side Payment/Program Abuse Form.

The RFTA contains important information about the rental unit selected by the family, including unit address, number of bedrooms, structure type, year constructed, utilities included in the rent,



and the requested beginning date of the lease, necessary for SNRHA to determine whether to approve the assisted tenancy in this unit.

Owners must certify that they are not the parent, child, grandparent, grandchild, sister or brother of any member of the family, unless SNRHA has granted a request for reasonable accommodation for a person with disabilities who is a member of the tenant household.

For units constructed prior to 1978, owners must either 1) certify that the unit, common areas, and exterior have been found to be free of lead-based paint by a certified inspector; or 2) attach a lead-based paint disclosure statement.

Both the RFTA and the proposed lease must be submitted no later than the expiration date stated on the voucher. [HCV GB p.8-15].

### SNRHA Policy

The RFTA must be signed by both the family and the owner.

The owner may submit the RFTA on behalf of the family.

Completed RFTA (including the proposed dwelling lease) must be submitted as hard copies, in-person. The original RFTA must be submitted.

The family may not submit, and SNRHA will not process, more than one (1) RFTA at a time.

When the family submits the RFTA SNRHA will review the RFTA for completeness.

If the RFTA is incomplete (including lack of signature or date by family, owner, or both and/or failure to include comparable unassisted unit information), or if the dwelling lease is not submitted with the RFTA, or other required documents are not attached, SNRHA will NOT accept the packet.

Missing information and/or missing documents will only be accepted as hard copies, in-person, by mail, or by fax prior to the original RFTA being accepted (i.e. owner faxing W9 and banking information).

When the family submits the RFTA and proposed lease, SNRHA will also review the terms of the RFTA for consistency with the terms of the proposed lease.

If the terms of the RFTA are not consistent with the terms of the proposed lease, SNRHA will notify the family and the owner of the discrepancies.

Corrections to the terms of the RFTA and/or the proposed lease will only be accepted as hard copies, in-person, by mail or by fax. The PHA will not accept corrections by phone.

Because of the time sensitive nature of the tenancy approval process, SNRHA will attempt to communicate with the owner and family by phone, fax, or email. SNRHA will use mail when the parties can't be reached by phone, fax, or email.

The original Request for Tenancy Approval (RFTA) and a signed copy of the proposed Lease with no commencement date, including the HUD prescribed tenancy addendum, must be submitted by the family during the term of the voucher. The family must submit





the Request for Tenancy Approval in the form and manner required by SNRHA. The lease dates must match the contract effective date and must be signed by both parties with no execution date at the time of submission.

The Request for Tenancy Approval must be signed by both the owner and Voucher holder. The owner must submit a “record deed” at the time the RFTA is submitted.

SNRHA will not permit the family to submit more than one RFTA at a time.

SNRHA will review the proposed lease and the Request for Approval of Tenancy documents to determine whether or not they are approvable. The Request will be approved if all of the following are true:

The unit is an eligible type of housing.

The unit meets HUD's Housing Quality Standards (and any additional criteria as identified in this Administrative Plan).

The rent is reasonable.

The Security Deposit is approvable in accordance with any limitations in this plan.

The proposed lease complies with HUD and SNRHA requirements (See Section C).

The owner is approvable, and there are no conflicts of interest or the owner has not been debarred (See Section I).

In addition to the above, at the time a family initially receives assistance (new admissions and moves); the family share of rent may not exceed 40 percent of their monthly adjusted income.

### ***Disapproval of RFTA***

If SNRHA determines that the request cannot be approved for any reason, the landlord and the family will be notified by phone or in writing.

When, for any reason, an RFTA is not approved, SNRHA will furnish another RFTA form to the family along with the notice of disapproval so that the family can continue to search for eligible housing, if there is time remaining on the voucher.

### **9-I.C. OWNER PARTICIPATION**

SNRHA does not formally approve an owner to participate in the HCV program. However, there are a number of criteria where SNRHA may deny approval of an assisted tenancy based on past owner behavior, conflict of interest, or other owner-related issues. No owner has a right to participate in the HCV program. [24 CFR 982.306(e)]

See Chapter 13 for a full discussion of owner qualification to participate in the HCV program.

### **9-I.D. ELIGIBLE UNITS**

There are a number of criteria that a dwelling unit must meet in order to be eligible for assistance under the voucher program. Generally, a family in possession of a voucher may choose any



available rental dwelling unit on the market in SNRHA's jurisdiction. This includes the dwelling unit they are currently occupying.

### **Ineligible Units [24 CFR 982.352(a)]**

SNRHA may not assist a unit under the voucher program if the unit is a public housing or Indian housing unit; a unit receiving project-based assistance under section 8 of the 1937 Act (42 U.S.C. 1437f); nursing homes, board and care homes, or facilities providing continual psychiatric, medical, or nursing services; college or other school dormitories; units on the grounds of penal, reformatory, medical, mental, and similar public or private institutions; a unit occupied by its owner or by a person with any interest in the unit.

### **SNRHA-Owned Units [24 CFR 982.352(b)]**

Otherwise eligible units that are owned or substantially controlled by SNRHA issuing the voucher may also be leased in the voucher program. In order for a SNRHA-owned unit to be leased under the voucher program, the unit must not be ineligible housing and SNRHA must inform the family, both orally and in writing, that the family has the right to select any eligible unit available for lease and that the family is free to select a SNRHA-owned unit without any pressure or steering by SNRHA.

#### SNRHA Policy

SNRHA does have eligible SNRHA-owned units available for leasing under the voucher program.

### **Special Housing Types [24 CFR 982 Subpart M]**

HUD regulations permit, but do not generally require, SNRHA to permit families to use voucher assistance in a number of special housing types in accordance with the specific requirements applicable to those programs. These special housing types include single room occupancy (SRO) housing, congregate housing, group home, shared housing, manufactured home space (where the family owns the manufactured home and leases only the space), cooperative housing and homeownership option. See Chapter 15 for specific information and policies on any of these housing types that SNRHA has chosen to allow.

The regulations do require SNRHA to permit use of any special housing type if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

### **Duplicative Assistance [24 CFR 982.352(c)]**

A family may not receive the benefit of HCV tenant-based assistance while receiving the benefit of any of the following forms of other housing subsidy, for the same unit or for a different unit:

- Public or Indian housing assistance;
- Other Section 8 assistance (including other tenant-based assistance);
- Assistance under former Section 23 of the United States Housing Act of 1937 (before amendment by the Housing and Community Development Act of 1974);
- Section 101 rent supplements;



- Section 236 rental assistance payments;
- Tenant-based assistance under the HOME Program;
- Rental assistance payments under Section 521 of the Housing Act of 1949 (a program of the Rural Development Administration);
- Any local or State rent subsidy;
- Section 202 supportive housing for the elderly;
- Section 811 supportive housing for persons with disabilities; (11) Section 202 projects for non-elderly persons with disabilities (Section 162 assistance); or
- Any other duplicative federal, State, or local housing subsidy, as determined by HUD. For this purpose, 'housing subsidy' does not include the housing component of a welfare payment, a social security payment received by the family, or a rent reduction because of a tax credit.

### **Housing Quality Standards (HQS) [24 CFR 982.305 and 24 CFR 982.401]**

In order to be eligible, the dwelling unit must be in decent, safe and sanitary condition. This determination is made using HUD's Housing Quality Standards (HQS) and/or equivalent state or local standards approved by HUD. See Chapter 8 for a full discussion of the HQS standards, as well as the process for HQS inspection at initial lease-up.

### **Unit Size**

In order to be eligible, the dwelling unit must be appropriate for the number of persons in the household. A family must be allowed to lease an otherwise acceptable dwelling unit with fewer bedrooms than the number of bedrooms stated on the voucher issued to the family, provided the unit meets the applicable HQS space requirements [24 CFR 982.402(d)]. The family must be allowed to lease an otherwise acceptable dwelling unit with more bedrooms than the number of bedrooms stated on the voucher issued to the family. See Chapter 7 for a full discussion of subsidy standards.

### **Rent Reasonableness [24 CFR 982.305 and 24 CFR 982.507]**

In order to be eligible, the dwelling unit must have a reasonable rent. The rent must be reasonable in relation to comparable unassisted units in the area and must not be in excess of rents charged by the owner for comparable, unassisted units on the premises. See Chapter 8 for a full discussion of rent reasonableness and the rent reasonableness determination process.

### **Rent Burden [24 CFR 982.508]**

Where a family is initially leasing a unit and the gross rent of the unit exceeds the applicable payment standard for the family, the dwelling unit rent must be at a level where the family's share of rent does not exceed 40 percent of the family's monthly adjusted income. See Chapter 5 for a discussion of calculation of gross rent, the use of payment standards, and calculation of family income, family share of rent and HAP.



## **9-I.E. LEASE AND TENANCY ADDENDUM**

The family and the owner must execute and enter into a written dwelling lease for the assisted unit. This written lease is a contract between the tenant family and the owner; SNRHA is not a party to this contract.

The tenant must have legal capacity to enter a lease under State and local law. 'Legal capacity' means that the tenant is bound by the terms of the lease and may enforce the terms of the lease against the owner [24 CFR 982.308(a)].

### **Lease Form and Tenancy Addendum [24 CFR 982.308]**

If the owner uses a standard lease form for rental to unassisted tenants in the locality or the premises, the lease must be in such standard form. If the owner does not use a standard lease form for rental to unassisted tenants, the owner may use another form of lease. The HAP contract prescribed by HUD contains the owner's certification that if the owner uses a standard lease form for rental to unassisted tenants, the lease is in such standard form.

All provisions in the HUD-required Tenancy Addendum must also be added word-for-word to the owner's standard lease form, for use with the assisted family. The Tenancy Addendum includes the tenancy requirements for the program and the composition of the household as approved by SNRHA. As a part of the lease, the tenant shall have the right to enforce the Tenancy Addendum against the owner and the terms of the Tenancy Addendum shall prevail over any other provisions of the lease.

#### SNRHA Policy

SNRHA does not provide a model or standard dwelling lease for owners to use in the HCV program.

### **Lease Information [24 CFR 982.308(d)]**

The assisted dwelling lease must contain all of the required information as listed below:

- The names of the owner and the tenant:
- The unit rented (address, apartment number, and any other information needed to identify the contract unit)
- The term of the lease (initial term and any provisions for renewal)
- The amount of the monthly rent to owner
- A specification of what utilities and appliances are to be supplied by the owner, and what utilities and appliances are to be supplied by the family. The owner and tenant must sign and date the lease

### **Term of Assisted Tenancy**

The initial term of the assisted dwelling lease must be for at least one (1) year [24 CFR 982.309]. The initial lease term is also stated in the HAP contract.

The HUD program regulations permit SNRHA to approve a shorter initial lease term if certain conditions are met.



### SNRHA Policy

SNRHA will not approve an initial lease term of less than one (1) year.

During the initial term of the lease, the owner may not raise the rent to tenant [24 CFR 982.309].

Any provisions for renewal of the dwelling lease will be stated in the dwelling lease [HCV Guidebook, pg. 8-22]. There are no HUD requirements regarding any renewal extension terms, except that they must be in the dwelling lease if they exist.

SNRHA may execute the HAP contract even if there is less than one year remaining from the beginning of the initial lease term to the end of the last expiring funding increment under the consolidated ACC. [24 CFR 982.309(b)].

### **Security Deposit [24 CFR 982.313 (a) and (b)]**

The owner may collect a security deposit from the tenant. SNRHA may prohibit security deposits in excess of private market practice, or in excess of amounts charged by the owner to unassisted tenants.

### SNRHA Policy

SNRHA will allow the owner to collect any security deposit amount the owner determines is appropriate as long as it does not exceed one month contract rent.

### **Separate Non-Lease Agreements between Owner and Tenant**

Owners may not demand or accept any rent payment from the family in excess of the rent to the owner minus SNRHA's housing assistance payments to the owner [24 CFR 982.451(b)(4)].

The owner may not charge the tenant extra amounts for items customarily included in rent in the locality, or provided at no additional cost to unsubsidized tenants in the premises [24 CFR 982.510(c)].

### SNRHA Policy

SNRHA permits owners and families to execute separate, non-lease agreements for services, appliances (other than range and refrigerator) and other items that are not included in the lease.

Any items, appliances, or other services that are customarily provided to unassisted families as part of the dwelling lease with those families, or are permanently installed in the dwelling unit must be included in the dwelling lease for the assisted family. These items, appliances or services cannot be placed under a separate non-lease agreement between the owner and family. Side payments for additional rent, or for items, appliances or services customarily provided to unassisted families as part of the dwelling lease for those families, are prohibited. Accepting side payments shall result in termination of the HAP Contract and termination of the family's assistance.

Any items, appliances, or other services that are not customarily provided to unassisted families as part of the dwelling lease with those families, are not permanently installed in the dwelling unit and where the family has the sole option of not utilizing the item, appliance or service, may be included in a separate non-lease agreement between the owner and the family.



The family is not liable and cannot be held responsible under the terms of the assisted dwelling lease for any charges pursuant to a separate non-lease agreement between the owner and the family. Non-payment of any charges pursuant to a separate non-lease agreement between the owner and the family cannot be a cause for eviction or termination of tenancy under the terms of the assisted dwelling lease.

Separate non-lease agreements that involve additional items, appliances or other services may be considered amenities offered by the owner and may be taken into consideration when determining the reasonableness of the rent for the property.

### **SNRHA Review of Lease**

SNRHA will review the dwelling lease for compliance with all applicable requirements.

#### SNRHA Policy

If the dwelling lease is incomplete or incorrect, SNRHA will notify the family and the owner of the deficiencies. Missing and corrected lease information will only be accepted as hard copies, in-person, by mail, or by fax. SNRHA will not accept missing and corrected information over the phone. The lease must be submitted with the RFTA. The lease must be signed by both parties with no effective date as the effective date shall be the date the unit passes HQS inspection or the date the tenant takes possession after a passed HQS inspection (whichever is later). Possession shall be defined as having keys or access to keys (i.e. via a lock box) which must be a written statement by both parties.

Because the initial leasing process is time-sensitive, SNRHA will attempt to communicate with the owner and family by phone, fax, or email. SNRHA will use mail when the parties can't be reached by phone, fax, or email.

SNRHA is permitted, but is not required, to review the lease to determine if the lease complies with State and local law and is permitted to decline to approve the tenancy if SNRHA determines that the lease does not comply with State or local law [24 CFR 982.308(c)]

#### SNRHA Policy

SNRHA will not review the owner's lease for compliance with state/local law but shall review to ensure the lease matches the RFTA and is in compliance with the HAP contract which requires content for appliances and utilities.

### **9-I.F. TENANCY APPROVAL [24 CFR 982.305]**

After receiving the family's Request for Tenancy Approval, with proposed dwelling lease, SNRHA must promptly notify the family and owner whether the assisted tenancy is approved.

Prior to approving the assisted tenancy and execution of a HAP contract, SNRHA must ensure that all required actions and determinations, discussed in Part I of this chapter have been completed.

These actions include ensuring that the unit is eligible; the unit has been inspected by SNRHA and meets the Housing Quality Standards (HQS); the lease offered by the owner is approvable and includes the required Tenancy Addendum; the rent to be charged by the owner for the unit must be reasonable; where the family is initially leasing a unit and the gross rent of the unit



exceeds the applicable payment standard for the family, the share of rent to be paid by the family does not exceed 40 percent of the family's monthly adjusted income [24 CFR 982.305(a)]; the owner is an eligible owner, not disapproved by SNRHA, with no conflicts of interest [24 CFR 982.306]; the family and the owner have executed the lease, including the Tenancy Addendum, and the lead-based paint disclosure information [24 CFR 982.305(b)].

#### SNRHA Policy

SNRHA will complete its determination within 10 business days of receiving all required information.

If the terms of the RFTA/proposed lease are changed for any reason, including but not limited to negotiation with SNRHA, SNRHA will obtain corrected copies of the RFTA and proposed lease, signed by the family and the owner.

Corrections to the RFTA/proposed lease will only be accepted as hard copies, in-person, by mail, or by fax. SNRHA will not accept corrections over the phone.

If SNRHA determines that the tenancy cannot be approved for any reason, the owner and the family will be notified and given the opportunity to address any reasons for disapproval. SNRHA will instruct the owner and family of the steps that are necessary to approve the tenancy.

Where the tenancy cannot be approved because the unit is not approvable, the family must continue to search for eligible housing within the timeframe of the issued voucher. No RFTA will be accepted after the voucher expires without a prior extension approved by a supervisor.

If the tenancy cannot be not approved due to rent affordability (including rent burden and rent reasonableness), SNRHA will attempt to negotiate the rent with the owner. If a new, approvable rent is negotiated, the tenancy will be approved. If the owner is not willing to negotiate an approvable rent, the family must continue to search for eligible housing within the timeframe of the issued voucher.

#### **9-I.G. HAP CONTRACT EXECUTION [24 CFR 982.305]**

The HAP contract is a written agreement between SNRHA and the owner of the dwelling unit occupied by a housing choice voucher assisted family. Under the HAP contract, SNRHA agrees to make housing assistance payments to the owner on behalf of a specific family occupying a specific unit and obliges the owner to comply with all program requirements.

The HAP contract format is prescribed by HUD.

If SNRHA has given approval for the family of the assisted tenancy, the owner and SNRHA execute the HAP contract.

The term of the HAP contract must be the same as the term of the lease [24 CFR 982.451(a)(2)].

SNRHA is permitted to execute a HAP contract even if the current funding availability does not extend for the full term of the HAP contract.



SNRHA must make a best effort to ensure that the HAP contract is executed before the beginning of the lease term. Regardless, the HAP contract must be executed no later than 60 calendar days from the beginning of the lease term.

SNRHA may not pay any housing assistance payment to the owner until the HAP contract has been executed. If the HAP contract is executed during the period of 60 calendar days from the beginning of the lease term, SNRHA will pay housing assistance payments after execution of the HAP contract (in accordance with the terms of the HAP contract), to cover the portion of the lease term before execution of the HAP contract (a maximum of 60 days).

Any HAP contract executed after the 60 day period is void, and SNRHA may not pay any housing assistance payment to the owner.

#### SNRHA Policy

The owner and the assisted family will execute the dwelling lease and the owner must provide a copy to SNRHA with the RFTA. SNRHA will ensure that both the owner and the assisted family receive copies of the dwelling lease.

The owner and SNRHA will execute the HAP contract. SNRHA will not execute a HAP contract until the owner has submitted an IRS form W-9. SNRHA will ensure that the owner receives a copy of the executed HAP contract.

SNRHA shall accept electronic signatures on HAP contracts and transfer of ownership/management documents.

See Chapter 13 for a discussion of the HAP contract and contract provisions.

#### **9-I.H. CHANGES IN LEASE OR RENT [24 CFR 982.308]**

If the tenant and the owner agree to any changes in the lease, such changes must be in writing, and the owner must immediately give SNRHA a copy of such changes. The lease, including any changes, must remain in accordance with the requirements of this chapter.

Generally, SNRHA approval of tenancy and execution of a new HAP contract are not required for changes in the lease. However, under certain circumstances, voucher assistance in the unit shall not be continued unless SNRHA has approved a new tenancy in accordance with program requirements and has executed a new HAP contract with the owner. These circumstances include:

- Changes in lease requirements governing tenant or owner responsibilities for utilities or appliances.
- Changes in lease provisions governing the term of the lease.
- The family moves to a new unit, even if the unit is in the same building or complex.

In these cases, if the HCV assistance is to continue, the family must submit a new Request for Tenancy Approval (RFTA) along with a new dwelling lease containing the altered terms. A new tenancy must then be approved in accordance with this chapter.

Where the owner is changing the amount of rent, the owner must notify SNRHA of any changes in the amount of the rent to owner at least 60 calendar days prior to the anniversary date of the HAP contract and the change must be approved by SNRHA before any such changes go into





effect [24 CFR 982.308(g)(4)]. SNRHA will agree to such an increase only if the amount of the rent to owner is considered reasonable according to the rent reasonableness standards discussed in

Chapter 8. If the requested rent is not found to be reasonable, the owner must either reduce the requested rent increase, or give the family notice in accordance with the terms of the lease.

No rent increase is permitted during the initial term of the lease [24 CFR 982.309(a)(3)].

#### SNRHA Policy

Where the owner is requesting a rent increase, SNRHA will determine whether the requested increase is reasonable within 10 business days of receiving the request from the owner. The owner will be notified of the determination in writing.

Rent increases will go into effect on the first of the month of the anniversary date of the HAP contract.

#### ***DISAPPROVAL OF PROPOSED RENT [24 CFR 982.502]***

In any of the programs if the proposed Gross Rent is not reasonable, at the family's request, SNRHA will negotiate with the owner to reduce the rent to a reasonable rent.

At the family's request, SNRHA will negotiate with the owner to reduce the rent or include some or all of the utilities in the rent to owner.

If the rent can be approved after negotiations with the owner and receiving written verification of the decrease, SNRHA will continue processing the Request for Approval of Tenancy and Lease. If the revised rent involves a change in the provision of utilities, a new Request for Approval of Tenancy must be submitted by the owner.

If the owner does not agree on the Rent to Owner after SNRHA has tried and failed to negotiate a revised rent, SNRHA will inform the family and owner that the lease is disapproved.

#### ***INFORMATION TO OWNERS [24 CFR 982.307(b), 982.54(d)(7)]***

In accordance with HUD requirements, SNRHA will furnish prospective owners who request the family's address information in writing from SNRHA with the family's current address as shown in SNRHA's records and, if known to SNRHA, the name and address of the landlord at the family's current and prior address.

SNRHA will make an exception to this requirement if the family's whereabouts must be protected due to domestic abuse or witness protection.

SNRHA will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, payment of utility bills, eviction history, respecting the rights of other residents, damage to units, drug-related criminal activity or other criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

A statement of SNRHA's policy on release of information to prospective landlords will be included in the briefing packet, which is provided to the family.



The information will be provided to the owner in writing.

Only a designated Housing Choice Voucher representative may provide this information. SNRHA's policy on providing information to owners is included in the briefing packet and will apply uniformly to all families and owners.

***OWNER DISAPPROVAL [24 CFR 982.306]***

See Chapter on "Owner Disapproval and Restriction."

***CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE***

When the family reports changes in factors that will affect the Total Family Share prior to the effective date of the HAP contract at admission, the information will be verified and the Total Family Share will be recalculated. If the family does not report any change, SNRHA need not obtain new verifications before signing the HAP Contract, even if verifications are more than 60 calendar days old.

***CONTRACT EXECUTION PROCESS [24 CFR 982.305(c)]***

SNRHA prepares the Housing Assistance Contract and lease for execution. The family and the owner will execute the Lease agreement, and the owner and SNRHA will execute the HAP Contract. Copies of the documents will be furnished to the parties who signed the respective documents. SNRHA will retain a copy of all signed documents.

SNRHA makes every effort to execute the HAP Contract immediately after receiving all required documentation, signed by all parties. The HAP Contract may not be executed more than 60 calendar days after commencement of the lease term and no payments will be made until the contract is executed. The effective date of the HAP contract must match the effective date of the lease and the date will be the later of the date the units passes an initial HQS inspection or the tenant takes possession of the unit.

The Housing Choice Voucher Supervisor, or higher supervisory position on the organization chart, is authorized to execute a contract on behalf of SNRHA:

If families lease properties owned by relatives, other than those prohibited under HUD regulations, the owner must have a different address than the assisted unit. Failure to notify SNRHA in writing of change of addresses may result in placing the vendor's direct deposit of HAP assistance on hold until such information is provided. SNRHA is required by law to provide all vendors with a 1099 each January and cannot comply with this federal law without updated addresses.

Unless their lease was effective prior to June 17, 1998, a family may not lease properties owned by a parent, child, grandparent, grandchild, sister or brother of any family member. SNRHA will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

Owners must provide an Employer Identification Number or Social Security Number on IRS Form W-9.



Owners must also submit proof of ownership of the property by submitting a recorded copy of Grant Deed and a copy of the Management Agreement if the property is managed by a management agent.

The owner must provide a home telephone number and business number if applicable.

*Foreign owners must provide a completed W8-ECI form.*

### ***LATE PAYMENT PENALTIES***

See Chapter on “Owner Disapproval and Restriction.”

To assist SNRHA in its outreach efforts to owners, and to provide better customer service, SNRHA will make automatic monthly HAP deposits into the bank account of the owner. If the owner agrees to such an arrangement with SNRHA, the date the bank shows as the deposit date, will be the official payment date of record and will be the determining factor in cases involving late payment penalties. SNRHA will not make late payments due to direct deposits being posted by the vendors financial institution late, but were transmitted by SNRHA on the correct date. For example, when the first (1<sup>st</sup>) or the 15<sup>th</sup> falls on a Saturday or Holiday and the banks post the deposit on the next business day.

SNRHA will not be obligated to pay any late payment penalty if HUD determines that late payment is due to factors beyond SNRHA’s control, such as a delay in the receipt of program funds from HUD. SNRHA will use administrative fee income or the administrative fee reserve as its only source for late payment penalty.

### **Extensions of Tenancy after Initial Notice to Vacate:**

If a family should request to extend tenancy beyond the initial date of vacate approved by the participant and owner/agent, both parties must sign a written extension of the vacate date and submit this document to SNRHA. The document must include a new vacate date and the tenancy may not extend beyond the expiration date of the issued voucher. Only one (1) extension will be granted by SNRHA to extend the vacate date. The participant must be occupying the unit during the time of extension request.



## Chapter 10

### MOVING WITH CONTINUED ASSISTANCE AND PORTABILITY

#### INTRODUCTION

Freedom of choice is a hallmark of the housing choice voucher (HCV) program. HUD regulations permit families to move with continued assistance to another unit within SNRHA's jurisdiction, or to a unit outside of SNRHA's jurisdiction under Portability procedures. The regulations also allow SNRHA the discretion to develop policies that define any limitations or restrictions on moves. This Chapter defines the procedures for moves, both within and outside of, SNRHA's jurisdiction, and the policies for restriction and limitations on moves.

Part I: Moving with Continued Assistance. This part covers the general rules that apply to all moves by a family assisted under SNRHA's HCV program, whether the family moves to another unit within SNRHA's jurisdiction or to a unit outside SNRHA's jurisdiction under portability.

Part II: Portability. This part covers the special rules that apply to moves by a family under portability, whether the family moves out of or into SNRHA's jurisdiction. This part also covers the special responsibilities that SNRHA has under portability regulations and procedures.

#### PART I: MOVING WITH CONTINUED ASSISTANCE

##### 10-I.A. ALLOWABLE MOVES

HUD lists five regulatory conditions and the statutory condition under VAWA in which an assisted family is allowed to move to a new unit with continued assistance. Permission to move is subject to the restrictions set forth in section 10-I.B.

- The family has a right to terminate the lease on notice to the owner (for the owner's breach or otherwise) and has given a notice of termination to the owner in accordance with the lease [24 CFR 982.314(b)(3)]. If the family terminates the lease on notice to the owner, the family must give SNRHA a copy of the notice at the same time [24 CFR 982.314(d)(1)]. SNRHA requires the family to provide staff with a signed Vacate Notice (60 days when the participant has a lease within a tax credit property).
- The Violence Against Women Reauthorization Act of 2005 provides that "a family may receive a voucher from a public housing agency and move to another jurisdiction under the tenant-based assistance program if the family has complied with all other obligations of the section 8 program and has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit" [Pub.L. 109-162]
- The lease for the family's unit has been terminated by mutual agreement of the owner and the family after the first year of the lease. [24 CFR 982.314(b)(1)(ii)].



### SNRHA Policy

If the family and the owner mutually agree to terminate the lease for the family's unit after the first year of the lease the family must use SNRHA's mutual agreement form. Mutual rescissions will only be allowed for a reasonable accommodation for a disabled family and SNRHA must receive written third party verification of the need to relocate from a qualified professional provider. The manager/owner must also agree with this move if during the first year of the lease after SNRHA 504 Officer approves the accommodation. VAWA moves are also covered with mutual rescissions. Bifurcation of the lease is required by law for VAWA participants. Additionally the person that is the "documented" victim of the violence, even if they are not the head (meaning they are co-head), shall receive the voucher if the family is spilt as a result of a VAWA action. The person shall be terminated who commits the violent act shall be removed from the household by termination from the program. Only one voucher shall be issued.

- SNRHA has terminated the HAP contract for the family's unit for the owner's breach [24 CFR 982.354(b)(1)(i)].
- SNRHA determines that the family's current unit does not meet the HQS space standards because of an increase in family size or a change in family composition. In such cases, SNRHA must issue the family a new voucher, and the family and PHA must try to find an acceptable unit as soon as possible. If an acceptable unit is available for the family, SNRHA must terminate the HAP contract for the family's old unit in accordance with the HAP contract terms and must notify both the family and the owner of the termination. The HAP contract terminates at the end of the calendar month that follows the calendar month in which SNRHA gives notice to the owner. [24 CFR 982.403(a) and (c)]
- The participant has been evicted by the courts.
- In compliance with 24CFR 982.311 (2), SNRHA shall allow overlapping HAP payments when a participant family moves from an assisted unit with continued assistance. The term of the assisted lease for the new unit may begin during the month family moves out of the first assisted unit. Overlapping of the last HAP payment for the month when the family moves out of the old unit and the first assistance payment for the new unit, is not considered to constitute a duplicate housing subsidy.

### **10-I.B. RESTRICTIONS ON MOVES**

A family's right to move is generally contingent upon the family's compliance with program requirements [24 CFR 982.1(b)(2)]. HUD specifies two conditions under which a SNRHA may deny a family permission to move and two ways in which a SNRHA may restrict moves by a family.

#### **Denial of Moves**

HUD regulations permit SNRHA to deny a family permission to move under the following conditions:



### ***Insufficient Funding***

SNRHA may deny a family permission to move if SNRHA does not have sufficient funding for continued assistance [24 CFR 982.354(e)(1)].

#### SNRHA Policy

SNRHA will deny a family permission to move on grounds that SNRHA does not have sufficient funding for continued assistance if (a) the move is initiated by the family, not the owner or SNRHA; (b) SNRHA can demonstrate that the move will, in fact, result in higher subsidy costs; and (c) SNRHA can demonstrate that the move would result in the termination of other participants during the calendar years due to lack of HAP funds include HAP reserves. If this occurs, SNRHA must provide written notification to the local HUD Office when it determines it is necessary to deny moves to a higher cost unit based on insufficient funding. The notification must include the following documentation:

1. A financial analysis that demonstrates insufficient funds are projected to meet the current calendar year projections of expenses. The projection must not include vouchers that have been issued but are yet under contract.
2. A statement certifying the PHA has ceased issuing vouchers and will not admit families from their waiting list while the limitations on moves to a higher cost unit is in place.
3. A copy of the PHA's policy stating how the PHA will address families who have been denied moves. The requirements of the policy are described below.

For moves within SNRHA's jurisdiction, a "higher cost unit" is defined as a unit in which the PHA would have to pay a higher subsidy amount due to an increase in the gross rent for the new unit. This policy applies to moves within SNRHA's jurisdiction as well as to moves outside its jurisdiction under portability.

### ***Repayment Agreements***

SNRHA shall deny moves under portability if the participant owes a debt to SNRHA, even if they are under a repayment agreement, unless the balance is paid in full prior to the voucher being issued and portability documents being submitted to the receiving PHA.

### ***Grounds for Denial or Termination of Assistance***

SNRHA has grounds for denying or terminating the family's assistance [24 CFR 982.314(e)(2)]. VAWA creates an exception to these restrictions for families who are otherwise in compliance with program obligations, but have moved to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence or stalking, and who reasonably believed he or she was imminently threatened by harm from further violence if they remained in the unit. [Pub.L. 109-162]

#### SNRHA Policy

If SNRHA has grounds for denying or terminating a family's assistance, SNRHA will act on those grounds in accordance with the regulations and policies set forth in Chapters 3 and 12, respectively.



SNRHA will grant a family permission to move if SNRHA has no grounds to deny or terminate the family's assistance for program violations, (a thorough definition of program violations can be found in the Administrative Plan). Further definition of a family's obligations include:

Family has provided a copy of the Vacate Notice, submitted to and signed by the current landlord. If the owner refuses to sign, the family shall mail a certified notice to the owner and provide a record to SNRHA. The family may not send a certified mailing prior to first attempting to contact the owner/agent and allow them at least seven (7) business days to sign the Vacate Notice.

The family has not received a notice of cancellation from the Housing Authority.

However, in addition, if the calculations reveal that the subsidy amount to be paid to the new owner on behalf of the family would be zero AND the family has been zero to HAP for six consecutive months prior to the effective date of the new contract, SNRHA would not render any assistance should the family proceed with the move.

### **Restrictions on Elective Moves [24 CFR 982.354(c)]**

HUD regulations permit SNRHA to prohibit any elective move by a participant family during the family's initial lease term. They also permit SNRHA to prohibit more than one elective move by a participant family during any 12-month period.

#### SNRHA Policy

SNRHA will deny a family permission to make an elective move during the family's initial lease term. This policy applies to moves within or outside of SNRHA's jurisdiction.

SNRHA will also deny a family permission to make more than one elective move during any 12-month period. This policy applies to all assisted families residing in SNRHA's jurisdiction.

SNRHA will consider exceptions to these policies for the following reasons:

To protect the health or safety of a family member (e.g., lead-based paint hazards, domestic violence).

The unit becomes in violation of HQS and the contract is terminated as a result of said violations;

Due to the sale of the unit and the new owner does not wish to continue the contract; (unless the new owner request to continue the HAP and signs the required forms) or the unit was foreclosed on and then Nevada laws and HUD regulations come into play.

SNRHA receives a written statement from the District Attorney's Office verifying that the participant has been placed under the witness protection or victim protection program;

Mutual rescissions will only be allowed as a reasonable accommodation for a disabled family for which written third party verification of the need to relocate from a qualified professional provider. The owner/manager must approve the move by signing a mutual



rescission form, after SNRHA approves the reasonable accommodation if they are willing to allow the move. Owners or managers with leases with HCV participants who are approved VAWA clients must bifurcate the lease in compliance with Federal law.

- The family must provide a written 30 day notice to the property owner/agent and SNRHA prior to moving from the unit. Failure to provide to both parties and receive approval from SNRHA prior to moving will lead to termination of their assistance;
- The owner has given the family a notice to vacate, has commenced an action to evict the family or has obtained a court judgment or other process allowing the owner to evict the family. If SNRHA receives a judgment which is not paid within the required timeframe or a summary of eviction, the family shall be terminated from the program even if they have moved to another unit. To lessen the impact of this occurrence and the negative impact to new owners, the family shall not be issued a voucher for 30 days of any notice served relating to a lease violation that is for cause.
- The family has given proper notice of lease termination (if the family has a right to terminate the lease on notice to owner) for owner breach or otherwise.

## **10-I.C. MOVING PROCESS**

### **Notification**

If a family wishes to move to a new unit, the family must notify SNRHA and the owner before moving out of the assisted unit or terminating the lease on notice to the owner [24 CFR 982.354(d)(2)]. If the family wishes to move to a unit outside SNRHA's jurisdiction under portability, the notice to SNRHA must specify the area where the family wishes to move [24 CFR 982.354(d)(2), Notice PIH 2012-42]. The notices must be in writing [24 CFR 982.5].

### **Approval**

#### SNRHA Policy

Upon receipt of a family's notification that they wish to move, SNRHA will determine whether the move is approvable in accordance with the regulations and policies set forth in sections 10-I.A and 10-I.B. SNRHA will schedule an appointment with the family to come in to receive a moving packet or complete port out documents. SNRHA shall require families to provide a signed SNRHA Vacate Notice which is signed by the family and owner/manager. If the owner refuses to sign the Vacate Notice (60 days for tax credit properties) Intent Form and the tenant has completed the first year of the lease and has not signed a new lease for an additional year, the participant shall send the notice via certified mail and provide staff with a copy of proof of mailing before a moving voucher can be issued. The Vacate Notice must be signed and dated by both parties with an effective date. An extension of this notice must also be signed and dated by both parties and submitted to SNRHA.

## **Reexamination of Family Income and Composition**





### SNRHA Policy

For families approved to move to a new unit within SNRHA's jurisdiction, SNRHA will perform a new annual reexamination in accordance with the policies set forth in Chapter 11 of this plan.

### **Voucher Issuance and Briefing**

#### SNRHA Policy

For families approved to move to a new unit within SNRHA's jurisdiction, SNRHA will issue a new voucher within 10 calendar days of SNRHA's written approval to move. No briefing is required for these families. However, staff will remind them of move requirements when the voucher is issued to move. SNRHA will follow the policies set forth in Chapter 7 on voucher term, extension, and expiration. If a family does not locate a new unit within the term of the voucher and any extensions, the family may remain in its current unit with continued voucher assistance if the owner agrees and SNRHA approves. Otherwise, the family will lose its assistance.

For families moving into or families approved to move out of the PHA's jurisdiction under portability, SNRHA will follow the policies set forth in Part II of this chapter.

### **Housing Assistance Payments [24 CFR 982.311(d)]**

When a family moves out of an assisted unit, SNRHA may not make any housing assistance payment to the owner for any month **after** the month the family moves out. The owner may keep the housing assistance payment for the month when the family moves out of the unit.

If a participant family moves from an assisted unit with continued tenant-based assistance, the term of the assisted lease for the new assisted unit may begin during the month the family moves out of the first assisted unit. Overlap of the last housing assistance payment (for the month when the family moves out of the old unit) and the first assistance payment for the new unit, is not considered to constitute a duplicative housing subsidy.

### ***Notice Requirements***

Briefing sessions emphasize the family's responsibility to give the owner and SNRHA proper written notice of any intent to move.

The family must give the owner the required number of days' notice of their intent to vacate as specified in the lease in writing or a written notice when not specified in the lease. The family must give a copy to SNRHA simultaneously utilizing SNRHA's "Vacate Notice." This notice must be signed by both parties; or if the owner refuses to sign, the participant can provide SNRHA proof of their attempts to notify their owner by submitting a copy of their mailed Vacate Notice and a copy of their certified mail receipt. Therefore, the family must be otherwise eligible to move and a moving voucher will be issued.

### ***Time of Contract Change***

A move within the same building or project, or between buildings owned by the same owner, will be processed like any other move.



In a move, assistance stops at the old unit at the end of the month in which the tenant ceased to occupy, unless proper notice was given to end a lease midmonth. Assistance will start on the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the family moves.

## **PART II: PORTABILITY**

### **10-II.A. OVERVIEW**

Within the limitations of the regulations and this plan, a participant family or an applicant family that has been issued a voucher has the right to use tenant-based voucher assistance to lease a unit anywhere in the United States providing that the unit is located within the jurisdiction of a PHA administering a tenant-based voucher program [24 CFR 982.353(b)]. The process by which a family obtains a voucher from one PHA and uses it to lease a unit in the jurisdiction of another

PHA is known as portability. The first PHA is called the **initial PHA**. The second is called the **receiving PHA**.

The receiving PHA has the option of administering the family's voucher for the initial PHA or absorbing the family into its own program. Under the first option, the receiving PHA bills the initial PHA for the family's housing assistance payments and the fees for administering the family's voucher. Under the second option, the receiving PHA pays for the family's assistance out of its own program funds, and the initial PHA has no further relationship with the family.

The same PHA commonly acts as the initial PHA for some families and as the receiving PHA for others. Each role involves different responsibilities. The PHA will follow the rules and policies in section 10-II.B when it is acting as the initial PHA for a family. It will follow the rules and policies in section 10-II.C when it is acting as the receiving PHA for a family.

In administering portability, the initial PHA and the receiving PHA must comply with financial procedures required by HUD, including the use of HUD-required forms [24 CFR 982.355(e)(5)].

PHAs must also comply with billing and payment deadlines, HUD may reduce an administrative fee to an initial or receiving PHA if the PHA does not comply with HUD portability requirements [24 CFR 982.355 (e)(7)].

SNRHA shall not deny a victim of domestic violence that is eligible under VAWA the access to portability.

According to HUD Final Rule on Streamlining Portability, published March 28, 2012, and revised August 20, 2015 (effective September 21, 2015); the following applies to the entire HCV program and is not limited to families exercising portability:

**Mandatory Voucher Suspension:** The rule requires suspension or "tolling" of the voucher term upon a family's submission of a Request for Tenancy Approval (RFTA.) Under the current rule, suspension is optional. The mandatory suspension begins when the family submits the RFTA and ends when the family is notified in writing of the approval or denial of the tenancy by using the [Notice of Cancellation of RFTA](#) form.



**Briefing Requirements:** The final rule requires the benefits of living in low-poverty census tracts must be explained to all families, including those who currently live in higher poverty areas. The required explanation of how portability works must now be given to all families, not just those who are eligible to exercise portability on initial voucher issuance.

HUD's Final Rule indicates the major changes to existing portability requirements and processes include:

**Notification of Insufficient Funding:** The rule adds a requirement that PHA's must notify the HUD field office within 10 business days of denying a move under portability due to insufficient funding.

**Voucher Term:** The voucher issued by the Receiving PHA (RHA) must have an expiration date at least 30 days after the expiration date of the voucher issued by the Initial PHA (IHA.) While the RHA may provide additional search time according to its existing policies, the billing deadline of 90 days after the expiration of the IHA's voucher remains in effect.

**Administrative Fees:** The final rule provides the administrative fee for portability is the lesser of 80 percent of the IHA's administrative fee (prorated if applicable) or 100 percent of the RHA's administrative fee. In no event will the RHA receive more than its own administrative fee.

**Rescreening:** The preamble to the rule states that RHAs "should be allowed" to apply their own screening standards to incoming portable families, and information on how rescreening may affect a family's assistance should be included in the briefing packet. HUD did not make any regulatory changes supporting this guidance. HUD did not make any regulatory changes supporting this guidance. SNRHA shall rescreen all incoming portability clients in accordance with its screening Policies.

## 10-II.B. INITIAL PHA ROLE

### Allowable Moves under Portability

A family may move with voucher assistance only to an area where there is at least one PHA administering a voucher program [24 CFR 982.353(b)]. If there is more than one PHA in the area, The initial PHA provides the family with the contact information for the receiving PHAs that serve the area, and the family selects the receiving PHA. The family must inform the initial PHA which PHA it has selected. If the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family (24 CFR 982.255(b)).

Applicant families that have been issued vouchers as well as participant families may qualify to lease a unit outside SNRHA's jurisdiction under portability. The initial PHA, in accordance with HUD regulations and PHA policy, determines whether a family qualifies.



### ***Applicant Families***

Under HUD regulations, most applicant families qualify to lease a unit outside the PHA's jurisdiction under portability. However, HUD gives SNRHA discretion to deny a portability move by an applicant family for the same two reasons that it may deny any move by a participant family: insufficient funding and grounds for denial or termination of assistance. [If a PHA intends to deny a family permission to move under portability due to insufficient funding, the PHA must notify HUD within 10 business days of the determination to deny the move \[24 CFR 982.355\(e\)\].](#)

#### SNRHA Policy

In determining whether or not to deny an applicant family permission to move under portability because SNRHA lacks sufficient funding or has grounds for denying assistance to the family, the initial SNRHA will follow the policies established in section 10-I.B of this chapter. If the PHA does deny the move due to insufficient funding, the PHA will notify HUD in writing within 10 business days of the PHA's determination to deny the move.

In addition, SNRHA may establish a policy denying the right to portability to nonresident applicants during the first 12 months after they are admitted to the program [24 CFR 982.353(c)].

#### SNRHA Policy

If neither the head of household nor the spouse/cohead of an applicant family had a domicile (legal residence) in SNRHA's jurisdiction at the time the family's application for assistance was submitted, the family must live in SNRHA's jurisdiction with voucher assistance for at least 12 months before requesting portability.

SNRHA will consider exceptions to this policy for purposes of reasonable accommodation (see Chapter 2).

### ***Participant Families***

The Initial SNRHA must not provide portable assistance for a participant if a family has moved out of its assisted unit in violation of the lease [24 CFR 982.353(b)]. VAWA creates an exception to this prohibition for families who are otherwise in compliance with program obligations but have moved to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if they remained in the unit.

#### SNRHA Policy

SNRHA will determine whether a participant family may move out of SNRHA's jurisdiction with continued assistance in accordance with the regulations and policies set forth here and in sections 10-I.A and 10-I.B of this chapter. SNRHA will notify the family of its determination in accordance with the approval policy set forth in section 10-I.C of this chapter.

### **Determining Income Eligibility**



### ***Applicant Families***

An applicant family may lease a unit in a particular area under portability only if the family is income eligible for admission to the voucher program in that area [24 CFR 982.353(d)(3)]. The family must specify the area to which the family wishes to move [2012-42 24 CFR 982.355(c)(1)].

The initial PHA is responsible for determining whether the family is income eligible in the area to which the family wishes to move [24 CFR 982.353(d)(1), 24CFR 982.355 (9)]. If the applicant family is not income eligible in that area, the PHA must inform the family that it may not move there and receive voucher assistance [Notice PIH 2012-42].

### ***Participant Families***

The income eligibility of a participant family is not redetermined if the family moves to a new jurisdiction under portability [24 CFR 982.353(d)(2),

### **Reexamination of Family Income and Composition**

No new reexamination of family income and composition is required for an applicant family.

#### SNRHA Policy

For a participant family approved to move out of its jurisdiction under portability, SNRHA generally will conduct a reexamination of family income and composition only if the family's annual reexamination must be completed on or before the initial billing deadline specified on form HUD-52665, Family Portability Information.

SNRHA will make any exceptions to this policy necessary to remain in compliance with HUD regulations.

SNRHA shall inform the receiving PHA of the incoming port family and confirm if they are absorbing or billing and shall send all required documents including an EIV. The EIV shall be sent in a confidential envelop.

### **Briefing**

The regulations and policies on briefings set forth in Chapter 7 of this plan require SNRHA to provide information on portability to all applicant families that qualify to lease a unit outside SNRHA's jurisdiction under the portability procedures. Therefore, no special briefing is required for these families.

#### SNRHA Policy

No formal briefing will be required for a participant family wishing to move outside SNRHA's jurisdiction under portability. However, SNRHA will provide the family with the same oral and written explanation of portability that it provides to applicant families selected for admission to the program (see Chapter 7).

SNRHA will provide the name, address, and phone of the contact for the PHA in the jurisdiction to which they wish to move. **If there is more than one PHA with jurisdiction over the area to which the family wishes to move, the PHA will advise the family that the**



family must select the receiving PHA and notify the initial PHA of which receiving PHA was selected. The PHA will further inform the family that if the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family.

SNRHA will advise the family that they will be under the RHA's policies and procedures, including screening, subsidy standards, voucher extension policies, and payment standards.

### **Voucher Issuance and Term**

An applicant family has no right to portability until after the family has been issued a voucher [24 CFR 982.353(b)]. In issuing vouchers to applicant families, SNRHA will follow the regulations and procedures set forth in Chapter 7. A new voucher is not required for portability purposes.

#### SNRHA Policy

For families approved to move under portability, SNRHA will issue a new voucher within 10 calendar days of SNRHA's receiving a Vacate or other written notice which is approvable to port out.

The initial term of the voucher will be 60 calendar days, 90 calendar days for disabled families.

If the family moving under portability is living in a unit where HAP has been abated because of the failure to complete the HQS repairs, or the client previously vacated their unit due to unsafe condition, the voucher issuance date will be the effective date of that action.

### **Voucher Extensions and Expiration**

#### SNRHA Policy

SNRHA will **not approve** extensions of a voucher issued to an applicant or a participant's family porting out of SNRHA's jurisdiction except under the following circumstances: (a) the family decides to return to the initial PHA's jurisdiction and search for a unit there and their voucher has not expired, or (b) the family decides to search for a unit in a third PHA's jurisdiction and their voucher has not expired. In such cases, the policies on voucher extensions set forth in Chapter 7, section 5-II.E, of this plan will apply, including the requirement that the family apply for an extension in writing prior to the expiration of the initial voucher term.

To receive or continue receiving assistance under the initial PHA's voucher program, a family that moves to another PHA's jurisdiction under portability must be under HAP contract in the receiving PHA's jurisdiction within 90 calendar days following the expiration date of the initial PHA's voucher term (including any extensions). (See below under "Initial Billing Deadline" for one exception to this policy.)

### **Initial Contact with the Receiving PHA**



After approving a family's request to move under portability, the initial PHA must promptly notify the receiving PHA via email or other confirmed delivery method to expect the family [24 CFR 982.355(c)(3), 24 CFR 9682.355(c)(7)]. The initial PHA must also advise the family how to contact and request assistance from the receiving PHA [24 CFR 982.355(c)(6)].

### SNRHA Policy

Because the portability process is time-sensitive, SNRHA will notify the receiving PHA by fax to expect the family. The initial PHA will also ask the receiving PHA to provide any information the family may need upon arrival, including the name, fax, email and telephone number of the staff person responsible for business with incoming portable families and procedures related to appointments for voucher issuance. SNRHA will pass this information along to the family. SNRHA will also ask for the name, address, telephone number, fax and email of the person responsible for processing the billing information.

### **Sending Documentation to the Receiving PHA**

The initial SNRHA is required to send the receiving PHA the following documents:

- Form HUD-52665, Family Portability Information, with Part I filled out [Notice PIH 2012-42]
- A copy of the family's voucher [Notice PIH 2012-42]
- A copy of the family's most recent form HUD-50058, Family Report, or, if necessary in the case of an applicant family, family and income information in a format similar to that of form HUD-50058 [24 CFR 982.355(c)(7), Notice PIH 2012-42]
- Copies of the income verifications backing up the form HUD-50058 [24 CFR 982.355(c)(7), Notice PIH 2012-42] and EIV printout in a confidential envelop.
- Notification to confirm if the PHA is billing or absorbing.

### SNRHA Policy

In addition to these documents, SNRHA will provide the following information, if available, to the receiving PHA:

Last EIV print out

Social security numbers (SSNs)

Documentation of SSNs for all family members

Documentation of legal identity

Documentation of citizenship or eligible immigration status

Documentation of participation in the earned income disallowance (EID) benefit

Documentation of participation in a family self-sufficiency (FSS) program

SNRHA will notify the family in writing regarding any information provided to the receiving PHA [HCV GB, p. 13-3].

### **Initial Billing Deadline [Notice PIH 2012-42, Letter to Executive Directors 9-15-15]**



The deadline for submission of initial billing is 90 calendar days following the expiration date of the voucher issued to the family by the initial PHA. If the initial PHA does not receive a billing notice by the deadline and does not intend to honor a late billing submission, it must contact the receiving PHA to determine the status of the family. If the receiving PHA reports that the family is not yet under HAP contract, the initial PHA may refuse to accept a late billing submission. If the receiving PHA reports that the family is under HAP contract and the receiving PHA cannot absorb the family, the initial PHA must accept a late billing submission; however, it may report to HUD the receiving PHA's failure to comply with the deadline.

#### SNRHA Policy

If SNRHA has not received an initial billing notice from the receiving PHA within 90 days of expiration of the IHA's voucher, it will contact the receiving PHA via by phone, fax, or e-mail. If the PHA reports that the family is not yet under HAP contract, the PHA will inform the receiving PHA that it will not honor a late billing submission and will return any subsequent billings that it receives on behalf of the family. SNRHA will send the receiving PHA a written confirmation of its decision by mail.

SNRHA will allow an exception to this policy if the family includes a person with disabilities and the late billing is a result of a reasonable accommodation granted to the family by the receiving PHA.

#### **Monthly Billing Payments [24 CFR 982.355(e), Notice PIH 2012-42]**

If the receiving PHA is administering the family's voucher, [the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. When reimbursing for administrative fees, the initial PHA must promptly reimburse the receiving PHA for the lesser of 80 percent of the initial PHA ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill \[24 CFR 982.355\(e\)\(2\)\].](#)

The initial PHA is responsible for making billing payments in a timely manner. The first billing amount is due within 30 calendar days after the initial PHA receives Part II of form HUD-52665 from the receiving PHA. Subsequent payments must be **received** by the receiving PHA no later than the fifth business day of each month. The payments must be provided in a form and manner that the receiving PHA is able and willing to accept.

The initial PHA may not terminate or delay making payments under existing portability billing arrangements as a result of overleasing or funding shortfalls. The PHA must manage its tenant-based program in a manner that ensures that it has the financial ability to provide assistance for families that move out of its jurisdiction under portability and are not absorbed by receiving PHAs as well as for families that remain within its jurisdiction.

#### SNRHA Policy

SNRHA will mail monthly checks to make payments unless the receiving PHA notifies SNRHA of their direct deposit information.





## **Annual Updates of Form HUD-50058**

If SNRHA is being billed on behalf of a portable family, it should receive an updated form the HUD form-50058 each year from the receiving PHA. If SNRHA fails to receive an updated 50058 by the family's annual reexamination date, the initial PHA should contact the receiving PHA to verify the status of the family.

## **Subsequent Family Moves**

### ***Within the Receiving PHA's Jurisdiction [24 CFR 314(e)(1), Notice PIH 2005-1]***

The initial PHA has the authority to deny subsequent moves by portable families whom it is assisting under portability billing arrangements if it does not have sufficient funding for continued assistance.

#### SNRHA Policy

If SNRHA determines that it must deny moves on the grounds that it lacks sufficient funding (see section 10-I.B), it will notify all receiving PHAs with which it has entered into portability billing arrangements that they, too, must deny moves to higher cost units by portable families from SNRHA's jurisdiction.

SNRHA will allow exceptions to this policy for purposes of reasonable accommodation of a family member who is a person with disabilities.

### ***Outside the Receiving PHA's Jurisdiction [Notice PIH 2012-42]***

If the initial PHA is assisting a portable family under a billing arrangement and the family subsequently decides to move out of the receiving PHA's jurisdiction, the initial PHA is responsible for issuing the family a voucher while the family is either being assisted or has a voucher from the receiving PHA and, if the family wishes to port to another jurisdiction, sending form HUD-52665 and supporting documentation to the new receiving PHA. Any extensions of the initial PHA voucher necessary to allow the family additional search-time to return to the initial PHA's jurisdiction or to move to another jurisdiction would be at the discretion of the initial PHA.

## **Denial or Termination of Assistance [24 CFR 982.355(c)(17)]**

At any time, either the initial PHA or the receiving PHA may make a determination to deny or terminate assistance with the family in accordance with 24 CFR 982.552 and 24 CFR 982.553. (For SNRHA policies on denial and termination, see Chapters 3 and 12, respectively.)

## **10-II.C. RECEIVING PHA ROLE**

If a family has a right to lease a unit in the receiving PHA's jurisdiction under portability, the receiving PHA must provide assistance for the family [24 CFR 982.355(10)]. HUD may determine in certain instances that a PHA is not required to accept incoming portable families, such as a PHA in a declared disaster area. However, the PHA must have approval in writing from HUD before refusing any incoming portable families [24 CFR 982.355(b)]. Administration of the voucher must be in accordance with the receiving PHA's policies. This



requirement also applies to policies of Moving to Work agencies. The receiving PHA procedures and preferences for selection among eligible applicants do not apply to the family, and the receiving PHA waiting list is not used [24 CFR 982.355(c)(10)].

The family's unit, or voucher, size is determined in accordance with the subsidy standards of the receiving PHA [24 CFR 982.355(c)(12)], and the receiving PHA's policies on extensions of the voucher term apply [24 CFR 982.355 (c)(14)].

### **Responding to Initial PHA's Request [24 CFR 982.355(c)]**

The receiving PHA must respond via e-mail or other confirmed delivery method to the initial PHA's inquiry to determine whether the family's voucher will be billed or absorbed [(24 CFR 982.355(c)(3)]. . If the receiving PHA informs the initial PHA that it will be absorbing the voucher, the receiving PHA cannot reverse its decision at a later date **without consent of the initial PHA** (24 CFR 982.355(c)(4)).[Notice PIH 2012-42].

#### **SNRHA Policy**

SNRHA will use e-mail, when possible, to notify the initial PHA whether it will administer or absorb the family's voucher.

### **Initial Contact with Family**

When a family moves into SNRHA's jurisdiction under portability, the family is responsible for promptly contacting SNRHA and complying with SNRHA's procedures for incoming portable families . The family's failure to comply may result in denial or termination of the receiving PHA's voucher [24 CFR 982.355 (c)(8)].

If the voucher issued to the family by the initial PHA has expired, the receiving SNRHA must contact the initial PHA to determine if it will extend the voucher [24 CFR 982.355 (c)(13)].

When a portable family requests assistance from SNRHA, SNRHA must promptly inform the initial PHA whether SNRHA will bill the initial PHA for assistance on behalf of the portable family or will absorb the family into its own program [24 CFR 982.355(c)(5)]. If SNRHA initially bills the initial PHA for the family's assistance, it may later decide to absorb the family into its own program [Notice PIH 2012-42]. (See later under "Absorbing a Portable Family" for more on this topic.)

#### **SNRHA Policy**

SNRHA will notify the initial PHA whether it intends to bill the receiving PHA on behalf of the portable family or absorb the family into its own program. SNRHA will absorb all incoming FSS Portability Participants, if funding is available (See Chapter 18 – Family Self Sufficiency).

If for any reason the receiving SNRHA refuses to process or provide assistance to a family under the portability procedures, the family must be given the opportunity for an informal review or hearing [Notice PIH 2012-42]. (For more on this topic, see later under "Denial or Termination of Assistance.")

### **Briefing**



HUD allows SNRHA to require a briefing for an incoming portable family as long as the requirement does not unduly delay the family's search [Notice PIH 2012-42].

### SNRHA Policy

SNRHA will require the family to attend a briefing. SNRHA will provide the family with a briefing packet (as described in Chapter 7) and, in an individual briefing, will orally inform the family about the PHA's payment and subsidy standards, procedures for requesting approval of a unit, the unit inspection process, and the leasing process.

SNRHA will allow a one-on-one (1-on-1) briefing only as a reasonable accommodation which must be requested in writing from the applicant/participant and approved by SNRHA's HP management. **This also applies for clients needing LEP for languages other than a language provided by staff at general briefings.**

### **Income Eligibility and Reexamination**

PIH Notice 2012-42SNRHA does not redetermine eligibility for a portable family that was already receiving assistance in the initial PHA's voucher program [24 CFR 982.355(c)(9)]. **If the receiving PHA opts to conduct a new reexamination for a current participant family, the receiving PHA may not delay issuing the family a voucher or otherwise delay approval of a unit [24 CFR 982.355(c)(11)].**

### SNRHA Policy

For any family moving into its jurisdiction under portability, SNRHA will conduct a new reexamination of family income and composition. However, SNRHA will not delay issuing the family a voucher for this reason. Nor will SNRHA delay approving a unit for the family until the reexamination process is complete unless the family is an applicant and SNRHA cannot otherwise confirm that the family is income eligible for admission to the program in the area where the unit is located.

In conducting its own reexamination, SNRHA will rely upon any verification provided by the initial PHA to the extent that they (a) accurately reflect the family's current circumstances and (b) were obtained within the last 120 calendar days. Any new information may be verified by documents provided by the family and adjusted, if necessary, when third party verification is received. Criminal screening will be conducted but shall not delay the lease-up process of port-ins.

### **Voucher Issuance**

When a family moves into its jurisdiction under portability, SNRHA is required to issue the family a voucher [24 CFR 982.355(c)(13)]. The family must submit a request for tenancy approval to SNRHA during the term of the receiving PHA's voucher [24 CFR 982.355(c)(15)].

### ***Timing of Voucher Issuance***

HUD expects the receiving PHA to issue the voucher within two weeks after receiving the family's paperwork from the initial PHA if the information is in order, the family has contacted the receiving PHA, and the family complies with the receiving PHA's procedures [Notice PIH 2012-42].



### SNRHA Policy

When family ports into its jurisdiction, SNRHA will issue the family a voucher based on the paperwork provided by the initial PHA unless the family's paperwork from the initial PHA is incomplete, the family's voucher from the initial PHA has expired or the family does not comply with SNRHA's procedures. SNRHA will update the family's information when verification has been completed.

### ***Voucher Term***

The term of SNRHA's voucher may not expire before 30 calendar days from the expiration date of the initial PHA's voucher [24 CFR 982.355(c)(13)].

### SNRHA Policy

SNRHA's voucher will expire 30 calendar days from the expiration date of the initial PHA's voucher.

### ***Voucher Extensions [24 CFR 982.355(c)(14), Notice 2012-42]***

Once the receiving PHA issues the portable family a voucher, the receiving PHA's policies on extensions of the voucher term apply. The receiving PHA must inform the initial PHA of any extension granted to the term of the voucher. It must also bear in mind the billing deadline provided by the initial PHA. Unless willing and able to absorb the family, SNRHA should ensure that any voucher expiration date would leave sufficient time to process a request for tenancy approval, execute a HAP contract, and deliver the initial billing to the initial PHA.

### SNRHA Policy

SNRHA generally will not extend the term of the voucher that it issues to an incoming portable family unless the PHA plans to absorb the family into its own program, in which case it will follow the policies on voucher extension set forth in section 5-II.E.

SNRHA will consider an exception to this policy as a reasonable accommodation to a person with disabilities (see Chapter 2).

### ***Voucher Suspensions [24 CFR 982.303, 24 CFR 982.355(c)(15)]***

If the family submits a request for tenancy approval during the term of the receiving PHA's voucher, the PHA must suspend the term of that voucher. The term of the voucher stops from the date that the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied [24 CFR 982.4(b)] (see Section 5-II.E).

### **Notifying the Initial PHA**

SNRHA must promptly notify the initial PHA if the family has leased an eligible unit under the program or if the family fails to submit a request for tenancy approval for an eligible unit within the term of the receiving PHA's voucher [24 CFR 982.355(c)(8)]. SNRHA is required to use Part II of form HUD-52665, Family Portability Information, for this purpose [Notice PIH 2012-42].



(For more on this topic and the deadline for notification, see below under “Administering a Portable Family’s Voucher.”)

If an incoming portable family ultimately decides not to lease in the jurisdiction of SNRHA but instead wishes to return to the initial PHA’s jurisdiction or to search in another jurisdiction, SNRHA must refer the family back to the initial PHA. In such a case the voucher of record for the family is once again the voucher originally issued by the initial PHA. Any extension of search time provided by SNRHA’s voucher is only valid for the family’s search in SNRHA’s jurisdiction. [Notice PIH 2012-42]

### **Administering a Portable Family’s Voucher**

#### ***Portability Billing [24 CFR 982.355(e)]***

To cover assistance for a portable family that was not absorbed, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. The amount of the housing assistance payment for a portable family in the receiving PHA’s program is determined in the same manner as for other families in the receiving PHA’s program.

The receiving PHA may bill the initial PHA for the lesser of 80 percent of the initial PHA’s ongoing administrative fee or 100 percent of the receiving PHA’s ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill (i.e., the receiving PHA may bill for the lesser of 80 percent of the initial PHA’s prorated ongoing administrative fee or 100 percent of the receiving PHA’s ongoing administrative fee).

If both PHAs agree, the PHAs may negotiate a different amount of reimbursement.

#### **SNRHA Policy**

Unless the PHA negotiates a different amount of reimbursement with the initial PHA, the PHA will bill the initial PHA the maximum amount of administrative fees allowed, ensuring any administrative fee proration has been properly applied.

#### ***Initial Billing Deadline***

If a portable family’s search for a unit is successful and SNRHA intends to administer the family’s voucher, SNRHA must submit its initial billing notice (Part II of form HUD-52665) (a) no later than 10 business days following the date the receiving PHA **executes** a HAP contract on behalf of the family **and** (b) in time that the notice will be **received** no later than 60 calendar days following the expiration date of the family’s voucher issued by the initial PHA [Notice PIH 2012-42]. A copy of the family’s form HUD-50058, Family Report, completed by the receiving PHA must be attached to the initial billing notice. SNRHA may send these documents by mail, fax or e-mail.

#### **SNRHA Policy**



SNRHA will send its initial billing notice by fax or e-mail, if necessary, to meet the billing deadline.

If SNRHA fails to send the initial billing within 10 business days following the date the HAP contract is executed, it is required to absorb the family into its own program unless (a) the initial PHA is willing to accept the late submission or (b) HUD requires the initial PHA to honor the late submission (e.g., because SNRHA is over leased) [Notice PIH 2012-42].

***Ongoing Notification Responsibilities [Notice PIH 2012-42, HUD-52665]***

**Annual Reexamination.** SNRHA must send the initial PHA a copy of a portable family's updated form HUD-50058 after each annual reexamination for the duration of time SNRHA is billing the initial PHA on behalf of the family, regardless of whether there is a change in the billing amount.

SNRHA Policy

SNRHA will send a copy of the updated HUD-50058 by regular mail at the same time SNRHA and owner are notified of the reexamination results.

**Change in Billing Amount.** SNRHA is required to notify the initial PHA, using form the HUD Form -52665, of any change in the billing amount for the family as a result of:

- A change in the HAP amount (because of a reexamination, a change in the applicable payment standard, a move to another unit, etc.)
- An abatement or subsequent resumption of the HAP payments
- Termination of the HAP contract
- Payment of a damage/vacancy loss claim for the family
- Termination of the family from the program

The timing of the notice of the change in the billing amount should correspond with the notification to the owner and the family in order to provide the initial PHA with advance notice of the change. Under no circumstances should the notification be later than 10 business days following the effective date of the change in the billing amount.

***Late Payments [Notice PIH 2012-42]***

If the initial PHA fails to make a monthly payment for a portable family by the fifth business day of the month, SNRHA must promptly notify the initial PHA in writing of the deficiency. The notice must identify the family, the amount of the billing payment, the date the billing payment was due, and the date the billing payment was received (if it arrived late). SNRHA must send a copy of the notification to the Office of Public Housing (OPH) in the HUD area office with jurisdiction over SNRHA. If the initial PHA fails to correct the problem by the second month following the notification, SNRHA may request by memorandum to the director of the OPH with jurisdiction over SNRHA that HUD transfer the unit in question. A copy of the initial notification and any subsequent correspondence between the PHAs on the matter must be attached. The receiving PHA must send a copy of the memorandum to the initial PHA. If the



OPH decides to grant the transfer, the billing arrangement on behalf of the family ceases with the transfer, but the initial PHA is still responsible for any outstanding payments due to SNRHA

### ***Overpayments [Notice PIH 2012-42]***

In all cases where SNRHA has received billing payments for billing arrangements no longer in effect, SNRHA is responsible for returning the full amount of the overpayment (including the portion provided for administrative fees) to the initial PHA.

In the event that HUD determines billing payments have continued for at least three months because SNRHA failed to notify the initial PHA that the billing arrangement was terminated, SNRHA must take the following steps:

- Return the full amount of the overpayment, including the portion provided for administrative fees, to the initial PHA.
- Once full payment has been returned, notify the Office of Public Housing in the HUD area office with jurisdiction over SNRHA of the date and the amount of reimbursement to the initial PHA.

At HUD's discretion, SNRHA will be subject to the sanctions spelled out in Notice PIH 2012-42.

### **Denial or Termination of Assistance**

At any time, SNRHA may make a determination to deny or terminate assistance to a portable family for family action or inaction [24 CFR 982.355(c)(17)].

In the case of a termination, SNRHA should provide adequate notice of the effective date to the initial PHA to avoid having to return a payment. In no event should SNRHA fail to notify the initial PHA later than 10 business days following the effective date of the termination of the billing arrangement. [HUD-52665 Notice PIH 2012-42]

#### SNRHA Policy

If SNRHA elects to deny or terminate assistance for a portable family, SNRHA will notify the initial PHA within 10 business days after the informal review or hearing if the denial or termination is upheld. SNRHA will base its denial or termination decision on the policies set forth in Chapter 3 or Chapter 12, respectively. The informal review or hearing will be held in accordance with the policies in Chapter 16. SNRHA will furnish the initial PHA with a copy of the review or hearing decision.

### **Absorbing a Portable Family**

SNRHA may absorb an incoming portable family into its own program when SNRHA executes a HAP contract on behalf of the family or at any time thereafter providing that SNRHA has funding available under its annual contributions contract (ACC) and (b) absorbing the family will not result in over leasing [24 CFR 982.355(d)(1), Notice PIH 2012-42].

If SNRHA absorbs a family from the point of admission, the admission will be counted against the income targeting obligation of SNRHA [24 CFR 982.201(b)(2)(vii)].

If SNRHA absorbs a family after providing assistance for the family under a billing arrangement with the initial PHA, HUD encourages SNRHA to provide adequate advance notice to the initial



PHA to avoid having to return an overpayment. SNRHA must specify the effective date of the absorption of the family. [Notice PIH 2012-42]

### SNRHA Policy

If SNRHA decides to absorb a portable family upon the execution of a HAP contract on behalf of the family, SNRHA will notify the initial PHA by the initial billing deadline specified on form HUD-52665. The effective date of the HAP contract will be the effective date of the absorption.

If SNRHA decides to absorb a family after that, it will provide the initial PHA with 30 calendar days advance notice.

Following the absorption of an incoming portable family, the family is assisted with funds available under the consolidated ACC for SNRHA's voucher program [24 CFR 982.355(d)], and SNRHA becomes the initial PHA in any subsequent moves by the family under portability [24 CFR 982.355 (e)(4)].

### **OUTGOING PORTABILITY [24 CFR 982.353, 982.355]**

Within the confines of the regulations and this policy, a participant family has the right to receive tenant-based voucher assistance to lease a unit outside SNRHA's jurisdiction, anywhere in the United States, in the jurisdiction of a PHA with a tenant-based program. When a family requests to move outside of SNRHA's jurisdiction, the request must specify the area to which the family wants to move.

### **Restrictions on Portability**

A family is permitted to move only once in a 12-month period. This includes incoming and outgoing ports.

If neither the head nor spouse had a domicile (legal residence) in SNRHA's jurisdiction at the date of their initial application for assistance, the family will not be permitted to exercise portability during the initial 12-month period after admission to the program.

**NOTE:** Local government defines legal domicile.

Following the initial 12-month period, SNRHA will not permit families to exercise portability:

- If the family is in violation of a family obligation.
- If the family owes money to SNRHA.
- If the family has moved out of its assisted unit in violation of the lease.
- If the family has not lived in their unit for 12 months.
- If the family has been served an eviction notice for cause or judgment.





## Chapter 11

### REEXAMINATIONS

#### INTRODUCTION

In accordance with HUD requirements, SNRHA will reexamine the income and household composition of all families at least annually. Families will be provided accurate annual and interim rent adjustments. Recertifications and interim examinations will be processed in a manner that ensures families are given reasonable notice of rent increases. All annual activities will be coordinated in accordance with HUD regulation. It is a HUD requirement that families report all changes in household composition. It also explains the interim reporting requirements for families, and the standards for timely reporting. Interim reexaminations are also needed in certain situations.

This chapter discusses both annual and interim reexaminations, and the recalculation of family share and subsidy that occurs as a result. HUD regulations and SNRHA's policies concerning reexaminations are presented in three parts:

Part I: Annual Reexaminations. This part discusses the process for conducting annual reexaminations.

Part II: Interim Reexaminations. This part details the requirements for families to report changes in family income and composition between annual reexaminations.

Part III: Recalculating Family Share and Subsidy Amount. This part discusses the recalculation of family share and subsidy amounts based on the results of annual and interim reexaminations.

Policies governing reasonable accommodation, family privacy, required family cooperation, and program abuse, as described elsewhere in this plan, apply to both annual and interim reexaminations.

#### **PART I: ANNUAL REEXAMINATIONS [24 CFR 982.516]**

##### **11-I.A. OVERVIEW**

SNRHA must conduct a reexamination of family income and composition at least annually. This includes gathering and verifying current information about family composition, income, and expenses. Based on this updated information, the family's income and rent must be recalculated. This part discusses the schedule for annual reexaminations, the information to be collected and verified, and annual reexamination effective dates.

With HUD's final rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," SNRHA may implement tri-annual reexaminations (or once every three [3] years.) SNRHA will continue to conduct annual reexaminations at this time.



## 11-I.B. SCHEDULING ANNUAL REEXAMINATIONS

SNRHA must establish a policy to ensure that the annual reexamination for each family is completed *within* a 12-month period, and may require reexaminations more frequently [HCV GB p. 12-1].

### SNRHA Policy

SNRHA will begin the annual reexamination process 120 calendar days in advance of its scheduled effective date. Generally, SNRHA will schedule annual reexamination effective dates to coincide with the family's anniversary date.

*Anniversary date* is defined as 12 months from the effective date of the family's last annual reexamination or, during a family's first year in the program, from the effective date of the family's initial examination (admission).

If the family moves to a new unit, SNRHA will perform a new annual reexamination.

SNRHA also may schedule an annual reexamination for completion prior to the anniversary date for administrative purposes.

### **Notification of and Participation in the Annual Reexamination Process**

SNRHA is required to obtain the information needed to conduct annual reexaminations. How that information will be collected is left to the discretion of SNRHA.

### SNRHA Policy

Families generally are required to participate in an annual reexamination interview, which must be attended by the head of household, spouse, or co-head and all family members 18 and older. SNRHA conducts re-certifications for the elderly and disabled via mail unless they fail to return the recertification packet within the required timeframe. In those cases, the family will be sent an appointment letter. If participation in an in-person interview poses a hardship because of a family member's disability, the family should contact SNRHA to request a reasonable accommodation (See Chapter 2).

Notification of annual reexamination interviews will be sent by first-class mail and will contain the date, time, and location of the interview. In addition, it will inform the family of the information and documentation that must be brought to the interview.

If the family is unable to attend a scheduled interview, the family should contact SNRHA in advance of the interview to schedule a new appointment. If a family does not attend the scheduled interview, SNRHA will send a second notification with a new interview appointment time.

If a family fails to attend two scheduled interviews without SNRHA approval, or if the notice is returned by the post office, a notice of termination (See Chapter 12) will be sent to the family's address of record.



An advocate, interpreter, or other assistant may assist the family in the interview process. The family and SNRHA must execute a certification attesting to the role and assistance of any such third party.

### **11-I.C. CONDUCTING ANNUAL REEXAMINATIONS**

As part of the annual reexamination process, families are required to provide updated information to SNRHA regarding the family's income, expenses, and composition [24 CFR 982.551(b)].

#### SNRHA Policy

Families will be asked to bring all required information (as described in the reexamination notice) to the reexamination appointment. The required information will include a SNRHA-designated reexamination form, an Authorization for the Release of Information/Privacy Act Notice, as well as supporting documentation related to the family's income, expenses, family composition and other required forms.

Any required documents or information that the family is unable to provide at the time of the interview must be provided within 14 calendar days of the interview. If the family is unable to obtain the information or materials within the required time frame, the family may request an extension.

If the family does not provide the required documents or information within the required time frame (plus any extensions), the family will be sent a notice of termination (See Chapter 12).

The information provided by the family generally must be verified in accordance with the policies in Chapter 6. Unless the family reports a change, or the agency has reason to believe a change has occurred in information previously reported by the family, certain types of information that are verified at admission typically do not need to be re-verified on an annual basis. These include:

- Legal identity
- Age
- Social security numbers
- A person's disability status
- Citizenship or immigration status –except for expired status

If adding a new family member due to birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency to the unit causes overcrowding according to the Housing Quality Standards (HQS) (see Chapter 8), SNRHA must issue the family a new voucher, and the family must try to find an acceptable unit as soon as possible. If an acceptable unit is not available for rental by the family, SNRHA must terminate the HAP contract in accordance with its terms [24 CFR 982.403].

**SNRHA will not increase the** voucher size when adding other adults to the family that are 18 or older or children that are not foster youth.



SNRHA shall not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency. A social service agency is defined as a Department of Family Services.

#### **11-I.D. DETERMINING ONGOING ELIGIBILITY OF CERTAIN STUDENTS [24 CFR 982.552(b)(5)]**

Section 327 of Public Law 109-115 established new restrictions on the ongoing eligibility of certain students (both part- and full-time) who are enrolled in institutions of higher education.

If a student enrolled in an institution of higher education is under the age of 24, is not a veteran, is not married, and does not have a dependent child, the student's eligibility must be reexamined along with the income eligibility of the student's parents on an annual basis. In these cases, both the student and the student's parents must be income eligible for the student to continue to receive HCV assistance. If, however, a student in these circumstances is determined independent from his or her parents in accordance with PHA policy, the income of the student's parents will not be considered in determining the student's ongoing eligibility.

Students who reside with parents in an HCV assisted unit are not subject to this provision. It is limited to students who are receiving assistance on their own, separately from their parents.

##### SNRHA Policy

During the annual reexamination process, SNRHA will determine the ongoing eligibility of each student who is subject to the eligibility restrictions in 24 CFR 5.612 by reviewing the student's individual income as well as the income of the student's parents. If the student has been determined "independent" from his/her parents based on the policies in Sections 3-II.E, the parents' income will not be reviewed.

If the student is no longer income eligible based on his/her own income or the income of his/her parents, the student's assistance will be terminated.

If the student continues to be income eligible based on his/her own income and the income of his/her parents (if applicable), SNRHA will process a reexamination in accordance with the policies in this chapter.

#### **11-I.E. EFFECTIVE DATES**

SNRHA must establish policies concerning the effective date of changes that result from an annual reexamination [24 CFR 982.516].

##### SNRHA Policy

In general, an *increase* in the family share of the rent that results from an annual reexamination will take effect on the first day of the family's anniversary date, and the family will be notified at least 30 calendar days in advance.

If less than 30 calendar days remain before the scheduled effective date, the increase will take effect on the first of the month following the end of the 30-day notice period by completing an adjustment to make up the difference.



If a family moves to a new unit, the increase will take effect on the effective date of the new lease and HAP contract, and no 30-day notice is required.

If SNRHA chooses to schedule an annual reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date will be determined by SNRHA, but will always allow for the 30-day notice period.

If the family causes a delay in processing the annual reexamination, *increases* in the family share of the rent will be applied retroactively, to the scheduled effective date of the annual reexamination. The family will be responsible for any overpaid subsidy and may be offered a repayment agreement in accordance with the policies in Chapter 14.

In general, a *decrease* in the family share of the rent that results from an annual reexamination will take effect on the first day of the month of the family's anniversary date.

If a family moves to a new unit, the decrease will take effect on the effective date of the new lease and HAP contract.

If SNRHA chooses to schedule an annual reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date will be determined by SNRHA.

If the family causes a delay in processing the annual reexamination, *decreases* in the family share of the rent will be applied prospectively, from the first day of the month following completion of the reexamination processing.

Delays in reexamination processing are considered to be caused by the family if the family fails to provide information requested by SNRHA by the date specified, and this delay prevents SNRHA from completing the reexamination as scheduled.

### **Reexamination Notice to the Family**

SNRHA will maintain a reexamination tracking system and the household will be notified by mail of the date and time for their interview at least 60 calendar days in advance of the anniversary date, unless it has been rescheduled or file reinstated. SNRHA has developed a computerized tracking report to ensure all annual re-certifications are completed prior to the last annual date.

If requested as an accommodation by a person with a disability, SNRHA will provide the notice in an accessible format. SNRHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

### **Completion of Annual Recertification**

SNRHA will have all recertifications for families completed no later than one (1) calendar month prior to the effective date of the annual reexamination. This includes notifying the family of any changes in rent at least one (1) calendar month before the scheduled date of the change in family rent.



## **Collection of Information [24 CFR 982.516(f)]**

SNRHA has established appropriate recertification procedures necessary to ensure that the income data provided by families is complete and accurate.

SNRHA will require the family to complete an Application for Continued Occupancy form prior to all recertification interviews.

## **PART II: INTERIM REEXAMINATIONS [24 CFR 982.516]**

### **11-II.A. OVERVIEW**

Family circumstances may change throughout the period between annual reexaminations. HUD and SNRHA policies dictate what kinds of information about changes in family circumstances must be reported, and under what circumstances SNRHA must process interim reexaminations to reflect those changes. HUD regulations also permit SNRHA to conduct interim reexaminations of income or family composition at any time. When an interim reexamination is conducted, only those factors that have changed are verified and adjusted [HCV GB, p. 12-10].

In addition to specifying what information the family must report, HUD regulations permit the family to request an interim determination if other aspects of the family's income or composition changes. SNRHA must complete the interim reexamination within a reasonable time after the family's request.

This part includes HUD and SNRHA policies describing what changes families are required to report, what changes families may choose to report, and how SNRHA will process both SNRHA and family initiated interim reexaminations.

### **11-II.B. CHANGES IN FAMILY AND HOUSEHOLD COMPOSITION**

SNRHA must adopt policies prescribing when and under what conditions the family must report changes in family composition. However, due to family obligations under the program, SNRHA has limited discretion in this area.

#### SNRHA Policy

SNRHA will conduct interim reexaminations to account for any changes in income that are downward that occur between annual reexaminations. The interim will not be processed until the change is properly verified. Upon receipt of proper verification, the interim will be processed. Changes will be effective the first of the month following the month in which SNRHA receives written notice of the change.

If necessary, the change will be processed retroactively to be effective the first of the month following the month of receipt of written notice of the change.



Increases in income will be processed at the next annual reexamination except for the following families:

- Zero income families reporting income
- Families receiving only non-earned income who begin to earn income
- Families qualifying for the earned income disallowance (EID), but only when the EID family's share of rent will change as a result of the increase or
- FSS program participants.

All changes must be reported within 10 calendar days. In the above cases, SNRHA will process the interim to be effective the first of the month following 30 calendar day notice. In all other cases, SNRHA will note the information in the tenant's file, but will not conduct an interim reexamination.

SNRHA will conduct an interim for all changes in household composition. All changes must be reported within 10 calendar days.

### **New Family Members Not Requiring Approval**

The addition of a family member as a result of birth, adoption, or court-awarded custody does not require SNRHA approval. However, the family is required to promptly notify SNRHA of the addition within 10 calendar days and submit copies of documents and birth certificates; social security 24 CFR 982.551(h)(2).

#### SNRHA Policy

The family must inform SNRHA of the birth, adoption or court-awarded custody of a child within 10 calendar days and submit all required documents. Notifications must be done in writing.

### **New Family and Household Members Requiring Approval**

With the exception of children who join the family as a result of birth, adoption, or court-awarded custody, a family must request SNRHA's approval to add a new family member [24 CFR 982.551(h)(2)] or other household member (live-in aide or foster child) [24 CFR 982.551(h)(4)]. This request must be submitted in writing prior to allowing the person to move into the unit.

When any new family member is added, SNRHA must conduct a reexamination to determine any new income or deductions associated with the additional family member, and to make appropriate adjustments in the family share of the rent and the HAP payment [24 CFR 982.516(e)]. If an adult, a criminal background check will be completed. SNRHA will not increase the voucher size when adding an adult nor will SNRHA approve an addition which will result in overcrowding for any addition.

If a change in family size causes a violation of Housing Quality Standards (HQS) space standards (see Chapter 8), SNRHA must issue the family a new voucher, and the family and SNRHA must try to find an acceptable unit as soon as possible. If an acceptable unit is available for rental by the family, SNRHA must terminate the HAP contract in accordance with its terms [24 CFR 982.403].



### SNRHA Policy

Families must request PHA approval to add a new family member, live-in aide, foster child, or foster adult in writing. This includes any person not on the lease who is expected to stay in the unit for more than 30 consecutive days, or 60 cumulative days, within a twelve month period, and therefore no longer qualifies as a “guest.” Requests must be made in writing and approved by SNRHA prior to the individual moving in the unit.

SNRHA will not approve the addition of a new family or household member unless the individual meets the PHA’s eligibility criteria (see Chapter 3).

SNRHA will not approve the addition of a foster child or foster adult if it will cause a violation of HQS space standards.

If SNRHA determines an individual meets SNRHA’s eligibility criteria as defined in Chapter 3, SNRHA will provide written approval to the family. If the approval of a new family member or live-in aide will cause overcrowding according to HQS standards, the approval letter will explain that the family will be issued another voucher and will be required to move.

If SNRHA determines that an individual does not meet SNRHA’s eligibility criteria as defined in Chapter 3, SNRHA will notify the family in writing of its decision to deny approval of the new family or household member and the reasons for the denial. Families must report in writing marriages/separations and divorces within 10 calendar days.

### **Departure of a Family or Household Member**

Families must promptly (defined as within 10 calendar days) notify SNRHA if any family member no longer lives in the unit [24 CFR 982.551(h)(3)]. Because household members are considered when determining the family unit (voucher) size [24 CFR 982.402], SNRHA also needs to know when any live-in aide, foster child, or foster adult ceases to reside in the unit. Failure to report this may result in termination of assistance.

### SNRHA Policy

If a household member ceases to reside in the unit, the family must inform SNRHA within 10 calendar days in writing. This requirement also applies to a family member who has been considered temporarily absent at the point that the family concludes the individual is permanently absent.

If a live-in aide, foster child, or foster adult ceases to reside in the unit, the family must inform SNRHA within 10 calendar days in writing.

### **11-II.C. CHANGES AFFECTING INCOME OR EXPENSES**

Interim reexaminations can be scheduled either because SNRHA has reason to believe that changes in income or expenses may have occurred, or because the family reports a change. When a family reports a change, SNRHA may take different actions depending on whether the family reported the change voluntarily, or because it was required to do so.

### **SNRHA-Initiated Interim Reexaminations**





SNRHA-initiated interim reexaminations are those that are scheduled based on circumstances or criteria defined by SNRHA. They are not scheduled because of changes reported by the family.

### SNRHA Policy

SNRHA will conduct interim reexaminations in each of the following instances:

- For families receiving the Earned Income Disallowance (EID), SNRHA will conduct an interim reexamination at the start and conclusion of the second 12 month exclusion period (50 percent phase-in period).
- If the family has reported zero income, SNRHA will conduct an interim reexamination every 6 months as long as the family continues to report that they have no income.
- Families that report zero income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, and other subsistence of expenses in writing. SNRHA will require a printout of utility bills for the past 12 months to be submitted at interim evaluations for participants claiming zero income. The average for the last three months of utility bill payments over the amount of the family's Utility Reimbursement Payment, will be averaged, annualized and the results analyzed to determine the possibility of un-reported or under-reported income.
- When the amounts indicate that the family has received monies from outside sources, or that an outside source has paid the family's bills on their behalf, SNRHA will call the family into an interview to discuss how the family has made the payments. When it is discovered that an outside source has provided money to the family, or has paid the bills on the family's behalf, SNRHA will send third party verification to the providing party to verify whether the income is sporadic or recurring in order to determine whether the amount is to be included in the family's annual income. SNRHA will also verify no other income has been received via third party verification at the 180 calendar day interim examinations being sent to such agencies as the unemployment department, welfare, and child support, and will perform credit checks to identify reoccurring payments. EIV printouts will also be reviewed for all interim reexaminations.

If the family's expenses exceed their known income, SNRHA will make inquiry of the head of household as to the nature of the family's resources and terminate the family for fraud, or offer a repayment agreement when documented evidence indicates the family has unreported income, which includes receiving funds from other parties or individuals that has not been reported. Failure to enter into a repayment agreement and pay the required 25% within the established guidelines shall result in the termination of the subsidy. Only two (2) repayment agreements will ever be approved for any one HCV household. The second cannot be approved unless the first has been paid in full. Repeating this action after the 2<sup>nd</sup> violation of unreported income will result in termination from the HCV program.



- If at the time of the annual reexamination, it is not feasible to anticipate a level of income for the next 12 months (e.g. seasonal or cyclic income), SNRHA will schedule an interim reexamination to coincide with the end of the period for which it is feasible to project income.
- If at the time of the annual reexamination, tenant-provided documents were used on a provisional basis due to the lack of third-party verification, and third-party verification becomes available, SNRHA will conduct an interim reexamination.
- SNRHA may conduct an interim reexamination at any time in order to correct an error in a previous reexamination, or to investigate a tenant fraud complaint.

### **Family-Initiated Interim Reexaminations**

SNRHA must adopt policies prescribing when and under what conditions the family must report changes in family income or expenses [24 CFR 982.516(c)]. In addition, HUD regulations require that the family be permitted to obtain an interim reexamination any time the family has experienced a change in circumstances since the last determination [24 CFR 982.516(b)(2)].

### **Required Reporting**

HUD regulations give SNRHA the freedom to determine the circumstances under which families will be required to report changes affecting income.

#### SNRHA Policy

Families are required to report all increases in income, including new employment, within 10 calendar days of the date the change takes effect.

Families are required to report any other changes in income or expenses and family composition within 10 calendar days in writing.

If the family's Total Tenant Payments (TTP) is the minimum rent and/or the family has requested a hardship exemption, the family must report any increase in income. SNRHA will adjust the rent at the end of the hardship period.

Families are required to report all changes in income and family composition within 10 calendar days of the change.

### **Optional Reporting**

The family may request an interim reexamination any time the family has experienced a change in circumstances since the last determination [24 CFR 982.516(b)(2)]. SNRHA must process the request if the family reports a change that will result in a reduced family income [HCV GB, p. 12-9].

If a family reports a decrease in income from the loss of welfare benefits due to fraud or non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program, the family's share of the rent will not be reduced [24 CFR 5.615]. For more information regarding the requirement to impute welfare income see [Chapter 5](#).

#### SNRHA Policy



If a family reports a change that would result in an increase in the family share of the rent, but will not go into effect until the annual date, SNRHA will note the information in the tenant file and send a no change letter.

If a family reports a change that would result in a decrease in the family share of rent, SNRHA will conduct an interim reexamination. See Section 11-II.D. for effective dates.

## **11-II.D. PROCESSING THE INTERIM REEXAMINATION**

### **Method of Reporting**

#### SNRHA Policy

The family shall notify SNRHA of changes only in writing within 10 calendar days of any change in family composition (including marriage) or income. Generally, the family will not be required to attend an interview for an interim reexamination. However, if SNRHA determines that an interview is warranted, the family may be required to attend.

Based on the type of change reported, SNRHA will determine the documentation the family will be required to submit. The family must submit any required information or documents within 14 business days of receiving a request from SNRHA. This time frame may be extended for good cause with SNRHA's approval. SNRHA will accept required documentation by mail, fax, e-mail, or in person.

### **Effective Dates**

SNRHA must establish the time frames in which any changes that result from an interim reexamination will take effect [24 CFR 982.516(d)]. The changes may be applied either retroactively or prospectively, depending on whether there is to be an increase or a decrease in the family share of the rent, and whether the family reported any required information within the required time frames [HCV GB, p. 12-10].

#### SNRHA Policy

If the family share of the rent is to *increase*:

The increase generally will be effective on the first of the month following 30 days' notice to the family.

If a family fails to report a change within the required time frames, or fails to provide all required information within the required time frames, the increase will be applied retroactively, to the date it would have been effective had the information been provided on a timely basis. The family will be responsible for any overpaid subsidy and may be offered a repayment agreement in accordance with the policies in Chapter 14.

If the family share of the rent is to *decrease*:



The decrease will be effective on the first day of the month following the month in which the change was reported and all required documentation was submitted. In cases where the change cannot be verified until after the date the change would have become effective, the change will be made retroactively.

## **OTHER INTERIM REPORTING ISSUES**

An interim reexamination does not affect the date of the annual recertification.

### SNRHA Policy

A verification used for purposes of completing the interim may be used for completing the family's annual recertification if the verification is current within 120 calendar days of the scheduled annual recertification effective date, unless SNRHA has reason to believe the situation has changed.

SNRHA may conduct the interim recertification by mail as a reasonable accommodation for a participant with a disability and elderly participants. (See Chapter 1, "Statement of Policies and Objectives")

### **SNRHA Staff Errors**

If SNRHA makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted, if necessary, to correct the error, but the family will not be charged retroactively. Families will be given decreases, when applicable, retroactive to when the decrease for the change would have been effective if calculated correctly.

## **CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.518]**

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

"Mixed" families who were participants as of June 19, 1995, shall continue receiving full assistance if they meet all of the following criteria:

- SNRHA implemented the Non-Citizen Rule prior to November 29, 1996 AND
- The head of household or spouse is a U.S. citizen or has eligible immigrant status; AND
- All members of the family other than the head, the spouse, parents of the head or the spouse, and children of the head or spouse are citizens or eligible immigrants. The family may change the head of household to qualify under this provision.

If the family moved in on or after November 29, 1996, mixed families may receive prorated assistance only.

## **MISREPRESENTATION OF FAMILY CIRCUMSTANCES**

If any participant deliberately misrepresents the information on which eligibility or tenant rent is established, SNRHA may terminate assistance and may refer the family file/record to the proper authorities for appropriate disposition. (See Program Integrity Chapter 16.)

## **PART III: RECALCULATING FAMILY SHARE AND SUBSIDY AMOUNT**



### **11-III.A. OVERVIEW**

After gathering and verifying required information for an annual or interim reexamination, SNRHA must recalculate the family share of the rent and the subsidy amount, and notify the family and owner of the changes [24 CFR 982.516(d)(2), HCV 12-6 and 12-10]. While the basic policies that govern these calculations are provided in Chapter 6, this part lays out policies that affect these calculations during a reexamination.

### **11-III.B. CHANGES IN PAYMENT STANDARDS AND UTILITY ALLOWANCES**

In order to calculate the family share of the rent and HAP amount correctly, changes in payment standards, subsidy standards, or utility allowances may need to be updated and included in SNRHA's calculations.

Specific policies governing how subsidy standards, payment standards, and utility allowances are applied are discussed below.

#### **Payment Standards [24 CFR 982.505]**

The family share of the rent and HAP calculations must use the correct payment standard for the family, taking into consideration the family unit size, the size of unit, and the area in which the unit is located [HCV GB, p. 12-5]. See Chapter 6 for information on how to select the appropriate payment standard.

When SNRHA changes its payment standards or the family's situation changes, new payment standards are applied at the following times:

- If SNRHA's payment standard amount changes during the term of the HAP contract, the date on which the new standard is applied depends on whether the standard has increased or decreased:
  - If the payment standard amount has *increased*, the increased payment standard will be applied at the *first annual* reexamination following the effective date of the increase in the payment standard.
  - If the payment standard amount has *decreased*, the decreased payment standard will be applied at the *second annual* reexamination following the effective date of the decrease in the payment standard.
- If the family moves to a new unit, or a new HAP contract is executed due to changes in the lease (even if the family remains in place) the current payment standard applicable to the family will be used when the new HAP contract is processed.

#### **Subsidy Standards [24 CFR 982.505(c)(4)]**

If there is a change in the family unit size that would apply to a family during the HAP contract term, either due to a change in family composition, or a change in SNRHA's subsidy standards (see Chapter 6), the new family unit size must be used to determine the payment standard



amount for the family at the family's *first annual* reexamination following the change in family unit size.

#### SNRHA Policy

Family composition changes resulting in a change in voucher size: Although SNRHA will conduct interims for all changes in family composition, the voucher size will not be adjusted until the family's first annual reexamination following the family composition change.

(Exception: see 24 CFR 982.403 for violations of the HQS space standards.)

#### **Utility Allowances [24 CFR 982.517(d)]**

The family share of the rent and HAP calculations must reflect any changes in the family's utility arrangement with the owner, or in SNRHA's utility allowance schedule [HCV GB, p. 12-5]. Chapter 14 discusses how utility allowance schedules are established.

When there are changes in the utility arrangement with the owner, SNRHA must use the utility allowances in effect at the time the new lease and HAP contract are executed.

At reexamination, SNRHA must use SNRHA current utility allowance schedule [24 CFR 982.517(d)(2)].

#### SNRHA Policy

Revised utility allowances will be applied to a family's rent and subsidy calculations at the first reexamination after the allowance is adopted.

#### **11-III.C. NOTIFICATION OF NEW FAMILY SHARE AND HAP AMOUNT**

SNRHA must notify the owner and family of any changes in the amount of the HAP payment [HUD-52641, HAP Contract]. The notice must include the following information [HCV GB, p. 12-6]:

- The amount and effective date of the new HAP payment
- The amount and effective date of the new family share of the rent
- The amount and effective date of the new tenant rent to owner

The family must be given an opportunity for an informal hearing regarding SNRHA's determination of their annual or adjusted income, and the use of such income to compute the housing assistance payment [24 CFR 982.555(a)(1)(i)] (see Chapter 14).

#### SNRHA Policy

The notice to the family will include the annual and adjusted income amounts that were used to calculate the family share of the rent and the housing assistance payment. The notice also will state the procedures for requesting an informal hearing.

#### **11-III.D. DISCREPANCIES**



During an annual or interim reexamination, SNRHA may discover that information previously reported by the family was in error, or that the family intentionally misrepresented information. In addition, SNRHA may discover errors made by SNRHA. When errors resulting in the overpayment or underpayment of subsidy are discovered, corrections will be made in accordance with the policies in Chapter 14.



## Chapter 12

### DENIAL OF ASSISTANCE AND TERMINATION OF ASSISTANCE AND TENANCY

#### INTRODUCTION

HUD regulations specify the reasons for which a PHA can deny or terminate a family's assistance, and the ways in which such terminations must take place. They also dictate the circumstances under which an owner may terminate the tenancy of an assisted family. This chapter presents the policies that govern denials of assistance, voluntary and involuntary terminations of assistance, and termination of tenancy by the owner. It is presented in three parts:

Part I: Grounds for Denial of Assistance. This part discusses reasons why a family's application for assistance may be denied, including mandatory denials, and discusses SNRHA policy as relates to denials of assistance.

Part II: Termination of Assistance. This part discusses various reasons that a family's assistance may be terminated, including voluntary termination by the family, termination because the family no longer qualifies to receive subsidy, and termination by the PHA based on the family's behavior. It also covers denial of applicant's assistance.

Part III: Approach to Termination of Assistance. This part describes the policies that govern how an involuntary termination takes place. It specifies the alternatives that the PHA may consider in lieu of termination, the criteria the PHA must use when deciding what action to take, and the steps the PHA must take when terminating a family's assistance.

Part IV: Termination of Tenancy by the Owner. This part presents the policies that govern the owner's right to terminate an assisted tenancy.

#### PART I: GROUNDS FOR DENIAL OF ASSISTANCE

##### 12-I.A. OVERVIEW

HUD requires SNRHA to terminate or deny assistance for certain offenses and when the family no longer requires assistance. HUD permits SNRHA to terminate or deny assistance for certain other actions family members take or fail to take. In addition, a family may decide to stop receiving HCV assistance at any time by notifying SNRHA.

A family that does not meet the eligibility criteria discussed in Chapter 3, Parts I and II, must be denied assistance.

In addition, HUD requires or permits SNRHA to deny assistance based on certain types of current or past behaviors of family members.





### **Forms of Denial [24 CFR 982.552(a)(2); HCV GB, p. 5-35]**

Denial of assistance includes any of the following:

- Not placing the family's name on the waiting list
- Denying or withdrawing a voucher
- Not approving a request for tenancy or refusing to enter into a HAP contract
- Refusing to process a request for or to provide assistance under portability procedures

### **Prohibited Reasons for Denial of Program Assistance [24 CFR 982.202(b), Pub.L. 109-162]**

HUD rules prohibit denial of program assistance to the program based on any of the following criteria:

- Age, disability, race, color, religion, sex, or national origin. (See Chapter 2 for additional information about fair housing and equal opportunity requirements.)
- Where a family lives prior to admission to the program
- Where the family will live with assistance under the program. Although eligibility is not affected by where the family will live, there may be restrictions on the family's ability to move outside SNRHA's jurisdiction (See Chapter 10, Portability.)
- Whether members of the family are unwed parents, recipients of public assistance, or children born out of wedlock
- Whether the family includes children
- Whether a family decides to participate in a family self-sufficiency program
- Whether or not a qualified applicant has been a victim of domestic violence, dating violence, or stalking

### **12-I.B. MANDATORY DENIAL OF ASSISTANCE [24 CFR 982.553(a)]**

HUD requires SNRHA to deny assistance in the following cases:

- Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity. HUD permits, but does not require, SNRHA to admit an otherwise-eligible family if the household member has completed a SNRHA-approved drug rehabilitation program or the circumstances which led to eviction no longer exist (e.g., the person involved in the criminal activity no longer lives in the household).
- SNRHA determines if any household member is currently engaged in the use of illegal drugs.

#### SNRHA Policy

*Currently engaged in* is defined as any use of illegal drugs during the previous six months.



- SNRHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Any household member that has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing (including Public Housing, Section 8 Tenant-Based or Project-Based Units.)
- Any household member is subject to a lifetime registration requirement under a state sex offender registration program. Criminal Sexual Convictions – Applicants, participant and/or their household members who have been convicted of criminal sexual conduct or are required to register in the State of Nevada as a sex offender, will be prohibited from participation in the public housing program.
- Sex offenses, include but are not limited to sexual assault, incest, statutory sexual seduction, open and gross lewdness or child abuse and are required by law to register as a sex offender will be prohibited from participation in the Housing Choice Voucher Program.
- Failure of the family to provide verification of social security numbers for all family members in compliance with HUD Rent Refinement Rule. Notice PIH 2012-10

## **12-I.C. CRITERIA FOR DECIDING TO DENY ASSISTANCE**

### **Evidence [24 CFR 982.553(c)]**

#### SNRHA Policy

SNRHA will use the concept of the preponderance of the evidence as the standard for making all admission decisions.

*Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not.

Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Consider all evidence. In determining whether an issue has been proved by a preponderance of the evidence, you should consider all of the evidence, regardless of who produced it.

Equally balanced. If the weight of the evidence is equally balanced, or if you are unable to determine which side of an issue has the preponderance, the party who has the burden of proof has not established such issue by a preponderance of the evidence.

### **Consideration of Circumstances [24 CFR 982.552(c)(2)]**

HUD authorizes SNRHA to consider all relevant circumstances when deciding whether to deny assistance based on a family's past history except in the situations for which denial of assistance is mandated (see Section 3-III.B).



## SNRHA Policy

SNRHA will consider the following factors prior to making its decision:

The seriousness of the case, especially with respect to how it would affect other residents.

The effects that denial of assistance may have on other members of the family who were not involved in the action or failure.

The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities, or (as discussed further in section 3-III.G) a victim of domestic violence, dating violence, or stalking.

The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future.

In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully, unless there is a reoccurring offense within the past twelve months.

SNRHA will require the applicant/participant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

SNRHA will consider all credible evidence, including but not limited to, any record of convictions or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A conviction will be given more weight. The SNRHA will also consider evidence from treatment providers or community-based organizations providing services to household members.

SNRHA will also consider good cause reasons for missing an appointment or failing to timely provide information. However, only two appointments shall be scheduled. Said reasons include documented hospitalization, travel or incarceration for non-felony charges.

SNRHA has no discretion when denying assistance to an applicant whom has failed to establish citizenship or eligible status, or has been evicted from any Public Housing Program under the 1937 Act; Sex offender; Illegal drug use, other criminal activity, and alcohol abuse that would threaten other residents unless they can demonstrate to SNRHA that the person engaging in the activity has been rehabilitated, or that the situation no longer exists, and there have been no repeat incidents in the past 12 months.



### **Removal of a Family Member's Name from the Application [24 CFR 982.552(c)(2)(ii)]**

HUD permits PHAs to impose as a condition of admission, a requirement that family members who participated in or were culpable for an action or failure to act which results in the denial of assistance, to not reside in the unit.

#### SNRHA Policy

As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the assisted unit.

After admission to the program, the family must present evidence of the former family member's current address upon SNRHA request.

### **Reasonable Accommodation [24 CFR 982.552(c)(2)(iv)]**

If the family includes a person with disabilities, SNRHA's decision concerning denial of admission is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

#### SNRHA Policy

If the family indicates the behavior of a family member with a disability is the reason for the proposed denial of assistance, SNRHA will determine whether the behavior is related to the disability. If so, upon the family's request, SNRHA will determine whether alternative measures are appropriate as a reasonable accommodation. SNRHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of assistance. See Chapter 2 and Addendum A, for a discussion of reasonable accommodation.

## **12-I.D. DENIAL OF ASSISTANCE TO AN APPLICANT [24 CFR 982.552; 982.553]**

**(Some areas of this section also apply to participants)**

#### SNRHA Policy

### ***1. PERMANENT PROHIBITION***

Applicants/participants and incoming clients under portability, and/or their household members who have been convicted of criminal sexual conduct, including but not limited to sexual assault, incest, statutory sexual seduction, open and gross lewdness or child abuse and are required by law to register as a sex offender will be prohibited from participation in the Section 8-HCV Program.

SNRHA will permanently deny admission to a HCV applicant/participant convicted of manufacturing or producing methamphetamine on the premises of assisted housing developments in violation of any Federal or State Law. "Premises" is defined as the building or complex in which the dwelling unit is located, including common areas and ground. Such individuals are permanently barred from receiving Federal Housing Assistance.



Any applicant or incoming port who owes any PHA a debt, including debts owed to HCV Project-based programs or any other federal housing program unless said person has a current repayment agreement for which they are in full-compliance with the terms of the agreement.

Fails to provide social security numbers and verification for all family members claiming to be citizens or have eligible immigration status.

Has been evicted from a federally subsidized housing program for a period of five (5) years or owes a debt to a public housing program or other assisted housing property;

Has made fraudulent representations on his/her public housing application.

Has engaged in or threatened abusive or violent behavior toward SNRHA personnel;

SNRHA has no discretion when denying assistance to an applicant who has failed to establish citizenship or eligible immigration status.

## **2. Criminal Conduct of an Applicant or Member of the Applicant's Household**

SNRHA will consult local and federal law enforcement databases to determine whether an applicant or household member, 18 years of age or older, has a criminal record. For purposes of this section, criminal record includes convictions.

SNRHA may deny assistance to an applicant if the preponderance (i.e. majority) of verifiable evidence (i.e., Scope/NCIC criminal records, police reports, reports from parole/probation officers or landlord references) indicates that an applicant and/or household members have engaged in drug-related or violent criminal activity that otherwise adversely affects the health, safety or welfare of the public.

If on probation or parole for any conviction, assistance will be denied, until discharged from probation, parole, or completion of sentence for one year prior to admissions to the HCV Program or port-in date. For purposes of this section, the "completion of sentence" shall mean the date of discharge from parole and/or probation or, in the case of a sentence that did not impose parole or probation, the date of release from prison/jail or the date of completion of court-ordered classes, community service, and/or final payment of court-ordered fines/restitution.

Applicants and/or household members whose records reflect criminal convictions or documented controlled substance or alcohol addiction shall be evaluated in accordance with the standards below:

- a. **Convictions for Possession and/or Use of Controlled Substance** - Applicants and/or household members who have been convicted of possession of a controlled substance that was due to the applicant and/or household members' addiction rather than sale or distribution, may be eligible for admission to the public housing program, if the applicant and/or household member submits verifiable documentation evidencing completion or on-going participation in a certified drug rehabilitation program, and the



conviction did not occur within the year immediately preceding the date of admission of the applicant into the public housing program.

**b. Termination of Assistance Due to Alcohol Abuse** - SNRHA may deny assistance to an applicant when, through verifiable evidence, SNRHA determines that:

The applicant and/or household member has a pattern of abuse of alcohol; and

The abuse interferes with the health, safety or right to peaceful enjoyment of the community surrounding their current residence.

**Mitigating Circumstances.** SNRHA may elect not to deny assistance to an applicant due to alcohol abuse, if the applicant produces verifiable evidence that:

He/she or his/her household member has successfully completed an alcohol rehabilitation program; or

He/she or his/her household member is currently enrolled in and is regularly attending an alcohol rehabilitation program.

**c. Other Felony Convictions** - Applicants and/or members of their household who have felony criminal convictions, for offenses other than those referenced above, shall be barred from admission for the time periods listed below and must demonstrate that they have not incurred any new convictions for a minimum period of one (1) year from the last date completion of their sentence.

### **3. SEX OFFENDERS**

#### **A. PERMANENT BAN**

**Sex Offenders Subject to Lifetime Registration** – The following Applicants and/or any member of the applicants' household (collectively referred to as "Applicants" will be prohibited from participation in any SNRHA housing program (this includes port-ins):

1. Applicants who have been convicted of a crime for which the person is subject to a lifetime sex offender registration requirement in Nevada; and
2. Applicants who have been convicted of a crime for which the person is subject to a lifetime sex offender registration requirement by **ANY** state convicting the person.

Applicants/participants commit fraud by: (1) failing to disclose to SNRHA that the Applicants/participants are subject to a sex offender registration requirement, or (2) misleading SNRHA in any way regarding the Applicants'/Participant's status relating to a sex offender registration requirement.

These requirements apply to participants who are found to be Sex Offenders subject to Life Time Registration.



***If convicted of a sexual crime in any court of law and subject to any sex offender registration requirement. These applicants, including (for port-ins) and participants, shall be barred permanently effective from the date required to register as a sex offender.***

### **B. TEN YEAR ADMISSION BAR PERIOD**

Persons with convictions of one of the following offenses will be barred from admission to and continued occupancy in the public housing program for a period of 10 years.

Murder or attempted murder

Rape (not resulting in offender being a registered as a sex offender)

Child Molestation (not resulting in offender being registered as a sex offender)

Kidnapping, attempted kidnapping

Sexual assault attempted sexual assault

Child molestation

Child pornography

### **C. FIVE YEAR PROHIBITION**

Persons with convictions of one of the following offenses will be barred from admission to or porting in from another PHA for a period of 5 years.

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied assistance.

(Five years from the date of conviction: Persons convicted of *Drug-related criminal activity*, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100], including:

Trafficking in controlled substances; and

Sale of controlled substances

***Exception:*** Applicants, including incoming families under portability and/or household members, who have been convicted of possession of a controlled substance that was due to the applicant and/or household members' addiction rather than sale or distribution, may be eligible for admission to the HCV program, if the applicant and/or household member submits verifiable documentation evidencing completion or on-going participation in a certified drug rehabilitation program, and the conviction did not occur within the year immediately preceding the date of admission of the applicant into the HCV program AND there has been no other offenses that would bar admission for two(2) years or more.

Five years from the date of conviction: Persons convicted of *Violent criminal activity*, defined by HUD as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100] including:



- Driving under the influence causing personal injury
- Voluntary manslaughter
- Involuntary manslaughter
- Robbery
- Attempted robbery with a deadly weapon
- Mayhem or attempted mayhem
- Convicted of Arson
- Battery with substantial bodily harm (with a deadly weapon)
- Robbery or attempted robbery with the use of a deadly weapon
- Trafficking in controlled substance
- Sale of controlled substance
- Felony Hit and Run
- DUI 3<sup>rd</sup> Offense
- Under the Influence of Controlled Substance
- Grand Larceny
- Arson, attempted arson
- Illegal Mfg of Controlled Substance
- Assault with a Deadly Weapon
- Possession of an Unregistered Firearm (2<sup>nd</sup> or other offense)
- Possession of controlled substance with intent to sell

Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or

Criminal activity that may threaten the health or safety of property owners and management staff, and persons performing contract administration functions or other responsibilities on behalf of SNRHA (including a SNRHA employee or a SNRHA contractor, subcontractor, or agent).

***Immediate vicinity means within a three-block radius of the premises.***

Evidence of such criminal activity includes, but is not limited to:

Any conviction for drug-related or violent criminal activity within the past 5 years.





Any record of eviction from public or privately-owned housing as a result of criminal activity within the past 5 years.

A conviction for drug-related or violent criminal activity will be given more weight.

**Previously Assisted Families:**

If the family's assistance was terminated for the following reasons the family will be denied assistance for five years:

Any family member has been evicted from federally assisted housing within the last five years.

Any PHA has ever terminated assistance under the program for any member of the family for violation of family obligations.

Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program within the last five years.

A family member has engaged in or threatened violent or abusive behavior toward SNRHA personnel within the last five years.

*Abusive or violent behavior towards SNRHA personnel* includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

*Threatening* refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

In making its decision to deny assistance for all the above-noted timeframes, SNRHA will consider the factors discussed in Section 12-II.B. Upon consideration of such factors, SNRHA may, on a case-by-case basis, decide to reduce the period of ineligibility.

**D. THREE YEAR PROHIBITION**

Persons with convictions of one of the following offenses will be barred from admission to or porting in from another PHA into the HCV program for a period of three (3) years:

Assault and battery

Coercion

Prostitution (third and further offences)

Abuse and neglect of children (2nd offense)

Open and gross lewdness (2nd offense) - if a sex offender, the three year bar does not apply. Sex offenders are barred forever.

Abuse and exploitation of older persons

Harassment and stalking (2nd offense)



Discharging a firearm out of a motor vehicle

Burglary

**E. TWO YEAR PROHIBITION**

Any family allowing an ineligible person (relating to citizenship) to live in the assisted unit without informing SNRHA must be terminated for 24 months.

Possession of controlled substance

Any other criminal activity which, if repeated after admission, may threaten the health, safety, or right to peaceful enjoyment of the premises of other residents, neighbors, or persons living in the immediate vicinity.

Other criminal activity which, if repeated after admission, may threaten the health or safety of the property's owner, property management staff, SNRHA staff, or other individuals working in the immediate vicinity.

**F. ONE YEAR PROHIBITION**

***Gross Misdemeanor Convictions***

Persons with gross misdemeanor convictions for the offenses listed below shall be barred from the program admission and continued occupancy for a period of one (1) year from the date of conviction, and must demonstrate an absence of criminal activity for a minimum period of one year preceding the date of the application for admission or port in date.

Open or gross lewdness – First Offense

Aiming firearm at a human being

Discharging a weapon where a person might be endangered

Changing/altering the serial number of a firearm

Discharging a firearm in or upon a public street

Carrying a concealed weapon

Possession of Burglary Tools

Possession of an Unregistered Firearm - First Offense

Conspiracy to Commit a Crime

**Misdemeanor Convictions**

Persons with misdemeanor convictions, for the offenses listed below, shall be barred from program admission, including port-ins from other HAs into HCV program for a period of one (1) year.

Public intoxication



Prostitution (first and second offense)  
Petty larceny  
Battery  
Domestic violence  
Disorderly conduct  
Possession of drugs not to be introduced into interstate commerce  
Abuse and neglect of children (first offense, even if no physical injury resulted to child)  
Harassment/stalking  
Trespassing  
Loitering  
DUI – First or Second offense  
Violating a Protective Order  
Resisting a Police Officer  
Possession of drug paraphernalia;

### ***Probation and Parole***

Even if a person has served time in jail and has now been released on probation or parole, they cannot be admitted into HCV program, unless a year has passed since the completion of their probation or parole. If the only sentence was probation or parole, a year must have elapsed, without incident, since its completion to be considered eligible for housing.

A person who is released from jail with no probation or parole requirement would have to operate on the outside for one year with no further evidence of the prohibited activities as listed in the one year bar in order to be considered for admission.

A person who has been convicted of any crime involving bodily injury would not be considered for admission until a year has passed since full repaying of the social debt, including probation or parole. *This section applies to incoming ports also.*

SNRHA may elect not to terminate or deny assistance to a family who is currently under the following types of court probations, commonly called: Bench Probation, Summary Probation, Conditional Probation, or Informal Probation; as long as the family member produces verifiable evidence that:

- He/She has successfully completed all court ordered obligations.

### ***Other Felony Criminal Convictions***



Applicants, incoming clients under portability (including prior SNRHA clients who ported out and leased with the receiving PHA) and/or members of their household who have felony criminal convictions, for offenses other than those referenced above, shall be barred from admission for the time periods listed and must demonstrate that they have not incurred any new convictions for a minimum period of one (1) year from the last date of their sentence.

For purposes of this section, the “last date of sentence” shall mean the date of discharge from parole and/or probation or, in the case of a sentence that did not impose parole or probation, the date of release from prison/jail or the date of completion of court-ordered community service and/or final payment of court-ordered fines/restitution.

Persons with outstanding warrants are barred from admission until the warrants have been satisfied by the issuing legal jurisdiction. Applicants or port-in client must provide documentation that the warrant has been satisfied within 30 calendar days of notification to prevent denial of assistance.

### **12-I.E. USE OF FBI AND LAW ENFORCEMENT RECORDS**

SNRHA will check criminal history for all applicants and incoming ports who are 18 years or older to determine whether any member of the family has engaged in violent or drug related criminal activity or other criminal activity which is prohibit as an admission criterion.

Verification of any past activity will be done prior to final eligibility for admissions. For incoming ports, lease-up shall not be held up awaiting criminal screening results, but termination shall occur for participants porting in that cannot pass SNRHA’s criminal screening requirements.

SNRHA has contracted with the Nevada State Highway Patrol, an FBI approved channeling agent, to process and funnel requests in order to obtain National Crime Information Center (NCIC) data for the purpose of accessing FBI criminal records.

SNRHA acknowledges a name check only may result in an inconclusive result without a positive fingerprint comparison. The results of an inconclusive name check will not be used to deny an applicant admission to the HCV program.

If the channeling agency indicates to SNRHA that there is a criminal history record indexed in the Interstate Identification Index which might belong to the applicant/participant, SNRHA must submit an applicant fingerprint card to the FBI through the appropriate channel in order to verify whether the criminal record is in fact the applicant’s/participant’s. Should the applicant instead elect to withdraw their application, no further action will be necessary.

To gain the full content of the NCIC data through the FBI approved channeling agent, SNRHA will submit an applicant/participant fingerprint card to the channeling agent.

Applicants and Incoming Port clients shall be required to have prints done when Metropolitan Police Department has indicated crimes may have been committed out of SNRHA’s jurisdiction.

### ***Confidentially of Criminal Records***



SNRHA will ensure any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

All criminal reports, while needed by the Director of Housing Programs (DHP) or their designee for screening for criminal behavior, will be housed in a locked file cabinet with access restricted to individuals responsible for such screening.

SNRHA shall shred these documents within 30 calendar days.

INFORMAL REVIEW mention is in chapter 14.

## **PART II: GROUNDS FOR TERMINATION OF ASSISTANCE**

### **12-II.A. FAMILY NO LONGER REQUIRES ASSISTANCE [24 CFR 982.45]**

As a family's income increases, the amount of SNRHA subsidy goes down. If the amount of HCV assistance provided by the HAP drops to zero and remains at zero for 180 consecutive calendar days the family's assistance terminates automatically.

#### SNRHA Policy

If a participating family receiving zero assistance experiences a change in circumstances that would cause the HAP payment to rise above zero, the family must notify SNRHA of the changed circumstances and request an interim reexamination before the expiration of the 180 calendar day period.

### **12-II.B. FAMILY CHOOSES TO TERMINATE ASSISTANCE**

The family may request SNRHA terminate the family's assistance at any time.

#### SNRHA Policy

The request to terminate assistance should be made in writing and signed by the head of household, spouse, or co head. Before terminating the family's assistance, SNRHA will provide proper notice by notifying the family of the cancellation of assistance in writing. The owner/agent shall receive a 30 calendar day notice of cancellation of the contract, unless the family vacates the unit prior to the end of the month.

### **12-II.C. MANDATORY TERMINATION OF ASSISTANCE**

HUD requires SNRHA to terminate assistance in the following circumstances.

#### **Eviction [24 CFR 982.552(b)(2), Pub.L. 109-162]**

SNRHA must terminate assistance whenever a family is evicted from a unit assisted under the HCV program for a serious or repeated violation of the lease. Incidents of actual or threatened



violence, dating violence, or stalking may not be construed as serious or repeated violations of the lease by the victim or threatened victim of such violence or stalking.

### SNRHA Policy

A family will be considered *evicted* if the family moves after a legal eviction order has been issued, whether or not physical enforcement of the order was necessary.

If a family moves after the owner has given the family an eviction notice for serious or repeated lease violations but before a legal eviction order has been issued, termination of assistance is not mandatory. However, SNRHA will determine whether the family has committed serious or repeated violations of the lease based on available evidence and may terminate assistance or take any of the alternative measures described in Section 12-II.C and other factors as described in Sections 12-II.E. SNRHA shall not issue a voucher to move if SNRHA has received a notice of proceeding for an eviction for 30 days from the date of the notice.

Serious and repeated lease violations will include, but not be limited to:

- Nonpayment of rent,
- Disturbance of neighbors,
- Destruction of property,
- Living or housekeeping habits that cause damage to the unit or premises,
- Subleasing the unit,
- Criminal activity on or near the premises
- Failure to repay judgments in a previously assisted HCV unit.

Generally, the criterion to be used is whether the reason for the eviction was through no fault of the tenant or guests.

### **Failure to Provide Consent [24 CFR 982.552(b)(3)]**

SNRHA must terminate assistance if any family member fails to sign and submit any consent form they are required to sign for a reexamination. See Chapter 6 for a complete discussion of consent requirements.

### **Failure to Document Citizenship [24 CFR 982.552(b)(4) and [24 CFR 5.514(c)]**

SNRHA must terminate assistance if (1) a family fails to submit required documentation within the required timeframe concerning any family member's citizenship or immigration status; (2) a family submits evidence of citizenship and eligible immigration status in a timely manner, but United States Citizenship and Immigration Services (USCIS) primary and secondary verification does not verify eligible immigration status of the family; or (3) a family member, as determined by SNRHA, has knowingly permitted another individual who is not eligible for assistance to reside (on a permanent basis) in the unit.



For (3) above, such termination must be for a period of at least 24 months. This does not apply to ineligible noncitizens already in the household where the family's assistance has been prorated. See Chapter 6 for a complete discussion of documentation requirements.

#### **Failure to Provide Social Security Documentation [24 CFR 5.218(c)]**

SNRHA must terminate assistance or deny assistance, if a participant or applicant family fails to provide the documentation required by SNRHA to verify social security numbers in compliance with HUD Rent Refinement Rule effective January 2010.

#### **Methamphetamine Manufacture or Production [24 CFR 982.553(b)(1)(ii)]**

SNRHA must terminate assistance if any household member has ever been convicted of the manufacture or production of methamphetamine on the premises of federally-assisted housing.

#### **Failure of Students to Meet Ongoing Eligibility Requirements [24 CFR 982.552(b)(5) and FR 4/10/06]**

If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, does not have dependent children, and is not residing with his/her parents in an HCV assisted household, SNRHA must terminate the student's assistance if, at the time of reexamination, either the student's income or the income of the student's parents (if applicable) exceeds the applicable income limit.

If a participant household consists of both eligible and ineligible students, the eligible students shall not be terminated, but must be issued a voucher to move with continued assistance in accordance with program regulations and SNRHA policies, or must be given the opportunity to lease in place if the terminated ineligible student members elect to move out of the assisted unit.

### **12-II.D. MANDATORY POLICIES AND OTHER AUTHORIZED TERMINATIONS**

#### **Mandatory Policies [24 CFR 982.553(b) and 982.551(l)]**

HUD requires SNRHA to establish policies permitting SNRHA to terminate assistance if SNRHA determines that:

- Any household member is currently engaged in any illegal use of a drug, or has a pattern of illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents
- Any household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents
- Any household member has violated the family's obligation not to engage in any drug-related criminal activity
- Any household member has violated the family's obligation not to engage in violent criminal activity
- For the purpose of determining a violation, SNRHA will not consider a family to be engaged in violent criminal activity if the family member is a victim in accordance with the Violence against Women Act (VAWA). However, nothing should be considered to limit the termination of the person who engages in the criminal act.



## ***Use of Illegal Drugs and Alcohol Abuse***

### **SNRHA Policy**

SNRHA will terminate a family's assistance if any household member is currently engaged in any illegal use of a drug, or has a pattern of illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. SNRHA does not allow the use or cultivation (growth) of marijuana in any subsidized housing, even for medical reasons and regardless of state laws.

SNRHA will terminate assistance if any household member's abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

*Currently engaged in* is defined as any use of illegal drugs during the previous 12 months.

SNRHA will consider all credible evidence, including but not limited to, any record of convictions or eviction of household members related to the use of illegal drugs or abuse of alcohol.

### ***Drug-Related and Violent Criminal Activity [24 CFR 5.100]***

*Drug* means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

*Drug-related criminal activity* is defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug.

*Violent criminal activity* means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

### **SNRHA Policy**

SNRHA will terminate a family's assistance if any household member has violated the family's obligation not to engage in any drug-related or violent criminal activity during participation in the HCV program.

SNRHA will consider all credible evidence, including but not limited to, any record of convictions of household members related to drug-related or violent criminal activity, and any eviction or notice to evict based on drug-related or violent criminal activity.

### ***Other Authorized Reasons for Termination of Assistance [24 CFR 982.552(c), Pub.L. 109-162]***

HUD permits SNRHA to terminate assistance under a number of other circumstances. It is left to the discretion of SNRHA whether such circumstances in general warrant consideration for the termination of assistance. The Violence Against Women Reauthorization Act of 2005 explicitly prohibits SNRHA's from considering incidents or actual threatened domestic violence, dating violence, or stalking as reasons for terminating the assistance of a victim of such violence.





### SNRHA Policy

SNRHA **will not** terminate a family's assistance because of the family's failure to meet its obligations under the Family Self-Sufficiency or Welfare to Work program.

SNRHA **will** terminate a family's assistance if:

The family has failed to comply with any family obligations under the program. See Exhibit 12-1 for a listing of family obligations and related SNRHA policies.

Any family member has been evicted from federally-assisted housing in the last five years.

Any PHA has ever terminated assistance under the program for any member of the family within the last five years.

Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.

The family owes past due rent or other past due amounts, including in connection with HCV or public housing assistance under the 1937 Act.

Breach of repayment agreement, unless the family repays the full amount of the debt no later than 14 calendar days from notification from SNRHA. This does not apply if the family is current with payments under an approved repayment agreement.

The family has breached the terms of a repayment agreement entered into with any PHA, or refuses to enter into a repayment agreement.

The family does not provide information that SNRHA or HUD determines is necessary in determining program eligibility.

The family does not provide complete and true information to SNRHA.

Fails to meet eligibility requirements concerning individuals enrolled at an institution of higher education as noted in 24 CFR 5.612

Has made fraudulent misrepresentation on his/her application for HCV assistance.

The family failed to disclose and verify social security numbers and submit and sign consent forms for obtaining information.

Fails to establish citizenship or eligible immigration status for at least one family member.

The family failed to keep scheduled eligibility appointments with SNRHA staff

Fails to appear to a scheduled briefing to issue a voucher

A family member engages in or threatens violent or abusive behavior toward SNRHA personnel.



*Abusive or violent behavior towards SNRHA personnel* includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate shall be considered abusive or violent behavior.

*Threatening* refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

SNRHA **shall** deny assistance or continued assistance to an applicant, participant and/or port-in client that:

- Does not submit a RFTA prior to the voucher expiring
- Is over income –applicants only
- Refuses to cooperate with SNRHA during the initial certification process or with portability procedures
- Fails to take immediate possession of the unit. Immediate is defined as within 15 calendar days of the date that the unit has passed the initial HQS inspection.
- Is fleeing a felony
- Has an outstanding felony warrant
- Persons with outstanding warrants are barred from admission until the warrants have been satisfied within 30 calendar days of notification or
- Other criminal activities that are listed within this document as reasons to deny admissions.

#### ***Family Absence from the Unit [24 CFR 982.312]***

The family may be absent from the unit for brief periods. SNRHA must establish a policy on how long the family may be absent from the assisted unit. However, the family may not be absent from the unit for a period of more than 180 consecutive calendar days for any reason. Absence in this context means that no member of the family is residing in the unit.

#### **SNRHA Policy**

If the assisted family is absent from the unit for more than 180 consecutive calendar days (for any reason), the family's assistance will be terminated. Families must notify SNRHA in writing if they will be out of the unit for any reason for more than 30 consecutive calendar days and receive written approval prior to the 30<sup>th</sup> day. This cannot be approved more than twice within one year. Notice of termination will be sent in accordance with Section 12-II.E.

#### ***Other Reasons for Termination***

- Failure or refuses to supply any information that SNRHA or HUD determines necessary for the administration of the Section 8 Program, including but not limited to, submissions of required evidence of citizenship or eligible immigration status;
- Failure to supply information requested by SNRHA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.



- Failure to report or disclose income after signing a zero income verification form within 10 calendar days as noted in the zero income certification form.
- Failure to appear or re-schedule, prior to the appointment time and date, at a required re-examination appointment, unless due to documented hospitalization, travel or incarceration for reasons other than reasons which would result in termination of assistance.
- Failure or refuses to notify SNRHA of an eviction notice and/or that the family has moved from the assisted residence prior to receiving written approval from SNRHA;
- Failure or refuses to utilize the assisted residence as a primary residence;
- Failure or refuses to report changes in income or family composition in writing within 10 calendar days to SNRHA, including marriages.
- Failure or refuses to promptly notify SNRHA that a family member no longer resides in the unit;
- Failure to submit written 30 day notice to owner and SNRHA prior to moving.
- Fraud related to any Housing Program
- Failure to provide verifications within required timeframes
- Failure to enter into a repayment agreement within the required timeframes or paid debt in full and in compliance with the terms of the repayment agreement.
- Dual subsidy for any household member
- Permits persons, other than or in addition to members of the assisted family, to reside in the unit without prior approval from SNRHA;
- Fails or refuses to allow SNRHA to inspect the assisted unit at reasonable times and after 48 hours notice;
- Fails or refuses to pay any utilities that the owner is not required to pay for;
- Fails or refuses to maintain any appliances, in a safe condition, that the owner is not required to maintain;
- Fails or refuses to correct/repair life threatening caused damage to the leased premises for which the family is responsible within 24 hours of the occurrence, including reconnecting utilities.
- Fails or refuses to correct/repair family caused damages to the leased premises - beyond normal wear and tear that result in an HQS breach within 30 calendar days of the occurrence of said damage;
- Fails or refuses to comply with all other family obligations, set forth in 24 CFR 982.552.
- Makes side payments of higher rents than approved to landlords/managers.
- SNRHA will terminate participants that received court evictions, or repeat documented violations of the lease and/ or documented cases of program fraud. Any awarded judgment or



special inspections conducted by SNRHA's HQS Inspectors or documentation provided by the landlord/manager will be used as supportive documentation for terminating assistance due to serious or repeated violations of the lease, inclusive of non-payment of rent. This action may be taken even when the participant has moved to another unit.

- Failure to report income (including funds provided for paying utilities on the next annual after an interim for zero income has been completed).
- Failure to pay a judgment for damages.
- Repeated criminal activities at the unit are considered a serious lease violation or any convictions that are listed in our five year bar from admissions including fugitive felons.
- Repeated late payments to the lender for participants under the HCV Homeownership Program shall result in the participant's termination. Repeated is defined as "submitting payments more than 30 calendar days late more than 3 times in a calendar year." The family will be referred to post-counseling if late payments are verified. If the family refuses to attend, the family shall be terminated. If the payments are not paid –in full or the participant cannot enter into a repayment agreement with their lender and provide a copy within 45 calendar days of the notice from SNRHA, the assistance shall be terminated the first of the month following the deadline.
- Failure to allow entrance for annual HQS Inspections. Only one Inspection will be rescheduled.

### ***Criminal Conduct by Family Members:***

SNRHA shall terminate assistance to a participant family if any member of the family is verified to have engaged in criminal activity involving drugs or violence. Additionally, SNRHA shall terminate fugitive felons and other felons, if identified after reports of possible criminal activities; receiving a report with documentation of fugitive felon status or warrant from the HUD's OIG office and/or additional criminal screenings. This includes persons convicted of felony crimes that have warrants issued for their arrest that are unresolved or persons found to have committed criminal acts that result in felony convictions for at least five years from the date of the conviction.

### **1. Termination of Assistance Due to Possession of Controlled Substances**

A determination to terminate assistance due to a family member's illegal use or possession for personal use of a controlled substance must be based upon conduct that occurred within one year before SNRHA notifies the family of its decision to terminate.

### **2. Termination of Assistance Due to Alcohol Abuse**

SNRHA shall terminate assistance to a family when, through verifiable evidence, SNRHA determines that:



- A family member has a pattern of abuse of alcohol; and
- The family member abuses alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the community surrounding the assisted unit.

**a. Mitigating Circumstances**

SNRHA may elect not to terminate assistance to a family due to alcohol abuse if the family member produces verifiable evidence that:

- He/she has successfully completed an alcohol rehabilitation program; or
- He/she is currently enrolled in and is regularly attending an alcohol rehabilitation program and program staff will verify that he/she is unlikely to threaten the health, safety or right to peaceful enjoyment of others.

If the family member has caused prior incidents of interference with the health, safety or right to peaceful enjoyment as a result of alcohol abuse, while on the Section 8 Program, the above-referenced mitigating factors will not be considered.

**3. Evidence of Criminal Activity**

In determining whether to terminate assistance to a family, based on drug related criminal activity, SNRHA may terminate assistance if the preponderance (i.e. majority) of verifiable evidence (i.e. criminal record, police records, reports from parole/probation officers/copies of warrants for arrest or landlords) indicates that a family member engaged in such activity, regardless of whether the family member was arrested or convicted.

**4. Falsification or Fraud by Family Members:**

SNRHA shall terminate assistance to a participant family that has submitted false, fraudulent or intentionally misleading information to SNRHA in order to obtain assistance and/or during the term of their Housing Assistance Payment (HAP) Contract.

**a. Ownership Interest in the Assisted Unit**

SNRHA will terminate assistance to a participant family when, through verifiable evidence, SNRHA determines that:

- A family member has an ownership interest in the assisted unit; or
- The family has permitted the Owner, of the assisted unit, to reside therein.

When the above-referenced determinations are made, SNRHA shall refer the matter forthwith to the Office of the Inspector General (OIG) for criminal investigation. The referral to the OIG shall not preclude, postpone, or otherwise interfere with SNRHA's administrative termination process.

**b. False, Misleading or Fraudulent Information**

SNRHA may terminate assistance to a participant family when, through verifiable evidence, SNRHA verifies:

- The family willfully misrepresented income on a zero income certification; or



- The family misrepresented facts that caused SNRHA to overpay assistance.

### **1. Mitigating Circumstances**

If a family misrepresented facts that caused SNRHA to overpay assistance, SNRHA may choose to continue assistance if the family enters into a repayment agreement within fourteen (14) calendar days of the date of SNRHA's determination.

### **c. Business Activity in the Assisted Unit**

SNRHA shall terminate assistance to a participant family when SNRHA verifies that the assisted unit is being used primarily for business purposes.

In making this determination, SNRHA shall consider whether the business activity resulted in the inability of the family member to utilize critical living space such as, bedrooms and bathrooms.

#### **1. Illegal Business Activity**

When SNRHA verifies the participant is conducting an illegal business at the assisted unit, the family's assistance shall be terminated.

For purposes of this Section, an illegal business is one that violates the State of Nevada criminal code.

### ***False or Incomplete Citizenship/Eligible Non-Citizen Information***

When SNRHA has clear, concrete, or substantial documentation (such as a permanent resident card or information from another agency) that contradicts the declaration of citizenship made by an applicant or participant, an investigation will be conducted and the individual will be given an opportunity to present relevant information.

If the individual is unable to verify his/her citizenship, SNRHA will not give him/her an opportunity to provide a new declaration as an eligible immigrant nor opportunity to elect not to contend his/her status.

SNRHA will then verify eligible status, deny, terminate, or prorate as applicable.

SNRHA will deny or terminate assistance based on the submission of false information or misrepresentation.

### **Procedure for Denial or Termination -INS**

If the family (or any member) claimed eligible immigrant status and the INS primary and secondary verifications failed to document the status, the family may make an appeal to the INS and request a hearing with SNRHA either after the INS appeal or in lieu of the INS appeal.

After SNRHA has made a determination of ineligibility, the family will be notified of the determination and the reasons and informed of the option for prorated assistance (if applicable).

### ***Insufficient Funding [24 CFR 982.454]***



SNRHA may terminate HAP contracts if SNRHA determines, in accordance with HUD requirements, that funding under the consolidated ACC is insufficient to support continued assistance for families in the program.

### SNRHA Policy

SNRHA will determine whether there is sufficient funding to pay for currently assisted families according to the policies in Part VIII of Chapter 16. If SNRHA determines there is a shortage of funding, prior to terminating any HAP contracts, SNRHA will determine if any other actions can be taken to reduce program costs. If after implementing all reasonable cost cutting measures there is not enough funding available to provide continued assistance for current participants, SNRHA will terminate HAP contracts as a last resort.

Prior to terminating any HAP contracts, SNRHA will inform the local HUD field office. SNRHA will terminate the minimum number needed in order to reduce HAP costs to a level within SNRHA's annual budget authority.

If SNRHA must terminate HAP contracts due to insufficient funding, SNRHA will do so in accordance with the following criteria and instructions:

SNRHA will terminate assistance to the most recent non-disabled or non-elderly family that has become a participant in the program, until such time as SNRHA has sufficient funds to assist. Families comprising the required number of special purpose voucher will be the last to be terminated. The family will not be required to reapply for the program when sufficient funds become available, but will be provided the opportunity to be assisted. The reinstatement for families shall be done in reserve order of SNRHA's list of termination of assistance for the lack of sufficient funds.

In the event SNRHA decides to stop issuing vouchers as a result of a funding shortfall, and SNRHA is not assisting the number of special purpose vouchers (NED families, HUD-VASH families, and Family Unification Program (FUP) families, when SNRHA resumes issuing vouchers, it will issue vouchers first to the special purpose vouchers, when applicable.

## **PART III: APPROACH TO TERMINATION OF ASSISTANCE**

### **12-III.A. OVERVIEW**

SNRHA is required by regulation to terminate a family's assistance if certain program rules are violated. For other types of offenses, the regulations give SNRHA the discretion to either terminate the family's assistance or to take another action. This part discusses the various actions SNRHA may choose to take when it has discretion, and outlines the criteria SNRHA will use to



make its decision about whether or not to terminate assistance. It also specifies the requirements for the notice that must be provided before terminating assistance.

### **12-III.B. METHOD OF TERMINATION [24 CFR 982.552(a)(3)]**

The way in which SNRHA terminates assistance depends upon individual circumstances. HUD permits SNRHA to terminate assistance by:

- Terminating housing assistance payments under a current HAP contract,
- Refusing to approve a request for tenancy or to enter into a new HAP contract, or
- Refusing to process a request for or to provide assistance under portability procedures.

### **12-III.C. ALTERNATIVES TO TERMINATION OF ASSISTANCE**

#### **Repayment of Family Debts**

##### SNRHA Policy

If a family owes amounts to SNRHA, as a condition of continued assistance, SNRHA will require the family to repay the full amount or to enter into a repayment agreement, within 14 calendar days of receiving notice from SNRHA of the amount owed. See Chapter 14 for policies on repayment agreements.

### **12-III.D. CRITERIA FOR DECIDING TO TERMINATE ASSISTANCE**

#### **Evidence**

For criminal activity, HUD permits SNRHA to terminate assistance if a *preponderance of the evidence* indicates that a household member has engaged in the activity, regardless of whether the household member has been convicted [24 CFR 982.553(c)].

##### SNRHA Policy

SNRHA will use the concept of the preponderance of the evidence as the standard for making all termination decisions.

*Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

### **Consideration of Circumstances [24 CFR 982.552(c)(2)(i)]**

SNRHA is permitted, but not required, to consider all relevant circumstances when determining whether a family's assistance should be terminated.

##### SNRHA Policy

SNRHA will consider the following factors when making its decision to terminate assistance:





In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully

SNRHA will require the participant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

In the case of program abuse, the dollar amount of the overpaid assistance and whether or not a false certification was signed by the family or if the family signs a repayment agreement and pays the required down payment within the required timeframe.

### **Reasonable Accommodation [24 CFR 982.552(c)(2)(iv)]**

If the family includes a person with disabilities, SNRHA's decision to terminate the family's assistance is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

#### SNRHA Policy

If a family indicates that the behavior of a family member with a disability is the reason for a proposed termination of assistance, SNRHA will determine whether the behavior is related to the disability. If so, upon the family's request, SNRHA will determine whether alternative measures are appropriate as a reasonable accommodation. SNRHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed termination of assistance. See Chapter 2 for a discussion of reasonable accommodation.

### **12-III.E. TERMINATING THE ASSISTANCE OF DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING VICTIMS AND PERPETRATORS [Pub.L. 109-162, Pub.L. 109-271]**

The Violence Against Women Reauthorization Act of 2005 (VAWA) provides that "criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be a cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that domestic violence, dating violence, or stalking."

VAWA also gives SNRHA's the authority to "terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant."

VAWA does not limit the authority of SNRHA to terminate the assistance of any participant if the PHA "can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant is not evicted or terminated from assistance."



## **Victim Documentation**

### SNRHA Policy

When a participant family is facing assistance termination because of the actions of a participant, household member, guest, or other person under the participant's control and a participant or immediate family member of the participant's family claims that she or he is the victim of such actions and that the actions are related to domestic violence, dating violence, or stalking, the PHA will require the individual to submit documentation affirming that claim.

The documentation must include:

A signed statement by the victim that provides the name of the perpetrator and certifies that the incidents in question are bona fide incidents of actual or threatened domestic violence, dating violence, or stalking, or

One of the following:

A police or court record documenting the actual or threatened abuse, or

A statement signed by an employee, agent, or volunteer of a victim service provider; an attorney; a medical professional; or another knowledgeable professional from whom the victim has sought assistance in addressing the actual or threatened abuse. The professional must attest under penalty of perjury that the incidents in question are bona fide incidents of abuse, and the victim must sign or attest to the statement. Either must include the perpetrator's name.

The required certification and supporting documentation must be submitted to SNRHA within 14 calendar days after SNRHA issues their written request. The 14 calendar day deadline may be extended at SNRHA's discretion. If the individual does not provide the required certification and supporting documentation within 14 calendar days, or the approved extension period, SNRHA may proceed with assistance termination.

If SNRHA can demonstrate an actual and imminent threat to other participants or those employed at or providing service to the property if the participant's tenancy is not terminated, SNRHA will bypass the standard process and proceed with the immediate termination of the family's assistance.

### **Terminating the Assistance of a Domestic Violence Perpetrator**

Although VAWA provides assistance termination protection for victims of domestic violence, it does not provide protection for perpetrators. VAWA gives the PHA the explicit authority to "terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others...without terminating assistance to, or otherwise penalizing the victim of such violence who is also a tenant or lawful occupant." This authority supersedes any local, state, or other federal law to the contrary. However, if SNRHA chooses to exercise this authority, it must follow any procedures prescribed by HUD or by applicable local, state, or federal law regarding termination of assistance [Pub. L. 109-271].



### SNRHA Policy

When the actions of a participant or other family member (s) result in the SNRHA decision to terminate the family's assistance and another family member claims that the actions involve criminal acts of physical violence against family members or others, SNRHA will request that the victim submit the above required certification and supporting documentation in accordance with the stated time frame. If the certification or supporting documentation are submitted within the required time frame, or any approved extension period, SNRHA will terminate the perpetrator's assistance. If the victim does not provide the certification and supporting documentation, as required, SNRHA will proceed with termination of the family's assistance.

If SNRHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if the participant's tenancy is not terminated, SNRHA will bypass the standard process and proceed with the immediate termination of the family's assistance.

### **SNRHA Confidentiality Requirements**

All information provided to SNRHA regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared data base nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

### **12-III.F. TERMINATION NOTICE [HCV GB, p. 15-7]**

If a family's assistance is to be terminated, whether voluntarily or involuntarily, SNRHA must give the family and the owner written notice that specifies:

- The reasons for which assistance has been terminated.
- The effective date of the termination.
- The family's right to an informal hearing as described in Chapter 14.

If a criminal record is the basis of the termination, a copy of the record must accompany the notice. A copy of the criminal record also must be provided to the subject of the record [24 CFR 982.553(d)].

### SNRHA Policy

When termination is initiated by SNRHA, the notice to terminate will be sent to the family and the owner at least 30 calendar days prior to the effective date of the termination. However, if a family vacates the unit without informing SNRHA, 30 days' notice will not be given. In these cases, the notice to terminate will be sent at the time SNRHA learns the family has vacated the unit. Overpayments shall be recaptured.

Termination notices due to deceased single household members will be effective on the last day of the month in which the participants dies in compliance with HUD guidance. Any overpayments must be returned.



When a family requests to be terminated from the program they must do so in writing to SNRHA (see section 12-I.C.). SNRHA will then send a confirmation notice to the family and the owner within 10 calendar days of the family's request, but no later than the termination effective date (as requested by the family).

### **Notice of Termination Based on Citizenship Status [24 CFR 5.514 (c) and (d)]**

SNRHA must terminate assistance if (1) a family fails to submit required documentation within the required timeframe concerning any family member's citizenship or eligible immigration status; (2) evidence of citizenship and eligible immigration status is submitted timely, but USCIS primary and secondary verification does not verify eligible immigration status of a family; or (3) SNRHA determines that a family member has knowingly permitted another individual who is not eligible for assistance to reside (on a permanent basis) in the unit. For (3) above, such termination must be for a period of at least 24 months.

The notice of termination must advise the family of the reasons their assistance is being terminated, that they may be eligible for probation of assistance, the criteria and procedures for obtaining relief under the provisions for preservation of families, that they have the right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or a written explanation in support of the appeal, and that they have the right to request an informal hearing with the PHA either upon completion of the USCIS appeal or in lieu of the USCIS appeal. Informal hearing procedures are contained in Chapter 14.

#### SNRHA Policy

The notice to terminate will be sent to the family and the owner at least 30 calendar days prior to the effective date of the termination.

### **12-III.G. HOW TERMINATION OF ASSISTANCE AFFECTS THE HAP CONTRACT AND LEASE**

When the family's assistance is terminated, the lease and HAP contract terminate automatically [Form HUD-52641].

The owner may offer the family a separate unassisted lease [HCV GB, p. 15-8].

## **PART IV: TERMINATION OF TENANCY BY THE OWNER**

### **12-IV.A. OVERVIEW**

Termination of an assisted tenancy is a matter between the owner and the family; SNRHA is not directly involved. However, the owner is under some constraints when terminating an assisted tenancy and the reasons for which a tenancy is terminated dictate whether assistance also will be terminated.

### **12-IV.B. GROUNDS FOR OWNER TERMINATION OF TENANCY [24 CFR 982.310 and Form HUD-52641-A, Tenancy Addendum, Pub.L. 109-162]**



During the term of the lease, the owner is not permitted to terminate the tenancy except for serious or repeated violations of the lease, certain violations of state or local law, or other good cause.

### **Serious or Repeated Lease Violations**

The owner is permitted to terminate the family's tenancy for serious or repeated violations of the terms and conditions of the lease, including failure to pay rent or other amounts due under the lease, except when the violations are related to incidents of actual or threatened domestic violence, dating violence, or stalking against that participant. This includes failure to pay rent or other amounts due under the lease. However, SNRHA's failure to make a HAP payment to the owner is not a violation of the lease between the family and the owner.

### **Violation of Federal, State, or Local Law**

The owner is permitted to terminate the tenancy if a family member violates federal, state, or local law that imposes obligations in connection with the occupancy or use of the premises.

### **Criminal Activity or Alcohol Abuse**

The owner may terminate tenancy during the term of the lease if any *covered person*, meaning any member of the household, a guest or another person under the tenant's control commits any of the following types of criminal activity (for applicable definitions see 24 CFR 5.100):

- Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of the premises by, other residents (including property management staff residing on the premises);
- Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of their residences by, persons residing in the immediate vicinity of the premises;
- Any violent criminal activity on or near the premises; or
- Any drug-related criminal activity on or near the premises.
- Fleeing to avoid prosecution, custody, or confinement after conviction for a crime or an attempt to commit a crime that is a felony under the laws of the place from which the individual flees, or that, in the case of the State of New Jersey, is a high misdemeanor; or
- Violating a condition of probation or parole imposed under federal or state law.

Violent criminal activity does not include victims of domestic violence that are covered under the Violence Against Women Act. (VAWA).

**Owner Termination of Tenancy:** The owner may terminate tenancy during the term of the lease if any member of the household is:

The owner may terminate tenancy for criminal activity by a household member in accordance with this section if the owner determines that the household member has committed the criminal activity, regardless of whether the household member has been convicted for such activity.

The owner may terminate tenancy during the term of the lease if any member of the household has engaged in abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents unless said termination violates the VAWA.



### ***Evidence of Criminal Activity***

The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person if the owner determines they have engaged in the criminal activity, regardless of conviction and without satisfying the standard of proof used for a criminal conviction, except in certain incidents where the criminal activity directly relates to domestic violence, dating violence, sexual assault, or stalking and the tenant or an affiliated individual is the victim or threatened victim of the domestic violence, dating violence, sexual assault, or stalking. (See Section 12-II.E.).

### **Other Good Cause**

During the initial lease term, the owner may not terminate the tenancy for “other good cause” unless the owner is terminating the tenancy because of something the family did or failed to do. During the initial lease term or during any extension term, other good cause includes the disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises.

After the initial lease term, “other good cause” for termination of tenancy by the owner includes:

- Failure by the family to accept the offer of a new lease or revision;
- The owner's desire to use the unit for personal or family use, or for a purpose other than as a residential rental unit; or
- A business or economic reason for termination of the tenancy (such as sale of the property, renovation of the unit, or desire to lease the unit at a higher rent).

After the initial lease term, the owner may give the family notice at any time, in accordance with the terms of the lease.

Note: Other good cause does not include vacating a property that has been foreclosed upon during the lease term prior to the sale of that property. However, the new owner of the property may terminate the tenancy effective the date of transfer of the unit if the owner will occupy the unit as a primary residence and has provided the tenant a notice to vacate at least 90 calendar days before the effective date of such notice (Notice PIN 2010-49). Further information on the protection afforded to tenants in the event of foreclosure can be found in Section 13-II.G.

### **12-IV.C. EVICTION [24 CFR 982.310(e) and (f) and Form HUD-52641-A, Tenancy Addendum]**

The owner must give the tenant a written notice that specifies the grounds for termination of tenancy during the term of the lease. The tenancy does not terminate before the owner has given this notice, and the notice must be given at or before commencement of the eviction action.

The notice of grounds may be included in, or may be combined with, any owner eviction notice to the tenant.

Owner eviction notice means a notice to vacate, or a complaint or other initial pleading used under state or local law to commence an eviction action. The owner may only evict the tenant from the unit by instituting a court action. The owner must give SNRHA a copy of any eviction



notice at the same time the owner notifies the family. The family is also required to give SNRHA a copy of any eviction notice (see Chapter 5).

SNRHA Policy 24 CFR 982.310, 982.455]

If the eviction action is finalized in court, the owner must provide SNRHA with documentation related to the eviction, including notice of the eviction date, as soon as possible, but no later than 5 business days following the court-ordered eviction.

If the owner wishes to terminate the lease, the owner is required under the lease, to provide proper notice as stated in the lease.

During the term of the lease, the owner may not terminate the tenancy except for the grounds stated in the HUD regulations.

During the term of the lease the owner may only evict for:

Serious or repeated violations of the lease, including but not limited to failure to pay rent or other amounts due under the lease, or repeated violation of the terms and conditions of the lease;

Violations of federal, state or local law that imposes obligations on the tenant in connection with the occupancy or use of the premises; or Criminal activity by the tenant, any member of the household, a guest or another person under the tenant's control that threatens the health, safety or right to peaceful enjoyment of the premises by the other residents, or persons residing in the immediate vicinity of the premises or any drug-related criminal activity on or near the premises.

Other good cause:

During the initial term of the lease, the owner may not terminate the tenancy for “other good cause” unless the owner is terminating the tenancy because of something the family did or failed to do (see 982.310)

The owner must provide the tenant a written notice specifying the grounds for termination of tenancy, at or before the commencement of the eviction action and shall provide SNRHA with a copy of all notices to the participant. The notice may be included in, or may be combined with, any owner eviction notice to the tenant.

SNRHA requires the owner specify the section of the lease that has been violated and cite some or all of the ways in which the tenant has violated that section as documentation for SNRHA’s decision regarding termination of assistance.

Housing assistance payments are paid to the owner under the terms of the HAP Contract. If the owner has begun eviction and the family continues to reside in the unit, SNRHA must continue to make housing assistance payments to the owner until the owner has obtained a court judgment, affidavit of eviction, summary of eviction or other process allowing the owner to evict the tenant. No voucher shall be issued to the participant to move for a period of 30 calendar days from the date of the original notice and the participant shall be terminated if an unpaid judgment within 30 calendar days or affidavit of eviction or summary of eviction is provided by the court as these shall be considered as serious lease violations.



SNRHA will continue housing assistance payments until the family moves or is evicted from the unit. If the action is finalized in court, the owner must provide SNRHA with the documentation, including notice of the lock-out date, if applicable. SNRHA shall terminate the participant, even if the family has moved to another unit.

SNRHA must continue making housing assistance payments to the owner in accordance with the Contract as long as the tenant continues to occupy the unit and the Contract is not violated. By accepting funds paid via direct deposit from SNRHA, the owner certifies that the tenant is still in the unit, the rent is reasonable and s/he is in compliance with the contract.

If an eviction is due to no cause of the family, and if SNRHA has no other grounds for termination of assistance, SNRHA may issue a new voucher so that the family can move with continued assistance.

#### **12-IV.D. DECIDING WHETHER TO TERMINATE TENANCY [24 CFR 982.310(h), Pub.L. 109-162]**

An owner who has grounds to terminate a tenancy is not required to do so, and may consider all of the circumstances relevant to a particular case before making a decision. These might include:

- The nature of the offending action
- The seriousness of the offending action;
- The effect on the community of the termination, or of the owner's failure to terminate the tenancy;
- The extent of participation by the leaseholder in the offending action;
- The effect of termination of tenancy on household members not involved in the offending activity;
- The demand for assisted housing by families who will adhere to lease responsibilities;
- The extent to which the leaseholder has shown personal responsibility and taken all reasonable steps to prevent or mitigate the offending action;
- The effect of the owner's action on the integrity of the program.

The owner may require a family to exclude a household member in order to continue to reside in the assisted unit, where that household member has participated in or been culpable for action or failure to act that warrants termination.

In determining whether to terminate tenancy for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the owner may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully (42 U.S.C. 13661). For this purpose, the owner may require the tenant to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.





The owner's termination of tenancy actions must be consistent with the fair housing and equal opportunity provisions in 24 CFR 5.105.

An owner's decision to terminate tenancy for incidents related to domestic violence, dating violence, or stalking is limited by the Violence Against Women Reauthorization Act of 2005 (VAWA). (See Section 12-II.E.)

#### **12-IV.E. EFFECT OF TENANCY TERMINATION ON THE FAMILY'S ASSISTANCE**

If a termination is not due to a serious or repeated violation of the lease, and if SNRHA has no other grounds for termination of assistance, SNRHA may issue a new voucher so that the family can move with continued assistance (see Chapter 10).



## **EXHIBIT 12-1: STATEMENT OF FAMILY OBLIGATIONS**

Following is a listing of a participant family's obligations under the HCV program:

- The family must supply any information SNRHA or HUD determines to be necessary, including submission of required evidence of citizenship or eligible immigration status.
- The family must supply any information requested by SNRHA or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition.
- The family must disclose and verify social security numbers and sign and submit consent forms for obtaining information.
- Any information supplied by the family must be true and complete.
- The family is responsible for any Housing Quality Standards (HQS) breach by the family caused by failure to pay tenant-provided utilities or appliances, or damages to the dwelling unit or premises beyond normal wear and tear caused by any member of the household or guest.

### SNRHA Policy

Damages beyond normal wear and tear will be considered to be damages which could be assessed against the security deposit.

- The family must allow SNRHA to inspect the unit at reasonable times and after reasonable notice, as described in Chapter 8 of this plan.
- The family must not commit any serious or repeated violation of the lease.

### SNRHA Policy

SNRHA will determine if a family has committed serious or repeated violations of the lease based on available evidence, including but not limited to, a court-ordered eviction, or an owner's notice to evict.

Serious and repeated lease violations will include, but not be limited to, nonpayment of rent, disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises and criminal activity. Generally, the criterion to be used is whether the reason for the eviction was through no fault of the tenant or guests.

- The family must notify SNRHA and the owner before moving out of the unit or terminating the lease.

### SNRHA Policy

The family must comply with lease requirements regarding written notice to the owner. The family must provide written notice to the PHA at the same time the owner is notified.

- The family must promptly give SNRHA a copy of any owner eviction notice.
- The family must use the assisted unit for residence by the family. The unit must be the family's only residence.



The composition of the assisted family residing in the unit must be approved by SNRHA. The family must promptly notify SNRHA in writing of the, birth, adoption, or court-awarded custody of a child. The family must request SNRHA approval to add any other family member as an occupant of the unit.

#### SNRHA Policy

The request to add a family member must be submitted in writing and approved prior to the person moving into the unit. SNRHA will determine eligibility of the new member in accordance with the policies in Chapter 3.

- The family must promptly notify SNRHA in writing if any family member no longer lives in the unit.
- If SNRHA has given approval, a foster child or a live-in aide may reside in the unit. SNRHA has the discretion to adopt reasonable policies concerning residency by a foster child or a live-in aide, and to define when SNRHA consent may be given or denied. For policies related to the request and approval/disapproval of foster children, foster adults, and live-in aides, see Chapter 3 (Sections I.K and I.M), and Chapter 11 (Section II.B).
- The family must not sublease the unit, assign the lease, or transfer the unit.

#### SNRHA Policy

Subleasing includes receiving payment to cover rent and utility costs by a person living in the unit who is not listed as a family member.

- The family must supply any information requested by SNRHA to verify that the family is living in the unit or information related to family absence from the unit.
- The family must promptly notify SNRHA when the family is absent from the unit.

#### SNRHA Policy

Notice is required under this provision only when all family members will be absent from the unit for an extended period. An extended period is defined as any period greater than 30 calendar days. Written notice must be provided to SNRHA at the start of the extended absence. No absences from the unit shall be approved for more than 30 consecutive days unless it is approved as a reasonable accommodation for medical treatments and cannot be approved more than twice within 12 months.

- The family must pay utility bills and provide and maintain any appliances that the owner is not required to provide under the lease [Form HUD-52646, Voucher].
- The family must not own or have any interest in the unit, (other than in a cooperative and owners of a manufactured home leasing a manufactured home space or HCV Homeownership).
- Family members must not commit fraud, bribery, or any other corrupt or criminal act in connection with the program. (See Chapter 16, Program Integrity for additional information).



- Family members must not engage in drug-related criminal activity or violent criminal activity or other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 for HUD and SNRHA policies related to drug-related and violent criminal activity.
- Members of the household must not engage in abuse of alcohol in a way that threatens the health, safety or right to peaceful enjoyment of the other residents and persons residing in the immediate vicinity of the premises. See Chapter 12 for a discussion of HUD and SNRHA policies related to alcohol abuse.
- An assisted family or member of the family must not receive HCV program assistance while receiving another housing subsidy, for the same unit or a different unit under any other federal, state or local housing assistance program.
- A family must not receive HCV program assistance while residing in a unit owned by a parent, child, grandparent, grandchild, sister or brother of any member of the family, unless SNRHA has determined (and has notified the owner and the family of such determination) that approving rental of the unit, notwithstanding such relationship, would provide reasonable accommodation for a family member who is a person with disabilities. [Form HUD-52646, Voucher]



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## Chapter 13

### OWNERS

#### INTRODUCTION

Owners play a central role in the HCV program by supplying decent, safe, and sanitary housing for participating families.

The term “owner” refers to any person or entity with the legal right to lease or sublease a unit to a participant in the HCV program [24 CFR 982.4(b)]. The term “owner” includes a principal or other interested party [24 CFR 982.453; 24 CFR 982.306(f)], such as a designated agent of the owner.

Owners have numerous responsibilities under the program, including screening and leasing to families, maintaining the dwelling unit, enforcing the lease, and complying with various contractual obligations. However, this chapter is not meant to be an overview of all aspects of owner participation in the HCV program.

It is the policy of SNRHA to recruit owners to participate in the Housing Choice Voucher program. SNRHA will provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of SNRHA. The regulations define when SNRHA must disallow an owner participation in the program, and they provide SNRHA discretion to disapprove or otherwise restrict the participation of owners in certain categories. This Chapter describes the criteria for owner disapproval, and the various penalties for owner violations.

The chapter is organized in two parts:

Part I: Owners in the HCV Program. This part discusses the role of an owner in SNRHA'S HCV program and highlights key owner rights and responsibilities.

Part II: HAP Contracts. This part explains provisions of the HAP contract and the relationship between the PHA and the owner as expressed in the HAP contract.

For detailed information about HCV program responsibilities and processes, including PHA policies in key areas, owners will need to refer to several other chapters in this plan. Where appropriate, Chapter 13 will reference the other chapters.

#### PART I. OWNERS IN THE HCV PROGRAM

##### 13-I.A. OWNER RECRUITMENT AND RETENTION [HCV GB, pp. 2-4 to 2-6]

###### Recruitment

SNRHA is responsible for ensuring very low income families have access to all types and ranges of affordable housing in SNRHA’s jurisdiction, particularly housing outside areas of poverty or minority concentration. A critical element in fulfilling this responsibility is for SNRHA to ensure that a sufficient number of owners, representing all types and ranges of affordable housing in SNRHA’s jurisdiction, are willing to participate in the HCV program.



To accomplish this objective, SNRHA must identify and recruit new owners to participate in the program.

### SNRHA Policy

SNRHA will conduct owner outreach to ensure that owners are familiar with the program and its advantages. SNRHA will actively recruit property owners with property located outside areas of poverty and minority concentration. These outreach strategies will include:

Distributing printed material about the program to property owners and managers.

Contacting property owners and managers by phone or in-person.

Holding owner recruitment/information meetings at least once a year or as necessary to recruit.

Coordinating inspection and leasing activities among SNRHA, the owner, and the family.

Participating in community based organizations comprised of private property and apartment owners and managers.

Developing working relationships with owners and real estate brokers associations.

Outreach strategies will be monitored for effectiveness, and adapted accordingly.

### **Retention**

In addition to recruiting owners to participate in the HCV program, SNRHA must also provide the kind of customer service that will encourage participating owners to remain active in the program.

### SNRHA Policy

All SNRHA activities that may affect an owner's ability to lease a unit will be processed as rapidly as possible, in order to minimize vacancy losses for owners.

SNRHA will provide owners with a handbook that explains the program, including HUD and SNRHA policies and procedures, in easy-to-understand language.

SNRHA will give special attention to helping new owners succeed through activities such as:

Provide new owners with SNRHA owner's handbook which covers all program rules and provides a contact for additional questions.

Providing the owner with a designated SNRHA contact person (The OS assigned to the participant).

Coordinating inspection and leasing activities between SNRHA, the owner, and the family.

Providing other written information about how the program operates, including answers to frequently asked questions.



Additional services may be undertaken on an as-needed basis, and as resources permit.

### **13-I.B. BASIC HCV PROGRAM REQUIREMENTS**

HUD requires SNRHA to aid families in their housing search by providing the family with a list of landlords or other parties known to SNRHA who may be willing to lease a unit to the family, or to help the family find a unit. Although SNRHA cannot maintain a list of owners that are pre-qualified to participate in the program, owners may indicate to SNRHA their willingness to lease a unit to an eligible HCV family, or to help the HCV family find a unit [24 CFR 982.301(b)(11)].

#### SNRHA Policy

Owners that wish to indicate their willingness to lease a unit to an eligible HCV family or to help the HCV family find a unit must notify SNRHA via [GoSection8.com](http://GoSection8.com) website. Landlords may input new listing via the internet at [SNRHA.org](http://SNRHA.org) at any time. SNRHA shall not refer any client to any one owner. The family must select their unit

When a family approaches an owner to apply for tenancy, the owner is responsible for screening the family and deciding whether to lease to the family, just as the owner would with any potential tenant. SNRHA has no liability or responsibility to the owner or other persons for the family's behavior or suitability for tenancy. See Chapters 3 and 6 for more detail on tenant family screening policies and process.

If the owner is willing, the family and the owner must jointly complete a Request for Tenancy Approval (RFTA, Form HUD 52517), which constitutes the family's request for assistance in the specified unit, and which documents the owner's willingness to lease to the family and to follow the program's requirements. When submitted to SNRHA, this document is the first step in the process of obtaining approval for the family to receive the financial assistance it will need in order to occupy the unit. Also submitted with the RFTA is a copy of the owner's proposed dwelling lease, including the HUD-required Tenancy Addendum (Form HUD-52641-A) and all other required documents listed on the RFTA checklist packet. See Chapter 9 for more detail on request for tenancy approval policies and process.

#### SNRHA POLICY

SNRHA also requires the owner to submit the following documents:

Also submitted with the RFTA is a copy of the owner's proposed dwelling lease, which must be signed with no effective date as the effective date will be entered after a passed HQS Inspection;

A completed ACH form with a voided check or deposit slip;

Recorded deed;

Management agreement or power of attorney (if applicable) and;

W-9 or W-8ECI.

SNRHA will make those individuals providing W-8ECI forms aware that when the IRS assigns a taxpayer number, it is to be provided to SNRHA.





HUD regulations stipulate that an assisted tenancy can be approved only under certain conditions.

The owner must be qualified to participate in the program [24 CFR 982.306]. Some owners are precluded from participating in the program, or from renting to a particular family, either because of their past history with this or another federal housing program, or because of certain conflicts of interest. Owner qualifications are discussed later in this chapter.

The selected unit must be of a type that is eligible for the program [24 CFR 982.305(a)]. Certain types of dwelling units cannot be assisted under the HCV program. Other types may be assisted under certain conditions. In addition, the owner must document legal ownership of the specified unit. See Chapter 9 for more detail on unit eligibility policies and process.

The selected unit must meet HUD's Housing Quality Standards (HQS) and/or equivalent state or local standards approved by HUD [24 CFR 982.305(a)]. The PHA will inspect the owner's dwelling unit at various stages of HCV program participation, to ensure that the unit continues to meet HQS requirements. See Chapter 8 for a discussion of the HQS standards, as well as the process for HQS inspections at initial lease-up and throughout the family's tenancy.

SNRHA must determine that the cost of the unit is reasonable [24 CFR 982.305(a)]. The rent must be reasonable in relation to comparable unassisted units in the area and must not be in excess of rents charged by the owner for comparable, unassisted units on the premises. See Chapter 8 for a discussion of requirements and policies on rent reasonableness, rent comparability and the rent reasonableness determination process.

At initial lease-up of a unit, SNRHA must determine that the share of rent to be paid by the family does not exceed 40 percent of the family's monthly adjusted income [24 CFR 982.305(a)]. See Chapter 6 for a discussion of the calculation of family income, family share of rent and HAP.

The dwelling lease must comply with all program requirements [24 CFR 982.308]. Owners are encouraged to use their standard leases when renting to an assisted family. However, the HCV program requires that the Tenancy Addendum, which helps standardize the tenancy requirements for all assisted families, be added word-for-word to that lease. See Chapter 9 for a discussion of the dwelling lease and tenancy addendum, including lease terms and provisions.

SNRHA and the owner enter into a formal contractual relationship by executing the Housing Assistance Payment (HAP) Contract (Form HUD-52641). The HAP contract format is prescribed by HUD. See Chapter 9 for a discussion of the HAP contract execution process. Specific HAP contract provisions and responsibilities are discussed later in this Chapter.

### **13-I.C. OWNER RESPONSIBILITIES [24 CFR 982.452, Pub.L. 109-162]**

The basic owner responsibilities in the HCV program are outlined in the regulations as follows:

- Complying with all of the owner's obligations under the Housing Assistance Payments (HAP) contract and the lease
- Performing all management and rental functions for the assisted unit, including selecting a voucher-holder to lease the unit, and deciding if the family is suitable for tenancy of the unit



- Maintaining the unit in accordance with the Housing Quality Standards (HQS), including performance of ordinary and extraordinary maintenance
- Complying with equal opportunity requirements
- Preparing and furnishing to SNRHA information required under the HAP contract and Administrative Plan
- Collecting from the family any security deposit, the tenant's contribution to rent (that part of rent to owner not covered by the housing assistance payment from SNRHA), and any charges for unit damage by the family.
- Enforcing tenant obligations under the dwelling lease
- Paying for utilities and services (unless paid by the family under the lease)
- Allowing reasonable modifications to a dwelling unit occupied or to be occupied by a disabled person [24 CFR 100.203]
- Ensuring no side-payment agreement are signed
- Comply with the Violence Against Women Reauthorization Act of 2005 (VAWA) when screening and terminating tenants.

### **13-I.D. OWNER QUALIFICATIONS**

SNRHA does not formally approve an owner to participate in the HCV program. However, there are a number of criteria where SNRHA may deny approval of an assisted tenancy based on past owner behavior, conflict of interest, or other owner-related issues. No owner has a right to participate in the HCV program [24 CFR 982.306(e)].

#### **Owners Barred from Participation [24 CFR 982.306(a) and (b)]**

SNRHA must not approve the assisted tenancy if SNRHA has been informed that the owner has been debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24. HUD may direct SNRHA not to approve a tenancy request if a court or administrative agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirements, or if such an action is pending.

#### **1. Mandatory Owner Disapproval:**

##### **a. Owners are under HUD's Debarment, Suspension or Limited Denial of Participation:**

SNRHA must disapprove the Housing Choice Voucher Program participation of an owner when, through verifiable evidence, SNRHA determines that the owner is debarred, suspended or subject to a limited denial of participation pursuant to 24 CFR Part 24. SNRHA will use SAM.gov to determine if landlords and/or designated agents are federally debarred as well as its internal listing.

##### **b. A Familial Relationship exists between the owner and Prospective Tenant:**

SNRHA must disapprove the Housing Choice Voucher Program participation of an owner when, through verifiable evidence, SNRHA determines that the Owner is seeking



to lease his/her unit to his/her individually or as a beneficiary of a trust or his/her joint tenant or tenant in common.

c. Resident Ownership

SNRHA must disapprove the Housing Choice Voucher Program participation of an Owner when, through verifiable evidence, SNRHA determines that the Owner is seeking to lease his/her unit to his/her parent, child, grandparent, grandchild, sister or brother. SNRHA will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

2. HUD Directed Owner Disapproval

When directed by HUD, SNRHA must not approve an Owner to participate in the Housing Choice Voucher Program if:

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

3. SNRHA Discretionary Owner Disapproval:

In its administrative discretion SNRHA may deny approval to lease a unit from an owner for any of the following reasons:

- a. The owner has violated obligations under a housing assistance payments contract under Housing Choice Voucher of the 1937 Act (42 U.S.C. 1437f);
- b. The owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;

The owner has engaged in drug trafficking;

- d. The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs, or with applicable housing standards for units leased Housing Choice Voucher assistance or leased under any other federal housing program which has resulted in three (3) units being abated resulting in terminations of HAP contracts for non-compliance.
- e. The owner has a history or practice of renting units that fail to meet State or local housing codes; or
- f. The owner has not paid State or local real estate taxes, fines or assessments.
- g. The owner refuses or has a history of refusing to take action to terminate tenancy for activity engaged in by the tenant, tenant's household members, guests or any other person under the tenant's control that:
  - (i) threatens the health or safety of, or right to peaceful enjoyment of the immediate vicinity surrounding community by residents, owners or SNRHA employees; and
  - (ii) in drug-related or violent criminal activity.



- h. The owner has charged and collected side payments from a participant in SNRHA's Housing Choice Voucher Program will be barred from entering into any new Housing Assistance Payments (HAP) for a period of 3 years from the date of the last HAP payment made to said landlord under current contracts.
  - i. The owner owes a pass debt that is outstanding with SNRHA. The debt must be paid in full prior to entering into a new contract.
4. Breach of Housing Assistance Payment Contract
- a. Owner Breach:

Any of the actions, listed below, constitute breach of the HAP Contract by the Owner:

- Violation of any obligation expressed in the HAP Contract, including, but not limited to, failure to maintain the unit in accordance with the HQS - unless said failure is the result of uncorrected tenant caused damage, beyond normal wear and tear.
- Violation of any obligation expressed in any other HAP Contract.
- The commission of fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- Involvement in drug trafficking.

SNRHA's rights and remedies against the owner under the HAP Contract include:

- Recovery of overpayment in small claims court;
- Abatement or partial reduction of housing assistance payments; and
- Termination of the HAP Contract.

#### **Leasing to Relatives [24 CFR 982.306(d), HCV GB p. 11-2]**

SNRHA must not approve an RTA if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family. SNRHA may make an exception as a reasonable accommodation for a family member with a disability. The owner is required to certify that no such relationship exists. This restriction applies at the time that the family receives assistance under the HCV program for occupancy of a particular unit. Current contracts on behalf of owners and families that are related may continue, but any new leases or contracts for these families may not be approved.

#### **Conflict of Interest [24 CFR 982.161; HCV GB p. 8-19]**

SNRHA must not approve a tenancy in which any of the following classes of persons has any interest, direct or indirect, during tenure or for one year thereafter:

- Any present or former member or officer of SNRHA (except a participant commissioner)



- Any employee of SNRHA, or any contractor, subcontractor or agent of SNRHA, who formulates policy or who influences decisions with respect to the programs
- Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs
- Any member of the Congress of the United States

HUD may waive the conflict of interest requirements, except for members of Congress, for good cause. SNRHA must submit a waiver request to the appropriate HUD Field Office for determination.

Any waiver request submitted by SNRHA include [HCV Guidebook pp.11-2 and 11-3]:

- Complete statement of the facts of the case;
- Analysis of the specific conflict of interest provision of the HAP contract and justification as to why the provision should be waived;
- Analysis of and statement of consistency with state and local laws. The local HUD office, the PHA, or both parties may conduct this analysis. Where appropriate, an opinion by the state's attorney general should be obtained;
- Opinion by the local HUD office as to whether there would be an appearance of impropriety if the waiver were granted;
- Statement regarding alternative existing housing available for lease under the HCV program or other assisted housing if the waiver is denied;
- If the case involves a hardship for a particular family, statement of the circumstances and discussion of possible alternatives;
- If the case involves a public official or member of the governing body, explanation of his/her duties under state or local law, including reference to any responsibilities involving the HCV program;
- If the case involves employment of a family member by SNRHA assistance under the HCV program for an eligible SNRHA employee, explanation of the responsibilities and duties of the position, including any related to the HCV program;
- If the case involves an investment on the part of a member, officer, or employee of the PHA, description of the nature of the investment, including disclosure/divestiture plans.

Where SNRHA has requested a conflict of interest waiver, SNRHA may not execute the HAP contract until HUD has made a decision on the waiver request.

#### SNRHA Policy

In considering whether to request a conflict of interest waiver from HUD, SNRHA will consider factors for waiving the requirement; consistency with state and local laws; the existence of alternative housing available to families; the individual circumstances of a particular family; the specific duties of individuals whose positions present a possible conflict of interest; the nature of any financial investment in the property and plans for disclosure/divestiture; and the possible appearance of impropriety.



### **Owner Actions That May Result in Disapproval of a Tenancy Request [24 CFR 982.306(c)]**

HUD regulations permit SNRHA, at SNRHA's discretion, to refuse to approve a request for tenancy if the owner has committed any of a number of different actions.

If SNRHA disapproves a request for tenancy because an owner is not qualified, it may not terminate the HAP contract for any assisted families that are already living in the owner's properties unless the owner has violated the HAP contract for those units [HCV GB p. 11-4].

#### SNRHA Policy

SNRHA will refuse to approve a request for tenancy if SNRHA becomes aware that any of the following are true:

The owner has violated obligations under a HAP contract under Section 8 of the 1937 Act (42 U.S.C. 1437f);

The owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;

The owner has engaged in any drug-related criminal activity or any violent criminal activity;

The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs, or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing program;

The owner has a history or practice of failing to terminate tenancy of tenants of units assisted under Section 8-HCV program or any other federally assisted housing program for activity engaged in by the tenant, any member of the household, a guest or another person under the control of any member of the household that:

Threatens the right to peaceful enjoyment of the premises by other residents;

Threatens the health or safety of other residents, of employees of the PHA, or of owner employees or other persons engaged in management of the housing;

Threatens the health or safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or (iv) Is drug-related criminal activity or violent criminal activity;

The owner has a history or practice of renting units that fail to meet state or local housing codes; or



The owner has not paid state or local real estate taxes and/or business fees, fines, or assessment.

The owner signs a side payment agreement.

The owner or manager acting on behalf of the owner engages in or threatens violent or abusive behavior toward SNRHA personnel.

Abusive or violent behavior towards SNRHA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimate shall be considered abusive or violent behavior. This (these) action (s) shall also be reasons for termination of Housing Assistance Payment (HAP) Contracts.

In considering whether to disapprove owners for any of the discretionary reasons listed above, SNRHA will consider any mitigating factors. Such factors may include, but are not limited to, the seriousness of the violation in relation to program requirements, the impact on the ability of families to lease units under the program, health and safety of participating families, among others. Upon consideration of such circumstances, SNRHA may, on a case-by-case basis, choose to approve an owner.

### **Legal Ownership of Unit**

The following represents SNRHA policy on legal ownership of a dwelling unit to be assisted under the HCV program.

#### SNRHA Policy

SNRHA will only enter into a contractual relationship with the legal owner of a qualified unit. No tenancy will be approved without acceptable documentation of legal ownership. SNRHA requires a recorded deed and all other documents to ensure HAP payments are going to rightful owners/agents.

### **13-I.E. NON-DISCRIMINATION [HAP Contract – Form HUD-52641]**

The owner must not discriminate against any person because of race, color, religion, sex, sexual orientation, marital status, national origin, age, familial status, or disability, in connection with any actions or responsibilities under the HCV program and the HAP contract with SNRHA.

The owner must cooperate with SNRHA and with HUD in conducting any equal opportunity compliance reviews and complaint investigations in connection with the HCV program and the HAP contract with SNRHA.

See Chapter 2 for a more thorough discussion of Fair Housing and Equal Opportunity requirements in the HCV program.

## **PART II. HAP CONTRACTS**

### **13-II.A. OVERVIEW**

The HAP contract represents a written agreement between SNRHA and the owner of the dwelling unit occupied by a HCV assisted family. The contract spells out the owner's



responsibilities under the program, as well as SNRHA's obligations. Under the HAP contract, SNRHA agrees to make housing assistance payments to the owner on behalf of a specific family occupying a specific unit.

The HAP contract is used for all HCV program tenancies except for assistance under the Section 8 homeownership program and assistance to families that own a manufactured home and lease the space. See Chapter 15 for a discussion of any special housing types included in SNRHA's HCV program.

If SNRHA has given approval for the family of the assisted tenancy, the owner and the PHA execute the HAP contract. See Chapter 9 for a discussion of the leasing process, including provisions for execution of the HAP contract.

### **13-II.B. HAP CONTRACT CONTENTS**

The HAP contract format is required by HUD, specifically Housing Assistance Payment (HAP) Contract, Form HUD-52641.

The HAP contract contains three parts:

Part A of the contract includes basic **contract information** about the name of the tenant family, address of the contract unit, names of all household members, first and last dates of initial lease term, amount of initial monthly rent to owner, amount of initial housing assistance payment, utilities and appliances to be supplied by owner and tenant, signatures of SNRHA and owner [HCV Guidebook, pp 11-10 and 11-11].

In general, the HAP contract cannot be modified. However, SNRHA does have the discretion to add language to Part A of the HAP contract which prohibits the owner from collecting a security deposit in excess of private market practices or in excess of amounts charged to unassisted tenants. SNRHA policy on the amount of security deposit an owner may collect is found in chapter 9.

In addition, PHAs have the discretion to add language to Part A of the HAP contract that defines when the housing assistance payment by SNRHA is deemed received by the owner.

#### SNRHA Policy

SNRHA will make automatic monthly HAP deposits into the bank account of the owner. The date the bank shows as the deposit date will be the official payment date of record and will be the determining factor in cases involving late payment penalties. SNRHA will not make late payments due to direct deposits being posted by the vendor's financial institution late if payments were transmitted by SNRHA on the correct date. For example, when the first (1<sup>st</sup>) or the 15th falls on a Saturday or Holiday and the banks post the deposit on the next business day.

SNRHA will not be obligated to pay any late payment penalty if HUD determines that late payment is due to factors beyond SNRHA's control, such as a delay in the receipt of program funds from HUD.

SNRHA will use administrative fee income or the administrative fee reserve as its only source for late payment penalty.





Part B is the body of the contract. It describes in detail program requirements affecting the owner and owner roles and responsibilities under the HCV program. Most of the requirements contained in Part B of the HAP contract are outlined elsewhere in this plan. Topics addressed in Part B include:

- Lease of Contract Unit
- Maintenance, Utilities, and Other Services
- Term of HAP Contract
- Provision and Payment of Utilities and Appliances
- Rent to Owner: Reasonable Rent
- SNRHA Payment to Owner
- Prohibition of Discrimination
- Owner's Breach of HAP Contract
- SNRHA and HUD Access to Premises and Owner's Records
- Exclusion of Third Party Rights
- Conflict of Interest
- Assignment of the HAP Contract
- Written Notices
- Entire Agreement Interpretation

Part C of the contract includes the Tenancy Addendum (Form HUD-52641-A). The addendum sets forth the tenancy requirements for the program and the composition of the household, as approved by SNRHA. The owner must sign the HUD Tenancy Addendum with the prospective tenant, and the tenant has the right to enforce the Tenancy Addendum against the owner. The terms of the Tenancy Addendum prevail over any other provisions of the lease.

### **13-II.C. HAP CONTRACT PAYMENTS**

#### **General**

During the term of the HAP contract, and subject to the provisions of the HAP contract, SNRHA must make monthly HAP payments to the owner on behalf of the family, at the beginning of each month. If a lease term begins after the first of the month, the HAP payment for the first month is prorated for a partial month.

The amount of the HAP payment is determined according to the policies described in Chapter 6, and is subject to change during the term of the HAP contract. SNRHA must notify the owner and the family in writing of any changes in the HAP payment.

HAP payments can be made only during the lease term, and only while the family is residing in the unit.



The monthly HAP payment by SNRHA is credited toward the monthly rent to owner under the family's lease. The total of the rent paid by the tenant, plus SNRHA HAP payment, should be equal to the rent specified in the lease (the rent to owner).

All HAP shall be paid via direct deposits only. There are no exceptions.

The family is not responsible for payment of the HAP payment, and SNRHA is not responsible for payment of the family share of rent.

The family's share of the rent cannot be more than the difference between the total rent to the owner and the HAP payment. The owner may not demand or accept any rent payment from the tenant in excess of this maximum [24 CFR 982.451(b)(4)]. The owner may not charge the tenant extra amounts for items customarily included in rent in the locality, or provided at no additional cost to unsubsidized tenants in the premises [24 CFR 982.510(c)]. See chapter 9 for a discussion of separate, non-lease agreements for services, appliances and other items that are not included in the lease.

If the owner receives any excess HAP from SNRHA, the excess amount must be returned immediately. If SNRHA determines that the owner is not entitled to all or a portion of the HAP, SNRHA may deduct the amount of overpayment from any amounts due to the owner, including amounts due under any other Section 8 HCV contract. See Chapter 16 for additional detail on owner reimbursement of HAP overpayments.

### **Owner Certification of Compliance**

Unless the owner complies with all provisions of the HAP contract, the owner is not entitled to receive housing assistance payments under the HAP contract [HAP Contract – Form HUD-52641].

By accepting the direct deposit from SNRHA, the owner certifies to compliance with the terms of the HAP contract. This includes certification that the owner is maintaining the unit and premises in accordance with HQS; that the contract unit is leased to the tenant family and, to the best of the owner's knowledge, the family resides in the unit as the family's only residence; the rent to owner does not exceed rents charged by the owner for comparable unassisted units on the premises; and that the owner does not receive (other than rent to owner) any additional payments or other consideration for rent of the contract unit during the HAP term.

### **Late HAP Payments [24 CFR 982.451(a)(5)]**

SNRHA is responsible for making HAP payments promptly when due to the owner, in accordance with the terms of the HAP contract. After the first two calendar months of the HAP contract term, the HAP contract provides for penalties if SNRHA fails to make the HAP payment on time.

Penalties for late HAP payments can only be imposed if 1) the penalties are in accordance with generally accepted local rental market practices and law governing penalties for late payment by tenants; 2) it is the owner's normal business practice to charge late payment penalties for both assisted and unassisted families; and 3) the owner charges the assisted family for late payment of the family's share of the rent.



SNRHA is not required to pay a late payment penalty if HUD determines that the payment is late for reasons beyond the PHA's control. In addition, late payment penalties are not required if SNRHA intentionally delays or denies payment as a remedy to an owner breach of the HAP contract [HCV Guidebook p. 11-7].

### **Termination of HAP Payments [24 CFR 982.311(b)]**

SNRHA must continue making housing assistance payments to the owner in accordance with the HAP contract as long as the tenant continues to occupy the unit and the HAP contract is not violated.

HAP payments terminate when the HAP contract terminates or when the tenancy is terminated in accordance with the terms of the lease.

If the owner has initiated eviction proceedings against the family and the family continues to reside in the unit, SNRHA must continue to make housing assistance payments to the owner until the owner has obtained a court judgment or other process allowing the owner to evict the tenant.

### SNRHA Policy

The owner must inform SNRHA when the owner has initiated eviction proceedings against the family and the family continues to reside in the unit.

The owner must inform SNRHA when the owner has obtained a court judgment or other process allowing the owner to evict the tenant, and provide SNRHA with a copy of such judgment or determination.

After the owner has obtained a court judgment or other process allowing the owner to evict the tenant, SNRHA will continue to make HAP payments to the owner until the family actually moves from the unit or until the family is physically evicted from the unit, whichever is earlier. The owner must inform SNRHA of the date when the family actually moves from the unit or the family is physically evicted from the unit. In cases where the family moves and an eviction is received or a judgment that is not paid within 30 calendar days, the assistance shall be terminated.

### **13-II.D. BREACH OF HAP CONTRACT [24 CFR 982.453]**

Any of the following actions by the owner constitutes a breach of the HAP contract:

- If the owner violates any obligations under the HAP contract including failure to maintain the unit in accordance with HQS
- If the owner has violated any obligation under any other HAP contract under Section 8
- If the owner has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program
- For projects with mortgages insured by HUD or loans made by HUD, if the owner has failed to comply with the regulations for the applicable program; or if the owner has committed fraud, bribery or any other corrupt or criminal act in connection with the mortgage or loan
- If the owner has engaged in drug-related criminal activity



- If the owner has committed any violent criminal activity

If SNRHA determines that a breach of the HAP contract has occurred, it may exercise any of its rights and remedies under the HAP contract.

SNRHA rights and remedies against the owner under the HAP contract include recovery of any HAP overpayment, suspension of housing assistance payments, abatement or reduction of the housing assistance payment, termination of the payment or termination the HAP contract.

SNRHA may also obtain additional relief by judicial order or action.

SNRHA must notify the owner of its determination and provide in writing the reasons for the determination. The notice may require the owner to take corrective action by an established deadline. SNRHA must provide the owner with written notice of any reduction in housing assistance payments or the termination of the HAP contract.

### SNRHA Policy

Before SNRHA revokes a remedy against an owner, SNRHA will evaluate all information and documents available to determine if the contract has been breached.

If relevant, SNRHA will conduct an audit of the owner's records pertaining to the tenancy or unit.

If it is determined that the owner has breached the contract, SNRHA will consider all of the relevant factors including the seriousness of the breach, the effect on the family, the owner's record of compliance and the number and seriousness of any prior HAP contract violations.

## **13-II.E. HAP CONTRACT TERM AND TERMINATIONS**

The term of the HAP contract runs concurrently with the term of the dwelling lease [24 CFR 982.451(a)(2)], beginning on the first day of the initial term of the lease and terminating on the last day of the term of the lease, including any lease term extensions.

The HAP contract and the housing assistance payments made under the HAP contract terminate if [HCV Guidebook pp.11-4 and 11-5, pg. 15-3]:

- The owner or the family terminates the lease;
- The lease expires;
- SNRHA terminates the HAP contract;
- SNRHA terminates assistance for the family;
- The family moves from the assisted unit. In this situation, the owner is entitled to keep the housing assistance payment for the month when the family moves out of the unit.
- 180 calendar days have elapsed since SNRHA made the last housing assistance payment to the owner;



- The family is absent from the unit for longer than the maximum period permitted by SNRHA.
- The Annual Contributions Contract (ACC) between the PHA and HUD expires
- SNRHA elects to terminate the HAP contract.
- Owner fails to submit required documents to SNRHA when there's a change of ownership/management that has lapsed 60 days of said change. The family will be issued a voucher to move and SNRHA shall not be responsible for any payments to the new owner/agent.

#### SNRHA Policy

SNRHA may elect to terminate the HAP contract in each of the following situations:

Available program funding is not sufficient to support continued assistance for families in the program [24 CFR 982.454];

The unit does not meet HQS size requirements due to change in family composition [24 CFR 982.403] – see chapter 8;

The unit does not meet HQS [24 CFR 982.404] – see Chapter 8;

The family breaks up [HUD Form 52641] – see Chapter 3;

The owner breaches the HAP contract [24 CFR 982.453(b)] – see Section 13-II.D.

If SNRHA terminates the HAP contract, SNRHA must give the owner and the family written notice. The notice must specify the reasons for the termination and the effective date of the termination. Once a HAP contract is terminated, no further HAP payments may be made under that contract [HCV Guidebook pg.15-4].

#### SNRHA Policy

In all cases, the HAP contract terminates at the end of the calendar month that follows the calendar month in which SNRHA gives written notice to the owner. The owner is not entitled to any housing assistance payment after this period, and must return to SNRHA any housing assistance payment received after this period.

If the family moves from the assisted unit into a new unit, even if the new unit is in the same building or complex as the assisted unit, the HAP contract for the assisted unit terminates. A new HAP contract would be required [HCV GB, p. 11-17].

When the family moves from an assisted unit into a new unit, the term of the HAP contract for the new unit may begin in the same month in which the family moves out of its old unit. This is not considered a duplicative subsidy [HCV GB, p. 8-22].

### **13-II.F. CHANGE IN OWNERSHIP / ASSIGNMENT OF THE HAP CONTRACT [HUD-52641]**

The HAP contract cannot be assigned to a new owner without the prior written consent of SNRHA and the execution of a transfer of ownership document.



An owner under a HAP contract must notify SNRHA in writing prior to a change in the legal ownership of the unit. The new owner/agent must supply all information as requested by SNRHA.

Prior to approval of assignment to a new owner, the new owner must agree to be bound by and comply with the HAP contract. The agreement between the new owner and SNRHA must be in writing and in a form that SNRHA finds acceptable. The new owner must provide SNRHA with a copy of the executed agreement and recorded deed.

#### SNRHA Policy

Assignment of the HAP contract will be approved only if the new owner is qualified to become an owner under the HCV program according to the policies in Section 13-I.D. of this chapter.

The new owner must provide all required documents and a recorded deed prior to SNRHA making payments to a new vendor.

The new owner must complete any changes utilizing SNRHA's Landlord Portal by accessing the website at [www.snvrha.org](http://www.snvrha.org). SNRHA will not accept hand-carried, faxed, or mailed documents.

SNRHA required documents include but are not limited to:

- A recorded deed;
- A copy of the owner's IRS Form W-9/W-8, Request for Taxpayer Identification Number and Certification, or the social security number of the new owner;
- Authorization Agreement for Deposit (ACH Credits) and voided check/deposit slip
- Statement of Property Ownership/Authorization
- A valid State-issued Business License, if applicable
- A Property Management Agreement, if applicable
- Additional documents may be required if applicable (i.e. court documents for receivership, trust, probate, mergers, etc.), and
- A signed agreement to comply with the terms of the HAP contract.

If the new owner does not agree to an assignment of the HAP contract, or fails to provide the necessary documents, SNRHA will terminate the HAP contract with the old owner. If the new owner wants to offer the family a new lease, and the family elects to stay with continued assistance, SNRHA will process the leasing in accordance with the policies in Chapter 9.

Failure of the new owner to provide all documents as proof of ownership shall result in SNRHA issuing the family a voucher to move. No HAP payments shall be released to the new owner for the period of time in which he/she failed to provide documents.

#### **13-II.G. FORECLOSURE (HUD 52641 and Notice PIH 2010-49)**

Families receiving HCV assistance are entitled to certain protections set forth under the Protecting tenants at Foreclosure Act (PTFA). Specifically, the HAP contract now contains language stating that in the case of any foreclosure, the immediate successor in interest in the property pursuant to the foreclosure will assume such interest subject to the lease between the



prior owner and the tenant, and the HAP contract between the prior owner and SNRHA for the occupied unit. This provision of the HAP contract does not affect any state or local law that provides longer time periods or other additional protections for tenants.

If SNRHA learns that a property is in foreclosure, it must take the following actions:

- Make all reasonable efforts to determine the status of the foreclosure and ownership of the property. (Further guidance on how to obtain this information can be found in Notice PIH (2010-49).
- Continue to make payments to the original owner until ownership legally transfers in accordance with the HAP contract.
- Attempt to obtain a written acknowledgement of the assignment of the HAP contract from the successor in interest. The written agreement should include a request for the owner information, such a tax identification number, and payment instructions from the new owner. Even if the new owner does not acknowledge the assignment of the HAP contract in writing, the assignment is still effective by operation of law.
- Inform the tenant that they must continue to pay rent in accordance with the lease, and if the successor in interest refuses to accept payments or cannot be identified, the tenant should pay rent into escrow. Failure to pay rent may constitute an independent ground for eviction.

SNRHA Policy:

SNRHA shall provide all HCV applicants that have been issued a voucher with information regarding the PTFA and to participant's head of household at annual recertification.



## Chapter 14

### PROGRAM ADMINISTRATION

#### INTRODUCTION

This chapter discusses administrative policies and practices that are relevant to the activities covered in this plan. The policies are discussed in seven parts as described below:

Part I: Administrative Fee Reserve. This part describes SNRHA's policies with regard to oversight of expenditures from its administrative fee reserve.

Part II: Setting Program Standards and Schedules. This part describes what payment standards are, and how they are updated, as well as how utility allowances are established and revised.

Part III: Informal Reviews and Hearings. This part outlines the requirements and procedures for informal reviews and hearings, and for informal hearings regarding citizenship status.

Part IV: Owner or Family Debts to SNRHA. This part describes policies for recovery of monies SNRHA has overpaid on behalf of families, or to owners, and describes the circumstances under which the PHA will offer repayment agreements to owners and families. Also discussed are the consequences for failure to make payments in accordance with a repayment agreement.

Part V: Section 8 Management Assessment Program (SEMAP). This part describes what the SEMAP scores represent, how they are established, and how those scores affect SNRHA.

Part VI: Record-Keeping. All aspects of the program involve certain types of record-keeping. This part outlines the privacy rights of applicants and participants and record retention policies SNRHA will follow.

Part VII: Reporting and Record Keeping for Children with Environmental Intervention Blood Lead Level. This part describes SNRHA's responsibilities for reporting, data collection, and record keeping relative to children with environmental intervention blood lead levels that are less than six years of age, and are receiving HCV assistance.

Part VIII: Determination of Insufficient Funding. This part describes SNRHA's policies for determining if there is sufficient funding to issue vouchers, to approve moves to higher cost units or areas, and to continue assistance for all participant families.

#### **PART I: ADMINISTRATIVE FEE RESERVE [24 CFR 982.155]**

SNRHA must maintain an administrative fee reserve for the program to pay program administrative expenses in excess of administrative fees paid by HUD for a SNRHA fiscal year. Since FFY 2004, the use of administrative fee reserves, called Unrestricted Net Assets, is restricted to activities related to rental assistance under the Section 8 program, including development activities.





If SNRHA has not adequately administered any Section 8 program, HUD may prohibit use of funds in the administrative fee reserve, and may direct SNRHA to use funds in the reserve to improve administration of the program or to reimburse ineligible expenses. HUD also may prohibit use of the funds for certain purposes.

HUD requires the SNRHA Board of Commissioners or other authorized officials to establish the maximum amount that may be charged against the administrative fee reserve without specific approval.

#### SNRHA Policy

Expenditures from the administrative fee reserve will be made in accordance with all applicable Federal requirements. Expenditures will not exceed \$25,000 per occurrence nor more than \$100,000 in the aggregate for each fiscal year without the prior approval of the SNRHA Board of Commissioners. Payments to participants or landlords that occur due to staff error in rent calculation will be paid from the Administrative fee reserve with the written approval of the Director of Housing Program or their designee. HCV administrative fee can only be utilized for the administration of the HCV Program or development related directly to the HCV Program.

## **PART II: SETTING PROGRAM STANDARDS AND SCHEDULES**

### **14-II.A. OVERVIEW**

Although many of the program's requirements are established centrally by HUD, the HCV program's regulations recognize that some flexibility is required to allow SNRHA to adapt the program to local conditions. This part discusses how SNRHA establishes and updates certain schedules and standards that are used to administer the program locally. Details about how these schedules are applied to individual families are provided in other chapters. The schedules and standards discussed here include:

- *Payment Standards*, which dictate the maximum subsidy a family can receive (application of the payment standards is discussed in Chapter 7); and
- *Utility Allowances*, which specify how a family's payment should be adjusted to account for tenant-paid utilities (application of utility allowances is discussed in Chapter 7).

#### SNRHA Policy

Copies of the payment standard and utility allowance schedules are available for review in SNRHA's offices during normal business hours and will be posted on SNRHA's website.

Families, owners, and members of the public may submit written comments on the schedules discussed in this part, at any time, for consideration during the next revision cycle.

SNRHA will retain documentation to support its annual review of payment standards and utility allowance schedules for at least 3 years.



## 14-II.B. PAYMENT STANDARDS [24 CFR 982.503; HCV GB, Chapter 7]

The payment standard sets the maximum subsidy payment a family can receive from SNRHA each month [24 CFR 982.505(a)]. Payment standards are based on fair market rents (FMRs) published annually by HUD. FMRs are set at a percentile within the rent distribution of standard quality rental housing units in each FMR area. For most jurisdictions FMRs are set at the 40th percentile of rents in the market area.

SNRHA must establish a payment standard schedule that establishes payment standard amounts for each FMR area within SNRHA's jurisdiction, and for each unit size within each of the FMR areas. For each unit size, SNRHA may establish a single payment standard amount for the whole FMR area, or may set different payment standards for different parts of the FMR area. Unless HUD grants an exception, SNRHA is required to establish a payment standard within a "basic range" established by HUD – between 90 and 110 percent of the published FMR for each unit size.

### Updating Payment Standards

When HUD updates its FMRs, SNRHA must update its payment standards if the standards are no longer within the basic range [24 CFR 982.503(b)]. HUD may require SNRHA to make further adjustments if it determines that rent burdens for assisted families in SNRHA's jurisdiction are unacceptably high [24 CFR 982.503(g)].

#### SNRHA Policy

SNRHA will review the appropriateness of the payment standards on an annual basis when the new FMR is published. In addition to ensuring the payment standards are always within the "basic range" SNRHA will consider the following factors when determining whether an adjustment should be made to the payment standard schedule:

**Funding Availability:** SNRHA will review the budget to determine the impact projected subsidy adjustments will have on funding available for the program and the number of families served. SNRHA will compare the number of families who could be served under revised payment standard amounts with the number assisted under current payment standard amounts.

**Rent Burden of Participating Families:** Rent burden will be determined by identifying the percentage of families, for each unit size, that are paying more than 30 percent of their monthly adjusted income as the family share. When 40 percent or more of families, for any given unit size, are paying more than 30 percent of adjusted monthly income as the family share, SNRHA will consider increasing the payment standard. In evaluating rent burdens, SNRHA will not include families renting a larger unit than their family unit size.

**Quality of Units Selected:** SNRHA will review the quality of units selected by participant families when making the determination of the percent of income families are paying for housing, to ensure that payment standard increases are only made when needed to reach the mid-range of the market.



**Changes in Rent to Owner:** SNRHA may review a sample of the units to determine how often owners are increasing or decreasing rents and the average percent of increases/decreases by bedroom size.

**Unit Availability:** SNRHA will review the availability of units for each unit size, particularly in areas with low concentrations of poor and minority families.

**Lease-up Time and Success Rate:** SNRHA will consider the percentage of families that are unable to locate suitable housing before the voucher expires and whether families are leaving the jurisdiction to find affordable housing.

Changes to payment standard amounts will be effective February 1, of each year after FMRs are posted by HUD, unless the current payment standard is out of the 'basic range' (90% - 110% of FMR). In that case the Payment Standard shall be effective December 1.

If SNRHA has already processed reexaminations that will be effective on or after December 1st, and the effective date of the payment standards is December 1st, SNRHA will make retroactive adjustments to any such reexaminations if the new payment standard amount is higher than the one used by SNRHA at the time the reexamination was originally processed.

#### **Exception Payment Standards [982.503(c)]**

According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," the PHA may establish an exception payment standard of not more than 120 percent of the published FMR (fair market rent) if required as a reasonable accommodation in accordance with 24 CFR part 8 for a family that includes a person with a disability. Any unit approved under an exception payment standard must still meet the reasonable rent requirements found at 24 CFR 982.507.

SNRHA must request HUD approval to establish payment standards that are higher than the basic range. At HUD's sole discretion, HUD may approve a payment standard amount that is higher than the basic range for a designated part of the FMR area. HUD may approve an exception payment standard amount (in accordance with program requirements) for all units, or for all units of a given size, leased by program families in the exception area. Any PHA with jurisdiction in the exception area may use the HUD-approved exception payment standard amount. The total population of all HUD-approved exception areas in an FMR area may not include more than 50 percent of the population of the FMR area.

#### **Unit-by-Unit Exceptions [24 CFR 982.503(c)(2)(ii)]**

Unit-by-unit exceptions to SNRHA's payment standards generally are not permitted. However, an exception may be made as a reasonable accommodation for a family that includes a person with disabilities. (See Chapter 2 for a discussion of reasonable accommodations.) This type of exception does not affect SNRHA's payment standard schedule.

When needed as a reasonable accommodation, SNRHA may make an exception to the payment standard without HUD approval if the exception amount does not exceed 110 percent of the applicable FMR for the unit size [HCV GB 7-9]. SNRHA may request HUD approval for an



exception to the payment standard for a particular family if the required amount falls between 110 and 120 percent of the FMR.

#### SNRHA Policy

A family that requires a reasonable accommodation may request a higher payment standard at the time the Request for Tenancy Approval (RFTA) is submitted. The family must document the need for the exception which shall be verified via third party verification. In order to approve an exception, or request an exception from HUD, the PHA must determine that:

There is a shortage of affordable units that would be appropriate for the family;

The family's TTP would otherwise exceed 40 percent of adjusted monthly income; and

The rent for the unit is reasonable.

#### **"Success Rate" Payment Standard Amounts [24 CFR 982.503(e)]**

If a substantial percentage of families have difficulty finding a suitable unit, SNRHA may request a "success rate payment standard" that applies to the entire jurisdiction. If approved by HUD, a success rate payment standard allows SNRHA to set its payment standards at 90-110 percent of a higher FMR (the 50<sup>th</sup>, rather than the 40<sup>th</sup> percentile FMR). To support the request, SNRHA must demonstrate that during the most recent 6-month period for which information is available:

- Fewer than 75 percent of families who were issued vouchers became participants;
- SNRHA had established payment standards for all unit sizes, and for the entire jurisdiction, at 110 percent of the published FMR; and
- SNRHA had a policy of allowing voucher holders who made sustained efforts to locate units at least 90 calendar days to search for a unit.

Although HUD approves the success rate payment standard for all unit sizes in the FMR area, SNRHA may choose to adjust the payment standard for only some unit sizes in all, or a designated part, of the PHA's jurisdiction within the FMR area.

#### **Decreases in the Payment Standard below the Basic Range [24 CFR 982.503(d)]**

SNRHA must request HUD approval to establish a payment standard amount that is lower than the basic range. At HUD's sole discretion, HUD may approve establishment of a payment standard lower than the basic range. HUD will not approve a lower payment standard if the family share for more than 40 percent of program participants exceeds 30 percent of adjusted monthly income.

#### **14-II.C. UTILITY ALLOWANCES [24 CFR 982.517]**

A SNRHA-established utility allowance schedule is used in determining family share and SNRHA subsidy. SNRHA must maintain a utility allowance schedule for (1) all tenant-paid utilities, (2) the cost of tenant-supplied refrigerators and ranges, and (3) other tenant-paid housing services such as trash collection.



The utility allowance schedule must be determined based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality. In developing the schedule, SNRHA must use normal patterns of consumption for the community as a whole, and current utility rates.

The utility allowance must include the utilities and services that are necessary in the locality to provide housing that complies with housing quality standards. Costs for telephone, cable/satellite television, and internet services are not included in the utility allowance schedule.

In the utility allowance schedule, SNRHA must classify utilities and other housing services according to the following general categories: space heating; air conditioning; cooking; water heating; water; sewer; trash collection; other electric; cost of tenant-supplied refrigerator; cost of tenant-supplied range; and other specified housing services.

The cost of each utility and housing service must be stated separately by unit size and type. Chapter 18 of the *HCV Guidebook* provides detailed guidance to SNRHA about establishing utility allowance schedules.

### **Air Conditioning**

An allowance for air-conditioning must be provided when the majority of housing units in the market have central air-conditioning or are wired for tenant-installed air conditioners.

#### SNRHA Policy

SNRHA has included an allowance for air-conditioning in its utility allowance schedule. Central air-conditioning or a portable air conditioner must be present in a unit before SNRHA will apply this allowance to a family's rent and subsidy calculations.

### **Reasonable Accommodation**

HCV program regulations require SNRHA to approve a utility allowance amount higher than shown on SNRHA's schedule if a higher allowance is needed as a reasonable accommodation for a family member with a disability. For example, if a family member with a disability requires such an accommodation, SNRHA will approve an allowance for air-conditioning, even if SNRHA has determined that an allowance for air-conditioning generally is not needed (See Chapter 2 for policies regarding the request and approval of reasonable accommodations).

### **Utility Allowance Revisions**

SNRHA must review its schedule of utility allowances each year, and must revise the schedule if there has been a change of 10 percent or more in any utility rate since the last time the allowance for that utility was revised.

SNRHA must maintain information supporting its annual review of utility allowance and any revisions made in its utility allowance schedule.

## **PART III: INFORMAL REVIEWS AND HEARINGS**

### **14-III.A. OVERVIEW**

When SNRHA makes a decision that has a negative impact on a family, the family is often entitled to appeal the decision. For applicants, the appeal takes the form of an informal review;



for participants, or for applicants denied admission because of citizenship issues, the appeal takes the form of an informal hearing.

SNRHA is required to include in their administrative plans, informal review procedures for applicants, and informal hearing procedures for participants [24 CFR 982.54(d)(12) and (13)].

#### **14-III.B. INFORMAL REVIEWS**

Informal reviews are provided for program applicants. An applicant is someone who has applied for admission to the program, but is not yet a participant in the program. Informal reviews are intended to provide a “minimum hearing requirement” [24 CFR 982.554], and need not be as elaborate as the informal hearing requirements. (Federal Register Volume 60, No. 127, p 36490).

##### **Decisions Subject to Informal Review**

SNRHA must give an applicant the opportunity for an informal review of a decision denying assistance [24 CFR 982.554(a)]. Denial of assistance may include any or all of the following [24 CFR 982.552(a)(2)]:

- Denying listing on the SNRHA waiting list
- Denying or withdrawing a voucher
- Refusing to enter into a HAP contract or approve a lease
- Refusing to process or provide assistance under portability procedures
- Denial of assistance based on an unfavorable history that may be the result of domestic violence, dating violence or stalking. (See Section 3-III.G.)

Informal reviews are *not* required for the following reasons [24 CFR 982.554(c)]:

- Discretionary administrative determinations by SNRHA
- General policy issues or class grievances
- A determination of the family unit size under the SNRHA subsidy standards
- A SNRHA determination not to grant approval of the tenancy
- A SNRHA determination that the unit is not in compliance with the HQS
- A SNRHA determination that the unit is not in accordance with the HQS due to family size or composition

##### SNRHA Policy

SNRHA will only offer an informal review to applicants for whom assistance is being denied. Denial of assistance includes: denying listing on the SNRHA waiting list; denying or withdrawing a voucher; refusing to enter into a HAP contract or approve a lease; refusing to process or provide assistance under portability procedures.

##### **Notice to the Applicant [24 CFR 982.554(a)]**

SNRHA must give an applicant prompt notice of a decision denying assistance. The notice must contain a brief statement of the reasons for the SNRHA’s decision, and must also state that the



applicant may request an informal review of the decision within 10 calendar days from the date of SNRHA's notification of denial of assistance letter. The notice must describe how to obtain the informal review.

The informal review will be scheduled within 10 calendar days from the date the request is received.

### **Scheduling an Informal Review**

#### SNRHA Policy

A request for an informal review must be made in writing and delivered to SNRHA either in person or by first class mail, in writing by the close of the business day, no later than 10 calendar days from the date of SNRHA's denial of assistance notice.

Except as provided in Section 3-III.G, SNRHA must schedule and send written notice of the informal review within 10 business days of the family's request.

### **Informal Review Procedures [24 CFR 982.554(b)]**

#### SNRHA Policy

The person conducting the review will make a recommendation to SNRHA, but SNRHA is responsible for making the final decision as to whether assistance should be granted or denied.

The Informal Review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person.

The Informal Review may be conducted by an employee other than the person who made the decision or a subordinate of that person or an individual from outside SNRHA.

The applicant will be given the option of presenting oral or written objections to the decision. Both SNRHA and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

### **Informal Review Decision [24 CFR 982.554(b)]**

SNRHA must notify the applicant of SNRHA's final decision, including a brief statement of the reasons for the final decision.

#### SNRHA Policy

In rendering a decision, SNRHA will evaluate the following matters:

Whether or not the grounds for denial were stated factually in the Notice.

The validity of grounds for denial of assistance. If the grounds for denial are not specified in the regulations, then the decision to deny assistance will be overturned.

The validity of the evidence. SNRHA will evaluate whether the facts presented prove the grounds for denial of assistance. If the facts prove that there are grounds for denial, and the denial is required by HUD, SNRHA will uphold the decision to deny assistance.



If the facts prove the grounds for denial, and the denial is discretionary, SNRHA will consider the recommendation of the person conducting the informal review in making the final decision whether to deny assistance.

SNRHA will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice will be mailed within 10 calendar days of the informal review, to the applicant and his or her representative, if any, along with proof of mailing.

If the decision to deny is overturned as a result of the informal review, processing for admission will resume.

If the family fails to appear for their informal review, the denial of admission will stand and the family will be so notified.

All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

#### **14-III.C. INFORMAL HEARINGS FOR PARTICIPANTS [24 CFR 982.555, Pub.L. 109-162]**

SNRHA must offer an Informal Hearing for certain SNRHA determinations relating to the individual circumstances of a participant family. A participant is defined as a family that has been admitted to the SNRHA HCV program and is currently assisted in the program. The purpose of the informal hearing is to consider whether SNRHA's decisions related to the family's circumstances were in accordance with the law, HUD regulations and SNRHA policies.

SNRHA is not permitted to terminate a family's assistance until the time allowed for the family to request an informal hearing has elapsed, and any requested hearing has been completed. SNRHA will provide a 30 day notice or more prior to termination unless the family has been confirmed as a skip or a deceased person. This shall provide adequate time for the participant to request a hearing and a hearing to be scheduled. Deceased clients with no eligible remaining family member shall have the contract terminated the last day of the month in which the death occurred. Termination of assistance for a participant may include any or all of the following:

- Refusing to enter into a HAP contract or approve a lease
- Terminating housing assistance payments under an outstanding HAP contract
- Refusing to process or provide assistance under portability procedures
- Skipping –defined as a family who moves from the assisted unit without prior appropriate notice to the owner and the approval of SNRHA. This must be a written approval or proof of certified mailing if the owner cannot be reach or refusing to sign and the lease is now a month to month lease. SNRHA must also receive this notice and approve by issuances of a voucher prior to the move.

#### **Decisions Subject to Informal Hearing**

Circumstances for which SNRHA must give a participant family an opportunity for an informal hearing are as follows:





- A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment
- A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the SNRHA utility allowance schedule
- A determination of the family unit size under SNRHA's subsidy standards
- A determination to terminate assistance for a participant family because of the family's actions or failure to act
- A determination to terminate assistance because the participant has been absent from the assisted unit for longer than the maximum period permitted under SNRHA policy and HUD rules
- A determination to terminate a family's Family Self Sufficiency contract, withhold supportive services, or propose forfeiture of the family's escrow account [24 CFR 984.303(i)]
- A determination to deny admission based on an unfavorable history that may be the result of domestic violence, dating violence, or stalking.
- A determination that the family is an ineligible student under the student rule provisions
- A determination that the family is not protected under the VAWA requirements.

Circumstances for which an informal hearing is not required are as follows:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- Establishment of the SNRHA schedule of utility allowances for families in the program
- A SNRHA determination not to approve an extension or suspension of a voucher term
- A SNRHA determination not to approve a unit or tenancy
- A SNRHA determination that a unit selected by the applicant is not in compliance with the HQS
- A SNRHA determination that the unit is not in accordance with HQS because of family size
- A determination by SNRHA to exercise or not to exercise any right or remedy against an owner under a HAP contract

#### SNRHA Policy

SNRHA will only offer participants the opportunity for an informal hearing when required to by the regulations.

#### **Informal Hearing Procedures**

##### ***Notice to the Family* [24 CFR 982.555(c)]**



When SNRHA makes a decision that is subject to informal hearing procedures, SNRHA must inform the family of its right to an informal hearing at the same time that it informs the family of the decision to terminate or take other adverse actions for which hearings are allowed.

For decisions related to the family's annual or adjusted income, the determination of the appropriate utility allowance, and the determination of the family unit size, SNRHA must notify the family that they may ask for an explanation of the basis of the determination, and that if they do not agree with the decision, they may request an informal hearing on the decision.

For decisions related to the termination of the family's assistance, or the denial of a family's request for an exception to SNRHA's subsidy standards, the notice must contain a brief statement of the reasons for the decision, a statement that if the family does not agree with the decision, the family may request an informal hearing on the decision, and a statement of the deadline for the family to request an informal hearing.

#### SNRHA Policy

In cases where SNRHA makes a decision for which an informal hearing must be offered, the notice to the family will include all of the following:

The proposed action or decision of SNRHA.

A brief statement of the reasons for the decision including the regulatory reference.

The date the proposed action will take place.

A statement of the family's right to an explanation of the basis for SNRHA's decision.

A statement that if the family does not agree with the decision the family may request an informal hearing of the decision.

A deadline for the family to request the informal hearing.

To whom the hearing request should be addressed.

A copy of SNRHA's hearing procedures.

That disabled clients have the right to request a reasonable accommodation.

#### ***Scheduling an Informal Hearing [24 CFR 982.555(d)]***

When an informal hearing is required, SNRHA must proceed with the hearing in a reasonably expeditious manner upon the request of the family.

#### SNRHA Policy

A request for an informal hearing must be made in writing and delivered to the PHA either in person or by first class mail, by the close of the business day, no later than 10 calendar days from the date of SNRHA's decision or notice to terminate assistance.

SNRHA must schedule and send written notice of the informal hearing to the family within 10 calendar days of the family's request.



If a family does not appear at a scheduled hearing and has not rescheduled the hearing in advance, SNRHA's prior decision will stand and no further hearings will be scheduled. The decision to terminate shall stand.

The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family. Requests to reschedule a hearing must be made in writing prior to the hearing date. At its discretion, SNRHA may request documentation of the "good cause" prior to rescheduling the hearing.

If the family does not appear at the scheduled time, and was unable to reschedule the hearing in advance due to unforeseen circumstances, the family must contact SNRHA within 24 hours of the scheduled hearing date, excluding weekends and holidays. SNRHA will reschedule the hearing only if the family can show good cause for the failure to appear, or if it is needed as a reasonable accommodation for a person with disabilities.

The Hearing Officer may ask the family for additional information and/or might adjourn the Hearing in order to reconvene at a later date, before reaching a decision. However, the delay cannot exceed seven (7) calendar days from the date of the hearing.

If the family misses an appointment or deadline ordered by the Hearing Officer, the action of SNRHA shall take effect and another hearing will not be granted.

#### ***Pre-Hearing Right to Discovery [24 CFR 982.555(e)]***

Participants and SNRHA are permitted pre-hearing discovery rights. The family must be given the opportunity to examine before the hearing any SNRHA documents that are directly relevant to the hearing, if requested. The family must be allowed to copy any such documents at their own expense. If SNRHA does not make the document available for examination upon request of the family, SNRHA may not rely on the document at the hearing.

The SNRHA hearing procedures may provide that SNRHA must be given the opportunity to examine at SNRHA offices before the hearing, any family documents that are directly relevant to the hearing. SNRHA must be allowed to copy any such document at the SNRHA's expense. If the family does not make the document available for examination upon request of SNRHA, the family may not rely on the document at the hearing.

For the purpose of informal hearings, *documents* include records and regulations.

#### **SNRHA Policy**

The family will be allowed to copy any documents related to the hearing at a cost of \$1.00 per page after the first 25 pages. The family must request discovery of SNRHA documents no later than 12:00 p.m. on the business day prior to the scheduled hearing date

SNRHA must be given an opportunity to examine at SNRHA offices before the hearing any family documents that are directly relevant to the hearing. Whenever a participant requests an informal hearing, SNRHA will automatically mail a letter to the participant



requesting a copy of all documents that the participant intends to present or utilize at the hearing. The participant must make the documents available no later than 12:00 pm on the business day prior to the scheduled hearing date.

***Participant's Right to Bring Counsel [24 CFR 982.555(e)(3)]***

At its own expense, the family may be represented by a lawyer or other representative at the informal hearing.

***Informal Hearing Officer [24 CFR 982.555(e)(4)]***

Informal hearings will be conducted by a person or persons approved by SNRHA, other than the person who made or approved the decision or a subordinate of the person who made or approved the decision.

SNRHA Policy

SNRHA may use staff or contract out for hearing officers.

***Attendance at the Informal Hearing***

SNRHA Policy

Hearings may be attended by a hearing officer and the following applicable persons:

A SNRHA representative(s) and any witnesses for SNRHA

The participant and any witnesses for the participant

The participant's counsel or other representative

Any other person approved by SNRHA as a reasonable accommodation for a person with a disability

***Conduct at Hearings***

The person who conducts the hearing may regulate the conduct of the hearing in accordance with SNRHA's hearing procedures [24 CFR 982.555(4)(ii)].

SNRHA Policy

The hearing officer is responsible to manage the order of business and to ensure that hearings are conducted in a professional and businesslike manner. Attendees are expected to comply with all hearing procedures established by the hearing officer and guidelines for conduct. Any person demonstrating disruptive, abusive or otherwise inappropriate behavior will be excused from the hearing at the discretion of the hearing officer.

***Evidence [24 CFR 982.555(e)(5)]***

SNRHA and the family must be given the opportunity to present evidence and question any witnesses. In general, all evidence is admissible at an informal hearing. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

SNRHA Policy



Any evidence to be considered by the hearing officer must be presented at the time of the hearing. There are four categories of evidence.

**Oral evidence:** the testimony of witnesses

**Documentary evidence:** a writing which is relevant to the case, for example, a letter written to SNRHA. Writings include all forms of recorded communication or representation, including letters, words, pictures, sounds, videotapes or symbols or combinations thereof.

**Demonstrative evidence:** Evidence created specifically for the hearing and presented as an illustrative aid to assist the hearing officer, such as a model, a chart or other diagram.

**Real evidence:** A tangible item relating directly to the case.

*Hearsay Evidence* is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter. Even though evidence, including hearsay, is generally admissible, hearsay evidence alone cannot be used as the sole basis for the hearing officer's decision.

If either SNRHA or the family fail to comply with the discovery requirements described above, the hearing officer will refuse to admit such evidence.

Other than the failure of a party to comply with discovery, the hearing officer has the authority to overrule any objections to evidence.

### ***Hearing Officer's Decision [24 CFR 982.555(e)(6)]***

The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing. A copy of the hearing decision must be furnished promptly to the family.

#### SNRHA Policy

In rendering a decision, the hearing officer will consider the following matters:

**SNRHA Notice to the Family:** The hearing officer will determine if the reasons for SNRHA's decision are factually stated in the Notice.

**Discovery:** The hearing officer will determine if SNRHA and the family were given the opportunity to examine any relevant documents in accordance with SNRHA policy.

**SNRHA Evidence to Support the PHA Decision:** The evidence consists of the facts presented. Evidence is not conclusion and it is not argument. The hearing officer will evaluate the facts to determine if they support SNRHA's conclusion.

**Validity of Grounds for Termination of Assistance (when applicable):** The hearing officer will determine if the termination of assistance is for one of the grounds specified in the HUD regulations and SNRHA policies. If the grounds for



termination are not specified in the regulations or in compliance with SNRHA policies, then the decision of SNRHA will be overturned.

The hearing officer will issue a written decision to the family and SNRHA no later than 10 calendar days after the hearing. The report will contain the following information:

**Hearing information:**

- Name of the participant;
- Date, time and place of the hearing;
- Name of the hearing officer;
- Name of the SNRHA representative; and
- Name of family representative (if any).

**Background:** A brief, impartial statement of the reason for the hearing.

**Summary of the Evidence:** The hearing officer will summarize the testimony of each witness and identify any documents that a witness produced in support of his/her testimony and that are admitted into evidence.

**Findings of Fact:** The hearing officer will include all findings of fact, based on a preponderance of the evidence. *Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

**Conclusions:** The hearing officer will render a conclusion derived from the facts that were found to be true by a preponderance of the evidence. The conclusion will result in a determination of whether these facts uphold SNRHA's decision.

**Order:** The hearing report will include a statement of whether SNRHA's decision is upheld or overturned. If it is overturned, the hearing officer will instruct SNRHA to change the decision in accordance with the hearing officer's determination. In the case of termination of assistance, the hearing officer will instruct SNRHA to restore the participant's program status.

***Procedures for Rehearing or Further Hearing***

SNRHA Policy

The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision. If the family misses an appointment or deadline ordered by the hearing officer, the action of SNRHA will take effect and another hearing will not be granted.

In addition, within 10 calendar days after the date the hearing officer's report is mailed to SNRHA and the participant, SNRHA or the participant may request a rehearing or a



further hearing. Such request must be made in writing and postmarked or hand-delivered to the hearing officer and to the other party within the 10 calendar day period. The request must demonstrate cause, supported by specific references to the hearing officer's report, why the request should be granted.

A rehearing or a further hearing may be requested for the purpose of rectifying any obvious mistake of law made during the hearing or any obvious injustice not known at the time of the hearing.

It shall be within the sole discretion of SNRHA to grant or deny the request for further hearing or rehearing. A further hearing may be limited to written submissions by the parties, in the manner specified by the hearing officer.

### ***SNRHA Notice of Final Decision [24 CFR 982.555(f)]***

SNRHA is not bound by the decision of the hearing officer for matters in which SNRHA is not required to provide an opportunity for a hearing, decisions that exceed the authority of the hearing officer, decisions that conflict with or contradict HUD regulations, requirements, or are otherwise contrary to Federal, State or local laws.

HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," states the Hearing Officer's decision will be binding on the PHA unless SNRHA's Board of Commissioners determines that:

- (1) The grievance does not concern PHA actions or failure to act in accordance with or involving the complainant's rights, duties, welfare, or status; or
- (2) The decision of the hearing officer is contrary to applicable Federal, State, local laws, HUD regulations, or requirement of the annual contribution contract between HUD and the PHA.

A decision by the hearing officer or a member of the Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or in part will not constitute a waiver of, nor affect in any manner whatsoever, any rights the complainant may have to a trial de novo or judicial review in any judicial proceeding, which may thereafter be brought in the matter.

If SNRHA determines it is not bound by the hearing officer's decision in accordance with HUD regulations, SNRHA must promptly notify the family of the determination and the reason for the determination.

### **SNRHA Policy**

SNRHA will mail a "Notice of Final Decision" including the hearing officer's report, to the participant and their representative. This Notice will be sent by first-class mail, postage pre-paid with an affidavit of mailing enclosed. The participant will be mailed the original "Notice of Final Decision" and a copy of the proof of mailing. A copy of the



“Notice of Final Decision” along with the original proof mailing will be maintained in SNRHA’s file.

#### **14-III.D. HEARING AND APPEAL PROVISIONS FOR NON-CITIZENS [24 CFR 5.514]**

Denial or termination of assistance based on immigration status is subject to special hearing and notice rules. Applicants who are denied assistance due to immigration status are entitled to an informal hearing, not an informal review.

Assistance to a family may not be delayed, denied, or terminated on the basis of immigration status at any time prior to a decision under the United States Citizenship and Immigration Services (USCIS) appeal process. Assistance to a family may not be terminated or denied while the PHA hearing is pending, but assistance to an applicant may be delayed pending the completion of the informal hearing.

A decision against a family member, issued in accordance with the USCIS appeal process or the SNRHA informal hearing process, does not preclude the family from exercising the right, that may otherwise be available, to seek redress directly through judicial procedures.

#### **Notice of Denial or Termination of Assistance [24 CFR 5.514(d)]**

As discussed in Chapters 3 and 12, the notice of denial or termination of assistance for noncitizens must advise the family:

- That financial assistance will be denied or terminated, and provide a brief explanation of the reasons for the proposed denial or termination of assistance.
- The family may be eligible for proration of assistance.
- In the case of a participant, the criteria and procedures for obtaining relief under the provisions for preservation of families [24 CFR 5.514 and 5.518].
- That the family has a right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or explanation in support of the appeal.
- That the family has a right to request an informal hearing with the PHA either upon completion of the USCIS appeal or in lieu of the USCIS appeal.
- For applicants, assistance may not be delayed until the conclusion of the USCIS appeal process, but assistance may be delayed during the period of the informal hearing process.

#### **USCIS Appeal Process [24 CFR 5.514(e)]**

When SNRHA receives notification that the USCIS secondary verification failed to confirm eligible immigration status, the PHA must notify the family of the results of the USCIS verification. The family will have 30 calendar days from the date of the notification to request an appeal of the USCIS results. The request for appeal must be made by the family in writing directly to the USCIS. The family must provide SNRHA with a copy of the written request for appeal and the proof of mailing.

#### **SNRHA Policy**





SNRHA will notify the family in writing of the results of the USCIS secondary verification within 10 calendar days of receiving the results.

The family must provide SNRHA with a copy of the written request for appeal and proof of mailing within 10 calendar days of sending the request to the USCIS.

The family must forward to the designated USCIS office any additional documentation or written explanation in support of the appeal. This material must include a copy of the USCIS document verification request (used to process the secondary request) or such other form

specified by the USCIS, and a letter indicating that the family is requesting an appeal of the USCIS immigration status verification results.

The USCIS will notify the family, with a copy to SNRHA, of its decision. When the USCIS notifies SNRHA of the decision, SNRHA must notify the family of its right to request an informal hearing.

#### SNRHA Policy

SNRHA will send written notice to the family of its right to request an informal hearing within 10 calendar days of receiving notice of the USCIS decision regarding the family's immigration status.

### **Informal Hearing Procedures for Applicants [24 CFR 5.514(f)]**

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, the family may request SNRHA provide a hearing. The request for a hearing must be made either within 30 calendar days of receipt of the SNRHA notice of denial, or within 30 calendar days of receipt of the USCIS appeal decision.

The informal hearing procedures for applicant families are described below.

#### ***Informal Hearing Officer***

SNRHA must provide an informal hearing before an impartial individual, other than a person who made or approved the decision under review, and other than a person who is a subordinate of the person who made or approved the decision. See Section 14-III.C. for a listing of positions that serve as informal hearing officers.

#### ***Evidence***

The family must be provided the opportunity to examine and copy at the family's expense, and at a reasonable time in advance of the hearing, any documents in the possession of SNRHA pertaining to the family's eligibility status, or in the possession of the USCIS (as permitted by USCIS requirements), including any records and regulations that may be relevant to the hearing.

#### SNRHA Policy

The family will be allowed to obtain a copy of any family documents related to the hearing at a cost of \$1.00 per page after the first 25 pages. If a third party requests the documents, they must pay \$1.00 per page starting with the first page and have a written



release of information signed by the participant. The family must request discovery of SNRHA documents no later than 12:00 p.m. on the business day prior to the hearing.

The family must be provided the opportunity to present evidence and arguments in support of eligible status. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The family must also be provided the opportunity to refute evidence relied upon by SNRHA, and to confront and cross-examine all witnesses on whose testimony or information the SNRHA relies.

### ***Representation and Interpretive Services***

The family is entitled to be represented by an attorney or other designee, at the family's expense, and to have such person make statements on the family's behalf.

The family is entitled to arrange for an interpreter to attend the hearing, at the expense of the family, or SNRHA, as may be agreed upon by the two parties.

### ***Recording of the Hearing***

The family is entitled to have the hearing recorded by audiotape at their expense.

HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," states the hearing officer must maintain a log of all hearings. HUD shall provide the details of that log at a future date and SNRHA shall ensure compliance. HUD has also clarified that any party may obtain a copy of the hearing transcript *at their own expense*. Therefore, SNRHA shall ensure all hearings are taped. The Hearing Officer's decision will be binding on the PHA unless SNRHA's Board of Commissioners determines that:

- (1) The grievance does not concern PHA actions or failure to act in accordance with or involving the complainant's rights, duties, welfare, or status; or
- (2) The decision of the hearing officer is contrary to applicable Federal, State, local laws, HUD regulations, or requirement of the annual contribution contract between HUD and the PHA.

A decision by the hearing officer or a member of the Board of Commissioners in favor of the PHA or which denies the relief requested by the complainant in whole or in part will not constitute a waiver of, nor affect in any manner whatsoever, any rights the complainant may have to a trial de novo or judicial review in any judicial proceeding, which may thereafter be brought in the matter.

Per HUD's Final Rule, hearings may not be postponed more than (5) five business days and all parties must be advised.

### ***Hearing Decision***



SNRHA must provide the family with a written final decision, based solely on the facts presented at the hearing, within 10 calendar days of the date of the informal hearing. The decision must state the basis for the decision.

#### **Informal Hearing Procedures for Residents [24 CFR 5.514(f)]**

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, the family may request SNRHA provide a hearing. The request for a hearing must be made either within 30 calendar days of receipt of the PHA notice of termination, or within 30 calendar days of receipt of the USCIS appeal decision.

For the informal hearing procedures that apply to participant families whose assistance is being terminated based on immigration status, see Section 14-III.C.

#### **Retention of Documents [24 CFR 5.514(h)]**

SNRHA must retain for a minimum of 5 years the following documents that may have been submitted to SNRHA by the family, or provided to the PHA as part of the USCIS appeal or the SNRHA informal hearing process:

- The application for assistance
- The form completed by the family for income reexamination
- Photocopies of any original documents, including original USCIS documents
- The signed verification consent form
- The USCIS verification results
- The request for a USCIS appeal
- The final USCIS determination
- The request for an informal hearing
- The final informal hearing decision



## **PART IV: OWNER OR FAMILY DEBTS TO SNRHA**

### **14-IV.A. OVERVIEW**

SNRHA is required to include in the administrative plan policies concerning repayment by a family of amounts owed to the PHA [24 CFR 982.54]. This part describes SNRHA's policies for recovery of monies that have been overpaid on behalf of families, or to owners.

#### SNRHA Policy

When an action or inaction of an owner or participant results in the overpayment of housing assistance, SNRHA holds the owner or participant liable to return any overpayments to SNRHA.

SNRHA will enter into repayment agreements in accordance with the policies contained in this part as a means to recover overpayments. A repayment agreement may be executed depending on the cause for the overpayment and the amount of monies owed to SNRHA.

When an owner or participant refuses to repay monies owed to SNRHA, SNRHA will utilize other available collection alternatives including, but not limited to, the following:

- Owner – collect from future payments for other clients to same vendor

- Collection agencies

- Small claims court

- Civil law suit

- State income tax set-off program

- Abatements

- Office of the Inspector General

- Office of the Attorney General

### **14-IV.B. REPAYMENT POLICY**

#### **Repayment Agreement [24 CFR 792.103]**

The term *repayment agreement* refers to a formal document signed by a tenant or owner and provided to SNRHA in which a tenant or owner acknowledges a debt in a specific amount and agrees to repay the amount due at specific time periods.

#### **Owner Debts to the PHA**

#### SNRHA Policy

Any amount due to SNRHA by an owner must be repaid by the owner within 30 calendar days of the SNRHA determination of the debt.



If the owner fails to repay the debt within the required time frame and is entitled to future HAP payments, SNRHA will reduce the future HAP payments by the amount owed until the debt is paid in full.

If the owner is not entitled to future HAP payments SNRHA will offer to enter into a repayment agreement in accordance with the policies below.

If the owner refuses to repay the debt, enter into a repayment agreement, or breaches a repayment agreement, SNRHA will ban the owner from future participation in the program and pursue other modes of collection.

## **Family Debts to SNRHA**

### SNRHA Policy

Any amount due to SNRHA by an HCV participant must be repaid by the family. If the family is unable to repay the debt within 30 calendar days, SNRHA will offer to enter into a repayment agreement in accordance with the policies below.

If the family refuses to repay the debt, enter into a repayment agreement, or breaches a repayment agreement, SNRHA will terminate the assistance upon notification to the family and pursue other modes of collection.

## **Repayment Agreement [24 CFR 792.103]**

The term *repayment agreement* refers to a formal document signed by a tenant or owner and provided to SNRHA in which a tenant or owner acknowledges a debt in a specific amount and agrees to repay the amount due at specific time periods.

### Change of Head of Household (HoH)

In the event the HoH changes, and in order to retain the voucher and subsidy, the debt will be incurred by the new HoH.

The new HOH will resign a repayment agreement with the incurred current balance.

## **Repayment Agreement Guidelines**

- Payment Agreements will be executed between SNRHA and the head of household, co-head, or spouse.
- The Repayment Agreement must be executed by the Housing Programs Deputy Director or his/her designee.
- Payments may only be made by money order or cashier's check.
- The agreement will be in default when one payment is delinquent by the 10<sup>th</sup> of the month, and the family's assistance will be terminated unless SNRHA receives the balance of the Repayment Agreement in full within 14 calendar days of the date on the notice of default. Partial payments shall be accepted to pay off debt but shall not prevent termination.



- Payment Agreements must be in writing.
- Length of Payment Agreements not to exceed one year.
- Only two Repayment Agreements may be executed during the term of the family's participation. The second cannot be entered into unless the first was paid in full in compliance with the terms of the Agreement.

### ***Down Payment Requirement***

#### **SNRHA Policy**

Prior to the execution of a repayment agreement, the owner or family must pay 25 percent of the balance owed to SNRHA with balance due within 11 additional months. Minimal payments as outlined below and are due each month by the 10<sup>th</sup>.

The minimum monthly amount of monthly payment for any payment agreement is \$25.

| <b>BALANCE DUE</b> | <b>PAYMENT DUE</b>                                                           |
|--------------------|------------------------------------------------------------------------------|
| \$25-\$100         | \$25 down and \$25 per month                                                 |
| \$101-\$500        | 25% down and balance within 11 months with minimum payment of \$35 per month |
| \$501-\$1000       | 25% down and balance within 11 months with minimum payment of \$50 per month |
| \$1001+            | 25% down and balance within 11 months with minimum payment of \$75 per month |

### ***Execution of the Agreement***

#### **SNRHA Policy**

The head of household and spouse/co-head (if applicable) must sign the repayment agreement.

### ***Due Dates***

#### **SNRHA Policy**

All payments are due by the close of business on the 10<sup>th</sup> day of the month. If the 10<sup>th</sup> does not fall on a business day, the due date is the close of business on the first business day after the 10<sup>th</sup>.

### ***Non-Payment***

#### **SNRHA Policy**



The agreement will be in default when one payment is delinquent by the 10<sup>th</sup> of the month, and the family's assistance will be terminated unless SNRHA receives the balance of the Repayment Agreement in full within 14 calendar days of the date on the notice of default. Partial payments shall be accepted to pay off debt but shall not prevent termination.

If the payment is not received by the due date of the delinquency notice, it will be considered a breach of the agreement and SNRHA will terminate assistance upon written notification to the family.

### ***No Offer of Repayment Agreement***

#### **SNRHA Policy**

SNRHA will not enter into a repayment agreement if there is already a repayment agreement in place with the family or owner OR if the family has had two previous repayment agreements.

### ***WRITING OFF DEBTS***

Debts will be written off if:

- The debtor's whereabouts are unknown and the debt is more than one year old.
- A determination is made that the debtor is judgment proof.
- The debtor is deceased.
- The debtor is confined to an institution indefinitely or for more than one year.
- The amount is \$10.00 or less
- The debtor cannot be located
- The debt is more than six years old and is not a judgment.

## **PART V: MANAGEMENT ASSESSMENT (SEMAP)**

### **14-V.A. OVERVIEW**

The Section 8 Management Assessment Program (SEMAP) is a tool that allows HUD to measure SNRHA performance in key areas to ensure program integrity and accountability. SEMAP scores translate into a rating for each PHA as high performing, standard, or troubled. Scores on individual SEMAP indicators, as well as overall SEMAP ratings, can affect the PHA in several ways.

- High-performing PHAs can be given a competitive advantage under notices of funding availability [24 CFR 985.103].
- PHAs with deficiencies on one or more indicators are required to correct the deficiencies and report to HUD [24 CFR 985.106].



- PHAs with an overall rating of “troubled” are subject to additional HUD oversight, including on-site reviews by HUD staff, a requirement to develop a corrective action plan, and monitoring to ensure the successful implementation of the corrective action plan. In addition, PHAs that are designated “troubled” may not use any part of the administrative fee reserve for other housing purposes [24 CFR 985.107].
- HUD may determine that a PHA's failure to correct identified SEMAP deficiencies or to prepare and implement a corrective action plan required by HUD constitutes a default under the ACC [24 CFR 985.109].

#### **14-V.B. SEMAP CERTIFICATION [24 CFR 985.101]**

SNRHA must submit the HUD-required SEMAP certification form within 60 calendar days after the end of its fiscal year. The certification must be approved by a SNRHA board resolution and signed by the SNRHA executive director. If SNRHA is a unit of local government or a state, a resolution approving the certification is not required, and the certification must be executed by the Section 8 program director.

PHAs with less than 250 voucher units are only required to be assessed every other PHA fiscal year. HUD will assess such PHAs annually if the PHA elects to have its performance assessed on an annual basis; or is designated as “troubled” [24 CFR 985.105].

Failure of SNRHA to submit its SEMAP certification within the required time frame will result in an overall performance rating of “troubled.”

SNRHA's SEMAP certification is subject to HUD verification by an on-site confirmatory review at any time.

Upon receipt of SNRHA's SEMAP certification, HUD will rate SNRHA's performance under each SEMAP indicator in accordance with program requirements.

#### **HUD Verification Method**

Several of the SEMAP indicators are scored based on a review of a quality control sample selected for this purpose. SNRHA or the Independent Auditor must select an unbiased sample that provides an adequate representation of the types of information to be assessed, in accordance with SEMAP requirements [24 CFR 985.2].

If the HUD verification method for the indicator relies on data in the Form-50058 module (formerly known as MTCS) in the PIH Information Center (PIC), and HUD determines that those data are insufficient to verify the PHA's certification on the indicator due to SNRHA's failure to adequately report family data, HUD will assign a zero rating for the indicator [24 CFR 985.3].

#### **14-V.C. SEMAP INDICATORS [24 CFR 985.3 and form HUD-52648]**

The table below lists each of the SEMAP indicators, contains a description of each indicator, and explains the basis for points awarded under each indicator.





A PHA that expends less than \$300,000 in Federal awards and whose Section 8 programs are not audited by an independent auditor, is not rated under SEMAP indicators 1-7.

| <b>SEMAP Indicators</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Indicator 1: Selection from the waiting list</b><br/> <b>Maximum Score: 15</b></p> <ul style="list-style-type: none"> <li>• This indicator shows whether the PHA has written policies in its administrative plan for selecting applicants from the waiting list and whether the PHA follows these policies when selecting applicants for admission from the waiting list.</li> <li>• Points are based on the percent of families that are selected from the waiting list in accordance with the PHA's written policies, according to the PHA's quality control sample.</li> </ul>                                 |
| <p><b>Indicator 2: Rent reasonableness</b><br/> <b>Maximum Score: 20</b></p> <ul style="list-style-type: none"> <li>• This indicator shows whether the PHA has and implements a reasonable written method to determine and document for each unit leased that the rent to owner is reasonable based on current rents for comparable unassisted units</li> <li>• Points are based on the percent of units for which the PHA follows its written method to determine reasonable rent and has documented its determination that the rent to owner is reasonable, according to the PHA's quality control sample.</li> </ul> |
| <p><b>Indicator 3: Determination of adjusted income</b><br/> <b>Maximum Score: 20</b></p> <ul style="list-style-type: none"> <li>• This indicator measures whether the PHA verifies and correctly determines adjusted income for each assisted family, and where applicable, uses the appropriate utility allowances for the unit leased in determining the gross rent.</li> <li>• Points are based on the percent of files that are calculated and verified correctly, according to the PHA's quality control sample.</li> </ul>                                                                                       |
| <p><b>Indicator 4: Utility allowance schedule</b><br/> <b>Maximum Score: 5</b></p> <ul style="list-style-type: none"> <li>• This indicator shows whether the PHA maintains an up-to-date utility allowance schedule.</li> <li>• Points are based on whether the PHA has reviewed the utility allowance schedule and adjusted it when required, according to the PHA's certification.</li> </ul>                                                                                                                                                                                                                         |
| <p><b>Indicator 5: HQS quality control inspections</b><br/> <b>Maximum Score: 5</b></p> <ul style="list-style-type: none"> <li>• This indicator shows whether a PHA supervisor reinspects a sample of units under contract during the PHA fiscal year, which meets the minimum sample size requirements for quality control of HQS inspections.</li> <li>• Points are based on whether the required quality control reinspections were completed, according to the PHA's certification.</li> </ul>                                                                                                                      |
| <p><b>Indicator 6: HQS enforcement</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

**Maximum Score: 10**

- This indicator shows whether, following each HQS inspection of a unit under contract where the unit fails to meet HQS, either any cited life-threatening deficiencies are corrected within 24 hours from the inspection and all other deficiencies are corrected within no more than 30 calendar days from the inspection or any PHA-approved extension, or the PHA took appropriate action.
- Points are based on whether the PHA took appropriate action when the responsible party failed to correct all HQS deficiencies in accordance with required time frames, according to the PHA's certification.

**Indicator 7: Expanding housing opportunities****Maximum Points: 5**

- Only applies to PHAs with jurisdiction in metropolitan FMR areas.
- This indicator shows whether the PHA has adopted and implemented a written policy to encourage participation by owners of units located outside areas of poverty or minority concentration; informs voucher holders of the full range of areas where they may lease units both inside and outside the PHA's jurisdiction; and supplies a list of landlords or other parties who are willing to lease units or help families find units, including units outside areas of poverty or minority concentration.
- Points are based on whether the PHA has adopted and implemented written policies in accordance with SEMAP requirements, according to the PHA's certification.

**Indicator 8: FMR limit and payment standards****Maximum Points: 5 points**

- This indicator shows whether the PHA has adopted a payment standard schedule that establishes payment standard amounts by unit size for each FMR area in the PHA's jurisdiction, that are within the basic range of 90 to 110 percent of the published FMR.
- Points are based on whether the PHA has appropriately adopted a payment standard schedule(s), according to the PHA's certification.

**Indicator 9: Annual reexaminations****Maximum Points: 10**

- This indicator shows whether the PHA completes a reexamination for each participating family at least every 12 months.
- Points are based on the percent of reexaminations that are not overdue, according to data from PIC.

**Indicator 10: Correct tenant rent calculations****Maximum Points: 5**

- This indicator shows whether the PHA correctly calculates the family's share of the rent to owner.
- Points are based on the percent of correct calculations of family share of the rent, according to data from PIC.

**Indicator 11: Pre-contract HQS inspections****Maximum Points: 5**

- This indicator shows whether newly leased units pass HQS inspection on or before the effective date of the assisted lease and HAP contract.
- Points are based on the percent of newly leased units that passed HQS inspection prior to the effective date of the lease and HAP contract, according to data from PIC.

**Indicator 12: Annual HQS inspections****Maximum Points: 10**

- This indicator shows whether the PHA inspects each unit under contract at least annually.
- Points are based on the percent of annual HQS inspections of units under contract that are not overdue, according to data from PIC.

**Indicator 13: Lease-up****Maximum Points: 20 points**

- This indicator shows whether the PHA enters HAP contracts for the number of units or funding reserved under ACC for at least one year.
- Points are based on the percent of units leased during the last completed PHA fiscal year, or the percent of allocated budget authority that has been expended by the PHA, according to data reported to HUD via the PHA's Voucher Management System (VMS) reporting.

**Indicator 14: Family self-sufficiency (FSS) enrollment and escrow account balances****Maximum Points: 10**

- Only applies to PHAs with mandatory FSS programs.
- This indicator shows whether the PHA has enrolled families in the FSS program as required, and measures the percent of current FSS participants that have had increases in earned income which resulted in escrow account balances.
- Points are based on the percent of mandatory FSS slots that are filled and the percent of families with escrow account balances, according to data from PIC.

**Success Rate of Voucher Holders****Maximum Points: 5**

- Only applies to PHAs that have received approval to establish success rate payment standard amounts, and isn't effective until the second full PHA fiscal year following the date of HUD approval of success rate payment standard amounts.
- This indicator shows whether voucher holders were successful in leasing units with voucher assistance.
- Points are based on the percent of families that were issued vouchers, and that became participants in the voucher program.

**Deconcentration Bonus Indicator****Maximum Points: 5**

- Submission of data for this indicator is mandatory for a PHA using one or more payment



standard amount(s) that exceed(s) 100 percent of the published FMR set at the 50th percentile rent, starting with the second full PHA fiscal year following initial use of payment standard amounts based on the FMRs set at the 50<sup>th</sup> percentile.

- Additional points are available to PHAs that have jurisdiction in metropolitan FMR areas and that choose to submit the required data.
- Points are based on whether the data that is submitted meets the requirements for bonus points.

## **PART VI: RECORD KEEPING**

### **14-VI.A. OVERVIEW**

SNRHA must maintain complete and accurate accounts and other records for the program in accordance with HUD requirements, in a manner that permits a speedy and effective audit. All such records must be made available to HUD or the Comptroller General of the United States upon request.

In addition, SNRHA must ensure that all applicant and participant files are maintained in a way that protects an individual's privacy rights.

### **14-VI.B. RECORD RETENTION [24 CFR 982.158]**

During the term of each assisted lease, and for at least three years thereafter, SNRHA must keep:

- A copy of the executed lease;
- The HAP contract; and
- The application from the family.

In addition, SNRHA must keep the following records for at least three years:

- Records that provide income, racial, ethnic, gender, and disability status data on program applicants and participants;
- An application from each ineligible family and notice that the applicant is not eligible;
- HUD-required reports;
- Unit inspection reports;
- Lead-based paint records as required by 24 CFR 35, Subpart B.
- Accounts and other records supporting SNRHA budget and financial statements for the program;
- Records to document the basis for SNRHA determination that rent to owner is a reasonable rent (initially and during the term of a HAP contract); and



- Other records specified by HUD.
- EIV print outs must be destroyed within 3 years of the date printed.

If an informal hearing to establish a family's citizenship status is held, longer retention requirements apply for some types of documents. For specific requirements, see Section 14-III.D., Retention of Documents.

## **14-VI.C. RECORDS MANAGEMENT**

SNRHA must maintain applicant and participant files and information in accordance with the regulatory requirements described below.

### SNRHA Policy

All applicant and participant information will be kept in a secure location and access will be limited to authorized SNRHA staff.

SNRHA staff will not discuss personal family information unless there is a business reason to do so. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action.

### **Privacy Act Requirements [24 CFR 5.212 and Form-9886]**

The collection, maintenance, use, and dissemination of social security numbers (SSN), employer identification numbers (EIN), any information derived from these numbers, and income information of applicants and participants must be conducted, to the extent applicable, in compliance with the Privacy Act of 1974, and all other provisions of Federal, State, and local law.

Applicants and participants, including all adults in the household, are required to sign a consent form, HUD-9886, Authorization for Release of Information. This form incorporates the Federal Privacy Act Statement and describes how the information collected using the form may be used, and under what conditions HUD or the PHA may release the information collected.

### **Upfront Income Verification (UIV) Records**

In accessing UIV data through HUD's Enterprise Income Verification (EIV) System, SNRHA is required to adopt and follow specific security procedures to ensure that all EIV data is protected in accordance with Federal laws, regardless of the media on which the data is recorded (e.g. electronic, paper). These requirements are contained in the HUD issued document, *Enterprise Income Verification (EIV) System, Security Procedures for Upfront Income Verification data*.

### SNRHA Policy

SNRHA has adopted and implemented EIV security procedures as required by HUD.

### **Criminal Records**

SNRHA may only disclose the criminal conviction records which SNRHA receives from a law enforcement agency to officers or employees of the PHA, or to authorized representatives of SNRHA who have a job-related need to have access to the information [24 CFR 5.903(e)].



SNRHA must establish and implement a system of records management that ensures that any criminal record received by SNRHA from a law enforcement agency is maintained confidentially, not misused or improperly disseminated, and destroyed, once the purpose for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the SNRHA action without institution of a challenge or final disposition of any such litigation [24 CFR 5.903(g)].

SNRHA must establish and implement a system of records management that ensures that any sex offender registration information received by SNRHA from a State or local agency is maintained confidentially, not misused or improperly disseminated, and destroyed, once the purpose for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the SNRHA action without institution of a challenge or final disposition of any such litigation. This requirement does not apply to information that is public information, or is obtained by a SNRHA other than under 24 CFR 5.905.

### **Medical/Disability Records**

SNRHA is not permitted to inquire about the nature or extent of a person's disability. SNRHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If SNRHA receives a verification document that provides such information, SNRHA should not place this information in the tenant file. The PHA should destroy the document.

## **PART VII: REPORTING AND RECORD KEEPING FOR CHILDREN WITH ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL**

### **14-VII.A. OVERVIEW**

SNRHA has certain responsibilities relative to children with environmental intervention blood lead levels that are receiving HCV assistance. The notification, verification, and hazard reduction requirements are discussed in Chapter 8. This part deals with the reporting requirements, and data collection and record keeping responsibilities SNRHA is subject to.

### **14-VII.B. REPORTING REQUIREMENT [24 CFR 35.1225(e)]**

SNRHA must report the name and address of a child identified as having an environmental intervention blood lead level to the public health department within 5 business days of being so notified by any other medical health care professional.

#### SNRHA Policy

SNRHA will provide the public health department written notice of the name and address of any child identified as having an environmental intervention blood lead level.

### **14-VII.C. DATA COLLECTION AND RECORD KEEPING [24 CFR 35.1225(f)]**

At least quarterly, SNRHA must attempt to obtain from the public health department(s) with a similar area of jurisdiction, the names and/or addresses of children less than 6 years old with an identified environmental intervention blood lead level.



If SNRHA obtains names and addresses of environmental intervention blood lead level children from the public health department(s), SNRHA must match this information with the names and addresses of families receiving HCV assistance, unless the public health department performs such a procedure. If a match occurs, SNRHA must carry out the notification, verification, and hazard reduction requirements discussed in Chapter 8, and the reporting requirement discussed above.

At least quarterly, SNRHA must also report an updated list of the addresses of units receiving assistance under the HCV program to the same public health department(s), unless the public health department(s) states that it does not wish to receive such a report.

#### SNRHA Policy

SNRHA shall submit a listing of units with children age 6 and under for cross referencing.

### **PART VIII: DETERMINATION OF INSUFFICIENT FUNDING**

#### **14-VIII.A. OVERVIEW**

The HCV regulations allow SNRHA to deny families permission to move (which includes portability) and to terminate Housing Assistance Payments (HAP) contracts if funding under the consolidated ACC is insufficient to support continued assistance [24 CFR 982.354(e)(1) and 982.454]. If a PHA denies a family a portability move based on insufficient funding, SNRHA is required to notify the local HUD office within 10 business days [24 CFR 982.354]. Insufficient funding may also impact SNRHA's ability to issue vouchers to families on the waiting list. This part discusses the methodology SNRHA will use to determine whether or not SNRHA has sufficient funding to issue vouchers, approve moves, and to continue subsidizing all families currently under a HAP contract.

#### **14-VIII.B. METHODOLOGY**

##### SNRHA Policy

SNRHA will determine whether there is adequate funding to issue vouchers, approve moves to higher cost units and areas, and continue subsidizing all current participants by comparing SNRHA's annual budget authority to the annual total HAP needs on a monthly basis. The total HAP needs for the calendar year will be projected by establishing the actual HAP costs year to date. To that figure, SNRHA will add anticipated HAP expenditures for the remainder of the calendar year. Projected HAP expenditures will be calculated by multiplying the projected number of units leased per remaining months by the most current month's average HAP. The projected number of units leased per month will take into account the average monthly turnover of participant families. If the total annual HAP needs equal or exceed the annual budget authority, or if



SNRHA cannot support the cost of the proposed subsidy commitment (voucher issuance or move) based on the funding analysis, SNRHA will be considered to have insufficient funding.

## **PART IX: NOTIFICATION REGARDING APPLICABLE PROVISIONS OF THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2005 (VAWA)**

### **14-IX.A. NOTIFICATION TO PARTICIPANTS [Pub.L. 109-162]**

VAWA requires SNRHA to notify public housing program participants of their rights under this law, including their right to confidentiality and the limits thereof.

#### SNRHA Policy

SNRHA will provide all participants with notification of their protections and rights under VAWA at the time of admission and at annual reexaminations.

The notice will explain the protections afforded under the law, inform the participant of SNRHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

SNRHA will also include in all assistance termination notices a statement explaining assistance termination protection provided by VAWA (see Section 12-II.E).

### **14-IX.B. NOTIFICATION TO APPLICANTS**

#### SNRHA Policy

SNRHA will provide all applicants with notification of their protections and rights under VAWA at the time they request an application for housing assistance.

The notice will explain the protections afforded under the law, inform each applicant of SNRHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

SNRHA will also include in all notices of denial a statement explaining the protection against denial provided by VAWA (see section 3-III.G).

### **14-IX.C. NOTIFICATION TO OWNERS AND MANAGERS [Pub.L. 109-162]**

VAWA requires SNRHA to notify owners and managers of their rights and responsibilities under this law.

#### SNRHA Policy

SNRHA may utilize any or all of the following means to notify owners and managers of their VAWA responsibilities:

As appropriate in day to day interactions with owners and managers.

Inserts in HAP payments, 1099s, owner workshops, classes, orientations, and/or newsletters.





Signs in SNRHA lobby and/or mass mailings which include model VAWA certification forms.

#### **14-IX.D. CERTIFICATION OF DOMESTIC VIOLENCE, DATING, OR STALKING**

If a participant asserts VAWA's protection, staff can ask the participant to certify that he or she is a victim of domestic violence, dating violence, or stalking. You are not required to demand official documentation and may rely upon the victim's statement alone. SNRHA shall allow 14 days business days for the participant to submit their documentation. An extension of this timeline shall be provide up to another 10 calendar days if requested. A participant can certify that he or she is a victim by providing any one of the following three documents:

- A completed, signed HUD –approved certification form. HUD 50066. This form is available online at <http://www.hud.gov/offices/adm/hudclips/>.
- A statement from the victim service provider, attorney or medical professional who has helped the victim address incidents of domestic, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. **Both the victim and the professional must sign the statement under penalty of perjury.**
- A police or court record, such as a protective order.

Confidentiality:

SNRHA must keep confidential any information a tenant provides to certify that he or she is a victim of domestic violence, dating violence, or stalking. This information cannot be entered into a shared data base or reveal it to outside entities unless:

- **The participant provides written permission releasing the information.**
- **The information is required for use in an eviction proceeding, such as to evict the abuser.**
- **Release of the information is otherwise required by law.**
- **VAWA and Other Laws**

VAWA does not replace any federal, state or local laws that provide greater protection for victims of domestic violence, dating violence or stalking.

#### **Copies of Documents Cost:**

The family shall be allowed to obtain a copy of any family documents in their file at a cost of \$1.00 per page after the first 25 pages. If a third party requests the documents, they must pay \$1.00 per page starting with the first page and have a written release of information signed by the participant. Requests for copies of documents must be submitted in writing and SNRHA will have four (4) business days to process the request. Documents must be picked up within three (3) days of the date they are completed and shall not be given out prior to payment. Payments must be made via a money order or cashier's check; or if from a legal representative, a check from the company shall be acceptable.



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## Chapter 17

### PROJECT-BASED VOUCHERS

#### INTRODUCTION

This chapter describes HUD regulations and SNRHA policies related to the project-based voucher (PBV) program in nine parts:

Part I: General Requirements. This part describes general provisions of the PBV program including maximum budget authority requirements, relocation requirements, and equal opportunity requirements.

Part II: PBV Owner Proposals. This part includes policies related to the submission and selection of owner proposals for PBV assistance. It describes the factors SNRHA will consider when selecting proposals, the type of housing that is eligible to receive PBV assistance, the cap on assistance at projects receiving PBV assistance, subsidy layering requirements, site selection standards, and environmental review requirements.

Part III: Dwelling Units. This part describes requirements related to housing quality standards, the type and frequency of inspections, and housing accessibility for persons with disabilities.

Part IV: Rehabilitated and Newly Constructed Units. This part describes requirements and policies related to the development and completion of rehabilitated and newly constructed housing units that will be receiving PBV assistance.

Part V: Housing Assistance Payments Contract. This part discusses HAP contract requirements and policies including the execution, term, and termination of the HAP contract. In addition, it describes how the HAP contract may be amended and identifies provisions that may be added to the HAP contract at SNRHA's discretion.

Part VI: Selection of PBV Program Participants. This part describes the requirements and policies governing how SNRHA and the owner will select a family to receive PBV assistance.

Part VII: Occupancy. This part discusses occupancy requirements related to the lease, and describes under what conditions families are allowed or required to move. In addition, exceptions to the occupancy cap (which limits PBV assistance to 25 percent of the units in any project) are also discussed.

Part VIII: Determining Rent to Owner. This part describes how the initial rent to owner is determined, and how rent will be re-determined throughout the life of the HAP contract. Rent reasonableness requirements are also discussed.

Part IX: Payments to Owner. This part describes the types of payments owners may receive under this program.

Part X: Rental Assistance Demonstration (RAD) Program.



## **PART I: GENERAL REQUIREMENTS**

### **17-I.A. OVERVIEW [24 CFR 983.5]**

The project-based voucher (PBV) program allows SNRHA that already administer a tenant-based voucher program under an annual contributions contract (ACC) with HUD to take up to 20 percent of its voucher program budget authority and attach the funding to specific units rather than using it for tenant-based assistance [24 CFR 983.6]. SNRHA may only operate a PBV program if doing so is consistent with SNRHA's Annual Plan, and the goal of deconcentrating poverty and expanding housing and economic opportunities [42 U.S.C. 1437f(o)(13)]. The PHA may not commit PBV until or unless it has followed the proposal selection requirements defined in 24 CFR 983.51 (Notice PIH 2011-54).

#### SNRHA Policy

SNRHA will operate a project-based voucher program using up to 20 percent of its budget authority for project-based assistance.

PBV assistance may be attached to existing housing or newly constructed or rehabilitated housing [24 CFR 983.52]. If PBV units are already selected for project-based assistance either under an agreement to enter into HAP Contract (Agreement) or a HAP contract, SNRHA is not required to reduce the number of these units if the amount of budget authority is subsequently reduced. However, SNRHA is responsible for determining the amount of budget authority that is available for project-based vouchers and ensuring that the amount of assistance that is attached to units is within the amounts available under the ACC [24 CFR 983.6].

While HUD's permission is not required to operate a PBV program, before SNRHA issues a Request for Proposal or makes a selection, SNRHA must submit the following information to HUD field office for review (24 CFR 983.6 (d)).

- The total amount of annual budget authority
- The percentage of annual budget authority to be project-based
- The total amount of the annual budget authority the PHA is planning to project-base pursuant to the selection and the number of units that such budget authority will support.

### **17-I.B. TENANT-BASED VS. PROJECT-BASED VOUCHER ASSISTANCE [24 CFR 983.2]**

Much of the tenant-based voucher program regulations also apply to the PBV program. Consequently, many of SNRHA policies related to tenant-based assistance also apply to PBV assistance. The provisions of the tenant-based voucher regulations that do not apply to the PBV program are listed at 24 CFR 983.2.

#### SNRHA Policy

Except as otherwise noted in this chapter, or unless specifically prohibited by PBV program regulations, SNRHA policies for the tenant-based voucher program contained in this administrative plan also apply to the PBV program and its participants.



### **17-I.C. RELOCATION REQUIREMENTS [24 CFR 983.7]**

Any persons displaced as a result of implementation of the PBV program must be provided relocation assistance in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)[42 U.S.C. 4201-4655] and implementing regulations at 49 CFR part 24.

The cost of required relocation assistance may be paid with funds provided by the owner, local public funds, or funds available from other sources. SNRHA may not use voucher program funds to cover relocation costs, except SNRHA may use their administrative fee reserve to pay for

relocation expenses after all other program administrative expenses are satisfied, and provided that payment of the relocation benefits is consistent with state and local law. Use of the administrative fee for these purposes must also be consistent with other legal and regulatory requirements, including the requirement in 24 CFR 982.155 and other official HUD issuances.

The acquisition of real property for a PBV project is subject to the URA and 49 CFR part 24, subpart B. It is the responsibility of SNRHA to ensure the owner complies with these requirements.

### **17-I.D. EQUAL OPPORTUNITY REQUIREMENTS [24 CFR 983.8]**

SNRHA must comply with all equal opportunity requirements under federal law and regulations in its implementation of the PBV program. This includes the requirements and authorities cited at 24 CFR 5.105(a). In addition, SNRHA must comply with the SNRHA Plan Certification on Civil Rights and Affirmatively Furthering Fair Housing, submitted in accordance with 24 CFR 903.7(o).

## **PART II: PBV OWNER PROPOSALS**

### **17-II.A. OVERVIEW**

SNRHA must describe the procedures for owner submission of PBV proposals and for SNRHA selection of PBV proposals [24 CFR 983.51]. Before selecting a PBV proposal, SNRHA must determine that the PBV proposal complies with HUD program regulations and requirements, including a determination that the property is eligible housing [24 CFR 983.53 and 983.54], complies with the cap on the number of PBV units per project [24 CFR 983.56 as amended by 73 FR 71038], and meets the site selection standards [24 CFR 983.57].

### **17-II.B. OWNER PROPOSAL SELECTION PROCEDURES [24 CFR 983.51]**

SNRHA must select PBV proposals in accordance with the selection procedures in the SNRHA administrative plan. SNRHA must select PBV proposals by either of the following two methods.

- SNRHA request for PBV Proposals. SNRHA may solicit proposals by using a request for proposals to select proposals on a competitive basis in response to SNRHA's request. SNRHA may not limit proposals to a single site or impose restrictions that explicitly or practically preclude owner submission of proposals for PBV housing on different sites.



- SNRHA may select proposal that were previously selected based on a competition. This may include selection of a proposal for housing assisted under a federal, state, or local government housing assistance program that was subject to a competition in accordance with the requirements of the applicable program, community development program, or supportive services program that requires competitive selection of proposals (e.g., HOME, and units for which competitively awarded LIHTCs have been provided), where the proposal has been selected in accordance with such program's competitive selection requirements within three years of the PBV proposal selection date, and the earlier competitive selection proposal did not involve any consideration that the project would receive PBV assistance.

### **Solicitation and Selection of PBV Proposals [24 CFR 983.51 (c)]**

SNRHA procedures for selecting PBV proposals must be designed and actually operated to provide broad public notice of the opportunity to offer PBV proposals for consideration by SNRHA. The public notice procedures may include publication of the public notice in a local newspaper of general circulation and other means designed and actually operated to provide broad public notice. The public notice of SNRHA's request for PBV proposals must specify the submission deadline. Detailed application and selection information must be provided at the request of interested parties.

#### SNRHA Policy

#### SNRHA Request for Proposals for Rehabilitated and Newly Constructed Units

SNRHA will advertise its request for proposals (RFP) for rehabilitated and newly constructed housing in the following newspapers and trade journals.

Las Vegas Review Journal/Sun

El Mundo

Las Vegas Asian Journal

Asian-American Times

El Tiempo

In addition, SNRHA will post the RFP and proposal submission and rating and ranking procedures on its electronic web site.

SNRHA will publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for three consecutive weeks. The advertisement will specify the number of units SNRHA estimates that it will be able to assist under the funding SNRHA is making available. Proposals will be due in the SNRHA office by close of business 30 calendar days from the date of the last publication.

In order for the proposal to be considered, the owner must submit the proposal to SNRHA by the published deadline date, and the proposal must respond to all requirements as outlined in the RFP. Incomplete proposals will not be reviewed.

SNRHA will rate and rank proposals for rehabilitated and newly constructed housing using the following criteria:



Owner experience and capability to build or rehabilitate housing as identified in the RFP;

Extent to which the project furthers the SNRHA goal of deconcentrating poverty and expanding housing and economic opportunities;

If applicable, the extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and

Projects with less than 25 percent of the units assisted will be rated higher than projects with 25 percent of the units assisted. In the case of projects for occupancy by the elderly, persons with disabilities or families needing other services, SNRHA will rate partially assisted projects on the percent of units assisted. Projects with the lowest percent of assisted units will receive the highest score.

#### SNRHA Requests for Proposals for Existing Housing Units

SNRHA will advertise its request for proposals (RFP) for existing housing in the following newspapers and trade journals.

Las Vegas Review Journal/Sun

El Mundo

Las Vegas Asian Journal

Asian-American Times

El Tiempo

In addition, SNRHA will post the notice inviting such proposal submission and the rating and ranking procedures on its electronic web site.

SNRHA will periodically publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for three consecutive weeks. The advertisement will specify the number of units SNRHA estimates that it will be able to assist under the funding SNRHA is making available. Owner proposals will be accepted on a first-come first-served basis and will be evaluated using the following criteria:

Experience as an owner in the tenant-based voucher program and owner compliance with the owner's obligations under the tenant-based program;

Extent to which the project furthers the SNRHA goal of deconcentrating poverty and expanding housing and economic opportunities;

If applicable, extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and

Extent to which units are occupied by families that are eligible to participate in the PBV program.

#### SNRHA Selection of Proposals Subject to a Previous Competition under a Federal, State, or Local Housing Assistance Program

SNRHA will accept proposals for PBV assistance from owners that were competitively selected under another federal, state or local housing assistance program, including projects that were competitively awarded Low-Income Housing Tax Credits on an ongoing basis.



SNRHA may periodically advertise that it is accepting proposals, in the following newspapers and trade journals:

Las Vegas Review Journal/Sun

El Mundo

Las Vegas Asian Journal

In addition to, or in place of advertising, SNRHA may also directly contact specific owners that have already been selected for Federal, state, or local housing assistance based on a previously held competition, to inform them of available PBV assistance.

Proposals will be reviewed on a first-come first-served basis. SNRHA will evaluate each proposal on its merits using the following factors:

- Extent to which the project furthers the SNRHA goal of deconcentrating poverty and expanding housing and economic opportunities; and
- Extent to which the proposal complements other local activities such as the redevelopment of a public housing site under the HOPE VI program, the HOME program, CDBG activities, other development activities in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community.

#### **SNRHA-owned Units [24 CFR 983.51(e) , 983.59, and Notice PIH 2015-05]**

A SNRHA-owned unit may be assisted under the PBV program only if the HUD field office or HUD-approved independent entity reviews the selection process and determines SNRHA-owned units were appropriately selected based on the selection procedures specified in SNRHA's administrative plan. If SNRHA selects a proposal for housing that is owned or controlled by SNRHA, SNRHA must identify the entity that will review the SNRHA proposal selection process and perform specific functions with respect to rent determinations and inspections.

In the case of SNRHA-owned units, the term of the HAP contract and any HAP contract renewal must be agreed upon by the PHA and a HUD-approved independent entity (such as a licensed, state-certified appraiser.) In addition, an independent entity must determine the rent to owner, the redetermined rent to owner, and reasonable rent. Housing Quality Standards (HQS) inspections must also be conducted by an independent entity. If the SNRHA selects a proposal for housing that is owned or controlled by the PHA, the PHA must identify the entity that will review the PHA proposal selection process and perform specific functions with respect to rent determination and inspections.

Noncompetitive selections must also be reviewed to ensure that the selection was done properly particularly in regards to low-income housing tax credit (LIHTC) project applications not receiving the benefit of a commitment of PBV's by the PHA and that the comparable competition was held with three years of the project selection.

Prior to the submitting a proposal for PHA-owned units, the PHA must determine if there is any entity that is approvable by HUD and will be willing to perform required duties. In addition, housing quality standards inspections must be conducted by an independent entity.

The independent entity that performs these program services may be the unit of general local government for SNRHA's jurisdiction (unless SNRHA is itself the unit of general local





government or an agency of such government) or another HUD-approved public or private independent entity.

#### SNRHA Policy

SNRHA may submit a proposal for project-based housing that is owned or controlled by SNRHA. If the proposal for SNRHA-owned housing is selected, SNRHA will use another entity to review SNRHA's selection and to administer the PBV program. SNRHA will obtain HUD approval of entity prior to selecting the proposal for SNRHA-owned housing.

SNRHA may only compensate the independent entity and appraiser from SNRHA ongoing administrative fee income (including amounts credited to the administrative fee reserve). The

SNRHA may not use other program receipts to compensate the independent entity and appraiser for their services. SNRHA, the independent entity, and appraiser may not charge the family any fee for the appraisal or the services provided by the independent entity.

#### **SNRHA Notice of Owner Selection [24 CFR 983.51(d)]**

SNRHA must give prompt written notice to the party that submitted a selected proposal and must also give prompt public notice of such selection. Public notice procedures may include publication of public notice in a local newspaper of general circulation and other means designed and actually operated to provide broad public notice.

#### SNRHA Policy

Within 10 business days of SNRHA making the selection, SNRHA will notify the selected owner in writing of the owner's selection for the PBV program. SNRHA will also notify in writing all owners that submitted proposals that were not selected and advise such owners of the name of the selected owner.

In addition, SNRHA will publish its notice for selection of PBV proposals for two (2) consecutive days in the same newspapers and trade journals SNRHA used to solicit the proposals. The announcement will include the name of the owner that was selected for the PBV program. SNRHA will also post the notice of owner selection on its electronic web site.

SNRHA will make available to any interested party its rating and ranking sheets and documents that identify SNRHA's basis for selecting the proposal. These documents will be available for review by the public and other interested parties for one (1) month after publication of the notice of owner selection. SNRHA will not make available sensitive owner information that is privileged, such as financial statements and similar information about the owner.

SNRHA will make these documents available for review at SNRHA during normal business hours. The cost for reproduction of allowable documents will be \$.25 per page.

### **17-II.C. HOUSING TYPE [24 CFR 983.52]**



SNRHA may attach PBV assistance for units in existing housing or for newly constructed or rehabilitated housing developed under and in accordance with an agreement to enter into a housing assistance payments contract that was executed prior to the start of construction. A housing unit is considered an existing unit for purposes of the PBV program, if, at the time of notice of SNRHA selection, the units substantially comply with HQS. Units for which new construction or rehabilitation was started in accordance with PBV program requirements do not qualify as existing housing.

SNRHA must decide what housing type, new construction, rehabilitation, or existing housing, will be used to develop project-based housing. SNRHA's choice of housing type must be reflected in its solicitation for proposals.

## **17-IL.D. PROHIBITION OF ASSISTANCE FOR CERTAIN UNITS**

### **Ineligible Housing Types [24 CFR 983.53]**

SNRHA may not attach or pay PBV assistance to shared housing units; units on the grounds of a penal reformatory, medical, mental, or similar public or private institution; nursing homes or facilities providing continuous psychiatric, medical, nursing services, board and care, or intermediate care (except that assistance may be provided in assisted living facilities); units that are owned or controlled by an educational institution or its affiliate and are designated for occupancy by students; manufactured homes; and transitional housing. In addition, SNRHA may not attach or pay PBV assistance for a unit occupied by an owner and SNRHA may not select or enter into an agreement to enter into a HAP contract or HAP contract for a unit occupied by a family ineligible for participation in the PBV program.

### ***High-rise Elevator Projects for Families with Children [24 CFR 983.53(b)]***

SNRHA may use high-rise elevator buildings for families with children if it makes a determination that there is no practical alternative. SNRHA may make this initial determination for its project-based voucher program, in whole or in part, and need not review each project on a case-by-case basis.

#### SNRHA Policy

SNRHA will not use high-rise elevator projects for families with children.

### **Subsidized Housing [24 CFR 983.54]**

SNRHA may not attach or pay PBV assistance to units in any of the following types of subsidized housing:

- A public housing unit;
- A unit subsidized with any other form of Section 8 assistance;
- A unit subsidized with any governmental rent subsidy;
- A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing;
- A unit subsidized with Section 236 rental assistance payments (except that a SNRHA may attach assistance to a unit subsidized with Section 236 interest reduction payments);
- A Section 202 project for non-elderly with disabilities;



- Section 811 project-based supportive housing for persons with disabilities;
- Section 202 supportive housing for the elderly;
- A Section 101 rent supplement project;
- A unit subsidized with any form of tenant-based rental assistance;
- A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or SNRHA in accordance with HUD requirements.

### **17-II.E. SUBSIDY LAYERING REQUIREMENTS [24 CFR 983.55]**

SNRHA may provide PBV assistance only in accordance with HUD subsidy layering regulations [24 CFR 4.13] and other requirements.

The subsidy layering review is intended to prevent excessive public assistance by combining (layering) housing assistance payment subsidy under the PBV program with other governmental housing assistance from federal, state, or local agencies, including assistance such as tax concessions or tax credits.

A subsidy layering review is not required prior to execution of a HAP contract for an existing housing project if a subsidy layering review was previously conducted by a State or local agency.

SNRHA must submit the necessary documentation to HUD for a subsidy layering review. SNRHA may not enter into an agreement to enter into a HAP contract or a HAP contract until HUD (or an independent entity approved by HUD) has conducted any required subsidy layering review and determined that the PBV assistance is in accordance with HUD subsidy layering requirements.

The HAP contract must contain the owner's certification that the project has not received and will not receive (before or during the term of the HAP contract) any public assistance for acquisition, development, or operation of the housing other than assistance disclosed in the subsidy layering review in accordance with HUD requirements.

### **17-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT**

#### **25 Percent per Project Cap [24 CFR 983.56(a)]**

In general, SNRHA may not select a proposal to provide PBV assistance for units in a project or enter into an agreement to enter into a HAP or a HAP contract to provide PBV assistance for units in a project, if the total number of dwelling units in the project that will receive PBV assistance during the term of the PBV HAP contract is more than 25 percent of the number of dwelling units (assisted or unassisted) in the project.

#### **Exceptions to 25 Percent per Project Cap [24 CFR 983.56(b)]**

Exceptions are allowed and PBV units are not counted against the 25 percent per project cap if the units are *excepted units* in a multifamily building because they are specifically made available for elderly or disabled families or families receiving supportive services (also known as *qualifying families*).

SNRHA must include in SNRHA's administrative plan the type of services offered to families for a project to qualify for the exception and the extent to which such services will be provided.



It is not necessary that the services be provided at or by the project, if they are approved services. To qualify, a family must have at least one member receiving at least one qualifying supportive service. A SNRHA may not require participation in medical or disability-related services other than drug and alcohol treatment in the case of current abusers as a condition of living in an excepted unit, although such services may be offered.

If a family at the time of initial tenancy is receiving, and while the resident of an excepted unit has received, FSS supportive services or any other supportive services as defined in SNRHA's administrative plan, and successfully completes the FSS contract of participation or the supportive services requirement, the unit continues to count as an excepted unit for as long as the family resides in the unit.

SNRHA must monitor the excepted family's continued receipt of supportive services and take appropriate action regarding those families that fail without good cause to complete their supportive services requirement. SNRHA's administrative plan must state the form and frequency of such monitoring.

#### SNRHA Policy

SNRHA will provide PBV assistance for excepted units.

Supportive services include services such as employment and training, counseling, case management, financial, and social services, or other services as deemed appropriate for the population served, provided by SNRHA or other public or private agencies. At least one member of each family must participate in at least one session of a provided service.

#### **Promoting Partially-Assisted Projects [24 CFR 983.56(c)]**

SNRHA may establish local requirements designed to promote PBV assistance in partially assisted buildings. A *partially assisted project* is a building in which there are fewer units covered by a HAP contract than residential units [24 CFR 983.3].

SNRHA may establish a per-building cap on the number of units that will receive PBV assistance or other project-based assistance in a multifamily building containing excepted units or in a single-family project. SNRHA may also determine not to provide PBV assistance for excepted units, or SNRHA may establish a per-project cap of less than 25 percent.

#### SNRHA Policy:

SNRHA will provide assistance for excepted units. Beyond that, SNRHA will not impose any further cap on the number of PBV units assisted per project.

Supportive services include services such as employment and training, counseling, case management, financial, and social services, or other services as deemed appropriate for the population served, provided by SNRHA or other public or private agencies. At least one member of each family must participate in at least one session of a provided service.

## **17-II.G. SITE SELECTION STANDARDS**



## **Compliance with PBV Goals, Civil Rights Requirements, and HQS Site Standards [24 CFR 983.57(b)]**

SNRHA may not select a proposal for existing, newly constructed, or rehabilitated PBV housing on a site or enter into an agreement to enter into a HAP contract or HAP contract for units on the site, unless SNRHA has determined that PBV assistance for housing at the selected site is consistent with the goal of deconcentrating poverty and expanding housing and economic opportunities. The standard for deconcentrating poverty and expanding housing and economic opportunities must be consistent with SNRHA's Plan under 24 CFR 903 and SNRHA's administrative plan.

In addition, prior to selecting a proposal, SNRHA must determine that the site is suitable from the standpoint of facilitating and furthering full compliance with the applicable Civil Rights Laws, regulations, and Executive Orders, and that the site meets the HQS site and neighborhood standards at 24 CFR 982.401(l).

### SNRHA Policy

It is SNRHA's goal to select sites for PBV housing that provide for deconcentrating poverty and expanding housing and economic opportunities. In complying with this goal SNRHA will limit approval of sites for PBV housing in census tracts that have poverty concentrations of 20 percent or less.

However, SNRHA will grant exceptions to the 20 percent standard where SNRHA determines the PBV assistance will complement other local redevelopment activities designed to deconcentrate poverty and expand housing and economic opportunities in census tracts with poverty concentrations greater than 20 percent, such as sites in:

- A census tract in which the proposed PBV development will be located in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community;

- A census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition and HOPE VI redevelopment;

- A census tract in which the proposed PBV development will be located is undergoing significant revitalization as a result of state, local, or federal dollars invested in the area;

- A census tract where new market rate units are being developed where such market rate units will positively impact the poverty rate in the area;

- A census tract where there has been an overall decline in the poverty rate within the past five years; or

- A census tract where there are meaningful opportunities for educational and economic advancement.

Under no circumstances will SNRHA approve PBV assistance in a census tract with a concentration factor greater than 75 percent of the community-wide poverty rate or forty percent, whichever is lower.

## **Existing and Rehabilitated Housing Site and Neighborhood Standards [24 CFR 983.57(d)]**



SNRHA may not enter into an agreement to enter into a HAP contract nor enter into a HAP contract for existing or rehabilitated housing until it has determined that the site complies with the HUD required site and neighborhood standards. The site must:

- Be adequate in size, exposure, and contour to accommodate the number and type of units proposed;
- Have adequate utilities and streets available to service the site;
- Promote a greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons;
- Be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services equivalent to those found in neighborhoods consisting largely of unassisted similar units; and
- Be located so that travel time and cost via public transportation or private automobile from the neighborhood to places of employment is not excessive.

#### **New Construction Site and Neighborhood Standards [24 CFR 983.57(e)]**

In order to be selected for PBV assistance, a site for newly constructed housing must meet the following HUD required site and neighborhood standards:

- The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed;
- The site must have adequate utilities and streets available to service the site;
- The site must not be located in an area of minority concentration unless SNRHA determines that sufficient, comparable opportunities exist for housing for minority families in the income range to be served by the proposed project outside areas of minority concentration or that the project is necessary to meet overriding housing needs that cannot be met in that housing market area;
- The site must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area.
- The site must promote a greater choice of housing opportunities and avoid undue concentration of assisted persons in areas containing a high proportion of low-income persons;
- The neighborhood must not be one that is seriously detrimental to family life or in which substandard dwellings or other undesirable conditions predominate;
- The housing must be accessible to social, recreational, educational, commercial, and health facilities and services and other municipal facilities and services equivalent to those found in neighborhoods consisting largely of unassisted similar units; and
- Except for housing designed for elderly persons, the housing must be located so that travel time and cost via public transportation or private automobile from the neighborhood to places of employment is not excessive.

#### **17-II.H. ENVIRONMENTAL REVIEW [24 CFR 983.58]**



SNRHA activities under the PBV program are subject to HUD environmental regulations in 24 CFR parts 50 and 58. The *responsible entity* is responsible for performing the federal environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). SNRHA may not enter into an agreement to enter into a HAP contract nor enter into a HAP contract until it has complied with the environmental review requirements.

In the case of existing housing, the responsible entity that is responsible for the environmental review under 24 CFR part 58 must determine whether or not PBV assistance is categorically excluded from review under the National Environmental Policy Act and whether or not the assistance is subject to review under the laws and authorities listed in 24 CFR 58.5.

SNRHA may not enter into an agreement to enter into a HAP contract or a HAP contract with an owner, and SNRHA, the owner, and its contractors may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct real property or commit or expend program or local funds for PBV activities under this part, until the environmental review is completed.

SNRHA must supply all available, relevant information necessary for the responsible entity to perform any required environmental review for any site. SNRHA must require the owner to carry out mitigating measures required by the responsible entity (or HUD, if applicable) as a result of the environmental review.

## **PART III: DWELLING UNITS**

### **17-III.A. OVERVIEW**

This part identifies the special housing quality standards that apply to the PBV program, housing accessibility for persons with disabilities, and special procedures for conducting housing quality standards inspections.

### **17-III.B. HOUSING QUALITY STANDARDS [24 CFR 983.101]**

The housing quality standards (HQS) for the tenant-based program, including those for special housing types, generally apply to the PBV program. HQS requirements for shared housing, manufactured home space rental, and the homeownership option do not apply because these housing types are not assisted under the PBV program.

The physical condition standards at 24 CFR 5.703 do not apply to the PBV program.

### **Lead-based Paint [24 CFR 983.101(c)]**

The lead-based paint requirements for the tenant-based voucher program do not apply to the PBV program. Instead, The Lead-based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations at 24 CFR part 35, subparts A, B, H, and R, apply to the PBV program.

### **17-III.C. HOUSING ACCESSIBILITY FOR PERSONS WITH DISABILITIES**



The housing must comply with program accessibility requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR part 8. SNRHA must ensure that the percentage of accessible dwelling units complies with the requirements of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as implemented by HUD's regulations at 24 CFR 8, subpart C.

Housing first occupied after March 13, 1991, must comply with design and construction requirements of the Fair Housing Amendments Act of 1988 and implementing regulations at 24 CFR 100.205, as applicable. (24 CFR 983.102)

### **17-III.D. INSPECTING UNITS**

#### **Pre-selection Inspection [24 CFR 983.103(a)]**

SNRHA must examine the proposed site before the proposal selection date. If the units to be assisted already exist, SNRHA must inspect all the units before the proposal selection date, and must determine whether the units substantially comply with HQS. To qualify as existing housing, units must substantially comply with HQS on the proposal selection date. However, SNRHA may not execute the HAP contract until the units fully comply with HQS.

#### **Pre-HAP Contract Inspections [24 CFR 983.103(b)]**

SNRHA must inspect each contract unit before execution of the HAP contract. SNRHA may not enter into a HAP contract covering a unit until the unit fully complies with HQS.

#### **Turnover Inspections [24 CFR 983.103(c)]**

Before providing assistance to a new family in a contract unit, SNRHA must inspect the unit. SNRHA may not provide assistance on behalf of the family until the unit fully complies with HQS.

#### **Project Based Annual Inspections [24 CFR 983.103(d)]**

At least annually during the term of the HAP contract, SNRHA must inspect a random sample, consisting of at least 20 percent of the contract units in each building to determine if the contract units and the premises are maintained in accordance with HQS. Turnover inspections are not counted toward meeting this annual inspection requirement.

If more than 20 percent of the annual sample of inspected contract units in a building fails the initial inspection, SNRHA must inspect 100 percent of the contract units in the building.

#### **Other Inspections [24 CFR 983.103(e)]**

SNRHA must inspect contract units whenever needed to determine that the contract units comply with HQS and that the owner is providing maintenance, utilities, and other services in accordance with the HAP contract. SNRHA must take into account complaints and any other information coming to its attention in scheduling inspections.





SNRHA must conduct follow-up inspections needed to determine if the owner (or, if applicable, the family) has corrected an HQS violation, and must conduct inspections to determine the basis for exercise of contractual and other remedies for owner or family violation of HQS.

In conducting SNRHA supervisory quality control HQS inspections, SNRHA should include a representative sample of both tenant-based and project-based units.

### **Inspecting SNRHA-owned Units [24 CFR 983.103(f)]**

In the case of SNRHA-owned units, the inspections must be performed by an independent agency designated by SNRHA and approved by HUD. The independent entity must furnish a copy of each inspection report to SNRHA and to the HUD field office where the project is located. SNRHA must take all necessary actions in response to inspection reports from the independent agency, including exercise of contractual remedies for violation of the HAP contract by the SNRHA-owner.

## **PART IV: REHABILITATED AND NEWLY CONSTRUCTED UNITS**

### **17-IV.A. OVERVIEW [24 CFR 983.151]**

There are specific requirements that apply to PBV assistance for newly constructed or rehabilitated housing that do not apply to PBV assistance in existing housing. This part describes the requirements unique to this type of assistance.

Housing selected for this type of assistance may not at a later date be selected for PBV assistance as existing housing.

### **17-IV.B. AGREEMENT TO ENTER INTO HAP CONTRACT**

In order to offer PBV assistance in rehabilitated or newly constructed units, SNRHA must enter into an agreement to enter into HAP contract (Agreement) with the owner of the property. The Agreement must be in the form required by HUD [24 CFR 983.152(b)].

The PHA may not enter into an Agreement if **commencement of** construction or rehabilitation has **commenced** after proposal submission [24 CFR 983.152(c)]. Construction begins when excavation or site preparation (including clearing of the land) begins for the housing. Rehabilitation begins with the physical commencement of rehabilitation activity on the housing.

In the Agreement the owner agrees to develop the PBV contract units to comply with HQS, and SNRHA agrees that upon timely completion of such development in accordance with the terms of the Agreement, SNRHA will enter into a HAP contract with the owner for the contract units [24 CFR 983.152(b)].

### **Content of the Agreement [24 CFR 983.152(c)]**

At a minimum, the Agreement must describe the following features of the housing to be developed and assisted under the PBV program:

- Site and the location of the contract units;
- Number of contract units by area (size) and number of bedrooms and bathrooms;



- Services, maintenance, or equipment to be supplied by the owner without charges in addition to the rent;
- Utilities available to the contract units, including a specification of utility services to be paid by the owner and utility services to be paid by the tenant;
- An indication of whether or not the design and construction requirements of the Fair Housing Act and section 504 of the Rehabilitation Act of 1973 apply to units under the Agreement. If applicable, any required work item resulting from these requirements must be included in the description of work to be performed under the Agreement;
- Estimated initial rents to owner for the contract units;
- Description of the work to be performed under the Agreement. For rehabilitated units, the description must include the rehabilitation work write up and, where determined necessary by SNRHA, specifications and plans. For new construction units, the description must include the working drawings and specifications.
- Any additional requirements for quality, architecture, or design over and above HQS.

#### **Execution of the Agreement [24 CFR 983.153]**

The Agreement must be executed promptly after SNRHA notice of proposal selection to the selected owner. However, SNRHA may not enter into the Agreement with the owner until the subsidy layering review is completed. Likewise, SNRHA may not enter into the Agreement until the environmental review is completed and SNRHA has received environmental approval. The PHA may not enter into the Agreement if construction or rehabilitation has started after proposal submission.

#### **SNRHA Policy**

SNRHA will enter into the Agreement with the owner within 10 business days of receiving both environmental approval and notice that subsidy layering requirements have been met, and before construction or rehabilitation work is started.

#### **17-IV.C. CONDUCT OF DEVELOPMENT WORK**

##### **Labor Standards [24 CFR 983.154(b)]**

If an Agreement covers the development of nine or more contract units (whether or not completed in stages), the owner and the owner's contractors and subcontractors must pay Davis-Bacon wages to laborers and mechanics employed in the development of housing. The HUD-prescribed form of the Agreement will include the labor standards clauses required by HUD, such as those involving Davis-Bacon wage rates.

The owner, contractors, and subcontractors must also comply with the Contract Work Hours and Safety Standards Act, Department of Labor regulations in 29 CFR part 5, and other applicable federal labor relations laws and regulations. SNRHA must monitor compliance with labor standards.

##### **Equal Opportunity [24 CFR 983.154(c)]**



The owner must comply with Section 3 of the Housing and Urban Development Act of 1968 and the implementing regulations at 24 CFR part 135. The owner must also comply with federal equal employment opportunity requirements.

#### **Owner Disclosure [24 CFR 983.154(d) and (e)]**

The Agreement and HAP contract must include a certification by the owner that the owner and other project principals are not on the U.S. General Services Administration list of parties excluded from federal procurement and non-procurement programs.

The owner must also disclose any possible conflict of interest that would be a violation of the Agreement, the HAP contract, or HUD regulations.

#### **17-IV.D. COMPLETION OF HOUSING**

The Agreement must specify the deadlines for completion of the housing, and the owner must develop and complete the housing in accordance with these deadlines. The Agreement must also specify the deadline for submission by the owner of the required evidence of completion.

#### **Evidence of Completion [24 CFR 983.155(b)]**

At a minimum, the owner must submit the following evidence of completion to SNRHA in the form and manner required by SNRHA:

- Owner certification that the work has been completed in accordance with HQS and all requirements of the Agreement; and
- Owner certification that the owner has complied with labor standards and equal opportunity requirements in development of the housing.

At SNRHA's discretion, the Agreement may specify additional documentation that must be submitted by the owner as evidence of housing completion.

#### SNRHA Policy

SNRHA will determine the need for the owner to submit additional documentation as evidence of housing completion on a case-by-case basis depending on the nature of the PBV project. SNRHA will specify any additional documentation requirements in the Agreement to enter into HAP contract.

#### **SNRHA Acceptance of Completed Units [24 CFR 983.156]**

Upon notice from the owner that the housing is completed, SNRHA must inspect to determine if the housing has been completed in accordance with the Agreement, including compliance with HQS and any additional requirements imposed under the Agreement. SNRHA must also determine if the owner has submitted all required evidence of completion.

If the work has not been completed in accordance with the Agreement, SNRHA must not enter into the HAP contract.

If SNRHA determines the work has been completed in accordance with the Agreement and that the owner has submitted all required evidence of completion, SNRHA must submit the HAP contract for execution by the owner and must then execute the HAP contract.



## **PART V: HOUSING ASSISTANCE PAYMENTS CONTRACT (HAP)**

### **17-V.A. OVERVIEW**

SNRHA must enter into a HAP contract with an owner for units that are receiving PBV assistance. The purpose of the HAP contract is to provide housing assistance payments for eligible families. Housing assistance is paid for contract units leased and occupied by eligible families during the HAP contract term. The HAP contract must be in the form required by HUD [24 CFR 983.202].

### **17-V.B. HAP CONTRACT REQUIREMENTS**

#### **Contract Information [24 CFR 983.203]**

The HAP contract must specify the following information:

- The total number of contract units by number of bedrooms;
- The project's name, street address, city or county, state and zip code, block and lot number (if known), and any other information necessary to clearly identify the site and the building;
- The number of contract units in each building, the location of each contract unit, the area of each contract unit, and the number of bedrooms and bathrooms in each contract unit;
- Services, maintenance, and equipment to be supplied by the owner and included in the rent to owner;
- Utilities available to the contract units, including a specification of utility services to be paid by the owner (included in rent) and utility services to be paid by the tenant;
- Features provided to comply with program accessibility requirements of Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR part 8;
- The HAP contract term;
- The number of units in any project that will exceed the 25 percent per project cap, which will be set-aside for occupancy by qualifying families; and
- The initial rent to owner for the first 12 months of the HAP contract term.

#### **Execution of the HAP Contract [24 CFR 983.204]**

SNRHA may not enter into a HAP contract until each contract unit has been inspected and SNRHA has determined that the unit complies with the Housing Quality Standards (HQS). For existing housing, the HAP contract must be executed promptly after SNRHA selects the owner proposal and inspects the housing units. For newly constructed or rehabilitated housing the HAP contract must be executed after SNRHA has inspected the completed units and has determined that the units have been completed in accordance with the agreement to enter into HAP, and the owner furnishes all required evidence of completion.

#### SNRHA Policy

For existing housing, the HAP contract will be executed within 10 business days of SNRHA determining that all units pass HQS.



For rehabilitated or newly constructed housing, the HAP contract will be executed within 10 business days of SNRHA determining that the units have been completed in accordance with the agreement to enter into HAP, all units meet HQS, and the owner has submitted all required evidence of completion.

### **Term of HAP Contract [24 CFR 983.205]**

SNRHA may enter into a HAP contract with an owner for an initial term of no less than one year and no more than fifteen years for HAP contracts entered into on or after June 30, 2008.

#### SNRHA Policy

The term of all PBV HAP contracts will be negotiated with the owner on a case-by-case basis.

Within one year before expiration of the HAP contract, SNRHA may extend the term of the contract for an additional term of up to fifteen years if SNRHA determines an extension is appropriate to continue providing affordable housing for low-income families. The maximum term for all extensions is fifteen years and is subject to the same limitations that an extension is appropriate to continue providing affordable housing for low-income families. All extensions must be on the form and subject to the conditions prescribed by HUD at the time of the extension.

#### SNRHA Policy

When determining whether or not to extend an expiring PBV contract, SNRHA will consider several factors including, but not limited to:

The cost of extending the contract and the amount of available budget authority;

The condition of the contract units;

The owner's record of compliance with obligations under the HAP contract and lease(s);

Whether the location of the units continues to support the goals of deconcentrating poverty and expanding housing opportunities; and

Whether the funding could be used more appropriately for tenant-based assistance.

### ***Termination by SNRHA [24 CFR 983.205(c)]***

The HAP contract must provide that the term of SNRHA's contractual commitment is subject to the availability of sufficient appropriated funding as determined by HUD or by SNRHA in accordance with HUD instructions. For these purposes, sufficient funding means the availability of appropriations, and of funding under the ACC from such appropriations, to make full payment of housing assistance payments payable to the owner for any contract year in accordance with the terms of the HAP contract.

If it is determined that there may not be sufficient funding to continue housing assistance payments for all contract units and for the full term of the HAP contract, SNRHA may terminate the HAP contract by notice to the owner. The termination must be implemented in accordance with HUD instructions.



### ***Termination by Owner [24 CFR 983.205(d)]***

If in accordance with program requirements the amount of rent to an owner for any contract unit is reduced below the amount of the rent to owner at the beginning of the HAP contract term, the owner may terminate the HAP contract by giving notice to SNRHA. In this case, families living in the contract units must be offered tenant-based assistance.

### **Remedies for HQS Violations [24 CFR 983.207(b)]**

SNRHA may not make any HAP payment to the owner for a contract unit during any period in which the unit does not comply with HQS. If SNRHA determines that a contract does not comply with HQS, SNRHA may exercise any of its remedies under the HAP contract, for any or all of the contract units. Available remedies include termination of housing assistance payments, abatement or reduction of housing assistance payments, reduction of contract units, and termination of the HAP contract.

#### SNRHA Policy

SNRHA will abate and terminate PBV HAP contracts for non-compliance with HQS in accordance with the policies used in the tenant-based voucher program. These policies are contained in Section 8-II.G., Enforcing Owner Compliance.

## **17-V.C. AMENDMENTS TO THE HAP CONTRACT**

### **Substitution of Contract Units [24 CFR 983.207(b)]**

At SNRHA's discretion and subject to all PBV requirements, the HAP contract may be amended to substitute a different unit with the same number of bedrooms in the same project for a previously covered contract unit. Before any such substitution can take place, SNRHA must inspect the proposed unit and determine the reasonable rent for the unit.

### **Addition of Contract Units [24 CFR 983.207(b)]**

At SNRHA's discretion and subject to the restrictions on the number of dwelling units that can receive PBV assistance per project and on the overall size of SNRHA's PBV program, a HAP contract may be amended during the three-year period following the execution date of the

HAP contract to add additional PBV units in the same project. This type of amendment is subject to all PBV program requirements except that a new PBV proposal is not required.

#### SNRHA Policy

SNRHA will consider adding contract units to the HAP contract when SNRHA determines that additional housing is needed to serve eligible low-income families. Circumstances may include, but are not limited to:

The local housing inventory is reduced due to a disaster (either due to loss of housing units, or an influx of displaced families); and

Voucher holders are having difficulty finding units that meet program requirements.



### **17-V.D. HAP CONTRACT YEAR, ANNIVERSARY, AND EXPIRATION DATES [24 CFR 983.206(c) and 983.302(e)]**

The HAP contract year is the period of 12 calendar months preceding each annual anniversary of the HAP contract during the HAP contract term. The initial contract year is calculated from the first day of the first calendar month of the HAP contract term.

The annual anniversary of the HAP contract is the first day of the first calendar month after the end of the preceding contract year.

There is a single annual anniversary and expiration date for all units under a particular HAP contract, even in cases where contract units are placed under the HAP contract in stages (on different dates) or units are added by amendment. The anniversary and expiration dates for all units coincide with the dates for the contract units that were originally placed under contract.

### **17-V.E. OWNER RESPONSIBILITIES UNDER THE HAP [24 CFR 983.209]**

When the owner executes the HAP contract the owner certifies that at such execution and at all times during the term of the HAP contract:

- All contract units are in good condition and the owner is maintaining the premises and contract units in accordance with HQS;
- The owner is providing all services, maintenance, equipment and utilities as agreed to under the HAP contract and the leases;
- Each contract unit for which the owner is receiving HAP, is leased to an eligible family referred by SNRHA, and the lease is in accordance with the HAP contract and HUD requirements;
- To the best of the owner's knowledge the family resides in the contract unit for which the owner is receiving HAP, and the unit is the family's only residence;
- The owner (including a principal or other interested party) is not the spouse, parent, child, grandparent, grandchild, sister, or brother of any member of a family residing in a contract unit;
- The amount of the HAP the owner is receiving is correct under the HAP contract;
- The rent for contract units does not exceed rents charged by the owner for comparable unassisted units;
- Except for HAP and tenant rent, the owner has not received and will not receive any other payment or consideration for rental of the contract unit; and
- The family does not own or have any interest in the contract unit.

### **17-V.F. ADDITIONAL HAP REQUIREMENTS**

#### **Housing Quality and Design Requirements [24 CFR 983.101(e) and 983.208(a)]**

The owner is required to maintain and operate the contract units and premises in accordance with HQS, including performance of ordinary and extraordinary maintenance. The owner must



provide all the services, maintenance, equipment, and utilities specified in the HAP contract with SNRHA and in the lease with each assisted family. In addition, maintenance, replacement and redecoration must be in accordance with the standard practice for the building as established by the owner.

SNRHA may elect to establish additional requirements for quality, architecture, or design of PBV housing. Any such additional requirements must be specified in the Agreement to enter into a HAP contract and the HAP contract. These requirements must be in addition to, not in place of, compliance with HQS.

#### SNRHA Policy

SNRHA will identify the need for any special features on a case-by-case basis depending on the intended occupancy of the PBV project. SNRHA will specify any

special design standards or additional requirements in the invitation for PBV proposals, the agreement to enter into HAP contract, and the HAP contract.

#### **Vacancy Payments [24 CFR 983.352(b)]**

At the discretion of SNRHA, the HAP contract may provide for vacancy payments to the owner for a SNRHA-determined period of vacancy extending from the beginning of the first calendar month after the move-out month for a period not exceeding two full months following the move-out month. The amount of the vacancy payment will be determined by SNRHA and cannot exceed the monthly rent to owner under the assisted lease, minus any portion of the rental payment received by the owner (including amounts available from the tenant's security deposit).

#### SNRHA Policy

SNRHA will decide on a case-by-case basis if SNRHA will provide vacancy payments to the owner. The HAP contract with the owner will contain any such agreement, including the amount of the vacancy payment and the period for which the owner will qualify for these payments. Vacancy payments shall only be made when SNRHA has not referred clients to management for a period of 30 calendar days.

## **PART VI: SELECTION OF PBV PROGRAM PARTICIPANTS**

### **17-VI.A. OVERVIEW**

Many of the provisions of the tenant-based voucher regulations [24 CFR 982] also apply to the PBV program. This includes requirements related to determining eligibility and selecting applicants from the waiting list. Even with these similarities, there are requirements that are unique to the PBV program. This part describes the requirements and policies related to eligibility and admission to the PBV program.

### **17-VI.B. ELIGIBILITY FOR PBV ASSISTANCE [24 CFR 983.251(a) and (b)]**

SNRHA may select families for the PBV program from those who are participants in SNRHA's tenant-based voucher program and from those who have applied for admission to the voucher program. For voucher participants, eligibility was determined at original admission to the voucher program and does not need to be redetermined at the commencement of PBV assistance.





For all others, eligibility for admission must be determined at the commencement of PBV assistance.

Applicants for PBV assistance must meet the same eligibility requirements as applicants for the tenant-based voucher program. Applicants must qualify as a family as defined by HUD and SNRHA, have income at or below HUD-specified income limits, and qualify on the basis of citizenship or the eligible immigration status of family members [24 CFR 982.201(a) and 24 CFR 983.2(a)]. In addition, an applicant family must provide social security information for family members [24 CFR 5.216 and 5.218] and consent to SNRHA's collection and use of family information regarding income, expenses, and family composition [24 CFR 5.230]. An applicant family must also meet HUD requirements related to current or past criminal activity.

### SNRHA Policy

SNRHA will determine an applicant family's eligibility for the PBV program in accordance with the policies in Chapter 3.

### **In-Place Families [24 CFR 983.251(b)]**

An eligible family residing in a proposed PBV contract unit on the date the proposal is selected by SNRHA is considered an "in-place family." These families are afforded protection from displacement under the PBV rule. If a unit to be placed under contract (either an existing unit or a unit requiring rehabilitation) is occupied by an eligible family on the date the proposal is selected, the in-place family must be placed on SNRHA's waiting list. Once the family's continued eligibility is determined (SNRHA may deny assistance to an in-place family for the grounds specified in 24 CFR 982.552 and 982.553), the family must be given an absolute selection preference and SNRHA must refer these families to the project owner for an appropriately sized PBV unit in the project. Admission of eligible in-place families is not subject to income targeting requirements.

This regulatory protection from displacement does not apply to families that are not eligible to participate in the program on the proposal selection date.

### **17-VI.C. ORGANIZATION OF THE WAITING LIST [24 CFR 983.251(c)]**

SNRHA may establish a separate waiting list for PBV units or it may use the same waiting list for both tenant-based and PBV assistance. SNRHA may also merge the PBV waiting list with a waiting list for other assisted housing programs offered by SNRHA. If SNRHA chooses to offer a separate waiting list for PBV assistance, SNRHA must offer to place applicants who are listed on the tenant-based waiting list on the waiting list for PBV assistance.

If SNRHA decides to establish a separate PBV waiting list, SNRHA may use a single waiting list for SNRHA's whole PBV program, or it may establish separate waiting lists for PBV units in particular projects or buildings or for sets of such units.

### SNRHA Policy



SNRHA will establish and manage separate waiting lists for individual projects or buildings that are receiving PBV assistance. SNRHA currently has waiting lists for the following PBV projects:

**Juan Garcia**

**Coronado**

**Landsman (Rental Assistance Demonstration [RAD] Program)**

**Vera Johnson B (Rental Assistance Demonstration [RAD] Program)**

**SNRHA will also establish and manage separate waiting lists for the following Rental Assistance Demonstration (RAD) Program conversion to PBV assistance properties:**

**Biegger Estates (Rental Assistance Demonstration [RAD] Program)**

**Rose Gardens (Rental Assistance Demonstration [RAD] Program)**

#### **17-VI.D. SELECTION FROM THE WAITING LIST [24 CFR 983.251(c)]**

Applicants who will occupy units with PBV assistance must be selected from SNRHA's waiting list. SNRHA may establish selection criteria or preferences for occupancy of particular PBV units. SNRHA may place families referred by the PBV owner on its PBV waiting list.

#### **Income Targeting [24 CFR 983.251(c)(6)]**

At least 75 percent of the families admitted to SNRHA's tenant-based and project-based voucher programs during SNRHA's fiscal year from the waiting list must be extremely-low income families. The income targeting requirement applies to the total of admissions to both programs.

#### **Units with Accessibility Features [24 CFR 983.251(c)(7)]**

When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, SNRHA must first refer families who require such features to the owner.

#### **Preferences [24 CFR 983.251(d)]**

SNRHA may use the same selection preferences that are used for the tenant-based voucher program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units. SNRHA must provide an absolute selection preference for eligible in-place families as described in Section 17-VI.B. above.

Although SNRHA is prohibited from granting preferences to persons with a specific disability, SNRHA may give preference to disabled families who need services offered at a particular project or site if the preference is limited to families (including individuals):

- With disabilities that significantly interfere with their ability to obtain and maintain themselves in housing;
- Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and
- For whom such services cannot be provided in a non-segregated setting.

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible disabled



persons who may benefit from services provided in the project. In these projects, disabled residents may not be required to accept the particular services offered as a condition of occupancy.

If SNRHA has projects with more than 25 percent of the units receiving project-based assistance because those projects include “excepted units” (units specifically made available for elderly or disabled families, or families receiving supportive services), SNRHA must give preference to such families when referring families to these units [24 CFR 983.261(b)].

#### SNRHA Policy

SNRHA will provide a selection preference when required by the regulation (e.g., eligible in-place families, qualifying families for “excepted units,” mobility impaired persons for accessible units). SNRHA will not offer any additional preferences for the PBV program or for particular PBV projects or units.

### **17-VI.E. OFFER OF PBV ASSISTANCE**

#### **Refusal of Offer [24 CFR 983.251(e)(3)]**

SNRHA is prohibited from taking any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:

- Refuse to list the applicant on the waiting list for tenant-based voucher assistance;
- Deny any admission preference for which the applicant qualifies;
- Change the applicant’s place on the waiting list based on preference, date, and time of application, or other factors affecting selection under SNRHA’s selection policy;
- Remove the applicant from the tenant-based voucher waiting list.

#### **Disapproval by Landlord [24 CFR 983.251(e)(2)]**

If a PBV owner rejects a family for admission to the owner’s units, such rejection may not affect the family’s position on the tenant-based voucher waiting list.

#### **Acceptance of Offer [24 CFR 983.252]**

##### ***Family Briefing***

When a family accepts an offer for PBV assistance, SNRHA must give the family an oral briefing. The briefing must include information on how the program works and the responsibilities of the family and owner. In addition to the oral briefing, SNRHA must provide a briefing packet that explains how SNRHA determines the total tenant payment for a family, the family obligations under the program, and applicable fair housing information.

##### ***Persons with Disabilities***

If an applicant family’s head or spouse is disabled, SNRHA must assure effective communication, in accordance with 24 CFR 8.6, in conducting the oral briefing and in providing the written information packet. This may include making alternative formats available (see Chapter 2). In addition, SNRHA must have a mechanism for referring a family that includes a member with mobility impairment to an appropriate accessible PBV unit.



### ***Persons with Limited English Proficiency***

SNRHA should take reasonable steps to assure meaningful access by persons with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166 (see Chapter 2).

### **17-VI.F. OWNER SELECTION OF RESIDENTS**

The owner is responsible for developing written tenant selection procedures that are consistent with the purpose of improving housing opportunities for very low-income families and reasonably related to program eligibility and an applicant's ability to fulfill their obligations under the lease. An owner must promptly notify in writing any rejected applicant of the grounds for any rejection [24 CFR 983.253(a)](2) and (a)(3).

#### **Leasing [24 CFR 983.253(a)]**

During the term of the HAP contract, the owner must lease contract units to eligible families that are selected and referred by SNRHA from SNRHA's waiting list. The contract unit leased to the family must be the appropriate size unit for the size of the family, based on SNRHA's subsidy standards.

#### **Filling Vacancies [24 CFR 983.254(a)]**

The owner must promptly notify SNRHA of any vacancy or expected vacancy in a contract unit. After receiving such notice, SNRHA must make every reasonable effort to promptly refer a sufficient number of families for the owner to fill such vacancies. SNRHA and the owner must make reasonable efforts to minimize the likelihood and length of any vacancy.

##### SNRHA Policy

The owner must notify SNRHA in writing (mail, fax, or e-mail) within 5 business days of learning about any vacancy or expected vacancy.

SNRHA will make every reasonable effort to refer families to the owner within 10 business days of receiving such notice from the owner.

#### **Reduction in HAP Contract Units Due to Vacancies [24 CFR 983.254(b)]**

If any contract units have been vacant for 120 or more calendar days since owner notice of the vacancy, SNRHA may give notice to the owner amending the HAP contract to reduce the number of contract units by subtracting the number of contract units (according to the bedroom size) that have been vacant for this period.

##### SNRHA Policy

If any contract units have been vacant for 120 calendar days, SNRHA will give notice to the owner that the HAP contract will be amended to reduce the number of contract units that have been vacant for this period. SNRHA will provide the notice to the owner within 10 business days of the 120<sup>th</sup> day of the vacancy. The amendment to the HAP contract will be effective the first day of the month following the date of SNRHA's notice.



## **17-VI.G. TENANT SCREENING [24 CFR 983.255]**

### **SNRHA Responsibility**

SNRHA is not responsible or liable to the owner or any other person for the family's behavior or suitability for tenancy. However, SNRHA may opt to screen applicants for family behavior or suitability for tenancy and may deny applicants based on such screening.

#### SNRHA Policy

SNRHA will not conduct screening to determine a PBV applicant family's suitability for tenancy. SNRHA shall screen for program eligibility. The management must determine tenancy screening requirements.

SNRHA must provide the owner with an applicant family's current and prior address (as shown in SNRHA records) and the name and address (if known by SNRHA) of the family's current landlord and any prior landlords.

In addition, SNRHA may offer the owner other information SNRHA may have about a family, including information about the tenancy history of family members or about drug trafficking and criminal activity by family members. SNRHA must provide applicant

families a description of SNRHA policy on providing information to owners, and SNRHA must give the same types of information to all owners.

#### SNRHA Policy

SNRHA will inform owners of their responsibility to screen prospective residents, and will provide owners with the required known name and address information, at the time of the turnover HQS inspection or before. SNRHA will not provide any additional information to the owner, such as tenancy history, criminal history, etc.

### **Owner Responsibility**

The owner is responsible for screening and selection of the family to occupy the owner's unit. When screening families the owner may consider a family's background with respect to the following factors:

- Payment of rent and utility bills;
- Caring for a unit and premises;
- Respecting the rights of other residents to the peaceful enjoyment of their housing;
- Drug-related criminal activity or other criminal activity that is a threat to the health, safety, or property of others; and
- Compliance with other essential conditions of tenancy.

## **PART VII: OCCUPANCY**

### **17-VII.A. OVERVIEW**



After an applicant has been selected from the waiting list, determined eligible by SNRHA, referred to an owner and determined suitable by the owner, the family will sign the lease and occupancy of the unit will begin.

#### **17-VII.B. LEASE [24 CFR 983.256]**

The tenant must have legal capacity to enter a lease under state and local law. *Legal capacity* means that the tenant is bound by the terms of the lease and may enforce the terms of the lease against the owner.

#### **Form of Lease [24 CFR 983.256(b)]**

The tenant and the owner must enter into a written lease agreement that is signed by both parties. If an owner uses a standard lease form for rental units to unassisted residents in the locality or premises, the same lease must be used for assisted residents, except that the lease must include a HUD-required tenancy addendum. The tenancy addendum must include, word-for-word, all provisions required by HUD.

If the owner does not use a standard lease form for rental to unassisted residents, the owner may use another form of lease, such as a SNRHA model lease. SNRHA may review the owner's lease form to determine if the lease complies with state and local law. If SNRHA determines

that the lease does not comply with state or local law, SNRHA may decline to approve the tenancy.

#### SNRHA Policy

SNRHA will not review the owner's lease for compliance with state or local law.

#### **Lease Requirements [24 CFR 983.256(c)]**

The lease for a PBV unit must specify all of the following information:

- The names of the owner and the tenant;
- The unit rented (address, apartment number, if any, and any other information needed to identify the leased contract unit);
- The term of the lease (initial term and any provision for renewal);
- The amount of the tenant rent to owner, which is subject to change during the term of the lease in accordance with HUD requirements;
- A specification of the services, maintenance, equipment, and utilities that will be provide by the owner; and
- The amount of any charges for food, furniture, or supportive services.

#### **Tenancy Addendum [24 CFR 983.256(d)]**

The tenancy addendum in the lease must state:

- The program tenancy requirements;
- The composition of the household as approved by SNRHA (the names of family members and any SNRHA-approved live-in aide);



- All provisions in the HUD-required tenancy addendum must be included in the lease. The terms of the tenancy addendum prevail over other provisions of the lease.

### **Initial Term and Lease Renewal [24 CFR 983.256(f) and 983.257(b)]**

The initial lease term must be for at least one year. Upon expiration of the lease, an owner may renew the lease, refuse to renew the lease for “good cause,” or refuse to renew the lease without good cause. If the owner refuses to renew the lease without good cause, SNRHA must provide the family with a tenant-based voucher and remove the unit from the PBV HAP contract.

### **Changes in the Lease [24 CFR 983.256(e)]**

If the tenant and owner agree to any change in the lease, the change must be in writing, and the owner must immediately give SNRHA a copy of all changes.

The owner must notify SNRHA in advance of any proposed change in the lease regarding the allocation of tenant and owner responsibilities for utilities. Such changes may only be made if approved by SNRHA and in accordance with the terms of the lease relating to its amendment. SNRHA must redetermine reasonable rent, in accordance with program requirements, based on any change in the allocation of the responsibility for utilities between the

owner and the tenant. The redetermined reasonable rent will be used in calculation of the rent to owner from the effective date of the change.

### **Owner Termination of Tenancy [24 CFR 983.257]**

With two exceptions, the owner of a PBV unit may terminate tenancy for the same reasons an owner may in the tenant-based voucher program (see Section 12-III.B. and 24 CFR 982.310). In the PBV program, terminating tenancy for “good cause” does not include doing so for a business or economic reason, or a desire to use the unit for personal or family use or other non-residential purpose.

### ***Non-Compliance with Supportive Services Requirement [24 CFR 983.257(c)]***

If a family is living in a project-based unit that is excepted from the 25 percent per project cap on project-basing because of participation in a supportive services program (e.g., Family Self-Sufficiency), and the family fails to complete its supportive services requirement without good cause, such failure is grounds for lease termination by the owner.

### ***Tenant Absence from the Unit [24 CFR 983.256(g) and 982.312(a)]***

The owner may specify in the lease a maximum period of tenant absence from the unit that is shorter than the maximum period permitted by SNRHA policy. According to program requirements, the family’s assistance must be terminated if they are absent from the unit for more than 180 consecutive calendar days.

### **Security Deposits [24 CFR 983.258]**



The owner may collect a security deposit from the tenant. SNRHA may prohibit security deposits in excess of private market practice, or in excess of amounts charged by the owner to unassisted residents.

#### SNRHA Policy

SNRHA will allow the owner to collect a security deposit amount the owner determines is appropriate.

When the tenant moves out of a contract unit, the owner, subject to state and local law, may use the security deposit, including any interest on the deposit, in accordance with the lease, as reimbursement for any unpaid tenant rent, damages to the unit, or other amounts owed by the tenant under the lease.

The owner must give the tenant a written list of all items charged against the security deposit and the amount of each item. After deducting the amount used to reimburse the owner, the owner must promptly refund the full amount of the balance to the tenant.

If the security deposit does not cover the amount owed by the tenant under the lease, the owner may seek to collect the balance from the tenant. SNRHA has no liability or responsibility for payment of any amount owed by the family to the owner.

### **17-VII.C. MOVES**

#### **Overcrowded, Under-Occupied, and Accessible Units [24 CFR 983.259]**

If SNRHA determines that a family is occupying a wrong size unit, based on SNRHA's subsidy standards, or a unit with accessibility features that the family does not require, and the unit is needed by a family that does require the features, SNRHA must promptly notify the family and the owner of this determination, and SNRHA must offer the family the opportunity to receive continued housing assistance in another unit.

#### SNRHA Policy

SNRHA will notify the family and the owner of the family's need to move based on the occupancy of a wrong-size or accessible unit within 10 business days of SNRHA's determination. SNRHA will offer the family the following types of continued assistance in the following order, based on the availability of assistance:

PBV assistance in the same building or project;

PBV assistance in another project; and

Tenant-based voucher assistance

If SNRHA offers the family a tenant-based voucher, SNRHA must terminate the housing assistance payments for a wrong-sized or accessible unit at expiration of the term of the family's voucher (including any extension granted by SNRHA).

If SNRHA offers the family another form of assistance that is not a tenant-based voucher, and the family does not accept the offer, does not move out of the PBV unit within a reasonable time as determined by SNRHA, or both, SNRHA must terminate the housing assistance payments for the unit at the expiration of a reasonable period as determined by SNRHA.

#### SNRHA Policy





When SNRHA offers a family another form of assistance that is not a tenant-based voucher, the family will be given 30 days from the date of the offer to accept the offer and move out of the PBV unit. If the family does not move out within this 30-day time frame, SNRHA will terminate the housing assistance payments at the expiration of this 30-day period.

SNRHA may make exceptions to this 30-day period if needed for reasons beyond the family's control such as death, serious illness, or other medical emergency of a family member.

### **Family Right to Move [24 CFR 983.260]**

The family may terminate the lease at any time after the first year of occupancy. The family must give advance written notice to the owner in accordance with the lease and provide a copy of such notice to SNRHA. If the family wishes to move with continued tenant-based assistance, the family must provide the manager with a Vacate Notice and be in good standing under their current lease (meaning not under an eviction not owing a debt to the PBV development). A copy of the notice shall be forwarded to SNRHA staff for placement on its tenant based PBV waitlist. SNRHA will notify families and management when there is no funding available for tenant-based vouchers as well as when funding becomes available again. The Vacate Notices shall not be accepted during a period of time when there has been written notice provided that there is not tenant-based funding available.

If the family terminates the lease in accordance with these requirements, SNRHA is required to offer the family the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If voucher or other comparable tenant-based assistance is not immediately available upon termination of the family's lease in the PBV unit, SNRHA must give the family priority to receive the next available opportunity for continued tenant-based assistance, when funding is available.

If the family terminates the assisted lease before the end of the first year, the family relinquishes the opportunity for continued tenant-based assistance.

### **17-VII.D. EXCEPTIONS TO THE OCCUPANCY CAP [24 CFR 983.261]**

SNRHA may not pay housing assistance under a PBV HAP contract for more than 25 percent of the number of dwelling units in a project unless the units are [24 CFR 983.56]:

- Specifically made available for elderly or disabled families; or
- Specifically made available for families receiving supportive services as defined by SNRHA. At least one member must be receiving at least one qualifying supportive service.

If a family at the time of initial tenancy is receiving and while the resident of an excepted unit has received Family Self-Sufficiency (FSS) supportive services or any other service as defined as defined by SNRHA and successfully completes the FSS contract of participation or the supportive services requirement, the unit continues to count as an excepted unit for as long as the family resides in the unit.

A family (or remaining members of a family) residing in an excepted unit that no longer meets the criteria for a "qualifying family" in connection with the 25 percent per project cap exception (e.g., the family does not successfully complete supportive services requirements, or due to a



change in family composition the family is no longer elderly or disabled), must vacate the unit within a reasonable period of time established by SNRHA, and SNRHA must cease paying housing assistance payments on behalf of the non-qualifying family.

If the family fails to vacate the unit within the established time, the unit must be removed from the HAP contract unless the project is partially assisted, and it is possible for the HAP contract to be amended to substitute a different unit in the building in accordance with program requirements; or the owner terminates the lease and evicts the family. The housing assistance payments for a family residing in an excepted unit that is not in compliance with its family obligations to comply with supportive services requirements must be terminated by SNRHA.

#### SNRHA Policy

SNRHA will not provide PBV assistance for excepted units.

### **PART VIII: DETERMINING RENT TO OWNER**

#### **17-VIII.A. OVERVIEW**

The amount of the initial rent to an owner of units receiving PBV assistance is established at the beginning of the HAP contract term. Although for rehabilitated or newly constructed housing, the agreement to enter into HAP Contract (Agreement) states the estimated amount of the initial rent to owner, the actual amount of the initial rent to owner is established at the beginning of the HAP contract term.

During the term of the HAP contract, the rent to owner is redetermined at the owner's request in accordance with program requirements, and at such time that there is a five percent or greater decrease in the published FMR.

#### **17-VIII.B. RENT LIMITS [24 CFR 983.301]**

Except for certain tax credit units (discussed below), the rent to owner must not exceed the lowest of the following amounts:

- An amount determined by SNRHA, not to exceed 110 percent of the applicable fair market rent (or any HUD-approved exception payment standard) for the unit bedroom size minus any utility allowance;
- The reasonable rent; or
- The rent requested by the owner.

#### **Certain Tax Credit Units [24 CFR 983.301(c)]**

For certain tax credit units, the rent limits are determined differently than for other PBV units. These different limits apply to contract units that meet all of the following criteria:

- The contract unit receives a low-income housing tax credit under the Internal Revenue Code of 1986;
- The contract unit is not located in a qualified census tract;
- There are comparable tax credit units of the same bedroom size as the contract unit in the same building, and the comparable tax credit units do not have any form of rental assistance other than the tax credit; and



- The tax credit rent exceeds a SNRHA-determined amount (not to exceed 110 percent of the fair market rent or any approved exception payment standard);

For contract units that meet all of these criteria, the rent to owner must not exceed the lowest of:

- 110 percent of the fair market rent or any approved exception payment standard minus the utility allowance for owner paid utilities;
- The reasonable rent; or
- The rent requested by the owner.

### ***Definitions***

A *qualified census tract* is any census tract (or equivalent geographic area defined by the Bureau of the Census) in which at least 50 percent of households have an income of less than 60 percent of Area Median Gross Income (AMGI), or where the poverty rate is at least 25 percent and where the census tract is designated as a qualified census tract by HUD.

*Tax credit rent* is the rent charged for comparable units of the same bedroom size in the building that also receive the low-income housing tax credit but do not have any additional rental assistance (e.g., tenant-based voucher assistance).

### **Use of FMRs, Exception Payment Standards, and Utility Allowances [24 CFR 983.301(f)]**

When determining the initial rent to owner, SNRHA must use the most recently published FMR in effect and the utility allowance schedule in effect at execution of the HAP contract. When redetermining the rent to owner, SNRHA must use the most recently published FMR and the utility allowance schedule in effect at the time of redetermination. At its discretion, SNRHA may for initial rent, use the amounts in effect at any time during the 30-day period immediately before the beginning date of the HAP contract, or for redeterminations of rent, the 30-day period immediately before the redetermination date.

Any HUD-approved exception payment standard amount under the tenant-based voucher program also applies to the project-based voucher program. HUD will not approve a different exception payment stand amount for use in the PBV program.

Likewise, SNRHA may not establish or apply different utility allowance amounts for the PBV program. The same utility allowance schedule applies to both the tenant-based and project-based voucher programs.

#### **SNRHA Policy**

Upon written request by the owner, SNRHA will consider using the FMR or utility allowances in effect during the 30-day period before the start date of the HAP, or redetermination of rent. The owner must explain the need to use the previous FMRs or utility allowances and include documentation in support of the request. SNRHA will review and make a decision based on the circumstances and merit of each request.

In addition to considering a written request from an owner, SNRHA may decide to use the FMR or utility allowances in effect during the 30-day period before the start date of the HAP, or redetermination of rent, if SNRHA determines it is necessary due to SNRHA budgetary constraints.

### **Redetermination of Rent [24 CFR 983.302]**



SNRHA must redetermine the rent to owner upon the owner's request or when there is a five percent or greater decrease in the published FMR.

### ***Rent Increase***

If an owner wishes to request an increase in the rent to owner from SNRHA, it must be requested at the annual anniversary of the HAP contract (see Section 17-V.D.). The request must be in writing and in the form and manner required by SNRHA. Rental increases must be submitted 60 calendar days prior to the anniversary date of the HAP contract for the participant.

SNRHA may only make rent increases in accordance with the rent limits described previously. There are no provisions in the PBV program for special adjustments (e.g., adjustments that reflect increases in the actual and necessary expenses of owning and maintaining the units which have resulted from substantial general increases in real property taxes, utility rates, or similar costs).

#### SNRHA Policy

An owner's request for a rent increase must be submitted to SNRHA 60 calendar days prior to the anniversary date of the HAP contract, and must include the new rent amount the owner is proposing.

SNRHA may not approve and the owner may not receive any increase of rent to owner until and unless the owner has complied with requirements of the HAP contract, including compliance with HQS. The owner may not receive any retroactive increase of rent for any period of noncompliance.

### ***Rent Decrease***

If there is a decrease in the rent to owner, as established in accordance with program requirements such as a change in the FMR or exception payment standard, or reasonable rent amount, the rent to owner must be decreased regardless of whether the owner requested a rent adjustment.

### ***Notice of Rent Change***

The rent to owner is redetermined by written notice by SNRHA to the owner specifying the amount of the redetermined rent. SNRHA notice of rent adjustment constitutes an amendment of the rent to owner specified in the HAP contract. The adjusted amount of rent to owner applies for the period of 12 calendar months from the annual anniversary of the HAP contract.

#### SNRHA Policy

SNRHA will provide the owner with at least 30 calendar days written notice of any change in the amount of rent to owner.

### **SNRHA-owned Units [24 CFR 983.301(g)]**

For SNRHA-owned PBV units, the initial rent to owner and the annual redetermination of rent at the anniversary of the HAP contract are determined by the independent entity approved by HUD. SNRHA must use the rent to owner established by the independent entity.



### **17-VIII.C. REASONABLE RENT [24 CFR 983.303]**

At the time the initial rent is established and all times during the term of the HAP contract, the rent to owner for a contract unit may not exceed the reasonable rent for the unit as determined by SNRHA, except where the PHA has elected within the HAP contract to not reduce rents below the initial rent under the initial HAP contract.

#### **When Rent Reasonable Determinations are Required**

SNRHA must redetermine the reasonable rent for a unit receiving PBV assistance whenever any of the following occur:

- There is a five percent or greater decrease in the published FMR in effect 60 calendar days before the contract anniversary (for the unit sizes specified in the HAP contract) as compared with the FMR that was in effect one year before the contract anniversary date;
- SNRHA approves a change in the allocation of responsibility for utilities between the owner and the tenant;
- The HAP contract is amended to substitute a different contract unit in the same project; or
- There is any other change that may substantially affect the reasonable rent.

#### **How to Determine Reasonable Rent**

The reasonable rent of a unit receiving PBV assistance must be determined by comparison to rent for other comparable unassisted units. When making this determination, SNRHA must consider factors that affect market rent. Such factors include the location, quality, size, type and age of the unit, as well as the amenities, housing services maintenance, and utilities to be provided by the owner.

#### ***Comparability Analysis***

For each unit, the comparability analysis must use at least three comparable units in the private unassisted market. This may include unassisted units in the premises or project that is receiving project-based assistance. The analysis must show how the reasonable rent was determined, including major differences between the contract units and comparable unassisted units, and must be retained by SNRHA. The comparability analysis may be performed by SNRHA staff or by another qualified person or entity. Those who conduct these analyses or are involved in determining the housing assistance payment based on the analyses may not have any direct or indirect interest in the property.

#### **SNRHA-owned Units**

For SNRHA-owned units, the amount of the reasonable rent must be determined by an independent agency approved by HUD in accordance with PBV program requirements. The independent entity must provide a copy of the determination of reasonable rent for SNRHA-owned units to SNRHA and to the HUD field office where the project is located.

#### **Owner Certification of Reasonable Rent**

By accepting each monthly housing assistance payment, the owner certifies that the rent to owner is not more than rent charged by the owner for other comparable unassisted units in the



premises. At any time, SNRHA may require the owner to submit information on rents charged by the owner for other units in the premises or elsewhere.

#### **17-VIII.D. EFFECT OF OTHER SUBSIDY AND RENT CONTROL**

In addition to the rent limits discussed in Section 17-VIII.B above, other restrictions may limit the amount of rent to owner in a PBV unit. In addition, certain types of subsidized housing are not even eligible to receive PBV assistance (see Section 17-II.D).

##### **Other Subsidy [24 CFR 983.304]**

At its discretion, a SNRHA may reduce the initial rent to owner because of other governmental subsidies, including tax credit or tax exemption, grants, or other subsidized financing.

For units receiving assistance under the HOME program, rents may not exceed rent limits as required by that program.

For units in any of the following types of federally subsidized projects, the rent to owner may not exceed the subsidized rent (basic rent) as determined in accordance with requirements for the applicable federal program:

- An insured or non-insured Section 236 project;
- A formerly insured or non-insured Section 236 project that continues to receive Interest Reduction Payment following a decoupling action;
- A Section 221(d)(3) below market interest rate (BMIR) project;
- A Section 515 project of the Rural Housing Service;
- Any other type of federally subsidized project specified by HUD.

##### ***Combining Subsidy***

Rent to owner may not exceed any limitation required to comply with HUD subsidy layering requirements.

##### **Rent Control [24 CFR 983.305]**

In addition to the rent limits set by PBV program regulations, the amount of rent to owner may also be subject to rent control or other limits under local, state, or federal law.

## **PART IX: PAYMENTS TO OWNER**

#### **17-IX.A. HOUSING ASSISTANCE PAYMENTS [24 CFR 983.351]**

During the term of the HAP contract, SNRHA must make housing assistance payments to the owner in accordance with the terms of the HAP contract. During the term of the HAP contract, payments must be made for each month that a contract unit complies with HQS and is leased to and occupied by an eligible family. The housing assistance payment must be paid to the owner



on or about the first day of the month for which payment is due, unless the owner and SNRHA agree on a later date.

Except for discretionary vacancy payments, SNRHA may not make any housing assistance payment to the owner for any month after the month when the family moves out of the unit (even if household goods or property are left in the unit).

The amount of the housing assistance payment by SNRHA is the rent to owner minus the tenant rent (total tenant payment minus the utility allowance).

In order to receive housing assistance payments, the owner must comply with all provisions of the HAP contract. Unless the owner complies with all provisions of the HAP contract, the owner does not have a right to receive housing assistance payments.

### **17-IX.B. VACANCY PAYMENTS [24 CFR 983.352]**

If an assisted family moves out of the unit, the owner may keep the housing assistance payment for the calendar month when the family moves out. However, the owner may not keep the payment if SNRHA determines that the vacancy is the owner's fault.

#### SNRHA Policy

If SNRHA determines that the owner is responsible for a vacancy and, as a result, is not entitled to the keep the housing assistance payment, SNRHA will notify the landlord of the amount of housing assistance payment that the owner must repay. SNRHA will require the owner to repay the amount owed in accordance with the policies in Section 16-IV.B.

At the discretion of SNRHA, the HAP contract may provide for vacancy payments to the owner. SNRHA may only make vacancy payments if:

- The owner gives SNRHA prompt, written notice certifying that the family has vacated the unit and identifies the date when the family moved out (to the best of the owner's knowledge);
- The owner certifies that the vacancy is not the fault of the owner and that the unit was vacant during the period for which payment is claimed;
- The owner certifies that it has taken every reasonable action to minimize the likelihood and length of vacancy; and
- The owner provides any additional information required and requested by SNRHA to verify that the owner is entitled to the vacancy payment.

The owner must submit a request for vacancy payments in the form and manner required by SNRHA and must provide any information or substantiation required by SNRHA to determine the amount of any vacancy payment.

#### SNRHA Policy

If an owner's HAP contract calls for vacancy payments to be made, and the owner wishes to receive vacancy payments, the owner must have properly notified SNRHA of the vacancy in accordance with the policy in Section 17-VI.F regarding filling vacancies.



In order for a vacancy payment request to be considered, it must be made within 10 business days of the end of the period for which the owner is requesting the vacancy payment. The request must include the required owner certifications and SNRHA may require the owner to provide documentation to support the request. If the owner does not provide the information requested by SNRHA within 10 business days of SNRHA's request, no vacancy payments will be made.

### **17-IX.C. TENANT RENT TO OWNER [24 CFR 983.353]**

The tenant rent is the portion of the rent to owner paid by the family. The amount of tenant rent is determined by SNRHA in accordance with HUD requirements. Any changes in the amount of tenant rent will be effective on the date stated in SNRHA notice to the family and owner.

The family is responsible for paying the tenant rent (total tenant payment minus the utility allowance). The amount of the tenant rent determined by SNRHA is the maximum amount the owner may charge the family for rental of a contract unit. The tenant rent covers all housing services, maintenance, equipment, and utilities to be provided by the owner. The owner may not demand or accept any rent payment from the tenant in excess of the tenant rent as determined by SNRHA. The owner must immediately return any excess payment to the tenant.

#### **Tenant and SNRHA Responsibilities**

The family is not responsible for the portion of rent to owner that is covered by the housing assistance payment and the owner may not terminate the tenancy of an assisted family for DF nonpayment by SNRHA.

Likewise, SNRHA is responsible only for making the housing assistance payment to the owner in accordance with the HAP contract. SNRHA is not responsible for paying the tenant's portion of rent, or any other claim by the owner, including damage to the unit. SNRHA may not use housing assistance payments or other program funds (including administrative fee reserves) to pay any part of the tenant rent or other claim by the owner.

#### **Utility Reimbursements [24 CFR 982.514(b)]**

If the amount of the utility allowance exceeds the total tenant payment, SNRHA must pay the amount of such excess to the tenant as a reimbursement for tenant-paid utilities, and the tenant rent to the owner must be zero.

SNRHA may pay the utility reimbursement directly to the family or to the utility supplier on behalf of the family. If SNRHA chooses to pay the utility supplier directly, SNRHA must notify the family of the amount paid to the utility supplier.

#### SNRHA Policy

SNRHA will make utility reimbursements to the family.

According to HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," the PHA may elect to establish policies regarding the frequency of utility reimbursement payments (URP) for payments made to the family,





1. The PHA will have the option of making URPs not less than each calendar-year quarter for reimbursements. In the event a family leaves the program in advance of its next quarterly reimbursement, the PHA would be required to reimburse the family for a prorated share of the applicable reimbursement. PHAs exercising this option must have a hardship policy in place for participants.
2. If the PHA elects to pay the utility supplier directly, the PHA must notify the family of the amount paid to the utility supplier.

At this time, SNRHA will continue issuing monthly checks for utility reimbursement.

#### **17-IX.D. OTHER FEES AND CHARGES [24 CFR 983.354]**

##### **Meals and Supportive Services**

With the exception of PBV assistance in assisted living developments, the owner may not require the tenant to pay charges for meals or supportive services. Non-payment of such charges is not grounds for termination of tenancy.

In assisted living developments receiving PBV assistance, the owner may charge for meals or supportive services. These charges may not be included in the rent to owner, nor may the value of meals and supportive services be included in the calculation of the reasonable rent. However, non-payment of such charges is grounds for termination of the lease by the owner in an assisted living development.

##### **Other Charges by Owner**

The owner may not charge extra amounts for items customarily included in rent in the locality or provided at no additional cost to unsubsidized residents in the premises.

#### **RENTAL ASSISTANCE DEMONSTRATION (RAD) PROGRAM:**

SNRHA will administer a HUD, RAD (Rental Assistance Demonstration) program. .

At the time of the RAD award the residents are temporarily housed at other public housing and market units.

Residents of record of the designated SNRHA RAD properties at the time of award will have the right of return to the property once construction and rehabilitation are completed. Residents will be offered units in accordance with their family composition at the time of reentry.

Units not occupied by returning residents will be occupied in accordance with the Administrative Plan eligibility, admission, and selection policies for the Project Based programs in Housing Choice Voucher (Section 8) program.

Existing residents are not subject to re-screening, income eligibility or income targeting provisions in order to return.



Existing residents who have been temporarily transferred, whose accounts reflect a security deposit will have the security deposit transferred at RAD closing, except in the case of the deposit being applied for unpaid rent or tenant caused damage. Tenant is responsible for payment of any remaining security deposit due.

Tenant monthly rent increases of greater than 10% or \$25 purely as a result of conversion will be phased in over 3 years or extended up to 5 years by the PHA. Increases will automatically be applied on the first day of the month of the effective date of recertification.

Renewal of Lease: Under current regulations at 24 CFR 982.257 (b)(c), upon lease expiration, SNRHA shall renew all leases unless cause exist.

Residents occupying the RAD, Project Based Conversion property may be eligible to receive a Section 8 voucher after 1 year of occupancy if regular tenant based vouchers are available and an appropriate 60-day written notice is provided to management. Tenant and tenant's household must be in good standing and meet eligibility requirements for the PHA's HCV (Section 8) program prior to being issued a voucher.

If the families are currently enrolled in PH Family Self-Sufficiency (FSS) after the RAD conversion, SNRHA shall enroll them in its HCV FSS program. Resident under RAD not enrolled in PH FSS at the time of conversion will not be eligible to participate in the program. Residents shall have the right to establish and operate a resident organization and be eligible for participation funding.

#### **Resident Procedural Rights [PIH-2012-32 (HA), REV-2]:**

The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner's lease, which includes the required tenancy addendum, as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program.

#### **Termination Notification:**

HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257 related to Project Owner termination of tenancy and eviction (which MTW agencies may not alter) the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall not be less than:

- a. A reasonable period of time, but not to exceed 30 days:
  - i. If the health or safety of other tenants, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or
  - ii. In the event of any drug-related or violent criminal activity or any felony conviction;
- b. 14 days in the case of nonpayment of rent; and
- c. 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.

#### **Grievance Process:**

Pursuant to requirements in the RAD Statute, HUD is establishing additional procedural rights to comply with section 6 of the Act. For issues related to tenancy and termination of assistance,



PBV program rules require the Project Owner to provide an opportunity for an informal hearing, as outlined in 24 CFR § 982.555. RAD will specify alternative requirements for 24 CFR § 982.555(b) in part, which outlines when informal hearings are not required, to require that:

- a. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi),<sup>26</sup> an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a Project Owner action in accordance with the individual's lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident's rights, obligations, welfare, or status.
  - i. For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i).
  - ii. For any additional hearings required under RAD, the Project Owner will perform the hearing.
- b. There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or contract administrator.
- c. The Project Owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).
- d. The Project Owner provides opportunity for an informal hearing before an eviction.

Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan.

### **Earned Income Disregard (EID) [24 CFR 5.617]:**

Residents who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID exclusion after conversion, in accordance with regulations at 24 CFR § 960.255. After conversion, no other residents will be eligible to receive the EID. If a tenant receiving the EID exclusion undergoes a break in employment, ceases to use the EID exclusion, or the EID exclusion expires in accordance with 24 CFR §960.255, the tenant will no longer receive the EID exclusion and the Owner will no longer be subject to the provisions of 24 CFR §960.255. Furthermore, residents whose EID ceases or expires after conversion shall not be subject to the rent phase-in provision, as described in Section 1.7.B.3; instead, the rent will automatically be adjusted to the appropriate rent level based upon tenant income at that time.

### **Earned Income Disregard (EID)**

With HUD's Final Rule dated March 8, 2016, entitled "Streamlining Administrative Regulations for Public Housing/Housing Choice Voucher Final Rule," **the requirements changed that families maintain continual employment in order to obtain EID benefits over a straight 24-month period. The Final Rule removes this requirement for continuous employment and benefits now applies**



for a straight 24 month period, with a clear start and end date, irrespective of whether a family maintains continual employment during the 24 months period. SNRHA shall not track start and stop time of employments but shall track start date, the 12-month date (on which the amount of the disregard may change from 100 percent to not less than 50% of earned income) and the 24-month end date. For families enrolled prior to the effective date of this regulation (March 8, 2016) the previous requirement shall continue.





## Chapter 18

### FAMILY SELF-SUFFICIENCY STATEMENT OF POLICIES

#### PURPOSE

The purpose of the Family Self Sufficiency Program (FSS) is to promote the development of local strategies to coordinate the use of Housing Choice Voucher (HCV) and Public Housing (PH) assistance with public and private resources to enable eligible families to achieve economic independence and self-sufficiency

The FSS is a program designed to promote employment and increase asset building among families living in assisted housing. The three main features of the FSS Program are: (1) case management; (2) delivery of the services; (3) the creation of an escrow account.

The FSS Program has been in existence since 1992; operating within the City of Las Vegas Housing Authority, City of North Las Vegas Housing Authority and the Housing Authority of the County of Clark, Nevada until the regionalization into Southern Nevada Regional Housing Authority (SNRHA) on January 1, 2010.

The local FSS Program is intended to serve as a catalyst for families to accept responsibility for themselves as they move toward achieving economic independence and self-sufficiency through the full utilization of resources made available through the FSS program.

In implementing its *Family Self-Sufficiency (FSS)* Program, SNRHA) is committed to providing the highest quality of housing and related non-housing services to its FSS Program Participants. Such non-housing services will take the form of a wide range of *supportive services* directly related to promoting the *economic self-sufficiency* of program participants. To encourage participants to reach their fullest economic potential, SNRHA will link community supportive services with an individual's educational, job training, and job placement goals. Goal setting will be facilitated by the staff of the agency's FSS program.

Each participant will develop their *Individual Training and Service Plan (ITSP)* with the assistance of their FSS Coordinator.

The FSS Coordinator will develop the ITSP with input from each participant.



## **PART I: INTRODUCTION**

### **BENEFITS OF OPERATING A VOLUNTARY FSS PROGRAM:**

An aggressive and innovative FSS program will yield numerous, positive benefits such as:

- A direct increase in the number of working families within SNRHA programs - participants who, initially, may have received welfare benefits will be encouraged to seek and maintain employment in order to graduate from the program.
- A reduction of under-employed families – participants who may have lacked the necessary job skills to reach economic independence will have access to appropriate training which will lead to greater employment opportunities.
- Encourage good working relationships with local service providers and other community agencies for the benefit of the residents and program participants.

### **PROGRAM COORDINATING COMMITTEE (PCC)**

The purpose of the SNRHA PCC is to assist with providing and/or securing public and private resources for the operation of the FSS programs and the development of the FSS Action Plan.

PCC membership is composed of a cross section of service providers, sponsors of skills-based training, community partners, employers, FSS program participants and SNRHA staff.

The PCC membership shall include the following:

- A PH resident and a Housing Choice Voucher (HCV) participant, who has currently or previously received public assistance, has successfully completed, or is currently enrolled in a self-sufficiency or welfare-to-work related program, and is in compliance with their program obligations;
- SNRHA FSS Coordinators
- Representatives from financial institutions
- Representative from local post-secondary educational institution
- Representative from local welfare agency
- Child care provider
- Representatives from non-profit service providers
- All Onsite Service Providers (at least one representative from each provider)

### **CERTIFICATION OF COORDINATION:**

The development and retention of viable, extensive partnerships with the public and private sector are paramount to the success of the FSS Program. The FSS Program Coordinating Committee and FSS Coordinators shall coordinate this endeavor.



## **GOALS AND OBJECTIVES:**

The Family Self-Sufficiency (FSS) program is intended to promote the development of local strategies to coordinate the use of Public Housing (PH) assistance and Housing Choice Vouchers (HCV) with public and private resources, to enable eligible families receive assistance under these programs to achieve economic independence and self-sufficiency.

The overall goal of the FSS Program is to assist and motivate low-income individuals and families by working together to overcome barriers, build self-esteem, and establish obtainable goals. The objective of the FSS Program is to reduce dependence of low-income families on welfare assistance, HCV and public housing assistance, and/or any other federal, state, or local rental or homeownership subsidies.

In order to obtain self-sufficiency, participating families are introduced to individualized case management where obstacles are identified so suitable goals can be set. Appropriate services are then identified to promote successful attainment of these goals. Participants shall be required to attend a set number of self-help workshops and seminars. Failure to attend required sessions can result in termination of the FSS contract, unless failure to attend is for good cause and prior notice was provided. Goals of the FSS Program are achieved through:

- One-on-one counseling to emphasize the importance of education and training to increase earning potential
- Career and personal counseling to set realistic goals and timeframes
- Strategies that encourage employment, entrepreneurship, and homeownership
- Referrals to community support services
- Incentives and recognition for achievements (i.e. escrow savings account, achievement highlights in the agency newsletter, and/or other communication tools.)

## **PROGRAM MEASUREMENTS**

The FSS Program will measure the success of the families who participate in the program and achieve self-sufficiency or accomplish similar goals, by tracking:

- Family members who seek and maintain suitable-employment
- Family members who get higher paying jobs
- Family members who get the GED or higher educational degrees
- Family members who no longer are receiving welfare benefits

## **PROGRAM SIZE**

The minimum program size for the FSS Program of Southern Nevada Regional Housing Authority (SNRHA) is 140 mandatory slots as of February 2016.





## **ESTIMATE OF POTENTIAL PARTICIPATING FAMILIES:**

SNRHA owns 2,882 Public Housing units and administers 11,013 Housing Choice Vouchers which together provide housing assistance to over 32,600 residents. The FSS Program is open to all adults, ages 18 and over, without regards to race, color, religion, sexual orientation, age, disability, familial status, or national origin.

## **SUPPORTIVE SERVICES NEEDS:**

The following represents some of the most needed supportive services for program participants:

- Education
  - High School Equivalency Test (HiSET) preparation
  - Postsecondary education preparation
  - English as a second language (ESL)
  - Computer training
  
- Life Skills
  - Domestic Violence awareness and prevention
  - Home Management
  - Self-Enrichment
  - Child Care
  - Parenting and Child Development
  - Transportation
  
- Financial Literacy
  - Credit Counseling
  - Budgeting
  - Asset Building
  - Debt Management
  - Homebuyer Education
  
- Employment
  - Vocational Training
  - Resume Building
  - Effective Job Search
  - Interview Skills and Techniques
  - Job Placement and Retention
  
- Healthcare
  - Affordable Health Care
  - Social Services
  - Addiction Prevention



## **INCENTIVES TO ENCOURAGE PARTICIPATION:**

SNRHA offers many incentives to encourage FSS Program participation, including the following services:

- Individual case management
- Links to community resources
  - Career assessment
  - Job skills/training
  - Financial management
  - Credit repair services
- Escrow account credits
- Homeownership opportunities

## **ASSURANCE OF NON-INTERFERENCE:**

- The decision, by a family to participate, or not, in the FSS Program, will not affect their right to admission in the Public Housing or Housing Choice Voucher Programs, or their right to occupancy in accordance with their lease.

## **FAMILY SELECTION PROCEDURES**

In accordance with applicable federal regulations, families are selected without regard to race, color, religion, sex, sexual orientation, marital status, handicap, familial status or national origin.

SNRHA observes all federal regulations related to FSS participation for all applicants.

After lease-up or occupancy, the participant/resident who has expressed an interest in participating in the FSS program is placed on the applicable FSS waiting list until there are available FSS slots available.

Applicants shall be selected in order of the date they were placed on the Interest List and the date of next annual re-examination. For the voucher FSS program, preference will be given to HCV Program FSS Port-in participants; then to those PH residents receiving HCV assistance as a result of demolition of their PH developments; then to Foster Care Youth preference holders.

Applicants will be denied participation if:

- They were previous participants in FSS and previously received escrow, violated the family obligations under HCV, or lease violations under PH the programs.
- Have an unpaid debt to any PHA and does not have a current repayment agreement that is compliant.

Applicants will be notified of their status within 15 calendar days. Each eligible head of household will be notified in writing or other communication method requested by a participant with a disability and given a date/time for their initial FSS program orientation session. This session may be conducted individually or in a group.

For each program applicant deemed ineligible for FSS program participation, the written notice



shall inform the family of reason(s) for denial with enough specificity to allow them the opportunity to provide specific written evidence of eligibility and inform them of their right to an informal review of the decision to be held conducted by the Director of Supportive Services.

Each family must complete a Pre-Assessment Form. The Pre-Assessment Form is a tool that will be used to establish a base level of need. It will be used, for case management purposes only, to determine the participant's level of education, job skills, prior work experience, and career interest and program readiness. It will not be used to screen-out any participant.

### **Portability:**

Portability members (Port-ins) from other FSS Programs will be welcomed into the SNRHA Family Self-Sufficiency Program, if open slots are available. If slots are not available, the family will be placed on the Interest Form List according to the date and time that the request was received. A new Contract of Participation (COP) will be executed for the remaining time of the initial contract. Exceptions to this policy in accordance with 24 CFR 984.306 regarding absorbing of FSS port-in clients. If SNRHA is absorbing under the HCV program, incoming HCV participants already enrolled in FSS and in good standing with the initial PHA will be absorbed, if funding is available.

The Head of Household (HOH) must sign the COP before other family members can participate.

The program participant must be:

- A current resident/participant, 18 years or older, in good standing with the SNRHA program under which they are a participant.
- Lease compliant (PH Residents)
- Current with community service hours (not applicable to HCV) or current on repayment agreement
- Not under eviction or termination.

SNRHA FSS Coordinators will use multiple methods to inform and recruit eligible program participants. Promotional materials are distributed to existing program participants and to applicants who are near completion in the lease-up process. These materials highlight program information and benefits, may include flyers, posters, FSS Brochure, and Interest Form. Several other outreach methods will be used to encourage FSS Program participation.

- The FSS informational brochures and interest forms will be available in SNRHA lobbies, administrative offices, management offices and /or distributed upon request
- The FSS department may mail brochures, annually to all eligible households
- FSS presentations may be conducted during any resident informational sessions

The FSS application process is as follows:

- The HOH must submit an interest form
- FSS Coordinators will verify the status of the resident, if lease compliant, the HOH will be placed on the interest list, in the YARDI system, by the date the interest form was received



- Eligible HOH will be invited, and must attend, an orientation session, if not; the family will be removed from the interest list. The orientation sessions will be held at various times on at least two different days, per month
- During the orientation session, detailed program information will be shared to assist the HOH in making the decision to participate
- If the HOH decides to participate, a Pre-Assessment Form must be completed
- If the HOH decides not to participate, the family will be removed from the Interest List

The Pre-Assessment Form is a tool that will be used to establish a base level of need. It will be used for case management purposes only, to determine the participant's level of education, job skills, prior work experience, career interest and program readiness. It will not be used to screen-out any participant.

The FSS enrollment criteria are as follows:

- The participant must be compliant with the terms of the lease or Housing Assistance Payment (HAP) agreement Family Obligations under the HCV program
- The HOH must have had an annual certification within the previous 120 days to begin the enrollment process.

## **ACTION PLAN**

SNRHA's FSS Program Action Plan will govern the operation of the FSS Program. This plan shall be updated annually and submitted to HUD each January.

## **INCREASING NUMBER OF WORKING FAMILIES**

In an effort to increase the number of working families within the agency's housing assistance programs, SNRHA will identify, mobilize, and link resources in a manner that will expand the Family Self-Sufficiency (FSS) Program to assist as many motivated and interested families as the program resources will accommodate.

SNRHA will implement this process as follows:

- Execute MOUs, if appropriate, with the initially targeted self-sufficiency partners, in order to have adequate services available to meet obligations to the motivated families as the families are selected for participation in the FSS program
- Develop and issue an FSS program booklet listing the basic program objectives, enrollment procedures, and primary service providers to all currently enrolled and interested families
- Coordinators shall identify resources to ensure families have tools to assist them in achieving their goals.

## **TARGETED SUPPORTIVE SERVICES TO BE PROVIDED**

The following forms of supportive services will be provided for the FSS Program participants through collaborative partnerships with area governmental, educational, and/or non-profit service providers:



- Childcare
- Transportation
- Remedial Education
- Secondary and Post-Secondary Education
- Job Readiness Training
- Jobs Referrals
- Homeownership Counseling
- Credit Counseling/Credit Repair
- Referrals to local supportive services; i.e. welfare; LIHEA; SSA and Medicaid

### **INCENTIVES TO ENCOURAGE PARTICIPATION**

SNRHA offers many incentives to encourage FSS Program participation, including the following:

- Individual case management
- Quarterly Meetings
- Links to community resources
  - Career assessment
  - Job skills/training
  - Financial management
  - Credit repair services
- Escrow account credits
- Homeownership opportunities

### **ASSURANCE OF NON-INTERFERENCE**

If a family decides not to participate in the FSS Program, that decision will not affect the family's right to admission in the Public Housing or HCV Programs or the right to occupancy in accordance with the lease.

### **METHOD FOR IDENTIFICATION OF SUPPORTIVE SERVICE NEEDS:**

The FSS Coordinator will provide on-going coordination and encouragement to the FSS Family. A critical factor in the provision of case management services is a regular communication between the Coordinators and their assigned families. All newly enrolled participants are required to meet with their Coordinator monthly, for the first three (3) months and quarterly thereafter. Assessment of the participant's needs and their on-going progress continues throughout the length of the FSS Contract of Participation (COP). Employment and career



development plans are made based on the assessment.

## **CONTRACT OF PARTICIPATION**

The COP will be discussed in detail with eligible family members, prior to being signed by the HOH. Other household members, 18 or older, may enroll in the FSS program at any time. These household members will be required to work one-on-one with the FSS Coordinator to develop and sign their own Individual Training and Service Plan (ITSP).

The enrollment process is complete once the HOH and the FSS Coordinator sign the COP.

The COP must include:

1. ITSP
2. A list of interim goals, one of which must be that all family members receiving Temporary Assistance to Needy Families (TANF), are off welfare assistance and remain independent for at least 12 consecutive months before the contract expires
3. Finals goals
4. The “seek and maintain suitable employment” clause which includes employment, interviews, and other activities related to job search. A determination of suitable employment shall be made by SNRHA based on the skills, education, and job training of the HOH and based on the available job opportunities within the jurisdiction served by SNRHA
5. Baseline information, annual income, earned income, and Total Tenant Payment (TTP)/30% of monthly adjusted income

After the initial activities have been completed, the FSS head of household will be required to sign an FSS Contract of Participation (HUD Form 52650).

The Contract of Participation will set forth the terms and conditions of participation in the FSS Program. It also includes the rights and responsibilities of the FSS family and SNRHA.

The *ITSP* will be an attachment to the FSS Contract. If the FSS participants are receiving benefits under the TANF program, SNRHA shall establish a goal that the family will become independent from TANF assistance at least one (1) year before the expiration of the term of the Contract of Participation. The Contract of Participation provides that one of the obligations of the FSS family is to comply with the terms of the HCV and/or PH requirements.

It is the responsibility of the FSS Coordinator to review the FSS Contract of Participation, in its entirety, with the participant. This will include a review of both the contract terms and the *ITSP*.

During this meeting, the participant will have the opportunity to amend any portion of the *ITSP* with the concurrence of the FSS Coordinator. Should the proposed changes substantially alter the participant's goals in a manner that does not meet the program objectives and/or the original selection criteria, such change may not be approved. FSS Coordinator determines the participant is no longer committed to the objectives of the FSS program the FSS Coordinator may terminate the FSS participant's enrollment process. Any terminations must be made in writing and the family must be advised of the procedures for obtaining an informal hearing under the public



housing or HCV program, as applicable.

The participant and FSS Coordinator will jointly execute the Contract of Participation. The original Contract, and any applicable attachments, will be maintained in the participant folder. At the close of this meeting, the participant will be provided with copies of the:

- Service Provider Referral Letters (original with copies to file)
- Contract of Participation and ITSP (copy)
- Escrow Worksheet (copy)

### **EMPLOYMENT AND EDUCATION REQUIREMENTS**

At any time the participant is not enrolled in an approved jobs training or educational program, the participant shall be required under the Contract of Participation to seek and maintain suitable employment of at least 20+ hours per week at minimum federal wages.

Only the head of household of the FSS family will be required to seek and maintain suitable employment. To *seek employment* means to provide evidence that he or she is actively completing/submitting job applications, participating in job interviews, and/or soliciting job leads through the Nevada Employment Services. The participant must complete and submit the Documentation of Search Form and submit monthly to the FSS Coordinator.

Determination of a participant's employability shall be made by SNRHA based on skills, education, prior work experience and or jobs training, as well as the perceived level of work opportunities based on individual attributes.

Alternatively, a participant may be enrolled in an educational program that is expected to result in the award of a diploma, certificate or degree. For anything other than remedial/basic education, the FSS participant must provide evidence that they are enrolled full-time in accordance with the institution's requirements for full time status for day students. The participant may also be required to periodically provide evidence that they are continually enrolled throughout the calendar year.

In summary, the FSS participant must be employed, in school/jobs training on a full time basis, or evidence a combination of school and work.

Participants must attend a FSS Support Group once every six (6) months.

Reasonable accommodations will be made upon request for FSS applicants with disabilities. SNRHA will work closely with heads of household who are disabled and may require a disability-specific jobs training program.

### **CONTRACT TERM**

The Contract of Participation (COP) shall provide that each FSS participant will be required to fulfill their FSS obligations in not more than five (5) years after the effective date of the contract.



This COP is a binding, five-year agreement between the Head of Household and the Southern Nevada Regional Housing Authority. This COP must:

- a. Help develop the Individual Training & Service Plan (ITSP).
- b. List interim and final goals – one of which must be that all family members are off welfare assistance and remain independent for at least one (1) year before contract expires, including any extensions.
- c. Include “seek and maintain suitable employment” clause which includes employment, interviews, and other activities related to job search. (An employment counselor will determine the definition of ‘suitable employment’ for occupations outside the norm.)
- d. Include baseline information – income, rent, and employment status.
- e. Interim goals may not be changed during the last six (6) months of the contract.

The COP will be discussed in detail with interested family members, prior to being signed by the HH; however, the family must be in compliance with all lease terms and conditions.

Other household members, 18 or older, may enroll in FSS at any time during the program. These household members will be required to work one-on-one with the FSS Coordinator to develop and sign their own ITSP.

During, the term of the COP, changes may be made to the ITSP and/or change of the FSS designated HH, by written request. The FSS Coordinator will forward the request as appropriate. Once the decision has been made, the Coordinator will respond in writing.

The participant will have ten (10) calendar days, to appeal the decision to the Director of Supportive Services (DSS) or designee. The participant shall have the opportunity to present written or oral objections.

### **Case Files**

The FSS Coordinator will maintain an individual case file on each FSS participant. The file will contain the following documents:

- Contract of Participation
- ITSP(s)
- Interest Form, FSS Pre-assessment & Assessment Forms
- Escrow Calculation and Tracking Forms
- Documentation of program participation
- Case notes detailing each contact with the participating family
- Extension and other related forms and letters
- Referral letters and other relevant correspondence
- Termination forms





- Extension approvals of approved changes to ITSPs

## **ESCROW ACCOUNT MANAGEMENT**

SNRHA shall maintain all FSS participant escrow accounts in accordance with HUD's regulations for recording program accounts. Escrow accounts are maintained on each participant. The escrow calculation allocates monthly savings amounts for each family, based on increases in their rent due to increased earned income (salary and wages.)

The annual or interim recertification exam determines when and how much change there will be to the Total Tenant Payment (the tenant's portion of the rent and utilities), which will then result in changes to the escrow accruals.

(Special Public Housing and HCV Notice: HUD approved income exclusions {earned income disallowance} will affect the FSS escrow account accruals.)

In an effort to maximize investment earnings, FSS escrow funds are combined and placed in a HUD approved investment instruments. The interest paid on the actual investment will be credited to the individual FSS escrow accounts at least annually.

If the FSS participant has not paid the family's contribution towards rent during the month in which such payment was due, or the other amounts, if any, due under the Public Housing lease and/or amounts due the SNHRA under the HCV program (e.g., repayment agreement), the balance in the account shall be reduced by that amount before prorating/calculating the interest income earned.

The participant will receive an escrow statement annually. This report will include the current monthly escrow credit along with the total escrow and interest accrual to date. These annual escrow reports serve both as a way to measure progress and as a motivator for pursuing self-sufficiency goals.

If the family is a HCV program port-in and SNRHA absorbs the family, the initial PHA must send the funds in the family's escrow account to SNRHA to administer.

A family in the SNRHA HCV program may port-out to the jurisdiction of a receiving PHA as long as the FSS participant has been in SNHRA's program for at least 12 months and as long as the receiving PHA has an FSS program and will accept the family.

If the receiving PHA has an FSS Program and will accept/absorb the family, then the receiving PHA will execute a new contract for the remaining time on the initial Contract. SNRHA will send the family's escrow funds to the receiving PHA and will close the contract at SNRHA.

If the receiving PHA does not have an FSS Program, then the family forfeits their FSS escrow account.

## **INTERIM ESCROW WITHDRAWALS:**

An HOH may be permitted to withdraw escrow funds for program and/or supportive services



expenses such as completion of his/her education, job training or start-up expenses for new business, however, the participant must:

- Have exhausted all other resources, and provided written acceptable verification
- Not owe a debt to SNRHA (unless the participant is current with a repayment agreement)
- Be in program compliance with both FSS and SNRHA
- Submit a written request and documentation of the need to the FSS Coordinator
- Have attended one FSS Support Group workshops within the last six months
- Be actively pursuing FSS goals
- Use the escrow funds for purposes of meeting ITSP goals only, otherwise, the participant will be terminated from the FSS program
- Provide receipts(s) verifying expenditure(s) within 30 days.

All written requests for interim disbursement will be submitted to the Director of Supportive Services (DSS), after the FSS Coordinator and the Resident Program Coordinator (RPC) have reviewed the request, to determine the adequacy of documentation and the level of need. The Coordinators must submit proof that other resources have been denied such as transportation cost, childcare, and care repairs if the family is eligible to receive from the Department of Welfare and Social Services (DWSS.) The DSS has final approval.

The FSS Coordinator will inform the participant of the request results.

- If the request is approved, the interim escrow distribution check will be prepared within 10 business days
- Within 10 business days after the escrow funds are received, the participant must provide documentation/receipts(s)
- Failure to provide documentation/receipts, participant will be terminated from the FSS program
- If the request is denied, the FSS Coordinator will mail to the participant, a written notification stating the reasons(s) for denial, or
- There is no appeal process for interim disbursement requests.

### **CONTRACT EXTENSION FOR GOOD CAUSE:**

SNRHA and the FSS participant must mutually agree to modify the Contract of Participation. However, no approvals for change of head of household shall be approved unless it is due to the death of the head of household as identified at the time of signing the COP or as a reasonable accommodation approved by SNRHA's 504 Coordinator.

The COP must be modified in writing with respect to changes to the participant's individual training and supportive service plan, the FSS contract, and/or the designated head of the family.

If an FSS service partner fails to deliver the supportive services pledged pursuant to a participant's ITSP, SNRHA shall make a good faith effort to obtain the same or similar services from another agency. If the absence of certain services will severely impact the participant's ability to achieve their original goals, the FSS Coordinator is authorized to assist the family in



modifying the ITSP, removing any contract obligation of the participant to receive unavailable services and revising, as appropriate, the contract terms.

Contract extensions may be approved up to two (2) years, for active FSS participants under the following conditions:

- Goals which have not been met due to circumstance beyond the control of the participant (i.e.: loss of employment, medical issues, death in the family, etc.)

To request a program extension, the FSS participant must submit a written request to the FSS Coordinator. The written request must include the reason(s) for requesting the extension and verification. To determine if an extension is warranted, the FSS Coordinator will review the request, program compliance and progress with the participant.

The FSS Coordinator will submit to the RPC, a written recommendation for review. The RPC will submit same to the DSS for final approval.

There is no grievance process available when an extension is denied.

#### **SUCCESSFUL COMPLETION OF THE PROGRAM:**

Successful completion of the FSS Program occurs at any time during the FSS COP, if the following conditions are met, and the participant:

- Has achieved all of his/her personal goals stated on the FSS COP; and
- SNRHA verifies family members have not received welfare cash assistance during the previous twelve (12) consecutive months; or
- 30% of the family's monthly adjusted income equals or is greater than the Fair Market Rent (FMR) amount for the unit size for which the family qualifies.

All members of the household with an ITSP must complete established goals in order for the family to graduate.

FSS participants may successfully complete the program in less than the five (5)-year COP if all other requirements are met. Successful program graduates are not required to leave subsidized housing.

The full balance of escrow, less any outstanding debt to SNRHA, will be given to the HOH within 30 days after the effective date of program completion.

There are no restrictions on the use of the escrow funds, and the U.S. Internal Revenue Service has ruled these funds are not subject to federal income tax.

Participants who have successfully completed the FSS program are not eligible for re-enrollment.



## **CONTRACT TERMINATION**

### **Voluntary:**

Participation in the FSS Program is voluntary. Participants may withdraw from the program at any time. This request will be honored without penalty regarding the family's housing status.

When SNRHA and family agree the FSS program ceases to meet the needs of the family, the FSS contract may be terminated. This must be indicated in writing and signed by both the head of household and a representative of SNRHA. This request will be honored without penalty regarding the family's housing status.

The family may reapply after one (1) year from the date of prior termination at any time in the future with acceptance being based on availability of space in the program. However, priority for participation will be for those who have not previously participated in FSS. Any amount in the family's FSS escrow account will be returned to SNRHA's appropriate program accounts.

### **Involuntary:**

Reasons for involuntary termination from the FSS program include, but are not limited to:

- Adverse loss of housing assistance
- Failure to fulfill responsibilities under the COP
- Failure to provide documentation/receipts for interim disbursements
- An act occurs that is inconsistent with the purpose of the FSS program.

### **Failure to Meet Contract Obligations/Involuntary Terminations**

The following actions are considered failure of the FSS participant to meet its obligations under the contract of participation *without good cause*, including the failure of an HCV program participant to comply with the contract requirements because the family has moved outside of the jurisdiction of SNRHA.

- Loss of Housing Choice Voucher or PH assistance
- Failure to complete activities on the ITSP on a repeated basis [more than (2) occurrences, as well as failure to attend appointments with FSS Coordinator]
- Failure to meet requirements for graduation within the five (5)-year term of the program or an approved extension, or
- Failure to complete 12 months of participation prior to porting-out

The family's FSS escrow account will be forfeited, however, the family may re-apply to the FSS Program after a minimum twelve months.

### **By Other Such Act as Deemed Inconsistent with the Objectives of the FSS Program**

This includes, but is not limited to, fraud, illegal activities or any activity that would normally result in eviction from public housing community or termination of the HCV housing assistance



payments. Any amount in the family's FSS escrow account will be returned to SNRHA's appropriate funds.

*Good Cause* shall be defined to mean circumstances beyond the control of the FSS family such as a serious illness or loss of employment by the head of household. These circumstances must be verified by third party methods. The participant must have demonstrated active participation and progress in the FSS program.

### **Grievance Procedure:**

In the event that the FSS Coordinator terminates a participant from the program, a termination letter will be mailed to the participant clearly stating the reason(s) for the decision. The participant will have 10 business days, from the date of the letter, to contact the Resident Program Coordinator (RPC) or designee.

Written decision notification from the RPC or designee shall be issued to the participant within 10 business days. If the participant does not agree with the decision of the RPC, they may request a review of the decision with the DSS.

If the participant does not agree with the decision of the DSS, they may request a hearing with the SNRHA Hearing Officer, according to the guidelines established in the Admissions and Occupancy Policy (ACOP) for Public Housing residents or Administrative Plan for Housing Choice Voucher participants.

### **CHANGES TO THE ACOP AND ADMINISTRATIVE PLAN:**

SNRHA recognizes that the implementation of the FSS Action Plan is a dynamic process, which may need to incorporate changes/revisions to current policies and procedures to be an effective working tool for staff.

SNRHA will review its approved ACOP Policy and Administrative Plan as needed, to ensure the FSS Action Plan is consistent with all program objectives. Any necessary changes will be made to SNRHA policy with prior public notices and Board approval.

### **BY OPERATION OF LAW**

If the FSS program itself is terminated by an act of law, all contracts will automatically expire. Any amount in the family's FSS escrow account will be returned to SNRHA's appropriate fund accounts.

All HCV program participants at their briefing will be provided with an FSS interest form to complete. PH residents shall be advised of the opportunity to participate in the FSS program during their initial leasing meeting.

Additional outreach will be done through newsletters and brochures are available in the lobby and SNRHA website ([www.snrha.org](http://www.snrha.org)).



## **PROGRAM ACCOUNTABILITY**

### **PENALTIES FOR FAILURE TO MEET OR EXCEED THE CONTRACT TERMS**

**The FSS Coordinator** shall clearly explain violations or non-compliance with the provisions of the Contract of Participation, which may include termination in the FSS program and forfeiture of escrow account.

### **PROGRAM ACCOUNTABILITY AND REPORTING**

#### **Service Partner Follow-Up**

Service providers will be asked to complete and return the bottom portion of the FSS Referral Form when the family has completed their initial intake activities with the service partner. The FSS Coordinator must contact any participant who fails to initially utilize the service provider(s) within 60 calendar days of the initial date of referral or within referral timeframe.

Service providers will be encouraged to contact the FSS Coordinator when the participant fails to follow through or encounters obstacles to service or program completing.

FSS participants are required to meet with their assigned case manager on a monthly basis for the first three (3) months of program activity. Thereafter, the case manager and participant will meet on a quarterly basis. If there are problems or if the case manager suspects non-compliance, the participant shall be placed on a monthly basis.

The participant's progress will be charted on their Individual Training and Service Plan (ITSP).

The ITSP will serve as a worksheet for tracking progress in the areas of education, job skills training, jobs placement, transportation, childcare, etc. Any necessary revisions to the ITSP will be made as a result of the progress (or lack thereof) documented through the ITSP. New referrals and or adjustments in interim goals may also occur.

Attendance at the scheduled meetings with the case manager is mandatory. Failure to maintain two (2) or more consecutive appointments is grounds for termination from the program. Only the Director of Supportive Services may grant a waiver as a reasonable accommodation or for other extreme circumstances.



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**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page  | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------|-------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALL     | ALL   | Change                | Entire Document will be updated with correct Revision Dates, CFR References, and Page Numbers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 4       | 4-5   | Add                   | Head, Spouse or co-head who is employed at least 20 hours per week <b>at the equivalent of minimum wage,</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 4       | 4-10  | Change                | The waiting list will be purged at least <del>bi</del> <b>tri</b> -annually ...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 4       | 4-12  | Change                | SNRHA staff will attempt to notify applicants by telephone <b>as a courtesy;</b> <del>and</del> all offers will be made in writing by first class mail.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4       | 4-12  | Change                | If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "good cause". The applicant will <del>not be removed from</del> <b>be returned to</b> the waiting list.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 6       | 6 - 5 | Change                | <b>The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.</b> <del>beginning on the date on which the increase is earned income begins and continuing for a cumulative 12-month period.</del> For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 <del>cumulative</del> <b>consecutive</b> calendar months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income <b>for the remaining 12 consecutive calendar months.</b>                                                                                                                                                                                                    |
| 6       | 6-6   | Change                | During the <del>cumulative</del> <b>initial</b> 12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6       | 6-6   | Change                | During the second and <del>final</del> <b>final</b> <del>cumulative</del> 12-month period after the expiration of the initial <del>cumulative</del> -12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 6       | 6-6   | Change                | <b>Maximum Two Four-Year Disallowance</b><br>The earned income disallowance is limited to a lifetime <del>48</del> 24 calendar month period.....phase- in exclusion during the <del>48</del> -24 month period ..... <del>If the period of increased income does not last for 12 consecutive months, the disallowance period may be resumed at any time within the 48-month period, and continued until the disallowance has been applied for a total of 12 months of each-</del>                                                                                                                                                                                                                                                                                                                                                                                               |
| 6       | 6-7   | Change                | <del>disallowance (the initial 12 month full exclusion and the second 12-month phase-in exclusion.</del> <b>If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.</b><br><del>No earned income disallowance will be applied after the 48-month period following the initial date the exclusion was applied.</del> <b>The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were "used".</b><br><b>Families that currently benefit from the IED, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48 month period, as was in effect prior to the effective date of this provision.</b> |
| 6       | 6-8   | Remove                | <del>Dates(s) earned income ended and resumed during the initial cumulative 12-month period of exclusion-</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 6       | 6-8   | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the initial exclusion of <b>100%</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



**Southern Nevada Regional Housing Authority  
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| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                 |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6       | 6-8  | Remove                | <del>Date(s) earned income ended and resumed during the second cumulative 12-month period (phase in) of exclusion (if any)</del>                                                                                                                                                                                                              |
| 6       | 6-8  | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the phase in exclusion <b>of 50%</b> .                                                                                                                                                                                                                                |
| 6       | 6-8  | Change                | Ending date of the maximum <del>48 months (four year)</del> <b>24 month (2 Year)</b> disallowance period.                                                                                                                                                                                                                                     |
| 6       | 6-8  | Remove                | <del>(48 months from the date of the initial earned income disallowance)</del>                                                                                                                                                                                                                                                                |
| 7       | 7-24 | Add                   | <b>Credit Card Statements will not be accepted as proof of payment of expenses</b>                                                                                                                                                                                                                                                            |
| 8       | 8-1  | Change                | submit the <del> requisite</del> <b>requested</b> 3rd party                                                                                                                                                                                                                                                                                   |
| 8       | 8-2  | Change                | 1 transfer for every <del>50</del> <b>20</b> new move-ins                                                                                                                                                                                                                                                                                     |
| 8       | 8-2  | Change                | Designated Senior Developments: 1 transfer for <del>50</del> <b>2</b> new move-ins                                                                                                                                                                                                                                                            |
| 8       | 8-3  | Add                   | <b>Good Standing criteria does not apply in the case of emergency transfers. Residents will be required to become compliant with all lease provisions upon completion of the Emergency Transfer to the new unit.</b>                                                                                                                          |
| 8       | 8-8  | Change                | <del>Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement. All applicable charges will be transferred to the resident's new account.</del>                                                                                                                                        |
| 8       | 8-8  | Addition              | The SNRHA will offer certain incentives to higher income families ( <b>Household income at or above 60% of AMI</b> ) willing to move into lower income projects...                                                                                                                                                                            |
| 8       | 8-9  | Change                | <del>In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, the losing manager will notify the resident of responsibility for the flat rent on the unit, in which they are transferring from, until such time keys have been submitted.</del>                                            |
| 8       | 8-9  | Add                   | with disabilities, <b>in accordance with SNRHA Reasonable Accommodation Policy and Procedures.</b>                                                                                                                                                                                                                                            |
| 8       | 8-10 | Change                | <b>For Otto Merida - Honolulu Street Family Apartments</b>                                                                                                                                                                                                                                                                                    |
| 9       | 9-5  | Change                | Residents must advise the SNRHA when they will be absent from the unit for more than <del>30</del> <b>14</b> consecutive days                                                                                                                                                                                                                 |
| 9       | 9-6  | Add                   | <b>If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See Page 6-16</b> |
| 9       | 9-7  | Change                | Tenant gave the required <del>30</del> <b>15</b> calendar days advance written notice                                                                                                                                                                                                                                                         |
| 9       | 9-8  | Change                | If any of the above items are found within a household the resident will be immediately billed <b>per labor established according to the Maintenance Charge List and added into the tenant's security deposit funds.</b> <del>thirty dollars (\$30) per room or affected area.</del>                                                          |

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9       | 9-11 | Change / Addition     | The premises listed below have been designated as smoke-free living environments:<br><b>• Lubertha Johnson Perry Plaza Senior Development</b><br><b>With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.</b><br>Residents, <b>staff</b> and guests are prohibited                                                                                |
| 10      | 10-1 | Change                | The SNRHA Pet Policy <b>Deposits, Fees, and Restrictions</b> does not apply to Assistance Animals...                                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-1 | Addition              | Families who choose to pay flat rent <b>or families who receive a verifiable fixed income</b> are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent <b>or fixed income</b> ...                                                                                                                                                                                                         |
| 11      | 11-2 | Addition              | choose flat rent <b>and families who receive fixed income</b> are to be recertified every three years.                                                                                                                                                                                                                                                                                                                                                    |
| 11      | 11-2 | Addition              | ...recertification will be conducted <b>at most 120 days prior</b> to be effective on August 1, the following year.)                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-2 | Addition              | and at the end of <b>second 12 month disallowance period</b> <del>the phase in period.</del>                                                                                                                                                                                                                                                                                                                                                              |
| 11      | 11-4 | Addition              | recertification, <b>they will receive a 30 day notice of lease termination for non-compliance of the recertification process.</b> <del>their housing subsidy will be removed and they will be charged the flat rent for their unit as of the effective date of the household's annual recertification.</del>                                                                                                                                              |
| 11      | 11-6 | Remove                | receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are <del>not</del> required to report their annual increase when it occurs. <del>The SNRHA will not increase the family's total tenant payment until their next regularly scheduled annual except when an interim recertification is necessary as a result of any other changes listed in the "Reporting Requirements" section of this chapter.</del> |
| 14      | 14-2 | Addition              | <b>HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR.(PIH-2015-12 HA)</b>                                                                                       |
| 14      | 14-2 | Change                | Participating in an educational or vocational training program designed to lead to employment. <b>As long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.</b> <del>30 hours per week</del>                                                                                                                                                         |



## Chapter 4

### TENANT SELECTION AND ASSIGNMENT PLAN

(Includes Preferences and Managing the Waiting List)

[24 CFR 960.204]

#### **INTRODUCTION**

It is the SNRHA policy that each applicant shall be assigned an appropriate place on a jurisdiction-wide waiting list unless the applicant has applied for a development subject to a site-based waiting list. Applicants will be listed in sequence based upon date and time the application is received, the size and type of unit they require, the site in which they wish to reside for applicable designated communities, and factors of preference or priority. In filling an actual or expected vacancy, the SNRHA will offer the dwelling unit to an applicant in the appropriate sequence, with the goal of accomplishing de-concentration of poverty and income-mixing objectives. The SNRHA will offer the unit until it is accepted. This Chapter describes the SNRHA policies with regard to the number of unit offers that will be made to applicants selected from the waiting list.

#### **SNRHA OBJECTIVES**

SNRHA policies will be followed consistently and will affirmatively further HUD's fair housing goals.

It is the SNRHA objective to ensure that families are placed in the proper order on the waiting list so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This chapter explains the policies for the management of the waiting list.

When appropriate units are available, families will be selected from the waiting list in sequence within their preference category and date and time sequence.

By maintaining an accurate waiting list, the SNRHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner. Based on the SNRHA turnover and the availability of appropriate sized units, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

#### **SITE-BASED/DESIGNATED WAITING LISTS**

Per the Quality Housing and Work Responsibility Act of 1998, SNRHA uses site-based/designated waiting lists.

#### **A. MANAGEMENT OF THE WAITING LIST**

The SNRHA will administer its waiting list as required by 24 CFR Part 5, Subparts E and F, Part 945 and 960.201 through 960.215. The waiting list will be maintained in accordance with the following guidelines:

The application will be a permanent part of the file.



All applicants in the pool will be maintained in order of preference. Applications equal in preference will be maintained by date and time sequence.

All applicants must meet applicable income eligibility requirements as established by HUD.

### **Opening and Closing the Waiting Lists**

The SNRHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part.

The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit, and the ability of the SNRHA to house an applicant in an appropriate unit within a reasonable period of time.

When the SNRHA opens the waiting list, the SNRHA will advertise the location(s), and program(s) for which applications are being accepted in the following newspapers:

Las Vegas Review Journal/Sun  
El Mundo  
Las Vegas Asian Journal  
Indian Voice  
The Challenger Rehabilitation, Disability Newspaper

To reach persons with disabilities, the SNRHA will provide separate notice to local organizations representing the interests and needs of the disabled. This will include notice to the following organizations:

Opportunity Village  
Nevada Disability Advocacy and Law Center Nevada  
Legal Services  
Help Them Walk Again  
Nevada Association for the Handicapped

The notice will contain:

- The dates, times, and the locations where families may apply.
- Any designated housing for which site-based waiting lists are applicable
- The programs for which applications will be taken.
- Limitations, if any, on whom may apply.

The notices will be made in an accessible format, if requested. They will provide potential applicants with information that includes the SNRHA address and telephone number, and how to submit an application.

### **When Application Taking is Suspended**

The SNRHA may suspend the acceptance of applications if there are enough applicants to fill anticipated openings for the next 12 to 24 months.



The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

During the period when the waiting list is closed, the SNRHA will not maintain a list of individuals who wish to be notified when the waiting list is open.

Suspension of application taking is announced in the same way as opening the waiting list. SNRHA will give at least five (5) days notice prior to opening or closing the list.

When the period for accepting applications is over, the SNRHA will add the new applicants to the list by:

- Unit size, local preference, and by date and time of application.

The SNRHA will update the waiting list at least annually by removing the names of those families who are no longer interested, no longer qualify for housing, or cannot be reached by mail. At the time of initial intake, the SNRHA will advise families of their responsibility to notify the SNRHA in writing when mailing address changes.

### **Limits on Who May Apply**

When the waiting list is open,

- Any family asking to be placed on the waiting list for Public Housing rental assistance will be given the opportunity to complete an application.

When the application is submitted to the SNRHA, it establishes the family's date and time of application for placement order on the waiting list with preference points determining the final rank.

### **Multiple Families in Same Household**

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

### **B. SITE BASED WAITING LISTS**

The SNRHA offers a system of site-based waiting lists for HUD-approved designated communities.

The SNRHA maintains separate site-based waiting lists for all current or future mixed financed properties, as well as all current or future RAD conversion Properties.

Applicants may choose which site-based waiting list they wish to be placed on, regardless of the application site. Applicants may designate the community or communities in which they seek to reside.

SNRHA will monitor its site-based wait list annually by comparing data in January to data in October to determine the level of change, if any, in the overall racial, ethnic and disability-related tenant composition at each SNRHA site by analyzing its data.



Every reasonable action will be taken by the SNRHA to assure that applicants can make informed choices regarding the community(s) in which they wish to reside. The SNRHA will disclose information to applicants regarding the location of available sites.

### **Monitoring Site-Based Waiting Lists**

The system of site-based waiting lists will be carefully monitored to assure that civil rights and fair housing are affirmatively furthered.

The SNRHA adoption of site-based waiting lists is not in violation of any court order or settlement agreement, and is not inconsistent with any pending complaint brought by HUD.

The SNRHA will monitor its system of site-based waiting list annually to assure that racial steering does not occur. If the SNRHA annual analysis of its site-based waiting list indicates that a pattern of racial steering is or may be occurring, the SNRHA will take corrective action.

The SNRHA will assess changes in racial, ethnic or disability-related tenant composition at each SNRHA site that has occurred during the implementation of the site-based waiting lists. The SNRHA will make this assessment based on MTCS data.

The SNRHA has established site-based waiting lists for the following properties:

Espinoza Terrace, Designated Elderly Development, Henderson

Hampton Court, Family Development, Henderson

Otto Merida Desert Villas, Family Development, Las Vegas

Landsman Gardens, Family development, Henderson

Vera Johnson B, Family Development, Las Vegas. Vera Johnson B will convert from Mixed Finance to RAD Project Based Voucher after construction.

Biegger Estates, Family Development, Las Vegas

Rose Gardens, Designated Elderly Development, Las Vegas

The SNRHA intends to make available dwelling units, in communities designated for elderly families only, to near-elderly families if there are an insufficient number of elderly families on the waitlist. Near elderly will be defined as families whose members are 55 years of age or older.

### **C. WAITING LIST PREFERENCES**

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

The SNRHA preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, and further de-concentration of poverty in public housing. When such matching is required or permitted by current law, the SNRHA will give preference to qualified families.



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

Among applicants with equal preference status, the waiting list will be organized by date and time.

**Local Preferences**

Local preferences will be used to select among applicants on the waiting list. A public hearing with an opportunity for public comment will be held before the SNRHA adopts any local reference.

The SNRHA uses the following Local Preferences:

**Homeless Referral Preference:** Families who are homeless (family lacks a fixed regular and adequate night time residence, or has a primary night time residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, such as welfare voucher hotels, congregate shelters or transitional housing designed for homeless persons, or a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings) and are participating in case management with an approved referral agency. This preference shall be limited to up to 150 referrals per year ..... **60 points**

Unit offers to applicants referred for this preference will be made as follows: for every two applicants from the waiting list receiving a unit offer, one applicant referred under this preference will receive a unit offer.

*Homeless Families that live with friends or relatives who are not currently in the transition system, will be encourage to apply to other available SNRHA programs that they may qualify for.*

**Federally Declared Disasters:** Victims who are holders of Section 8 Vouchers or other subsidized programs as defined as eligible units by HUD, in another jurisdiction within 120 days of the President declaring a federal disaster. .... **55 points**

**Working Preference:** Head, spouse or co-head who is employed at least 20 hours per week **at the equivalent of minimum wage**, or who are active participants in accredited educational and training programs designed to prepare the individual for the job market. This preference is extended equally to elderly families or disabled families, including but not limited to those whose head or spouse is receiving SSI, SSD, or who can be verified to be unable to work, if both the head of household and spouse is either elderly or disabled..... **30 points**

**Veteran preference** for veteran as defined by State. .... **6 points**

**Residency preferences** for head, co-head or spouse, who live, work, have been hired to work, or are enrolled full time in an accredited school in Clark County... **5 points**



**Disabled veteran** or family (defined as dependent son, daughter, and spouse) of a veteran with a service-connected disability. .... **.5 points**

**Family of** (defined as spouse) a **deceased veteran** with a service-connected death. .... **.4 points**

***FINAL VERIFICATION OF PREFERENCES [24 CFR 5.415]***

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the SNRHA will obtain necessary verifications of preference at the interview and by third party verification.

***PREFERENCE DENIAL [24 CFR 5.415]***

If the SNRHA denies a preference, the SNRHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal meeting with the Housing Programs Manager or Director of Housing Programs. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

**Treatment of Single Applicants**

Single applicants will be treated as any other eligible family on the SNRHA waiting list.

**Pulling from the Wait List**

SNRHA shall utilize income targeting to meet HUD's requirements that 40% of admissions have income of less than 30% of minimum income. Elderly and disabled families are given the working preference as required by HUD regulations. All preferences claimed are verified at final eligibility determination. If preferences claimed cannot be verified, the applicant is returned to the appropriate placement on our waiting list and a written notice explaining this action is sent to the applicant.

**D. VERIFICATION OF PREFERENCE QUALIFICATION [24 CFR 5.415]** The

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

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list and ranked without the Local Preference and given an opportunity for a review.

**Change in Circumstances**

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the SNRHA in writing when their circumstances change. When an applicant claims an additional preference, s/he will be placed on the waiting list in the proper order of their newly claimed preference.

If the family failed to report income changes during final eligibility and the verified





failure would have affected their eligibility for a local preference, the family will be returned to the waiting list.

**E. PREFERENCE DENIAL** [24 CFR 5.415]

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

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

**E. FACTORS OTHER THAN PREFERENCES THAT AFFECT SELECTION OF APPLICANTS**

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

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

**G. INCOME TARGETING**

The SNRHA will monitor its admissions to ensure that at least 40 percent of families admitted to public housing in each fiscal year shall have incomes that do not exceed 30% of area median income of the SNRHA jurisdiction.

Hereafter families whose incomes do not exceed 30% of area median income will be referred to as "extremely low income families."

The SNRHA shall have the discretion, at least annually, to exercise the "fungibility" provision of the QHWRRA by admitting less than 40 percent of "extremely low income families" to public housing in a fiscal year, to the extent that the SNRHA has provided more than 75 percent of newly available vouchers to "extremely low income families." This fungibility provision discretion by the SNRHA is also reflected in the SNRHA Administrative Plan.

The fungibility credits will be used to drop the annual requirement below 40 percent of admissions to public housing for extremely low income families by the lowest of the following amounts:



The number of units equal to 10 percent of the number of newly available vouchers in the fiscal year; or

The number of public housing units that 1) are in public housing communities located in census tracts having a poverty rate of 30% or more, and 2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

**The Fungibility Floor:** Regardless of the above two amounts, in a fiscal year, at least 30% of the SNRHA admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the SNRHA overall requirement for housing extremely low-income families to drop to 30% of its newly available units.

Fungibility shall only be utilized if the SNRHA is anticipated to fall short of its 40% goal for new admissions to public housing.

### **Low Income Family Admissions**

Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

## **H. UNITS DESIGNATED FOR THE ELDERLY**

In accordance with the 1996 Housing Act, Head or Spouse must be at least 62 years of age will be selected for admission to such units or buildings covered by a HUD-approved Allocation Plan, except for the units which are accessible, which may be offered to persons with disabilities.

The SNRHA will take the following action when processing families for developments designated for the elderly when there are insufficient elderly families who wish to reside in a development, near-elderly families (head or spouse ages 55-61) will be selected for this type of unit.

## **I. UNITS DESIGNATED FOR THE DISABLED**

SNRHA has no HUD-approved disabled-only designated developments.

## **J. MIXED POPULATION UNITS**

A mixed population community is a public housing community, or portion of a community that was reserved for elderly families and disabled families at its inception (and has retained that character).

In accordance with the 1992 Housing Act, elderly families whose head spouse or sole member is at least 62 years of age, and disabled families whose head, co-head or spouse or sole member is a person with disabilities, will receive equal preference to such units.

No limit will be established on the number of elderly or disabled families that may occupy a mixed population property. All other SNRHA preferences will be applied.



## **K. GENERAL OCCUPANCY UNITS**

General occupancy units are designed to house all populations of eligible families. In accordance with the SNRHA occupancy standards, eligible families not needing units designed with special features or units designed for special populations will be admitted to the SNRHA general occupancy units.

The SNRHA will use its local preference system as stated in this chapter for admission of eligible families to its general occupancy units.

## **L. DECONCENTRATION OF POVERTY AND INCOME-MIXING**

The SNRHA admission policy is designed to provide for de-concentration of poverty and income mixing by bringing higher income tenants into lower income communities and lower income tenants into higher income communities.

Gross annual income is used for income limits at admission and for income-mixing purposes.

Skipping of a family on the waiting list specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met.

The SNRHA will gather data and analyze, at least annually, the tenant characteristics of its public housing stock, including information regarding tenant incomes, to assist in the SNRHA de-concentration efforts.

The SNRHA will use the gathered tenant income information in its assessment of its public housing developments to determine the appropriate designation to be assigned to the community for the purpose of assisting the SNRHA in its de-concentration goals.

If the SNRHA annual review of tenant incomes indicates that there has been a significant change in the tenant income characteristics of a particular community, the SNRHA will evaluate the changes. The SNRHA will determine whether, based on the SNRHA methodology of choice, the community needs to be re-designated as a higher or lower income community or whether the SNRHA has met the de-concentration goals and the community needs no particular designation.

### **Deconcentration and Income-Mixing Goals**

Admission policies related to the de-concentration efforts of the SNRHA do not impose specific quotas. Therefore, the SNRHA will not set specific quotas, but will strive to achieve de-concentration and income mixing in its developments.

The SNRHA income-mixing goal is a long-range goal and may not be achieved in the first year of implementation. The SNRHA will use its annual analysis of its public housing stock and tenant incomes to provide benchmarks for the SNRHA.

The SNRHA income-mixing goal, in conjunction with the requirement to achieve income targeting, will be achieved via unit offer procedures described in Section P of this chapter.



## **Community Designation Methodology**

### **Aggregate Average Method**

The SNRHA will review the annual resident income of all family sites to develop an average annual income, which will be used as a baseline. Developments with an average annual income above that baseline will be considered higher income developments, and developments with an average annual income below the baseline will be considered lower income developments.

Upon analyzing its findings the SNRHA will apply the policies, measures and incentives listed in Section P of this chapter to bring higher income families into lower income developments.

### **SNRHA Incentives for Higher Income Families**

Covered in Section P of this Chapter.

### **M. REMOVAL FROM WAITING LIST AND PURGING** [24 CFR 960.204(a)]

The waiting list will be purged at least **tri**-annually by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within 14 calendar days, s/he will be removed from the waiting list. If a letter is returned by the Post Office, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. Failure to respond will result in removal from all waiting lists.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed period.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

The SNRHA allows a grace period of 7 calendar days after completion of the purge mailing. Applicants who respond during this grace period will not be withdrawn.

Applicants are notified with confirmation of the SNRHA receipt of their application that they are responsible for notifying the SNRHA within 10 calendar days, if they have a change of address.

### **N. OFFER OF ACCESSIBLE UNITS**

The SNRHA has units designed for persons with mobility, sight and hearing impairments, referred to as accessible units.

No non-mobility-impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, the SNRHA will offer such units:



First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA control who has a disability that requires the special features of the vacant unit.

Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, the SNRHA will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement. SNRHA will pay all reasonable and customary costs associated with the relocation of the non-disabled family.

The Authority will make modifications to the unit in keeping with the Section 504 Transition Plan as the need arises and until the agency determines that an adequate number of units have been rehabilitated in numbers sufficient to evidence compliance with the Plan See Chapter 9.

#### **O. PLAN FOR UNIT OFFERS**

The SNRHA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is to offer the family at the top of the waiting list for the appropriate bedroom size and unit type the oldest available unit five days prior to target-ready date.

Unit offers to promote income targeting are made in accordance with HUD regulations of the oldest eligible certified family to the appropriate bedroom size of the oldest ready and available unit. Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

#### **Number of Offers - Two Offers**

SNRHA will make two offers on an appropriate unit. If the second offer is rejected or the applicant fails to execute a lease within the required timeframes, the applicant will be withdrawn from our waiting list. Exceptions are incorrect unit offers and/or offers to non-disabled families of accessible units, or other “good cause” reason. The applicant shall be informed of this in writing.

#### **SNRHA Incentives for Higher Income Families**

The SNRHA will offer certain incentives to higher income families willing to move into lower income communities. If a higher income family agrees to move to an SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family’s choice. The move will be approved, according to the Occupancy Guidelines, only if the family has consistently been in lease compliance for two years following admission.

In addition, the SNRHA will target homeownership opportunities to higher income families moving into lower income communities.



## **P. CHANGES PRIOR TO UNIT OFFER**

### **Applicants with a Change in Family Size or Status**

Applicants must report changes in income, family composition, and address within ten (10) calendar days of the change prior to eligibility and after final eligibility. If the family did not report the change within the required time frame, the family will be withdrawn and determined ineligible and offered an opportunity for informal hearing.

Properly reported changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. The SNRHA shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit or if the family is no longer eligible for the program.

The family will take the appropriate place in the selection pool or waiting list according to the preference points on the date they first applied **if the appropriate waiting list was open at the time of initial application.**

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

Income changes properly reported after the unit is offered will be processed following lease-up procedures.

## **O. APPLICANT STATUS AFTER FINAL UNIT OFFER**

When an applicant rejects the final unit offer the SNRHA will remove the applicant's name from the waiting list. Removal from the waiting list means the applicant must reapply. Exceptions may be made in accordance with 504 regulations, for persons whose refusal involved the need for a reasonable accommodation.

## **R. TIME-LIMIT FOR ACCEPTANCE OF UNIT**

Applicants will have three (3) business days to respond to an offer of an available unit. Applicants must accept a unit offered within one (1) business day of the date the unit is shown and execute a lease within two (2) additional business days of the offer acceptance. Extensions can be approved for good cause.

SNRHA staff will attempt to notify applicants by telephone **as a courtesy**; all offers will be made in writing by first class mail.

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

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "*good cause*," the applicant will **be returned to** the waiting list.

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



- An elderly family who makes the decision not to occupy or accept occupancy in designated housing for which they applied will be withdrawn from the designated housing waiting list, but this action will not affect their standing on any other waiting list. [24 CFR 945.303(d)]
- Inaccessibility to source of employment or education such that an adult household member must quit a job, drop out of an educational or a job training program.
- The family demonstrates to SNRHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons must be specific. Refusals due to the location of the unit alone are not considered to be good cause.
- A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household member, or a live-in aide necessary to care for the principal household member.
- The family is offered a unit which is handicap accessible, but there is no member of the family that need accessibility features in the unit. The unit is inappropriate for the applicant's disabilities

### **S. REFUSAL OF OFFER**

If the unit offered is inappropriate for the applicant's disabilities or if a non-disabled family is offered an accessible unit, the family will retain their position on the waiting list.

If the unit offered is refused for other reasons, the SNRHA will follow the applicable policy as listed in Section O, Plan for Unit Offers, and Section Q, Applicant Status after Final Offer.

### **T. SPECIAL PROGRAMS**

The SNRHA will administer a HUD, RAD (Rental Assistance Demonstration) program at the following properties:

- o Landsman Gardens, Henderson, Nevada.
- o Vera Johnson B, Las Vegas, Nevada
- o Biegger Estates, Las Vegas, Nevada
- o Rose Gardens, North Las Vegas, Nevada

**See Chapter 16 for RAD/PBV information.**



## Chapter 6

### DETERMINATION OF TOTAL TENANT PAYMENT

[24 CFR 5.628, 5.611, 5.613, 5.615]

#### **INTRODUCTION**

The accurate calculation of annual income and adjusted income will ensure that families are not paying more or less money for rent than their obligation under the regulations.

This chapter defines the allowable deductions from annual income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subpart F and further instructions set forth in HUD Notices, Memoranda and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. The SNRHA's policies in this chapter address those areas which allow the SNRHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

#### **A. MINIMUM RENT (TTP)**

The minimum rent (TTP) for the SNRHA is \$50.00.

The total tenant payment is the greater of:

30% of the adjusted monthly income

10% of the monthly income

The minimum rent as established by the SNRHA

The minimum rent refers to a minimum total tenant payment and not a minimum tenant rent.

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

The SNRHA recognizes that in some instances even the minimum rent may create a financial hardship for families. The SNRHA will review all relevant circumstances brought to the SNRHA's attention regarding financial hardship as it applies to minimum rent. The following section states that the SNRHA's procedures and policies in regard to minimum rent financial hardship as set forth by the QHWRA.





### **SNRHA Procedures for Notification to Families of Hardship Exceptions**

The SNRHA will notify all participant families subject to a minimum rent of their right to request a minimum rent hardship exception under the law.

The SNRHA will notify all eligible families at time of lease-up of their right to request a minimum rent hardship exception.

The SNRHA will notify all eligible families at the annual and interim recertification appointments of their right to request a minimum rent hardship exception.

The manager or their designee will document in the family's file that the family has been notified of their right to request a minimum rent hardship exception.

The SNRHA notification will advise the family that hardship exception determinations are subject to SNRHA grievance procedures.

The SNRHA will review all tenant requests for exception from the minimum rent due to financial hardships.

All requests for minimum rent exception are required to be in writing.

Requests for minimum rent exception will be accepted by the SNRHA from the family in writing.

Requests for minimum rent exception must state the family circumstances that qualify the family for an exception.

### **Exceptions to Minimum Rent**

The SNRHA will immediately grant the minimum rent exception to all families who request it.

The Minimum Rent will be suspended until the SNRHA determines whether the hardship is:

Covered by statute

Temporary or long term

If the SNRHA determines that the minimum rent is not covered by statute, the SNRHA will impose a minimum rent including payment for minimum rent from the time of suspension.



The SNRHA will use its standard verification procedures to verify circumstances which have resulted in financial hardship, such as loss of employment, death in the family, etc.

### **HUD Criteria for Hardship Exception**

In order for a family to qualify for a hardship exception the family's circumstances must fall into one of the following criteria:

The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance;

The family would be evicted as a result of the imposition of the minimum rent requirement;

The income of the family has decreased because of changed circumstances, including:

Loss of employment

Death in the family

Other circumstances as determined by the SNRHA or HUD

### **Temporary Hardship**

If the SNRHA determines that the hardship is temporary, a minimum rent will be imposed, including back payment from time of suspension, but the family will not be evicted for nonpayment of rent during the 90 day period commencing on the date of the family's request for exemption.

### **Repayment Agreements for Temporary Hardship**

The SNRHA will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period.

See Chapter 14, Rent and Debt Collection Procedures, for payment terms.

## **B. INCOME AND ALLOWANCES**

**Income:** Includes all monetary and non-monetary income or benefit amounts that are received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be calculated and what is to be excluded in the federal regulations. In accordance with this definition, all income that is not specifically excluded in the regulations is counted. (See Income Inclusions and Income Exclusions in the Glossary of Terms of this policy.)



**Annual Income** is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits. (24 CFR 5.607)

The low-income subsidy received to assist low-income persons in paying for their Medicare prescription drug plan costs must be excluded as annual income for the purpose of calculating any rent or assistance.

**Adjusted Income** is defined as the annual income minus any HUD allowable expenses and deductions.

### **Allowable Deductions**

HUD has 5 allowable deductions from annual income:

1. Dependent allowance: \$480 each for family members (other than the head or spouse), who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
2. "Elderly/disabled" allowance: \$400 per household for families whose head or spouse are 62 or over or disabled.
3. For any family that is a disabled family, or has a member (other than the head or spouse) who is a person with a disability. A disability assistance expenses for unreimbursed amounts paid for attendant care or auxiliary apparatus expenses for family members with disabilities, including the disabled member, where such expenses are necessary to permit an adult family member to be employed. The allowable expenses must be in excess of 3% of annual income. This allowance may not exceed the employment income received by the family members that is freed to go to work, who is at least 18 years of age.
4. For any elderly or disabled family:
  - a. 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;
  - b. 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;



- c. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that are equal to the total of these expenses less 3% of annual income.
5. Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare 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)).
6. The SNRHA does not provide for any optional deductions or allowances in the public housing program.

**C. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS**  
**24 CFR 962.255, 24 CFR 5.617, 24 CFR 960.255**

The annual income for qualified families may not be increased as a result of increases in earned income of a family member. **The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.** For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 **consecutive** months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income **for the remaining 12 consecutive calendar months.**

A family eligible for the earned income exclusion is a family that occupies a dwelling unit in a public housing community; and

Whose annual income increases as a result of employment of an adult member of the family who was previously unemployed for one or more years;

Whose earned annual income increases during the participation of a family member in any family self-sufficiency or other job training program; or

Whose annual income increases, as a result of new employment or increased earnings of an adult family member during or within six months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a six-month period is at least \$500. The qualifying TANF assistance may consist of any amount of monthly income maintenance, and/or at least \$500 in such TANF benefits and services as one-time payments, wage subsidies and transportation assistance.



The HUD definition of "previously unemployed" includes a person who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality if it is higher than the federal minimum wage.

The HUD definition of economic self-sufficiency program is any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Qualifying increases are any earned income increases of a family member during participation in an economic self-sufficiency or job training program and may include increases that occur after participation provided the training provides assistance, placement, training or mentoring after the training that leads to employment.

The amount that is subject to the disallowance is the amount of incremental increase in income of a family member. The incremental increase in income is calculated by comparing the amount of the family member's income before the beginning of qualifying employment (baseline) to the amount of such income after the employment.

#### **Initial Twelve-Month Exclusion**

During the **initial** 12-month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the SNRHA will exclude from annual income of a qualified family member any increase in income of the family member as a result of employment over the prior income of that family member (baseline).

#### **Second Twelve-Month Exclusion and Phase-in**

During the second **and final** 12-month period after the expiration of the initial 12-month period referred to above, the SNRHA must exclude from Annual Income of a qualified family member, 50 percent of any increase in income of a family member who is a person with disabilities as a result of employment over the income of that family member prior to the beginning of such employment.

#### **Maximum Two Year Disallowance**

The earned income disallowance is limited to a lifetime **24** month period for each family member. For each family member, the disallowance only applies for a maximum of 12 months of full exclusion of incremental increase, and a maximum of 12 months of phase-in exclusion during the **24** month period starting from the date of the initial exclusion.



**If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.**

**The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were “used”.**

**Families that currently benefit from the EID, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48-month period, as was in effect prior to the effective date of this provision.**

#### **Applicability to Child Care Expense Deductions**

The amount deducted for childcare necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction in the case of the deduction that is allowed due to employment.

#### **Applicability to Disability Expense Deductions**

The amount deducted for disability expense deduction that is necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for the disability expense deduction.

#### **Applicability to Families that Receive both Child Care Expense and Disability Deductions**

The amount deducted for both childcare and disability expense deductions necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction and disability expenses combined in the case of the deduction that is allowed due to employment.

#### **Tracking the Earned Income Exclusion**

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family’s file to show the reason for the reduced increase in rent.

**\*Such documentation will include:**

- **Date the increase in earned income was reported by the family**
- **Name of the family member whose earned income increased**



- Reason (new employment, participation in job training program, within 6 months after receiving TANF) for the increase in earned income
- Amount of the increase in earned income (amount to be excluded)
- Date the increase in income is first excluded from annual income
- Date the family member has received a total of 12 consecutive months of the initial exclusion of 100%
- Date the 12-month phase-in period began
- Date the family member has received a total of 12 consecutive months of the phase-in exclusion of 50%
- Ending date of the maximum 24 month (two year) disallowance period

The SNRHA will maintain a tracking system to ensure correct application of the earned income disallowance.

It is a SNRHA policy decision to conduct an interim reexamination for income increases for the purpose of calculating the earned income disallowance.

### **Inapplicability to Admission**

The earned income disallowance is only applied to determine the Annual Income of families who are participants in the public housing program, and therefore does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

### **E. INDIVIDUAL SAVINGS ACCOUNTS**

The SNRHA chooses not to establish a system of individual savings accounts for families who qualify for the disallowance of earned income.

### **F. TRAINING PROGRAMS FUNDED BY HUD**

All training income from a HUD sponsored or funded training program, whether incremental or not, is excluded from the resident's annual income while the resident is in training. Income from a Resident Services training program, which is funded by HUD, is excluded.

Upon employment with the SNRHA, the full amount of employment income received by the person is counted.

### **G. AVERAGING INCOME**

When annual income cannot be anticipated for a full 12 months, the SNRHA will average known sources of income that vary to compute an annual income.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third-party or check-stub verification is not available.



If by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so that the housing payment will not change from month to month.

The method used depends on the regularity, source and type of income.

## **H. MINIMUM INCOME**

There is no minimum income requirement. Families who report zero income or extremely low income are required to complete a written certification every 180 calendar days which will be verified with EIV and all federal, state and local agencies and other sources, as appropriate, including credit checks, to verify income sources. If any increases in income are indicated in any of the above information or other verification at any time, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Families that report zero or extremely low income will be required to provide information in writing regarding their means of basic subsistence, such as food, utilities, transportation, and other subsistence expenses, in writing. SNRHA will require a print out of utility bills for three months to be submitted at interim evaluations for residents claiming zero or extremely low income.

If the family's expenses exceed their known income, the SNRHA will make inquiry of the head of household as to the nature of the family's accessible resources.

Utility bills provided by the family which show that the utilities are in another person's name will require further investigation as to whether there is an unauthorized member of the household.

Where credit reports show credit accounts open and payments current, SNRHA will take action to investigate the possibility of unreported or underreported income, fraud or program abuse.

The SNRHA will terminate the lease of families for fraud or offer a repayment agreement when documented evidence indicates the family has unreported or underreported income, which includes receiving funds from other parties or individuals that has not been reported. Failure to enter into a repayment agreement and pay the required 25% down payment within the established guidelines shall result in the termination of the lease. Repeating this action will result in termination of the lease.





## **I. INCOME OF PERSON PERMANENTLY/TEMPORARILY CONFINED TO NURSING HOME**

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the SNRHA will calculate the income by using the following methodology and use the income figure which would result in a lower payment by the family:

Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member after 180 days or when doctor certification of length of absence is received, whichever comes first.

If the family member is temporarily confined in a hospital or nursing home, SNRHA will calculate the TTP by:

Including the income of the person temporarily confined to the nursing home and giving the family the medical deductions allowable on behalf of the person in the nursing home, if they are an elderly or disabled family. For the purpose of this section, “temporarily” is defined as no more than 180 days.

## **J. REGULAR CONTRIBUTIONS AND GIFTS** [24 CFR 5.609(a)(7)]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the tenant share of the rent.

Any contribution or gift received two consecutive months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$100 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter 7, Verification Procedures, for further definition.)

If the family's expenses exceed its known income, the SNRHA will question the family about contributions and gifts.

## **K. ALIMONY AND CHILD SUPPORT** [24 CFR 5.609(a)(7)]

Regular alimony and child support payments are counted as income for calculation of the family's share of the rental payment.



### **SNRHA Policy**

SNRHA will count court-awarded amounts for alimony and child support unless SNRHA verifies that: (1) the payments are not being made, and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [HCV GB, pp. 5-23 and 5-47].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

SNRHA will accept verification that the family is receiving an amount less than the award if:

- SNRHA receives verification from the agency responsible for enforcement or collection.
- The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

When child support or alimony fluctuates, SNRHA will follow the policy below.

### **SNRHA Policy**

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

1. SNRHA shall add the total of all payments listed for the past twelve months. The total shall then be considered anticipated income.
2. When verification documents from the DA office indicated no payment for more than 60 days from the date of the printout (upon receipt of verification), no income will be anticipated from child support/alimony. Participants are required to report all changes within 10 calendar days in writing including when child support/alimony is not received and/or starts.

### **L. LUMP-SUM RECEIPTS** [24 CFR 5.609(b)(5), (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, are not included in income but may be included in assets, if the amount has been invested in an allowable asset.

Lump-sum payments caused by delays in processing periodic payments such as unemployment or welfare assistance are counted as income. Lump sum payments from



Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt, the SNRHA will calculate retroactively.

### **Retroactive Calculation Methodology**

The SNRHA will go back to the date the lump-sum payment was received, but never further back than the date of admission.

The SNRHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due the SNRHA.

At the SNRHA's option, the SNRHA may enter into a Payment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

### **M. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS**

Contributions to company retirement/pension funds are handled as follows:

While an individual is employed, count as assets only amounts the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

### **N. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE**

The SNRHA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. In calculating total assets, the SNRHA will count the difference between the market value and the actual payment received.

Assets disposed of as a result of foreclosure or bankruptcy is not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of a divorce or separation is not considered to be assets disposed of for less than fair market value.

The SNRHA's minimum threshold for counting assets disposed of for less than Fair



Market value is \$5000. If the total value of assets disposed of within the two-year period is less than \$5000, they will not be considered an asset.

## **O. CHILD CARE EXPENSES**

Not reimbursable child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment.

In the case of a child attending private school, only after-hours care can be counted as child care expenses.

Child care expenses cannot be allowed as a deduction if there is an adult household member capable of caring for the child who can provide the child care. Examples of those adult members who would be considered *unable* to care for the child include:

The abuser in a documented child abuse situation, or

A person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source, or

Can provide proof that the adult member is searching for a job (maximum time allowed for search is 10 hours per week.)

An allowable deduction for child care expenses is based on the following guidelines:

**Child care to work:** The maximum child care expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

**Child care for school:** The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.

**Amount of Expense:** The SNRHA will survey the local care providers in the community and collect data as a guideline. If the hourly rate materially exceeds the guideline, the SNRHA may calculate the allowance using the guideline.

### **Child Care Verification:**

SNRHA will send out via mail to the child care provider a 3rd party verification, which will need to be completed, showing the name, age of children, hours and days watched along with amount charged. Verification is to include provider's license number or tax identification number if they are a licensed agency. Private providers will need to provide a social security number and have the form notarized.

No other form of verification will be accepted but that of the Housing Authority.



Secondary verification after attempting orals will be receipts.

**P. MEDICAL EXPENSES** [24 CFR 5.603]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

Persons with a Medicare prescription drug plan may be required to pay a premium and this premium will be counted as a medical expense.

Prescriptions not covered by the Medicare prescription drug plan will be counted toward the sum of allowable medical expense.

Nonprescription medicines must be doctor-recommended in order to be considered a medical expense.

Nonprescription medicines will be counted toward medical expenses for families who qualify if the family furnishes legible receipts.

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses.

**O. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES** [24 CFR 5.520]

**Applicability**

Prorating of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

**Prorated Assistance Calculation**

Prorated assistance will be calculated by subtracting the total tenant payment from the applicable maximum rent for the unit the family occupies to determine the Family Maximum Subsidy. The family's TTP will be calculated by:

Dividing the family maximum subsidy by the number of persons in the family to determine Member Maximum Subsidy.

Multiplying the member maximum subsidy by the number of eligible family members to determine Eligible Subsidy.

Subtracting the amount of eligible subsidy from the applicable maximum rent for the unit the family occupies to get the family's revised total tenant payment.

**R. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare



assistance is reduced specifically because of:

fraud; or

failure to participate in an economic self-sufficiency program; or

noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification Before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA will attempt to develop a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

### **S. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS**

If the cost of utilities (excluding telephone) is not included in the tenant rent, a utility allowance will be deducted from the total tenant payment. The utility allowance is intended to help defray the cost of utilities not included in the rent. The allowances are based on the monthly cost of reasonable consumption utilities in an energy conservative household, *not* on a family's actual consumption.



A survey of utility rate changes applicable to the agency's jurisdiction will be made annually and the *Schedule of Tenant-Paid Utility Allowances* and related services will be periodically adjusted by the agency in accordance with the results of the survey. Utility allowances may be adjusted upward or downward, or remain the same, dependent upon the most recent data regarding overall consumption and rates for the larger community (not just the public housing community).

When the utility allowance exceeds the family's total tenant payment, the SNRHA will provide a utility reimbursement payment for the family each month. The check will be made out directly to the tenant.

### **Resident-Paid Utilities**

The following requirements apply to residents living in developments with resident-paid utilities or applicants being admitted to such developments:

If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted.

Paying the utility bill is the resident's obligation under the lease. Failure to pay utilities is grounds for eviction.

### **T. EXCESS UTILITY PAYMENTS**

Residents in units where the SNRHA pays the utilities may be charged for excess utilities if additional appliances or equipment are used in the unit. This charge shall be applied as specified in the lease. [24CFR 966.4(b)(2)]

The SNRHA expects the resident to take every effort to ensure that utility consumption will be reasonable and in compliance with acceptable standards of usage applicable to unit and family size. If use of utilities is determined to be excessive, SNRHA will require payment for the amount of usage that is deemed to be excessive. Excessive utility usage will be determined if the individually metered utility monthly bill exceeds the approved utility allowance for the unit size by 30%. Payment for excessive utility usage will become due and payable on the first day of the second month following the month in which the charges are incurred, except at termination of lease when all charges are considered due and payable. In the case of water bills, usage will be based on the average unit size consumption.

### **U. FAMILY CHOICE IN RENTS**

#### **Authority for Family to Select**

The SNRHA shall provide for each family residing in a public housing unit to elect annually whether the rent paid by such family shall be 1) determined based on family income or 2) the flat rent. The SNRHA may not at any time fail to provide both such rent options for any public housing unit owned, assisted or operated by the SNRHA.



Annual choice: The SNRHA shall provide for families residing in public housing units to elect annually whether to pay income-based or flat rent. Except for financial hardship cases, the family may not be offered the rent choice more than once per year.

SNRHA will provide each family the following written information:

- Policy on switching types of rent in circumstances of hardship.
- The dollar amounts of tenant rent for the family under each option.
- If the family chose a flat rent for the previous year, the SNRHA will provide the amount of income-based rent for the subsequent year.
- Only the year the SNRHA conducts an income reexamination or if the family specifically requests it and submits updated income information. For a family that chooses the flat rent option, the SNRHA must conduct a reexamination of family income at least once every three years.
- The flat rent is based on the fair market rent. The SNRHA records must show how the SNRHA determines flat rents in accordance with its method and document flat rents offered to families.
- The SNRHA will not pay a utility reimbursement for a family that has chosen to pay a flat rent.
- For families paying income-based rent, SNRHA may choose to pay utility reimbursements either to the family, or directly to the utility supplier. If the PHA elects to pay the utility supplier, the SNRHA must first notify the family of the amount of utility reimbursement paid to the supplier.

### **Allowable Rent Structures**

#### **Flat Rents**

The SNRHA has established, for each dwelling unit in public housing, a flat rental amount for the dwelling unit, which:

Is based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA shall review the income of families paying flat rent not less than once every three years.





### **Income-Based Rents**

The monthly total tenant payment amount for a family shall be an amount, as verified by the SNRHA that does not exceed the greatest of the following amounts:

30 percent of the family's monthly adjusted income;

10 percent of the family's monthly income; or

The SNRHA's minimum TTP of \$50.00.

### **Switching Rent Determination Methods Because of Hardship Circumstances**

In the case of a family that has elected to pay the SNRHA's flat rent, the SNRHA shall immediately provide for the family to pay rent in the amount determined under income-based rent, during the period for which such choice was made, upon a determination that the family is unable to pay the flat rent because of financial hardship, including:

Situations in which the income of the family has decreased because of changed circumstances, loss of or reduction of employment, death in the family, and reduction in or loss of income of other assistance;

An increase, because of changed circumstances, in the family's expenses for medical costs, child care, transportation, education, or similar items; and

Such other situations as may be determined by the SNRHA.

All hardship situations will be verified.

The rental policy developed by the SNRHA encourages and rewards employment and self-sufficiency.

### **Annual Reexamination**

Within 120 days in advance of the annual reexamination, the family will be sent a form from the SNRHA, on which the family will indicate whether they choose flat rent or income-based rent. The SNRHA form will state what the flat rent would be, and an estimate, based on current information, what the family's income-based rent would be.

If the family indicates they choose flat rent, the form will be retained in the tenant file.

If the family indicates they choose income-based rent, a reexamination appointment will be scheduled according to SNRHA policy.



## **V. SNRHA'S FLAT RENT METHODOLOGY**

The SNRHA has set a flat rent for each bedroom size within the SNRHA's public housing inventory, based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA's flat rents have been established using the following methodology:

An amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.



## Chapter 7

### VERIFICATION

[24 CFR Parts 5.617, CFR  
960.206]

#### INTRODUCTION

The SNRHA must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain the family's consent to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. The SNRHA must not pass on the cost of verification to the family.

The SNRHA will follow the verification guidance provided by HUD in PIH Notice 2013-04 Verification Guidance and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary SNRHA policies.

Part I describes the general verification process. More detailed requirements related to individual factors are provided in subsequent parts including family information (Part II), income and assets (Part III), and mandatory deductions (Part IV).

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies of the SNRHA.

#### **PART I: GENERAL VERIFICATION REQUIREMENTS**

##### **7-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION**

The family must supply any information that the SNRHA or HUD determines is necessary to the administration of the program and must consent to SNRHA verification of that information

##### **Consent Forms**

It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and the SNRHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

The family will be required to complete the SNRHA release of information, in addition to the Debts Owed (HUD 52675) and HUD 92006



## Penalties for Failing to Consent

If any family member who is required to sign a consent form fails to do so, the SNRHA will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with SNRHA procedures.

### 7-I.B. OVERVIEW OF VERIFICATION

#### REQUIREMENTS HUD's Verification Hierarchy

HUD authorizes the SNRHA to use six methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires the SNRHA to use the most reliable form of verification that is available and to document the reasons when the SNRHA uses a lesser form of verification.

##### SNRHA Policy

**Upfront Income Verification (UIV):** The verification of income at admission or before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. HUD's **Enterprise Income Verification System (EIV)** is considered to be this method. This is currently not available for applicants.

**NOTICE: PIH-2013-04 (HA)** Guidance on Verification of Excluded Income.

##### **Purpose:**

This notice provides clarification and guidance on the verification requirements of income excluded from the

The SNRHA Public Housing Program in an effort to reduce administrative burden, will utilize the provision in the HUD Notice PIH-2013-04 as follows:

HUD has provided two categories of excluded income: fully excluded and partially excluded. Each category has different verification requirement.

##### **Fully Excluded Income:**

Income that is fully excluded means the entire amount qualifies to be excluded from the annual income determination. For fully excluded income, the SNRHA is **not required** to:

- Verify the income in accordance with the HUD-prescribed verification hierarchy;
- Document in the tenant file why third party verification was not available as required by 24 CFR 960.259(c)(i) and 24 CFR 982.516(a)(2); and
- Report the income in Section 7 of the form HUD-50058.

SNRHA may accept an applicant or participant's self-certification as verification of fully excluded income. The SNRHA's application and reexamination documentation, which is signed by all adult family members, may serve as the self-certification of the fully excluded income. SNRHA has the option of elevating the verification requirements if necessary, to determine if a source of income qualifies for a full exclusion.

Examples of common fully excluded income categories that are verifiable through applicant or



participant self-certification are:

- Supplemental Nutrition Assistance Program (SNAP) benefits, formerly known as food stamps.
- Income from a live-in aide.

For a complete list of income exclusions, see 24 CFR 5.609(c).

### **5. Partially Excluded Income:**

Income that is partially excluded means that only a certain portion of the income reported by the family qualifies to be excluded, while the remainder must be included when determining the family's annual income.

For partially excluded income, SNRHA is required to:

- Comply with HUD-prescribed verification requirements and all applicable regulations pertaining to
- the determination of annual income; and
- Report the income in Section 7 of the form HUD-50058.
- Examples of partially excluded income that are subject to regular verification requirements include:
- The Department of Veterans Affairs "Aid and Attendance" benefits – in accordance with 24 CFR 5.609(c)(4), these benefits may be excluded from income if they are used "specifically for, or in reimbursement of, the cost of medical expenses for any family member." Live-in or periodic medical assistance and services of doctors and health care professionals are among the services that may be counted as medical expenses. The SNRHA must verify the amount provided for aid and attendance medical expenses and the amount actually being used by the veteran for such expenses.

Any portion of the benefit not used for such expenses would continue to be counted as income by the SNRHA when determining the family's annual income.

- Earnings in excess of \$480 for full-time students 18 years old or older (24 CFR 5.609(c)(11) – in order to determine the amount of earnings to include in the calculation of the family's annual income, the SNRHA must verify the amount of employment income for these family members.

**The Verification Hierarchy.** SNRHA shall begin with the highest level of verification Techniques PHAs are required to access the EIV system and obtain an Income Report for each household. The SNRHA shall maintain the Income Report in the tenant file along with the form HUD-50058 and other supporting documentation to support income and rent determinations for all mandatory annual reexaminations of family income and composition.



If the Income Report does not contain any employment and income information for the family, the SNRHA shall attempt the next lower level verification technique, as noted in the below:

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

**Verification Technique Definitions**



### **Third Party Verification Techniques**

**Upfront Income 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. PHAs 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.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either 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 report, employer 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 SNRHA shall require two current and consecutive pay stubs for determining annual income from wages. For new income sources, two pay stubs shall be required that are consecutive or a new hire letter with date of hire, wages and hours. The PHA should project income based on the information from a traditional written 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. A standardized form to collect information from a third party source. The form is completed by the third party by hand (in writing or typeset). PHAs 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.

**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. PHA 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 file the reason(s) why third party verification was not available.**

The exception to third party verification can be found at 24 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 the 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 deductions from annual income; and (iv) other factors that affect the determination of adjusted income.

**How to comply with and reduce administrative burden of third party verification requirements of family annual income .** PHAs can comply with and reduce administrative burden of third party verification requirements for employment, wage, and unemployment compensation and social security benefits, and any other information that is verifiable using EIV by:

- a) Reviewing the EIV Income Report to confirm/validate tenant-reported income; and;
- b) Printing and maintaining an EIV Income Report (or an EIV Individual Control Number (ICN) page for interim reexaminations as prescribed in Section 12 of this Notice) in the tenant file; and
- c) Obtaining current acceptable tenant-provided documentation to supplement EIV information; and
- d) Using current tenant-provided documentation and/or third party verification to calculate annual income.

**Note:** Social Security benefit information in EIV is updated every three months. If the tenant agrees with the EIV-reported benefit information, PHAs do not need to obtain or request a benefit verification letter from the tenant. See PIH Notice 2010-03 for guidance on verifying Social Security benefit income through the EIV system.

The PHA may also reduce the administrative burden of obtaining third party verification by relying on acceptable documents that are generated by a third party, but provided by the tenant. 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.).

**When the PHA is required to request written third party verification** The PHA must request written third party verification under the following circumstances:

- a. When the tenant disputes the EIV information and is unable to provide acceptable documentation to support his/her dispute
- b. When the PHA requires additional information that is not available in EIV and /or the tenant is unable to provide the PHA with current acceptable tenant-provided documentation. Examples of additional information, includes but is not limited to:
  - i. Effective dates of income (i.e. employment, unemployment compensation, or social security benefits)
  - ii. For new employment: pay rate, number of hours worked per



- week, pay frequency, etc.
- iii. Confirmation of change in circumstances (i.e. reduced hours, reduced rate of pay, temporary leave of absence, etc.)

**Note:** 24 CFR §5.236(a), prohibits PHAs from taking adverse action based solely on EIV

### **Requirements for Acceptable Documents**

#### SNRHA Policy

Any documents used for verification must be the original (not photocopies) and generally must be dated within 60 calendar days of the date they are provided to the SNRHA. The documents must not be damaged, altered or in any way illegible. All tenant supplied documents should be dated no more than 60 days before the effective date of the family's reexamination or SNRHA's request date, if the document represents the most recent scheduled report from a source. For example, if the holder of a pension annuity provides semi-annual reports, the SNRHA would accept the most recent report.

Print-outs from web pages are considered original documents.

Pay stubs which must be current and consecutive when used with EIV and must not be older than 60 days from the request date or 60 days prior to the annual recertification effective date. Four consecutive pay stubs will be required when using EIV for annuals and two for new hire verifications..

Examples of acceptable tenant-provided documentation (generated by a third party source) include, but are not limited to: pay stubs, payroll summary reports, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices, bank statements, and local agencies, employer letter/notices. Current acceptable tenant-provided documents must be used for income and rent determinations. The SNRHA is required to obtain a minimum of two 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 written third party verification form or the best available information.

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

The SNRHA staff member who views the original document must make a photocopy. Any family self-certifications must be made in a format acceptable to the SNRHA and must be signed in the presence of a SNRHA representative or SNRHA notary public.

### **File Documentation**

The SNRHA must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that the SNRHA has followed all of the verification policies set forth in this



plan. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

#### SNRHA Policy

The SNRHA will document, in the family file, the

following: Reported family annual income

Value of assets

Expenses related to deductions from annual income

Other factors influencing the adjusted income or income-based rent determination

When the SNRHA is unable to obtain 3rd party verification, the SNRHA will document in the family file the reason that third-party verification was not available (including oral verification attempt) and will place a photocopy of any original document(s) in the family file. [24 CFR 960.259(c)(1); VG, p.15]

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#### **Special Verification Processes:**

HUD NOTICE PIH 2013-03 (HA):

**Purpose:** “This Notice establishes temporary guidelines for public housing agencies (SNRHA) in fulfilling certain Public Housing (PH) and Housing Choice Voucher (HCV) program requirements during this period of decreased resources available to SNRHA. These guidelines are intended to facilitate the ability of SNRHA to continue, without interruption and with minimal burden, the delivery of rental assistance to eligible families in their communities. The temporary provisions established by this Notice will be available to SNRHA until March 31, 2014.

The economic downturn that commenced in 2008 and which continues has only increased the need for housing assistance. Increased demand for housing assistance without corresponding increased resources strains the operations of SNRHA, and jeopardizes their ability to assist families at a time when families most need housing assistance. Increasing administrative flexibility should allow SNRHA to deliver rental assistance more efficiently and expeditiously. Reduction of administrative burden is anticipated to allow SNRHA to better manage their programs within current allocated budget authority. The temporary guidelines are also designed to increase efficiencies, minimizing the use of resources for program administration. HUD intends to pursue more permanent changes to increase flexibility and reduce administrative burden and will be informed by SNRHA’ use of the temporary compliance provisions of this Notice.” PIH Notice 2013-3

In accordance with HUD Notice PIH 2013-3, the SNRHA Public Housing Occupancy department shall process tenant income verification as follows:.



SNRHA, PH Ops may choose to use either actual past income or projected future income. Currently, annual income includes income that is anticipated to be received from a source outside the family during the 12-month period following the effective date of admission or annual reexamination. The Notice provides SNRHA with the option of determining annual income based on past actual income received or earned within the last 12 months.

For the purpose of verifying income reported in HUD's Enterprise Income Verification (EIV) system, the SNRHA may choose to use actual past income by utilizing the most recent 12 months of income information available in EIV. Because this EIV report will give actual earnings data verified by a third party, the program participant will no longer be required to provide third party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice).

If there has been a change in circumstances for a tenant, or a tenant disputes the EIV reported income information and is unable to provide acceptable documentation to resolve the dispute, the SNRHA must request written third-party verification.

For example, if a program participant lost his/her job, changed jobs, or reduced their hours in the months subsequent to the time period covered in EIV, the SNRHA must use, at the participant's request, the more recent income information verified by participant provided third-party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice) or through written third-party verification, which reflects the new or current work circumstance.

SNRHA must continue to verify income from sources not available in EIV. However, SNRHA must use the same time period for both wage and non-wage income. For example, if SNRHA uses EIV information from July 2011 to June 2012 for the purpose of verifying income from wages, the SNRHA must use the same time period for any non-wage income. This method may only be used if the SNRHA is able to align other non-wage income source dates with EIV.

**Allow households to self-certify as to having assets of less than \$5,000.**

Tenants with assets below \$5,000 typically generate minimal income from these assets which results in small changes to tenant rental payments. However, SNRHA spend significant time verifying such assets which strains SNRHA budgets, and leads to increased staff errors. The notice has made provisions intended to simplify the requirements associated with determining a participant's annual income (24 CFR 5.609(b)(3), 982.516(a)(2)(ii), 960.259(c)).

Families with assets are required to report all assets annually. The amount of interest earned on those assets is included as income used to calculate the tenant's rent obligation. Currently, 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.



This Notice allows a SNRHA to accept a family's declaration of the amount of assets of less than \$5,000, and the amount of income expected to be received from those assets. The SNRHA's application and reexamination documentation, which is signed by all adult family members, can serve as the declaration. Where the family has net family assets equal to or less than \$5000, the SNRHA does not need to request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets. Where the family has net family assets in excess of \$5000, the SNRHA must obtain supporting documentation (e.g. bank statements) from the family to confirm the assets. Any assets will continue to be reported on HUD Form 50058.

**Allow optional streamlined annual reexaminations for elderly families and disabled families on fixed incomes.**

SNRHA is statutorily required to verify income and calculate rent annually, including for elderly and disabled families on fixed incomes. The notice states that the requirement to undertake the complete process for income verification and rent determination for families on fixed incomes is not necessary given the infrequency of changes to their incomes. Further, this requirement requires considerable staff time and SNRHA resources. The notice provides simplification of the requirements associated with determining the annual income of participants on fixed incomes (24 CFR 982.516, 960.257).

SNRHA will conduct a streamlined reexamination of income for elderly families and disabled families when 100 percent of the family's income consists of fixed income. In a streamlined reexamination, SNRHA will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount.

For purposes of this process, the term 'fixed income' includes income from:

1. Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);
2. Federal, State, local, and private pension plans; and
3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

**7-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

HUD strongly recommends the use of up-front income verification (UIV). UIV is "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 large number of individuals" [VG, p. 7]. UIV includes the HUD EIV system and other upfront verification tools such as the Work Number.

HUD allows SNRHA to use the EIV information in conjunction with family-provided



documents to anticipate income.

### SNRHA Policy

The SNRHA will inform all applicants and participants of its use of the following UIV resources during the admission and reexamination process:

HUD's Enterprise Income Verification System

(EIV)

The SNRHA must restrict access to and safeguard UIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.

There may be legitimate differences between the information provided by the family and EIV-generated information. No adverse action can be taken against a family until the SNRHA has independently verified the EIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of the SNRHA.

### **Use of HUD's Enterprise Income Verification (EIV) System**

HUD's EIV system contains data showing earned income, unemployment benefits, Social Security and SSI benefits for participant families. HUD requires the SNRHA to use the EIV system when available. The following policies will apply when the SNRHA has access to HUD's EIV system.

The EIV system contains two main components: tenant income data reports and "exceeds threshold" reports.

#### ***Tenant Income Data (TID) Reports (EIV)***

The data shown on TID reports is updated quarterly. Data may be between 3 and 6 months old at the time reports are generated.

### SNRHA Policy

The SNRHA will obtain EIV reports for annual reexaminations on a monthly basis. SNRHA shall also obtain EIV reports for interims. Reports will be generated as part of the regular reexamination process.

EIV reports will be compared to family-provided information as part of the annual reexamination process. EIV reports may also be used to meet the regulatory requirement for third party verification, as described above. Policies for resolving discrepancies between EIV reports and family-provided information will be resolved as described in Chapter 5.I.D. and in this chapter.

EIV reports will be retained in participant's files with the applicable annual or interim reexamination documents.

When the SNRHA determines through EIV reports and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in the Chapter Program Integrity.



### ***Income Discrepancy Resolution***

The SNRHA shall reconcile income discrepancies.

#### **SNRHA Policy**

The SNRHA shall proceed as follows:

- SNRHA shall identify underreported income and/or unreported income sources; No adverse action may be taken based **solely** on EIV data. In order to protect any individual whose records are being used in a matching program, no recipient agency, non-Federal agency, or source agency may suspend, terminate, reduce or make a final denial of any financial assistance or payment under a Federal Benefit program to such individual, as a result of information produced by such matching program, until the agency has independently verified the information;
- Review current and historical 50058s;
- Verify effective dates of new and terminated income sources; Discuss the income discrepancy with the tenant;
- View past and current interim and annual recertification documents in the tenant's file;
- Obtain additional documents from the tenant and/or third party (if necessary);
- Obtain Social Security Earnings Statement (SSA Form 7004) for historical wage earnings (Form available on HUD's website) for retroactive rent calculations.

### ***EIV Identity Verification***

The EIV system verifies tenant identities against SSA records. These records are compared to PIC data for a match on Social Security number, name, and date of birth.

When identity verification for a participant fails, a message will be displayed within the EIV system and no income information will be displayed.

#### **SNRHA Policy**

The SNRHA will identify participants whose identity verification has failed as part of the annual reexamination process.

The SNRHA will attempt to resolve PIC/SSA discrepancies by reviewing file documents. When the SNRHA determines that discrepancies exist due to SNRHA errors such as spelling errors or incorrect birth dates, the errors will be corrected promptly and correction transmitted to HUD.

## **7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION**

### **Reasonable Effort and Timing**



Unless third-party verification is not required as described herein, HUD requires the SNRHA to make an attempt to obtain third-party verification before using another form of verification [VG, p. 15].

#### SNRHA Policy

The SNRHA will diligently seek third-party verification using the chart above as guideline for order of verifications. If written 3<sup>rd</sup> party is required and is not received or available by the client, after 10 calendar days, staff will then attempt an oral verification if the written third party is not received. File narratives shall be documented whenever UIV or third party written is not used. Information received orally from third parties may be used either to clarify information provided in writing by the third party or as independent verification when written third-party verification is not received in a timely fashion.

The SNRHA may mail, fax, or e-mail third-party written verification requests and will accept third-party responses using any of these methods. The SNRHA will send a written request for verification to each required source within 5 business days of securing a family's authorization for the release of the information and give the source 10 calendar days to respond in writing. If a response has not been received by the 11<sup>th</sup> business day, the SNRHA will request third-party oral verification.

The SNRHA will make a minimum of two attempts, (one written and one oral, if needed) to obtain third-party verification. A record of each attempt to contact the third-party source (including no-answer calls) and all contacts with the source will be documented in the file. Regarding third-party oral verification, SNRHA staff will record in the family's file the name and title of the person contacted, the date of the conversation (or attempt), the telephone number used, and the facts provided.

When any source responds verbally to the initial written request for verification the SNRHA will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

#### **Third-Party Written Verification**

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

Verifications received electronically directly from the source as well as items as noted above in the Chart( Including those provided directly from a clients) are considered third party written verifications.

#### SNRHA Policy

The SNRHA will accept verifications in the form of computerized printouts, showing payments, faxed, mailed or received via upfront verification systems





directly from the following agencies:

- Social Security Administration -
- EIV Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County Courts
- Other State and Federal Offices, including HUD

The SNRHA will use computer printouts as well as other acceptable forms of third party verification that do not appear as altered and are on a business or other entity's letterhead, received directly from the family for calculation family's income. Staff must attempt

third party verification when EIV nor family provided acceptable documentation is not available. If no response, then staff must attempt oral verifications and must document on the file narrative why third party was not used and complete an oral verification form. If the family disputes the information provided by the third party, the staff is to seek further clarification by phone with the third party. The information provided by the 3rd party is to prevail.

### **Third-Party Oral Verification**

#### SNRHA Policy

Oral third-party verification will be used when written third-party verification is delayed; not returned within 10 calendar days or not possible. When third-party oral verification is used, staff will be required to complete an Oral Verification/Review of Documents form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the SNRHA will document the file narrative and utilize documents provided by the participant. If the oral is provided by telephone, the SNRHA must originate the call.

### **Review of Documents**

#### SNRHA Policy

In the event that third-party written is not returned within 10 calendar days or oral verification is unavailable, or the information has not been verified by the third party within 10 calendar days, the SNRHA will notate the file narrative accordingly; ensure copies of documents requiring the third party verification are in file. Oral third party verification should be attempted prior to utilizing documents provided by the family as the primary source if the documents provide complete information and the file narrative must be documented.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied,



staff viewing the document(s) will complete an Oral Verification/Review of Documents form.

The SNRHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer printouts from the employer
- Employer's letters and wage printouts
- Bank Statements
- Award Letters
- Pension Letters
- Signed letters (provided that the information is confirmed by phone)
- Other documents noted in this Chapter as acceptable verification

Although these documents will be accepted, the SNRHA will also mail third party verifications to the source; attempt upfront verification and use these documents only after there has been no response to the third party verification method.

The SNRHA will accept faxed documents.

The SNRHA will accept mail from the third party source.

The SNRHA will accept hand carried documents from clients as long as they do not appear as altered and provide required documentation regarding wages.

The SNRHA will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the SNRHA will attempt to contact the verification provider by telephone to resolve the discrepancy. If the attempt to resolve the discrepancy by telephone is unsuccessful, the SNRHA will use the third party verification.

The SNRHA will not delay the processing of an application beyond 30 calendar days, except due to screening for criminal history, because a third party information provider does not return the verification in a timely manner. The next steps in the verification process shall be attempted after 10 calendar days, unless the family has been given an extension.

### **Self-Certification/Self-Declaration**

When verification cannot be made by third-party verification, including oral verification or review of documents, families will be required to submit a self-certification.

#### SNRHA Policy

Self-certification means a statement under penalty of perjury, and the signature must be witnessed by SNRHA staff.



### **When Third-Party Information is Late**

When third-party verification has been requested and the timeframes for submission have been exceeded, the SNRHA will use the information from documents on a provisional basis.

#### SNRHA Policy

If the SNRHA later receives third-party verification that differs from the amounts used in income and rent determinations and it is past the deadline for processing the reexamination, the SNRHA will conduct an interim reexamination to adjust the figures used for the reexamination, regardless of the SNRHA's interim reexamination policy, if needed.

### **When Third-Party Verification is not Required**

#### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth and for verification of checking/saving accounts.

#### ***Certain Assets and Expenses***

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification .

#### SNRHA Policy

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

#### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### SNRHA Policy

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The



cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.

### ***RELEASE OF INFORMATION***

Adult family members (age 18 and older) will be required to sign the HUD 9886 Release of Information/Privacy Act form. In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice. Additional release forms as developed by SNRHA are considered required forms that all applicants and participants must sign.

Each member requested to consent to the release of specific information will be provided with appropriate forms for their review and signature.

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

### ***COMPUTER MATCHING***

Where allowed by HUD and/or other State or local agencies, computer matching will be done for upfront verifications.

#### **SNRHA Policy**

The SNRHA will utilize the HUD established computer-based Tenant Eligibility Verification System (EIV) for obtaining Social Security benefits, Supplemental Security Income benefit history and tenant income discrepancy reports from the Social Security Administration. Additionally, to the extent possible, SNRHA will use the UIV systems to obtain upfront verification of wages and Child Support data systems for verification of child support when available.

When computer matching results in a discrepancy with information in the SNRHA records, the SNRHA will follow up with the family and verification sources to resolve this discrepancy. If the family has unreported or underreported income, SNRHA will follow the procedures in the Program Integrity Addendum of the Admissions and Continued Occupancy Policy.

### ***ITEMS TO BE VERIFIED***

All income not specifically excluded by the regulations.

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

Current assets including assets disposed of for less than fair market value in preceding two years. Child care expense where it allows an adult family member to be employed, search for



employment, or to further his/her education.

Total un-reimbursed medical expenses of all family members in households whose head or spouse is elderly or disabled.

Un-reimbursed disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family that allows an *adult* family member to be employed.

Disability for determination of preferences, allowances or deductions. Eligible immigrant status

Social Security Numbers for all family members who have been issued a social security number.

"Preference" status

Familial/Marital status when needed for head or spouse definition to determine deductions. Need for reasonable accommodations

Verification of sanctions by the Nevada Office of Human Services that TANF benefits have been reduced for either welfare fraud or failure to comply with economic self-sufficiency requirements.

#### SNRHA Policy

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance with economic self-sufficiency requirements *before* denying the family's request for rent reduction. The verification will include the amount of the sanction and the duration.

### ***VERIFICATION GUIDANCE [24 CFR 982.516]***

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

#### **Employment Income**

##### SNRHA Policy

Verification forms request the employer to specify

the: Dates of employment

Amount and frequency of pay

Date of the last pay increase

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months

Year to date earnings

Estimated income from overtime, tips, bonus pay expected during next 12



months

*Acceptable methods of verification include, in this order:*

1. EIV with a minimum of 2 consecutive paystubs.
2. Third party written verification  
Employment verification form completed by the employer
3. Oral third party
4. Review of documents  
Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings. At least three (3) consecutive pay stubs are required when third party verification cannot be obtained.
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Social Security, Pensions, Supplementary Security Income (SSI), Disability Income**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Benefit verification form completed by agency providing the benefits.
3. Award or benefit notification letters prepared and signed by the providing agency that is no more than 60 days old.

### **Unemployment Compensation**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Verification form completed by the unemployment compensation agency.
3. Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
4. Payment stubs

### **Welfare Payments or General Assistance**

#### SNRHA Policy



*Acceptable methods of verification include, in this order:*

1. Written statement from payment provider indicating the amount of grant/payment, start date of payments, family members, and anticipated changes in payment in the next 12 months.
2. Computer-generated Notice of Action.

## **Alimony or Child Support Payments**

### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. Print out received via 3rd party verification from the DA's office.
2. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
3. A third party verification form completed by the person paying the support.
4. A letter from the person paying the support.
5. Copy of latest check and/or payment stubs from Court Trustee. SNRHA must record the date, amount, and number of the check if not photocopied.
6. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If payments are irregular, the family must provide:

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A self-certification from the family indicating the amount(s) received.

A welfare notice of action showing amounts received by the DA –Child Support Division.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

## **Net Income from a Business**

### SNRHA Policy

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

*Acceptable methods of verification include:*

1. IRS Form 1040, including: Schedule C  
(Small Business) Schedule E



(Rental Property Income)

Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

2. Audited or unaudited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
5. Family's self-certification as to net income realized from the business during previous years.

### **Child Care Business**

#### SNRHA Policy

The childcare provider must be 18 years of age or older.

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

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

If the family has filed a tax return, the family will be required to provide it via Form IRS 4506-T.

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

### **Recurring Gifts**

#### SNRHA Policy

The family must furnish a self-certification, which contains the following information: The person who provides the gifts

The value of the gifts

The regularity (dates) of the gifts

The purpose of the gifts

SNRHA shall send out verifications to the donors.





### **Full-time Student Status**

Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by students is not counted towards family income.

#### SNRHA Policy

Verification of full time student status includes:

Written verification from the registrar's office or other school official.

School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution. (State of Nevada: 12 credits)

### ***VERIFICATION OF ASSETS***

#### **Family Assets**

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

#### SNRHA Policy

*Acceptable verification may include any of the following:*

Verification forms, letters, or documents from a financial institution or broker. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

Real estate taxes statements if the approximate current market value can be reduced from assessment.

Financial statements for business assets.

Copies of closing documents showing the selling price and the distribution of the sales proceeds.

Appraisals of personal property held as an investment.

Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

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

#### SNRHA Policy



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

If the family certifies that they have disposed of assets for less than fair market value, verification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible. Family certification will be accepted if no other verification is possible.

### ***VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME [24 CFR 982.516]***

#### **Medical Expenses**

##### SNRHA Policy

Eligible families who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below (**Credit Card Statements will not be accepted as proof of payment of expenses**):

Written verification by an eye doctor, optician, otolaryngologist, hearing aide provider, or other medical practitioner or provider of medical equipment of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written verification from a medical lab, provider of oxygen, blood products, or other specialized medical supplies of (a) the anticipated medical costs to be incurred by the family and regular payments will be reimbursed by insurance or a government agency.

Written verification from the provider of medical equipment such as hospital bed, scooter, wheelchair, commode, artificial limbs, etc. of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

For attendant care paid to an individual:

A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the



number of hours the care is needed for calculation purposes.

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

Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

Copies of payment agreements or most recent invoice that verify payments made on outstanding attendant care bills that will continue over all or part of the next 12 months.

Receipts or other record of attendant care expenses incurred during the past 12 months that can be used to anticipate future attendant care expenses.

The SNRHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

### **Assistance to Persons with Disabilities**

In All Cases:

#### SNRHA Policy

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

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

Attendant Care:

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

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

Auxiliary Apparatus:

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

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

### **Live-In Aide**



### SNRHA Policy

When a participant requires a live-in aide, the SNRHA shall submit their signed reasonable accommodation request form to the medical professional noted on their request for third party verification of the need. Once approved by the 504 officer, the participant shall have 30 days to submit the name of the live-in aide and schedule them to come in for screening. The unit size shall NOT be increased until such time as SNRHA staff has completed their screening of the Live-In Aide in compliance with SNRHA guidance. The participant shall be allowed to submit another name for a live-in aide if the first does not pass the screening process but must submit this name within 14 calendar days of the denial notice.

The approved unit size would be adjusted, if required to accommodate a room for the live –in aide. Each year the SNRHA at annual recertification time shall re-verify the need for a live-in aide.

### ***VERIFYING NON-FINANCIAL FACTORS [24 CFR 982.153(b) (15)]***

#### **Verification of Legal Identity**

In order to prevent program abuse, the SNRHA will require applicants/residents to furnish verification of legal identity for all adult family members.

#### SNRHA Policy

The documents listed below will be considered acceptable verification of legal identity for adults, as long as they include a picture of the individual. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

Driver's license

U.S. passport

Department of Motor Vehicles Identification Card

Validated Sheriff Card

Military Identification

DMV Instructional ID

Clark County Heath Card with valid photo ID Veteran's ID with photo

Certificate of Birth, naturalization papers

An original Certificate of Birth is required for all minors. Other documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

Adoption papers



Custody agreement

School records

Hospital Birth Certifications

Passport

Health and Human Services ID (foster children; adopted Children) I-94

***Verification of Marital Status (for purposes of meeting Spouse definition and determining the eligibility of counting income of absence spouse)***

SNRHA Policy

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records. A marriage certificate generally is required to verify that a couple is married. In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

***Familial Relationships***

SNRHA Policy

Verification of guardianship is:

Court-ordered assignment

Verification from social services agency

SNRHA Self-certification of temporary guardianship or appointment

In each case above (except court assignment), SNRHA must receive a court awarded guardianship or custody documents within 365 calendar days or head of household must resign SNRHA's documents and submit required supporting documents. Failure shall result in subsidy standard being decreased; and allowance decreased. Any income still coming into the household on behalf of the child would be counted.

Other family relationships will be verified through birth certificates or other relevant documents.

***Verification of Permanent Absence of Family Member***

If an adult member who was formerly a member of the household or was never reported and identified by staff as being a spouse and is reported permanently absent by the family, the SNRHA will consider any of the following as verification:

- Husband or wife institutes divorce action
- Husband or wife institutes legal separation.



- Order of protection/restraining order obtained by one family member against another.

### ***Verification of Change in Family Composition***

The SNRHA may verify changes in family composition (either reported or unreported) through one or more of the following actions: letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

### ***Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512, 5.514]***

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants.

Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the SNRHA hearing is pending.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury, the Declaration 214 Form, noting that they are a citizen or national.

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status (Declaration 214 Form) and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status (Declaration 214 Form) and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The SNRHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the SNRHA must request within ten days that the INS conduct a manual search.

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

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

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

Additionally, SNRHA must terminate assistance for at least 24 months if it determines that a family has knowingly permitted an ineligible person to live in the assisted unit without informing the SNRHA.

### ***Time of Verification***

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same



time as verification of other factors of eligibility for final eligibility determination.

The SNRHA will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family.

For family members added after other members have been verified, the verification occurs upon approval of additional person by the SNRHA.

Once verification has been completed for any covered program, it shall be verified annually unless their eligibility immigration status changes to permanent resident. In the case of port-in families, if the initial PHA does not supply the documents, the SNRHA must conduct the determination and/or when the SNRHA notes a Resident Alien Card with an expiring date or no date of expiration.

#### Acceptable Documents of Eligible Immigration

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

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

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

#### SNRHA Policy

SNRHA will recertify eligible immigration status one year prior to expiration date of the following documents:

Resident Alien Card (I-551)

Alien Registration Receipt Card (I-

151) Arrival-Departure Record (I-94)

Temporary Resident Card (I-688)

#### ***Medical Need for Larger Unit***

#### SNRHA Policy

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional as a reasonable accommodation for a disabled family member. At each Annual Inspection, staff will verify that the additional room is still being used for medical equipment. When this is not the case, the unit size be decreased in compliance with SNRHA guidance.



## **When Third-Party Verification is Not Required**

### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

### ***Certain Assets and Expenses***

#### **SNRHA Policy**

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available, if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification,

### **SNRHA Policy**

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### **SNRHA Policy**

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

The SNRHA will document in the family file the reason that the third-party verification was not available and will place a photocopy of the original document(s) in the family file.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.





**7-I.E. REVIEW OF DOCUMENTS**

**Using Review of Documents as Verification**

SNRHA Policy

If the SNRHA has determined that third-party verification is not available or not required, the SNRHA will use documents provided by the family as verification.

The SNRHA may also review documents when necessary to help clarify information provided by third parties. In such cases the SNRHA will document in the file how the SNRHA arrived at a final conclusion about the income or expense to include in its calculations.

**7-I.F. SELF-CERTIFICATION**

SNRHA Policy

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to the SNRHA.

The SNRHA may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to the SNRHA and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a SNRHA representative or SNRHA notary public. The cost shall not be passed on to the client.

**PART II: VERIFYING FAMILY INFORMATION**

**7-II.A. VERIFICATION OF LEGAL IDENTITY**

SNRHA Policy

The SNRHA will require families to furnish verification of legal identity for each household member.

| <b>Verification of Legal Identity for Adults</b>                                                                                                                                                          | <b>Verification of Legal Identity for Children</b>                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Driver's license<br>U.S. passport.<br>Department of Motor Vehicles<br>Identification Card Validated<br>Sheriff Card<br>Military ID<br>DMV Instructional ID<br>Clark County Heath Card with valid photo ID | Certificate of birth<br>Adoption papers<br>Custody agreement<br>School records<br>Hospital Birth Certifications<br>Passport<br>Health and Human Services ID (foster children; adopted children) |



|                                                                          |      |
|--------------------------------------------------------------------------|------|
| Veteran's ID with photo<br>Certificate of Birth<br>Naturalization papers | I-94 |
|--------------------------------------------------------------------------|------|

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

### **7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 , 5.218 and 5.233]**

Every family member must provide documentation of a valid social security number (SSN) unless they are a non-citizen or non-eligible immigrant.

#### SNRHA Policy

The SNRHA will request to copy the family member's social security card.

If the social security card is not available, SNRHA will instruct the family to obtain a duplicate card from the local social Security Administration (SSA) office, but will complete the action by accepting the following documents as evidence if the SSN is provided on the document:

- Benefit award letters from a government agency; retirement benefit letters; life insurance policies.
- Any document issued by the Social Security Administration that clearly lists the family member's social security number and name.
- For individuals who are at least 62 years of age and are unable to submit the required documentation of their SSN within the initial 60-day period, the SNRHA will grant an additional 60 calendar days to provide documentation.

Social security numbers must be verified only once during continuously-assisted occupancy. If any family member obtains an SSN after admission to the program, the new SSN must be disclosed within 30 days.

The social security numbers of non-household members, such as live-in aids, must be verified for the purpose of conducting criminal background checks.

Names on verifications of Legal Identity and Social Security Number must match.

### **7-II.C. FAMILY RELATIONSHIPS**

Applicants and program participants are required to identify the relationship of each household member to the head of household. If an applicant list themselves as married and no not list a spouse, they will still be required to submit a separation or divorce degree. Definitions of the primary household relationships are provided in the Eligibility chapter.

#### SNRHA Policy

Other family relationships will be verified through birth certificates or other relevant documents.



## **Marriage**

### SNRHA Policy

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

## **Separation or Divorce**

### SNRHA Policy

The SNRHA will require the family to document the divorce, or separation.

A certified copy of a divorce decree, signed by a court officer, is required to document that a couple is divorced.

A copy of a court-ordered maintenance or other court record is required to document a separation.

## **Absence of Adult Member**

### SNRHA Policy

The SNRHA will consider any of the following as

verification: Husband or wife institutes divorce action

Husband or wife institutes legal separation.

Order of protection/restraining order obtained by one family member against another.

If an applicant list themselves as married, but does not list a spouse name, they will still be required to provide a separation document or divorce decree.

If no such documentation is available, the applicant may complete SNRHA's Marital Separation form, which will required above documentation to be provided within 365 days of the date the form is submitted.

## **Foster Children and Foster Adults**

### SNRHA Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

## **7-II.D. DOCUMENTATION OF AGE**

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.



### SNRHA Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, the SNRHA will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

## **7-II.E. VERIFICATION OF STUDENT**

### **STATUS General Requirements**

#### SNRHA Policy

The SNRHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family reports full-time student status for an adult other than the head, spouse, or co-head.

The family reports child care expenses to enable a family member to further his or her education.

The family includes a student enrolled in an *institution of higher education*.

The family claims an income exclusion because the student is receiving earned income and only the first \$480 is included as income.

### **Restrictions on Assistance to Students Enrolled in Institutions of Higher Education**

This section applies only to students who are seeking assistance on their own, separately from their parents. It does not apply to students residing with parents who are seeking or receiving PH assistance.

#### SNRHA Policy

In accordance with the verification hierarchy described in Section 6-1.B, the SNRHA will determine whether the student is exempt from the restrictions in 24 CFR 5.612 by verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see Section Exhibit 3-2).

The student is at least 24 years old.

The student is a veteran, as defined in Chapter 2

The student is married.

The student has at least one dependent child, as defined in Section 2.

If the SNRHA cannot verify at least one of these exemption criteria, the SNRHA will conclude that the student is subject to the restrictions on assistance at 24 CFR 5.612.



In addition to verifying the student's income eligibility, the SNRHA will then proceed to verify either the student's parents' income eligibility or the student's independence from his/her parents (see below).

### ***Independent Student***

#### **SNRHA Policy**

The SNRHA will verify a student's independence from his/her parents to determine that the student's parents' income is not relevant for determining the student's eligibility by doing all of the following:

Either reviewing and verifying previous address information to determine whether the student has established a household separate from his/her parents for at least one year or reviewing and verifying documentation relevant to determining whether the student meets the U.S. Department of Education's definition of *independent student*.

Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent

Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0.

### **7-II.F. DOCUMENTATION OF DISABILITY**

The SNRHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income. The SNRHA is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. The SNRHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If the SNRHA receives a verification document that provides such information, the PHA will not place this information in the tenant file. Under no circumstances will the PHA request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at [www.os.dhhs.gov](http://www.os.dhhs.gov).

The above cited regulation does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance



### **Family Members Receiving SSA Disability Benefits**

Verification of the receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income disallowances and deductions.

#### SNRHA Policy

For family members claiming disability who receive disability benefits from the SSA, the SNRHA will attempt to obtain information about disability benefits through the HUD Enterprise Income Verification (EIV) system when it is available. If documentation from HUD's EIV System is not available, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member claiming disability status. If the family is unable to provide the document(s), the SNRHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant or participant receives the benefit verification letter they will be required to provide it to the SNRHA.

### **Family Members Not Receiving SSA Disability Benefits**

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.603.

#### SNRHA Policy

For family members claiming disability who do not receive disability benefits from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

## **PART III: VERIFYING INCOME AND ASSETS**

Chapter 5, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This part provides SNRHA policies that supplement the general verification procedures specified in Part I of this chapter.

### **7-III.A. EARNED**

#### **INCOME Wages**

##### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV with two consecutive current paystubs for annuals and for New Hires.
2. Acceptable 3<sup>rd</sup> Party written verification provided by the resident.



- 3 Third party written verification  
Employment verification form completed by the employer
4. Oral third party -must document why other steps above where not available
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.
7. Current check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Tips**

#### SNRHA Policy

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year. Interruption of employment due to temporary leave of absence (i.e. maternity leave, short-term disability): upon verification that earnings have stopped, an interim will be conducted to remove the income. The family may be required to complete a Zero Income Questionnaire/Certification.

The family is required to report any other income received in lieu of earnings. The family will be required to report when the income starts again. At that time an interim will be conducted to add the income back into the family budget.

### **7-III.B. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS Social Security/SSI Benefits**

#### SNRHA Policy

To verify the SS/SSI benefits of applicants, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant has received the benefit verification letter they will be required to provide it to the SNRHA.

To verify the SS/SSI benefits of participants, the SNRHA will obtain information about social security/SSI benefits through the HUD EIV System or the Tenant Assessment Subsystem (TASS). If benefit information is not available in HUD systems, the SNRHA will request a current SSA benefit verification letter from each



family member that receives social security benefits. If the family is unable to provide the document(s) the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the participant has received the benefit verification letter they will be required to provide it to the SNRHA.

### **7-III. C. ASSETS AND INCOME FROM**

#### **ASSETS**

##### **Assets Disposed of for Less than Fair Market**

##### **Value**

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. The SNRHA needs to verify only those certifications that warrant documentation.

##### SNRHA Policy

The SNRHA will verify the value of assets disposed of only if:

- The SNRHA does not already have a reasonable estimation of its value from previously collected information, or
- The amount reported by the family in the certification appears obviously in error. Example 1: An elderly participant reported a \$10,000 certificate of deposit at the last annual reexamination and the SNRHA verified this amount. Now the person reports that she has given this \$10,000 to her son. The SNRHA has a reasonable estimate of the value of the asset; therefore, re-verification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately \$5,000. Based upon market conditions, this declaration does not seem realistic. Therefore, the SNRHA will verify the value of this asset.

### **7-III.D. NET INCOME FROM RENTAL PROPERTY**

##### SNRHA Policy

The family must provide:

A current executed lease for the property that shows the rental amount or certification from the current tenant.

A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income). If schedule E was not prepared, the SNRHA will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and





may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

### **7-III.E. RETIREMENT ACCOUNTS**

#### SNRHA Policy

When third-party verification is not available the type of original document that will be accepted depends upon the family member's retirement status.

*Before* retirement, the SNRHA will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 6 months from the effective date of the examination.

*Upon* retirement, the SNRHA will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.

*After* retirement, the SNRHA will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

### **7-III.F. INCOME FROM EXCLUDED SOURCES**

The SNRHA must obtain verification for income exclusions only if, without verification, the SNRHA would not be able to determine whether the income is to be excluded. For example: If a family's 16 year old has a job at a fast food restaurant, the SNRHA will confirm that SNRHA records verify the child's age but will not send a verification request to the restaurant. However, if a family claims the earned income disallowance for a source of income, both the source and the income must be verified.

#### SNRHA Policy

The SNRHA will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share (as is the case with the earned income disallowance). In all other cases, including food stamps, the SNRHA will report the amount to be excluded as indicated on documents provided by the family, including the family's written certification.

### **7-III.G. ZERO/EXTREMELY LOW ANNUAL INCOME STATUS**

#### SNRHA Policy

Families claiming to have no annual income will be required to execute verification forms to determine that certain forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household. Zero income households will be interviewed at least once every 180 days.



## **PART IV: VERIFYING MANDATORY DEDUCTIONS**

### **7-IV.A. DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS**

The dependent and elderly/disabled family deductions require only that the PHA verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

#### **Dependent Deduction**

See Chapter 6 for a full discussion of this deduction. The SNRHA must verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or co-head of the family and is not a foster child
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student

#### **Elderly/Disabled Family Deduction**

See Eligibility chapter for a definition of elderly and disabled families and Chapter 5 for a discussion of the deduction. The SNRHA must verify that the head, spouse, or co-head is 62 years of age or older or a person with disabilities.

### **7-IV.B. MEDICAL EXPENSE DEDUCTION**

Policies related to medical expenses are found in Chapter 6.

#### **Amount of Expense**

##### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the medical provider requesting the needed information.

Medical expenses will be verified through:

Third-party verification form signed by the provider, when possible

If third-party is not possible, copies of cancelled checks used to make medical expense payments and/or printouts or receipts from the source will be used. (Credit card statements will not be allowed as verification of payment of medical expenses.) In this case the SNRHA will make a best effort to determine what expenses from the past are likely to continue to occur in the future. The SNRHA will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming 12 months.

In addition, the SNRHA must verify that:



- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

### **Eligible Household**

The medical expense deduction is permitted only for households in which the head, spouse, or co-head is at least 62, or a person with disabilities. The SNRHA must verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter of this plan.

### **Qualified Expenses**

To be eligible for the medical expenses deduction, the costs must qualify as medical expenses.

See Chapter 6 for the SNRHA policy on what counts as a medical expense.

### **Unreimbursed Expenses**

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source.

### **Expenses Incurred in Past Years**

#### SNRHA Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, the SNRHA will verify:

The anticipated repayment schedule

The amounts paid in the past, and

Whether the amounts to be repaid have been deducted from the family's annual income in past years

## **7-IV.C. DISABILITY ASSISTANCE EXPENSES**

Policies related to disability assistance expenses are found in Chapter 6.

### **Amount of Expense**

#### ***Attendant Care***

#### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:



Third-party verification form signed by the provider, when possible.

If third-party is not possible, copies of cancelled checks used to make attendant care payments and/or receipts from care source. (Credit card statements will not be allowed as verification of payment of medical expenses.)

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 months.

### ***Auxiliary Apparatus***

#### **SNRHA Policy**

Expenses for auxiliary apparatus will be verified through:

Third-party verification of anticipated purchase costs of auxiliary apparatus. If third-party is not possible, billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months.

If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months

In addition, the SNRHA must verify that:

The family member for whom the expense is incurred is a person with disabilities

The expense permits a family member, or members, to work (see Chapter 5). The expense is not reimbursed from another source (see Chapter 5).

The expense does not exceed the amount of the earned income of the individual freed for work.

### ***Family Member is a Person with Disabilities***

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. The SNRHA will verify that the expense is incurred for a person with disabilities.

### ***Family Member(s) Permitted to Work***

The SNRHA must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.

#### **SNRHA Policy**

The SNRHA will seek third-party verification from a Rehabilitation Agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work.



If third-party and document review verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work.

### **Unreimbursed Expenses**

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

An attendant care provider will be asked to certify that, to the best of the provider's knowledge, the expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

### **7-IV.D. CHILD CARE EXPENSES**

The SNRHA must verify that:

- The child is eligible for care.
- The costs claimed are not reimbursed.
- The costs enable a family member to pursue an eligible activity.
- The costs are for an allowable type of childcare.
- The costs are reasonable if seeking employment or furthering education.

#### **Eligible Child**

To be eligible for the childcare deduction, the costs must be incurred for the care of a child under the age of 13. The SNRHA will verify that the child being cared for (including foster children) is under the age of 13.

#### **Unreimbursed Expense**

To be eligible for the childcare deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The childcare provider will be asked to certify that, to the best of the provider's knowledge, the childcare expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that the childcare expenses are not paid by or reimbursed to the family from any source.

The SNRHA must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

#### ***Information to be Gathered***



The SNRHA will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### ***Seeking Work***

Whenever possible the SNRHA will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases the SNRHA will request verification from the agency of the member's job seeking efforts to date and require the family to submit to the SNRHA any reports provided to the other agency.

In the event third-party verification is not available, the SNRHA will provide the family with a form on which the family member must record job search efforts. The SNRHA will review this information at each subsequent reexamination for which this deduction is claimed.

### ***Furthering Education***

The SNRHA will ask that the academic or vocational educational institution verify that the person permitted to further his or her education by the childcare is enrolled and provide information about the timing of classes for which the person is registered.

### ***Gainful Employment***

The SNRHA will seek verification from the employer of the work schedule of the person who is permitted to work by the childcare. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified.

## **Allowable Type of Child Care**

The type of care to be provided is determined by the family.

### **SNRHA Policy**

The SNRHA will verify that the type of childcare selected by the family is allowable, as described in Chapter 6.

The SNRHA will verify that the fees paid to the childcare provider cover only childcare costs (e.g., no housekeeping services or personal services) and are paid only for the care of an eligible child (e.g., prorate costs if some of the care is provided for ineligible family members).

The SNRHA will verify the childcare provider is not a family member residing in the household. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.



## **Reasonableness of Expenses**

Only reasonable childcare costs can be deducted for seeking employment or furthering education.

### SNRHA Policy

To verify that the childcare costs are reasonable, the actual costs the family incurs will be compared with the SNRHA's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable.

If the family presents a justification for costs that exceed typical costs in the area, the SNRHA will request additional documentation, as required, to support a determination that the higher cost is appropriate.

SNRHA will send out our childcare verification form when child care expenses are being verified. This form must be completed with all questions answered and returned by mail or fax. This form will be the only verification childcare form acceptable by our agency. Private childcare providers that do not have tax identification numbers must complete the section that requests their social security numbers or their INS number.

Written verification from the person who receives the payments is required. If the child care provider is licensed, the provider is required to provide their Employment Identification Number.

Verifications must specify the child care provider's business or individual name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Family's must certify as to whether any of those payments have been or will be paid or reimbursed by outside sources.



EXIITBIT 7-1: EXCERPT FROM HUD VERIFICATION

GUIDANCE NOTICE (PIII 2004-01, pp.11-14)

|                                     |                                                                                                                                               |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Upfront (UIV)</b>                | <b>Highest (Highly Recommended, highest level of third party verification)</b>                                                                |
| <b>Written 3<sup>rd</sup> Party</b> | <b>High (Mandatory if upfront income verification is not available or if UIV data differs substantially from tenant-reported information)</b> |
| <b>Oral 3<sup>rd</sup> Party</b>    | <b>Medium (Mandatory if written third party verification is not available)</b>                                                                |
| <b>Document Review</b>              | <b>Medium-Low (Use on provisional basis)</b>                                                                                                  |
| <b>Tenant Declaration</b>           | <b>Low (Use as a last resort)</b>                                                                                                             |

| Income Type    | Upfront                                                                                                                                                             | Written Third                                                                                                                                                                                                       | Oral Third Party                                                                                                                                                                                                       | Document Review                                                                                                                                                                                                                                                                                                                                                                                                  | Tenant Declaration                                                                                                                                                                                                                                |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | (LEVEL 5)                                                                                                                                                           | (LEVEL 4)                                                                                                                                                                                                           | (LEVEL 3)                                                                                                                                                                                                              | (LEVEL 2)                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 1)                                                                                                                                                                                                                                         |
| Wages/Salaries | Use of computer matching agreements with a State Wage Information Collection Agency (SWICA) to obtain wage information electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the independent sources to obtain wage information.                                                                                                | In the event the independent source does not respond to the PHA's written request for information, the PHA may contact the independent source by phone or make an in person visit to obtain the requested information. | When neither form of third party verification can be obtained, the PHA may accept original documents such as consecutive pay stubs (HUD recommends the PHA review at least three months of pay stubs, if employed by the same employer for three months or more), W-2 forms, etc. from the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from earnings. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
|                | Agreements with private vendor agencies, such as The Work Number or ChoicePoint to obtain wage and salary information.                                              | The PHA may have the tenant sign a Request for Earnings Statement from the SSA to confirm past earnings. The PHA mails the form to SSA and the statement will be sent to the address the PHA specifies on the form. |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
|                | Use of HUD systems, when available.                                                                                                                                 |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |

**Verification of Employment Income:** The PHA should always obtain as much information as possible about the employment, such as start date (new employment), termination date (previous employment), pay frequency, pay rate, anticipated pay increases in the next twelve months, year-to-date earnings, bonuses, overtime, company name, address and telephone number, name and position of the person completing the employment verification form.

**Effective Date of Employment:** The PHA should always confirm start and termination dates of employment.





|                                                                                                                                                                                                                                                                                                    |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Self-Employment                                                                                                                                                                                                                                                                                    | Not Available                                                                                                                                           | The PHA mails or faxes a verification form directly to sources identified by the family to obtain income information.                                                                                                                         | The PHA may call the source to obtain income information.                                                                                                                                               | The PHA may accept any documents (i.e. tax returns, invoices and letters from customers) provided by the tenant to verify self-employment income. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not obtained. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from self-employment. <b>Note:</b> The PHA must document in the tenant file, the reason                 |
| <b>Verification of Self-Employment Income:</b> Typically, it is a challenge for PHAs to obtain third party verification of self-employment income. When third party verification is not available, the PHA should always request a notarized tenant declaration that includes a perjury statement. |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
| Social Security Benefits                                                                                                                                                                                                                                                                           | Use of HUD Tenant Assessment System (TASS) to obtain current benefit history and discrepancy reports.                                                   | The PHA mails or faxes a verification form directly to the local SSA office to obtain social security benefit information. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may call SSA, with the tenant on the line, to obtain current benefit amount. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may accept an original SSA Notice from the tenant. Note: The PHA must document in the tenant file, the reason third party verification was not available.                                                                                              | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly social security benefits. Note: The PHA must document in the tenant file, the reason third party verification was not available. |
| Welfare Benefits                                                                                                                                                                                                                                                                                   | Use of computer matching agreements with the local Social Services Agency to obtain current benefit amount electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the local Social Services Agency to obtain welfare benefit information.                                                                                                      | The PHA may call the local Social Services Agency to obtain current benefit amount.                                                                                                                     | The PHA may review an original award notice or printout from the local Social Services Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly welfare benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.  |



| Income Type           | Upfront<br><b>(LEVEL 5)</b>                                                                                                                                                                                     | Written Third<br><b>(LEVEL 4)</b>                                                                                                                                                             | Oral Third Party<br><b>(LEVEL 3)</b>                                                                                                          | Document Review<br><b>(LEVEL 2)</b>                                                                                                                                                                                                                                                                            | Tenant Declaration<br><b>(LEVEL 1)</b>                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Child Support         | Use of agreement with the local Child Support Enforcement Agency to obtain current child support amount and payment status electronically, by mail or fax or in person.                                         | The PHA mails, faxes, or e-mails a verification form directly to the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may call the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may review an original court order, notice or printout from the local Child Support Enforcement Agency provided by the tenant to verify current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
| Unemployment Benefits | Use of computer matching agreements with a State Wage Information Collection Agency to obtain unemployment compensation electronically, by mail or fax or in person.<br><br>Use of HUD systems, when available. | The PHA mails, faxes, or e-mails a verification form directly to the State Wage Information Collection Agency to obtain unemployment compensation information.                                | The PHA may call the State Wage Information Collection Agency to obtain current benefit amount.                                               | The PHA may review an original benefit notice or unemployment check stub, or printout from the local State Wage Information Collection Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares unemployment benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                           |
| Pensions              | Use of computer matching agreements with a Federal, State, or Local Government Agency to obtain pension information electronically, by mail or fax or in person.                                                | The PHA mails, faxes, or e-mails a verification form directly to the pension provider to obtain pension information.                                                                          | The PHA may call the pension provider to obtain current benefit amount.                                                                       | The PHA may review an original benefit notice from the pension provider provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                                                                                                  | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly pension amounts. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                         |



| <b>EXHIBIT 7-2: SUMMARY OF DOCUMENTATION REQUIREMENTS FOR NONCITIZENS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• All noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the PHA.</li> <li>• Except for persons 62 or older, all noncitizens must sign a verification consent form</li> <li>• Additional documents are required based upon the person's status.</li> </ul>                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Elderly Noncitizens</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits.</li> </ul>                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>All other Noncitizens</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below.</li> </ul>                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Form I-551 Alien Registration Receipt Card (for permanent resident aliens)</li> <li>• Form I-94 Arrival-Departure Record annotated with one of the following:               <ul style="list-style-type: none"> <li>• “Admitted as a Refugee Pursuant to Section 207”</li> <li>• “Section 208” or “Asylum”</li> <li>• “Section 243(h)” or “Deportation stayed by Attorney General”</li> <li>• “Paroled Pursuant to Section 221 (d)(5) of the USCIS”</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Form I-94 Arrival-Departure Record with no annotation accompanied by:               <ul style="list-style-type: none"> <li>• A final court decision granting asylum (but only if no appeal is taken);</li> <li>• A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90);</li> <li>• A court decision granting withholding of deportation; or</li> <li>• A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).</li> </ul> </li> </ul> |
| <ul style="list-style-type: none"> <li>• Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>• Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

- A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or
- Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the *Federal Register*.

## **Chapter 8**

### **TRANSFER POLICY**

#### **INTRODUCTION**

It is the policy of the SNRHA to permit resident transfers, within and/or between SNRHA public housing communities for the following limited reasons:

- To abate dangerous and/or substandard living conditions;
- To abate emergency life-threatening living conditions caused by third-party criminal activity;
- To accommodate verified physical conditions caused by long-term illness and/or disability;
- To accommodate resident families that are determined to be over- or under-housed by virtue of their family size; and
- To promote homeownership, transfer of families to scattered sites
- To accommodate relocation due to modernization work, community safety

Each transfer request will be evaluated on a case-by-case basis, taking into consideration:

- The documentation that substantiates the reason for the request;
- Whether or not the resident is in good standing with the SNRHA
- The availability of suitable alternative units.

SNRHA will not grant a transfer request solely to accommodate neighbors who "cannot get along."

Activities of residents that adversely affect the right of others to the peaceful enjoyment of their community will be treated as lease violations and may be considered cause for lease termination.

#### **A. ELIGIBILITY FOR TRANSFER**

In order to be determined eligible to receive a transfer, residents must submit the **requested** 3rd party documentation to SNRHA, to substantiate their request, and must be in good standing with the SNRHA.

The type of documentation that must be submitted will vary, depending on the nature of the request.

#### **Good Standing**

A resident will be considered in good standing if he or she and/or household members have not had:

- A history of delinquent rent payments, or
- A history of community disturbance and/or unit destruction.
- Maintain acceptable housekeeping standards
- Fulfilling community service requirements

**Transfer List**

Resident families who are determined eligible to receive a transfer will be placed on a transfer waiting list in accordance with the date of transfer approval and reason for their transfer request. SNRHA will implement transfers in the priority order listed in the following table.

Inappropriately housed resident families who are determined eligible to receive a transfer will be placed on the transfer waiting list at the time of annual certification.

**Priority of Transfers**

Approved transfers shall be accomplished in the following priority order:

| Type of Transfer                         | When executed                                                                | Transfer will be within the housing development:                                           | Ratio                                       | Initiated by                                                     |
|------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------------|
| <b>Emergency</b>                         | Within 24 hours of documentation, verification & approval                    | Unless emergency transfer cannot be accomplished in this manner.                           | Not applicable                              | SNRHA or written family request                                  |
| <b>Medical and accessibility</b>         | Within 30 days of documentation, verification & approval                     | Unless appropriate unit meeting the family's needs is not available within the development | Not applicable                              | Written family request                                           |
| <b>Under housed (Overcrowded)</b>        | When family's name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development's inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Over housed</b>                       | When family's name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development's inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Under housed with family's waiver</b> | When family's name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development's inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA, not less than one year from the date of initial occupancy |

|                                                                                                                  |                                                                                                               |                                                                         |                                             |                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Higher income family moving to a lower income development</b>                                                 | Next available scattered site home or development of the family's choice                                      | Not applicable                                                          | 1 transfer for every <b>20</b> new move-ins | At written request of family                                                                                       |
| <b>Scattered Site SNRHA Site</b>                                                                                 | Next available scattered site unit when family name reaches the top after certification of eligibility        | All available SS units                                                  | Not applicable                              | SNRHA, not less than <b>two</b> years from the date of initial occupancy <b>and must meet suitability criteria</b> |
| <b>Designated Senior Developments</b>                                                                            | Transfers from Studio to One bedroom unit when family name reaches the top after certification of eligibility | Unless type of unit does not exist within that development's inventory. | 1 transfer for <b>2</b> new move-ins.       | SNRHA, not less than one year from the date of initial occupancy                                                   |
| <b>Newly Modernized Units</b>                                                                                    | Next available unit when family name reaches the top after certification of eligibility                       | Not applicable                                                          | Not applicable                              | SNRHA on effective date of annual recert                                                                           |
| <b><u>Administrative Reasons determined by the PHA (e.g. to permit modernization work, community safety)</u></b> | Within 30 days of Notification                                                                                | Unless type of unit does not exist within that development's inventory. | Not Applicable                              | SNRHA                                                                                                              |

**B. EMERGENCY TRANSFERS**

Emergency transfers will be implemented by the SNRHA to remove a resident family from life-threatening and/or hazardous living conditions caused by third-party criminal activity and/or unit damage. **Good standing criteria does not apply in the case of emergency transfers.**

**Residents will be required to become complaint with all lease provisions upon completion of the Emergency Transfer to the new unit.**

**Emergency Transfers due to Third Party Criminal Activity**

SNRHA will consider transfer requests from resident families who have been victims of life-threatening criminal activity committed by third parties or who have witnessed serious criminal activity and agreed to testify on behalf of the State at a criminal proceeding.

Families who request a unit transfer due to third-party criminal activity may be required to submit verifiable documentation evidencing one or all of the following:

- Police reports and/or police statements detailing the incident in question
- Eyewitness statements describing the incident in question
- Confirmatory letters from the Victim Witness Protection Unit, Rape Crisis Center or similarly recognized entity
- Medical reports from a licensed health care provider
- Subpoena or other written contacts from the Clark County District Attorney or U.S. Attorney

The SNRHA will require residents who are victims of domestic violence to certify their victim status and the names of their abusers. Third-party verification must be provided by victim service providers, medical professionals, or attorney who have counseled the victim and can verify their status as a domestic violence victim.

All documentation submitted shall remain confidential and shall be reviewed and evaluated by the Director of Operations only. Transfer requests due to third-party criminal activity shall be evaluated on a case-by-case basis, by consideration of the following criteria:

- The availability of a suitable alternative unit
- The documentation describing/verifying the incident
- The severity of the incident

**Notification:** If approved, the family will be notified that:

- A unit has been designated;
- They must execute a new lease and move within five (5 days) of receipt of the notice, and
- If they refuse to accept the unit, they must execute a waiver of their emergency transfer request.

**Emergency Transfers Initiated or Confirmed by Law Enforcement**

If the emergency transfer request is initiated or confirmed by authorized law enforcement officials, the SNRHA may take the following action to maintain the confidentiality of the request and subsequent transfer:

- By-passing the regular transfer occupancy function and/or staff;
- Maintaining the resident family's file separate from other resident files; and
- Concealing and/or changing the identity of the resident family's file.

### **Emergency Transfers due to Hazardous Unit Conditions**

A transfer due to hazardous unit conditions is mandatory. It may be initiated at any time by the SNRHA or the resident family or both, after detection of a unit condition that poses a threat to the health and safety of the resident family. A hazardous unit condition is one that arises from:

- Substantial fire damage;
- Life-threatening fungus as determined by a Clark County Health District Official and/or a licensed hazardous waste consultant;
- Exposed electrical wiring;
- Defective ventilation;
- Inadequate plumbing, heating and/or cooling that will require long-term repair;
- Other serious conditions identified by the SNRHA Maintenance Department that require long-term repair.

**Notification:** If at least one of the foregoing conditions is found to exist, the SNRHA shall immediately notify the resident family or families affected and advise them, in writing, as follows:

- A unit has been designated;
- They will be required to move and sign a new lease no later than five (5) days from the date they receive the notice;
- If the hazardous condition was caused by the family, the family shall bear the cost of repair and moving.
  - If the family is unable to move due to financial reasons, SNRHA shall contract with a third party entity to move the family and shall bill the family for said costs, no later than the date on which the repair bills are submitted to them.
  - If the resident family refuses to move or otherwise fails to pay the repair and/or moving costs, SNRHA will initiate eviction proceedings against the family
- If the hazardous condition was not caused by the family, the SNRHA will bear all repairs and documented moving costs incurred by the family.

### **C. TRANSFERS DUE TO ILLNESS AND/OR DISABILITY**

Unit transfers will be implemented by SNRHA to accommodate the accessibility needs of residents and/or their household members, arising from long-term illness or disability. Accessibility needs are those that require one or all of the following:

- A first floor and/or single story dwelling;
- Widened hallways and/or lowered cabinets;
- Roll-in shower facilities
- Flashing-light-censored smoke detectors
- Central air conditioning and heat

### **Documentation**



Families who request a transfer due to illness and/or disability may be required to submit recent verifiable documentation from a health care provider or social service entity that confirms the impairment and the accessibility needs.

**Notification**

Upon a determination that the family's request for a transfer due to illness or disability has been approved, the SNRHA shall send the resident a thirty (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty (30) day period has passed:

A unit to which the family may transfer will be designated at such time as it becomes available;

They will be required to enter into a new lease for the transfer unit;

That if they refuse to move into the unit, they must sign a waiver of the transfer request.

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

**D. TRANSFERS TO ACCOMMODATE FAMILIES THAT ARE OVER- OR UNDER-HOUSED.**

Unit transfers will be implemented by SNRHA to accommodate resident families that are determined to be over-housed or under-housed **by virtue of their family size based on the general occupancy standards.** These transfers may be initiated by the SNRHA or the resident or both. A family may request an exception to the general occupancy standards. The SNRHA will evaluate the relationship and ages of all family members and the overall size of the unit. If approved, the family must agree to remain in the approved unit for one year.

**Notification**

Upon a determination that the family is approved to move into a unit of a different size, the SNRHA shall send the resident a thirty- (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty- (30) day period has passed:

A unit to which the family must transfer may be designated;

They will be required to move into that unit in accordance with the terms of their lease;

They will be required to enter into a new lease for the transfer unit;

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

### **Resident Refusal of the Transfer Unit**

The resident may decline the transfer unit for good and reasonable cause. Such cause shall be considered sufficient if:

The unit does not provide adequate accessibility, or

The unit will not have the required effect of accommodating the family size.

The Director of Operations shall determine if the unit refusal is for good cause. If the resident declines the unit without good cause, the SNRHA shall assign the unit to another family and void the request for transfer if generated by the family.

If the resident refuses the transfer unit when the reason for the transfer is an emergency, under/over housed or abatement, a 30-day notice will be issued. The unit will be reassigned and the transfer will be voided.

### **Transfer Procedures**

The Development Manager and resident will participate in a pre-transfer inspection to determine damages prior to transfer and the charges made part of the new lease.

The resident and SNRHA shall enter into a new lease agreement for the transfer unit.

### **Security Deposits**

1. Families transferring to another development must have paid the security deposit in full at the sending development.
2. SNRHA will charge the families for any damages to the previous unit.
3. Security deposits will be refunded to the resident under the terms of the lease for the

- previous unit. The resident must deposit with the SNRHA a security deposit on the new unit consistent with the security deposit policy in effect at the time of the transfer.
4. Refer to Security Deposit Chapter for additional details.
  5. Move-out charges will be posted to the new unit. The office of the receiving development is responsible for collecting any maintenance charges due SNRHA.

## **E. GENERAL CONDITIONS GOVERNING TRANSFERS**

### **Discrimination Prohibited**

Transfer requests shall be processed, evaluated, initiated and/or determined without regard to race, color, religion, gender, creed or national origin. Transfer requests based on household composition and/or illness disability must consider family size and disability.

### **Cleaning and/or Repair Charges**

All transfers are subject to charges for cleaning or repair work performed by the maintenance staff on the vacated unit. All charges will be assessed after an inspection is completed by the resident and the housing manager. **Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement.**

### **Rent Adjustments for Transferred Residents**

No rent adjustment will be made, except for utility allowance, until the next scheduled certification.

### **Reexamination Date**

The date of the transfer changes the reexamination date according to the block system of the gaining development, unless the annual reexamination period would exceed twelve months since the family's last annual reexamination.

The losing development will send the family's file to the gaining development once they have been notified that the family has accepted the unit, before the family is leased up. The gaining development will not attempt to lease up a family without possession of the family's file.

### **SNRHA Incentives for Higher Income Families Transferring Into Lower Income Developments**

The SNRHA will offer certain incentives to higher income families (**Household Income at or above 60% of AMI**) willing to move into lower income projects. If a higher income family agrees to move to a SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family's choice. The move will be approved according to the Occupancy Guidelines only if the family has consistently been in lease compliance for two years following admission.

SNRHA will target homeownership opportunities to higher income families moving into lower income projects.

## **Processing In and Out of Developments**

### **Gaining Developments**

Transfers from other developments will be processed in the same manner as move-ins, including a new lease and applicable security deposit.

The resident transferring between public housing projects does not have to meet the admission requirements pertaining to income or preference.

### **Residents Failure to Transfer Units**

In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, **both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from.**

### **COST OF TRANSFERS**

Residents shall bear the cost of transfers to correct occupancy standards, resident requested transfers, incentive transfers, and other voluntary transfers.

SNRHA will bear the reasonable cost of transfers SNRHA requests for demolition, disposition, rehabilitation, building system failures, or emergency conditions due to no fault of the tenant. SNRHA will bear the reasonable cost of transfers needed as a reasonable accommodation for residents with disabilities, **in accordance with SNRHA Reasonable Accommodation Policy and Procedures.** The reasonable cost of transfers includes not just the cost of packing, moving, and unloading, but also the cost of connecting and reconnecting any existing resident-paid services such as telephone and cable.

## **Resident Selection Criteria For Otto Merida Family Apartments**

**The following criteria will be utilized to select from current residents residing in other Public Housing communities for the Project:**

1. Must have a favorable rental payment history. A resident will be considered to have a favorable rental payment history if there have been two or less delinquent rent payments in the previous twelve months.
2. Must be in good standing with SNRHA and in compliance with all terms and conditions of the resident's existing Lease.
3. Resident must be currently employed or enrolled in the Family Self Sufficiency Program and must have accomplished one or more established goals within the Program. SNRHA will provide the Manager with a list of residents wishing to transfer to the Project and the Manager will determine and certify the eligibility of the resident, and the resident will be notified of the determination. Transfer requests will be processed on a first come, first serve basis.

### **Income Tiering**

In addition to the above selection criteria, SNRHA will institute an income-tiring system in allocating units within the Project. The units will be divided into three income tiers, which will be distributed equally across the development and by unit types. The income tiers will be as follows:

- **Low Tier:** Less than 20% of the HUD Area Median Income (AMI) for a Family of Four (or \$11,819 in 2005) 20 units;
- **Middle Tier:** Greater than 20% AMI and Less than 30% AMI for a Family of Four (or \$17,730 in 2005) 20 units; and
- **High Tier:** Greater than 30% AMI and Less than 60% AMI maximum tax credit income Level (or \$35,460 in 2005 for a Family of Four) 20 units.

Transfer requests from current SNRHA residents who meet the initial resident selection criteria noted above will be placed in one of the three income tiers, or disqualified by the Manager if the applicants' income is above the 60% AMI tax credit limit or do not meet the LIHTC eligibility.

After the initial inquiry is made of existing public housing residents, public housing residents may apply for transfer to the Project at the time of their annual certification by completing an application for the Honolulu Street Apartments.

### **Public Housing Waiting List**

In the event there are no current public housing residents within the appropriate income tiers as indicated above who wish to transfer to the Project, Project vacancies will be filled from

**Southern Nevada Regional Housing Authority**

SNRHA's Public Housing certified waiting list utilizing current preferences and screening criteria in accordance with SNRHA's ACOP and the screening criteria described above.

Employment income is a current SNRHA waiting list preference.

In the event there are no eligible applicants on the current Public Housing certified waiting list within the three income tiers, outreach will be conducted to the general public as provided in the Marketing Policy.



## **Chapter 9 LEASING**

[24 CFR 966.4]

### **INTRODUCTION**

It is the SNRHA's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This chapter describes pre-leasing activities and the SNRHA's policies pertaining to lease execution, security deposits, other charges, and additions to the lease.

### **A. LEASE ORIENTATION**

In conjunction with execution of the lease, all adult family members must attend a new resident orientation within 90 days of move-in.

Residents with disabilities may request a reasonable accommodation.

### **Orientation Agenda**

When families attend the lease orientation, they will be provided with:

- A sample copy of the lease
- A copy of the grievance procedure
- A copy of the house rules
- Supportive services information, including FSS
- Emergency maintenance policy
- Community Service requirements and policy
- Pet policy
- Trespass policy
- Bed Bug Addendum
- Housekeeping Standard
- Other Lease addendums

Topics to be discussed will include, but are not limited to:

- Applicable deposits and other charges
- Maintenance charges
- Provisions of the lease
- Unit maintenance and work orders
- Terms of occupancy
- Rent choice/Flat rent/income based/seasonal employment

SNRHA shall ensure additional efforts are made to ensure full program accessibility to persons with Limited English Proficiency, including notifying organizations that provides services to low-income families whose primary language is Spanish, as outlined in SNRHA's Limited English Proficiency Plan.



## **B. LEASE REQUIREMENTS**

The initial term of the lease will be for 12 months. The lease will renew automatically for 12-month terms with the following exception:

- SNRHA will not renew the lease if the family has violated the community service requirement (24 CFR 966.4).
- Due to the community service requirement, the lease does not automatically renew for terms of 12 months. An annual signing process, the completion of recertification, is required.
- The lease further provides for termination and eviction at the end of any 12-month lease term for non-compliance with the community service requirements at 24 CFR Part 960, Subpart F and Chapter 15 of this Admissions and Continued Occupancy Policy.

## **C. EXECUTION OF LEASE**

The lease shall be executed by the head of household, spouse or co-head; and by an authorized representative of SNRHA, prior to admission.

The head or co-head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head or co-head.

An appointment will be scheduled for the parties to execute the lease. One executed copy of the lease will be given to the tenant, and the SNRHA will retain the original in the tenant's file. The lease is incorporated into this policy by reference. The lease document will reflect current SNRHA policies as well as applicable Federal, State and local law. The following provisions govern lease execution and amendments:

- A lease is executed at the time of admission for all new tenants.
- A new lease is executed at the time of the transfer of a tenant from one SNRHA unit to another
- If, for any reason, the head or co-head of household of the lease cease to be a member of the household, a new lease will be executed with the remaining members, so long as they meet the program requirements.
- Lease signers must be persons legally eligible to execute contracts.
- The names, relationship to head, date of birth, and social security number of all household members are listed on the lease at initial occupancy and on the Application for Continued Occupancy (need to determine name of form to be used) each subsequent year. Only those persons listed on the most recent certification shall be permitted to occupy a dwelling unit.
- Changes to tenant rents are made upon the preparation and execution of an addendum to the lease which reflects any change in household composition or rent. Documentation will be included in the tenant file to support proper notice.





- Households that include a live-in aide are required to execute a live in aide agreement authorizing the arrangement and describing the status of the aide.
- Households that include a live-in aide will contain file documentation that the live-in aide is not a party to the lease and is not entitled to SNRHA assistance, with the exception of occupancy while serving as the aide for the participant family member.

The SNRHA may modify its form of lease from time to time, giving tenants an opportunity to comment on proposed changes and advance notice of the implementation of any changes. A tenant's refusal to accept permissible and reasonable lease modifications, or those modifications required by HUD, is grounds for termination of tenancy.

#### **D. ADDITIONS TO THE LEASE**

Only those persons listed on the most recent certification form and lease shall be permitted to occupy a dwelling unit<sup>1</sup>.

All persons listed on the most recent certification form and the lease must use the dwelling unit as their sole residence.

Requests for the addition of a new member of the household must be approved by the SNRHA, prior to the actual move-in by the proposed new member.

Following receipt of a family's request for approval, the SNRHA will conduct a pre-admission screening, including the Criminal History Report, of the proposed new adult member. Only new members approved by the SNRHA will be added to the household.

Family members over the age of 18 who move from the dwelling unit to establish new households shall be removed from the lease. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list. Exceptions will be made by the approval of the Director of Operations or designee.

Minors being added to the household by other than birth or legal adoption or court – awarded custody must be verified by court action. Temporary guardianship will be considered as a court action. All temporary guardianship will be renewed and verified every six months.

#### **Factors Determining Household Additions**

Household additions subject to screening:

- Resident plans to marry;
- Resident desires to add a new adult family member to the lease or employ a live-in aide.



- A unit is occupied by a remaining family member(s) under age 18 (not an emancipated minor) and an adult who was not a member of the original household requests permission to take over as the head of household. Guardianship and/or custody of the remaining family member(s) under 18 must be obtained by the adult who was not a member of the original household. The family will have 90 days to obtain all documentation. If the adult is unable to provide appropriate documentation regarding the remaining minor, children and/or fails to comply with all screening requirements they are ineligible to occupy the unit at the expiration of the 90 days.

Factors determining household additions that are not subject to screening:

Children born to a family member or whom a family member legally adopts are exempt from the pre-screening process.

Children for whom the family receives court-awarded custody

Persons under the age of 18 years

Foster Children proposed to live in the unit

In cases where the addition of a new member who has not been born, married, awarded legal custody or guardianship, or legally adopted into the family, and the addition will affect the bedroom size required by the family, according to the SNRHA occupancy standards, the SNRHA will not approve the addition. An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody.

Residents who fail to notify the SNRHA of additions to the household, or who permit persons to join the household without undergoing screening, are in violation of the lease. Such persons are considered to be unauthorized occupants by the SNRHA, and the entire household will be subject to eviction [24 CFR 966.4(f) (3)].

Family members age 18 and over, other than spouse, who move from the dwelling unit shall be removed from the lease. The tenant must notify the SNRHA of the move-out within 10 calendar days of its occurrence. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list.

The SNRHA in making determinations under this paragraph will consider medical hardship or other extenuating circumstances.



## **Visitors**

1. The resident may not allow visitors to stay overnight more than fourteen (14) consecutive days nor more than 30 calendar days in a twelve month period without prior written approval of management.
2. Visitors who remain beyond this period shall be considered unauthorized, and their presence constitutes a breach of the lease.
3. If an individual other than a leaseholder is representing to an outside agency that they are residing in the lessee's unit, the person will be considered an unauthorized member of the household.
4. Roomers and lodgers are not permitted to occupy a dwelling unit, nor are they permitted to move in with any family occupying a dwelling unit. Advertisements for roomers or lodgers shall be considered a violation of the lease by virtue of intent to sub lease portions of the assisted unit.
5. Residents are not permitted to allow a former tenant of the SNRHA who has been evicted to occupy their unit for any period of time.
6. Medical hardship or other extenuating circumstances shall be considered by SNRHA in making determinations under this area. Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Property Manager.

## **Absences from the Unit**

Residents must advise the SNRHA when they will be absent from the unit for more than **30** consecutive days and provide a means for the SNRHA to contact the resident in the event of an emergency. Failure to advise the SNRHA in writing of extended absences is grounds for termination of the lease.

## **E. LEASING UNITS WITH ACCESSIBLE OR ADAPTABLE FEATURES**

[24 CFR 8.27(a) (1) (2) and (b)]

Before offering a vacant accessible unit to a non-disabled applicant or resident, the SNRHA will offer such units:

First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA's control, who has a disability that requires the special features of the vacant unit?



Second, to a current occupant of other public housing developments under the SNRHA's control who has a disability that requires the special features of the vacant unit?

Thirdly, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

Accessible units will be offered to and accepted by non-disabled applicants or residents only with the understanding that such applicants/resident must agree to relocate to a non-accessible unit at a later date if a person with a disability requiring the unit applies for housing and is determined eligible or there is an existing resident who require the features of the accessible unit.

The SNRHA will require a non-disabled applicant or resident to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant or resident. This requirement will be a provision of the lease agreement.

#### **F. UTILITY SERVICES**

Tenants responsible for direct payment of utilities must abide by any and all regulations of the specific utility company, including regulations pertaining to advance payments of deposits.

**If a resident is resident or applicant is unable to establish utility services due to a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See page 6-16.**

Failure to maintain utility services during tenancy is a lease violation and grounds for eviction. Non-payment of excess utility charge payments to the SNRHA is a violation of the lease and is grounds for eviction.

SNRHA may send utility reimbursement directly to the utility supplier without the consent of the family that is paying an income based rent. SNRHA will notify the family of the amount of any such direct payment to the utility supplier.

The lease will designate the appliances provided by SNRHA (i.e.: stove and refrigerator). The tenant is responsible for proper hook-up, safety and maintenance of any appliances they may provide (i.e.: dryers).

#### **G. SECURITY AND PET DEPOSITS**

##### **Security Deposit**

Tenant security deposits are required to minimize collection losses and encourage



residents to leave their apartments clean and in good condition when they vacate.

### **Security Deposit Amounts**

New tenants must pay a security deposit to the SNRHA at the time of leasing the unit.

The Security Deposits for Public Housing will be based on bedroom size as follows:

- Efficiency Unit: \$200.00
- One Bedroom Unit: \$200.00
- Two Bedroom Unit \$250.00
- Three Bedroom Unit \$300.00
- Four Bedroom Unit \$350.00
- Five Bedroom Unit \$400.00

Scattered Site units will be required to pay an additional \$100 deposit for lawn or yard maintenance for which they are responsible for under terms of their lease.

### **Transfer of Security Deposit**

If a resident transfers, the original security deposit may be refunded to the resident. The resident must then pay the required deposit for the new unit. The resident will be responsible for payment of any additional security deposits as outlined in this policy. The tenant will also be further billed for any maintenance or other charges beyond the security deposit.

The SNRHA may permit installment payments of security when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA. The Authority may allow for one-quarter of the required deposit at the time of admission and the remainder to be paid with additional equal payments for a three month period. The full deposit must be paid within 120 days of initial occupancy.

The Security Deposit will be returned, less any applicable charges, to the tenant after move-out, if the following conditions are met:

- There is no unpaid rent and/or charges for which the resident is liable under the lease or as a result of breaching the lease.
- The dwelling unit and all equipment are left clean, and all trash and debris have been removed by the family.
- There is no breakage or damage beyond that expected from normal wear and use.
- Tenant gave the required **30** calendar days advance written notice of intent to vacate and all keys issued have been returned to the management office when the family vacates the dwelling unit.

The Security Deposit may not be used to pay charges during the tenant's occupancy.



The SNRHA will hold the security deposit for the period the tenant occupies the unit. The SNRHA will refund the Security Deposit less any amounts owed, within 30 calendar days after move out and tenant's notification of new address. If no address is provided, the refund will be mailed to the last known address.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the security deposits. If the tenant disagrees with the amount charged to the security deposits, the SNRHA will provide a meeting to discuss the charges.

The resident must leave the dwelling unit in a clean and undamaged (beyond normal wear and tear) condition and must furnish a forwarding address to the SNRHA. All keys to the unit must be returned to the Management upon vacating the unit.

The SNRHA will not use the security deposit for payment of rent or other charges while the tenant is living in the unit.

The tenant will be billed for any maintenance or other charges. If the tenant family will be transferred from one public housing dwelling unit to another the SNRHA will conduct the required move-out inspection and determine what charges, if any, should be assessed to tenant's account. SNRHA will establish the security deposit for the new unit based upon the current security deposit policy and the family will be required to pay the balance/new deposit amount in effect at that time.

## **H. ADDITIONAL SECURITY DEPOSIT COLLECTION PROCEDURES**

Security Deposits are governed by the terms of the lease, 24CFR's and Nevada's Statutes. The SNRHA reserves the right to bill a resident's account additional charges if any of the situations below exist or take place within a resident's apartment. This money will be added to the resident's current security deposit. Such deposits may be collected for the following:

- 1) Unauthorized wallpapering.
- 2) Painting walls any color other than the original color upon move-in.
- 3) If the resident fails a housing inspection due to unsanitary housekeeping or excessive damage to the unit that is beyond normal wear and tear.
- 4) Evidence of pet damages (carpet stains, clawing, biting unit components, defecation interior or exterior, fleas, landscaping, lawn or property, fences or other visual damage).

If any of the above items are found within a household the resident will be immediately billed **per labor rates established according to the Maintenance Charge List and added into the tenant's security deposit funds.** The SNRHA has enacted this change to protect the interest of our housing stock and to reduce the billable charges due by the resident once they have moved out of SNRHA housing.



## **Pet Deposit**

### **DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |

ALL PET AGREEMENTS SIGNED WITH RESIDENTS OF SNRHA PRIOR TO THE ADOPTION OF THIS POLICY (03/01/2010) ARE NOT SUBJECT TO PAYING ADDITIONAL DEPOSIT AMOUNTS

RESIDENTS SIGNING PET POLICY AGREEMENTS FOLLOWING THE ADOPTION OF THIS POLICY WILL BE SUBJECT TO PAYING DEPOSITS FOR ANY NEW OR ADDITIONAL PETS.

Assistance Animals for persons with a disability are not subject to the pet deposit.

The SNRHA may permit installment payments of when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA.

The pet security deposit is to cover the cost of damages created by the pet. Tenant will be given a list of all such damages and the applicable charges that will be deducted from the pet deposit at the time the tenant vacates the unit or the pet is removed from the unit, whichever occurs first. Tenant will also be advised of their right to an informal meeting and/or grievance hearing should they dispute the charges. (See Chapter 10 for remainder of pet policy provisions.) The pet deposit will be returned to the tenant or the person designated by the former tenant, upon notification that the pet is no longer in the unit or in the event of the former tenant's incapacitation or death.

## **Interest**

SNRHA will not compute or pay any interest on any deposit.

## **I. RENT PAYMENTS**

See Chapter 13, Rent and Debt Collection Procedures.

## **J. FEES AND NONPAYMENT PENALTIES**

See Chapter 13, Rent and Debt Collection Procedures.



#### **K. SCHEDULES OF SPECIAL CHARGES**

Schedules of special charges for services, repairs, utilities and rules and regulations which are required to be incorporated into the lease by reference shall be publicly posted in a conspicuous manner in the community office, and they will be provided to the resident at the time of lease execution.

The SNRHA will assess residents a charge for tenant-caused damage to its Conventional housing facilities (i.e., dwelling unit and/or common areas). Where there is no specific cost listed for an item of work, the charge to the family will be based upon the SNRHA labor rate times (x) the hours of labor charged to the job plus (+) the actual cost of parts and materials that were used on the job. A Schedule of Charges will be maintained by the agency and periodically updated. A copy of this schedule will be posted in all management offices and shall be made available upon request. The SNRHA will not charge for any repairs that are necessitated by normal wear and tear; nor is there a charge for any scheduled periodic work, such as painting or extermination. However, if extermination is required on other than the pre-established scheduled basis and there is a determination that the extra extermination services are due to the negligence of the tenant family, the SNRHA reserves the right to charge for said service.

#### **L. MODIFICATIONS TO THE LEASE**

Schedules of special charges and rules and regulations are subject to modification or revision. Tenants will be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and they will be given an opportunity to present written comments. Comments will be taken into consideration before any proposed modifications or revisions become effective.

A copy of such notice shall be posted in the central office, each development office.

Any modifications of the lease must be accomplished by a written addendum to the lease and signed by parties, the resident(s) and the SNRHA.

#### **M. CANCELLATION OF THE LEASE**

Cancellation of the tenant's lease is to be in accordance with the provisions contained in the lease agreement and as stated in this policy.

#### **N. SMOKE FREE HOUSING**

In order to provide a healthier environment for our residents, the Board of Commissioners has adopted a Smoke Free Housing Policy. The purpose of this policy is to provide a healthier environment for our residents and eliminate the harmful effects of secondhand smoke, fire danger and damage to apartments due to smoke. Secondhand smoke is particularly dangerous to children and people with respiratory disease. It is the third leading cause of preventable death in the United States. In 2006, the US Surgeon General stated that there is no safe level of second hand smoke.





**Definition of Smoke/Smoking:**

The term “smoke” and “smoking” means inhaling, exhaling, breathing or carrying any lighted cigar, cigarette or other tobacco product on similar lighted product in any manner or in any form.

**Smoke-Free Apartments:**

The premises listed below have been designated as smoke-free living environments:

- **Lubertha Johnson Estates Senior Development**

**With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.**

Residents, **staff** and guests are prohibited from smoking on these properties owned and managed by SNRHA, including the apartment rented by the resident, the building in which the dwelling unit is located, and all common areas inside and outside the building up to 15 feet from each building and 50 feet from the buildings entry.

**The Southern Nevada Regional Housing Authority Not a Guarantor of Smoke-Free Environment**

The adoption of a smoke free living environment and the efforts to designate a property as smoke-free does not make SNRHA a guarantor of resident’s health or of the smoke free condition of the resident’s apartment and common areas. However, SNRHA shall take reasonable steps to enforce the smoke-free terms of its leases and to make the property smoke-free. SNRHA will post smoke free properties with “No Smoking” signs inside and outside the buildings and may, at its sole option, consider designating smoking areas at any or all of the properties.

**Smoking on the Property as a Lease Violation**

If a resident smells tobacco smoke anywhere in the building, they should report this to the office as soon as possible. Management will seek the source of the smoke and take appropriate action. A resident will be in violation of his/her lease if the resident or any guest is determined to be smoking on SNRHA property. Three (3) violations of SNRHA’s Smoke Free Policy may result in eviction. All applicants/residents acknowledge receipt of this Policy and Smoke-Free Lease Addendum in writing at the time of application and/or next rent recertification.

**O. INSPECTIONS OF PUBLIC HOUSING UNITS**

**Initial Inspections**

The SNRHA and the family will inspect the premises prior to occupancy of the unit in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the SNRHA and the tenant, will be kept in the unit file and tenant file.



## **Vacate Inspections**

The management staff will perform a move-out inspection when the family vacates the unit, and will encourage the family to participate in the move-out inspection.

The purpose of this inspection is to determine necessary maintenance and whether there are damages that exceed normal wear and tear. The SNRHA will determine if there are tenant caused damages to the unit. Tenant caused damages may affect part or all of the family's security deposit. Documentation, including pictures of tenant caused damages will be maintained in tenant file.

The move-out inspection also assists the SNRHA in determining the time and extent of the preparation and repairs necessary to make the unit ready for the next tenant.

## **Annual Inspections**

The SNRHA will inspect all units annually using HUD-required standards. All inspections will include a check of all smoke alarms to ensure proper working order. Pictures of any damages and/or housekeeping problems may be taken. At each annual inspection, staff will verify that the additional room is still being used for medical equipment or live-in aide.

Residents who "fail" the inspection due to housekeeping or tenant-caused damages will be given 10 calendar days to correct noted items and placed on a schedule of 30, 60, and 90 day inspections conducted to ensure lease compliance. Failure to comply with housekeeping requirements are grounds for lease termination.

Residents may request a copy of the inspection report with required corrections. In cases where units failed inspection for housekeeping or damage, a conference is scheduled with the property management.

If necessary to bring the unit into HUD-required compliance, needed repairs will be completed by the SNRHA.

Required corrections will be repaired by the SNRHA within 30 business days of the inspection date.

Damages beyond "normal wear and tear" will be billed to the tenant.

Residents who repeatedly "fail" the inspection or cause excessive damage to the unit will be in violation of their lease. SNRHA will take appropriate lease enforcement action.



### **Quality Control Inspections**

The housing management staff will conduct periodic quality control inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

The SNRHA management staff will conduct quality control inspections on 5% of the units.

The purpose of these quality control inspections is to assure that repairs were completed at an acceptable level of craftsmanship and within an acceptable time frame.

The property manager may conduct periodic inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

### **Special Inspections**

Housing management staff may conduct a special inspection for housekeeping, unit condition, or suspected lease violation.

HUD representatives or local government officials may review SNRHA operations periodically and as a part of their monitoring may inspect a sampling of the SNRHA's inventory.

Modernized and Scattered Site Inspections: New move inspections will be conducted within 60 days of the resident leasing the unit to ensure the unit and grounds are being maintained.

Unit inspections will be conducted within ten (10) working days from the date SNRHA is notified or receives knowledge of an unsatisfactory condition such as infestation, damages, unsatisfactory housekeeping or complaints of poor exterior conditions.

### **Other Inspections**

The SNRHA management staff will periodically conduct windshield and/or walk-through inspections to determine whether there may be lease violations, adverse conditions or local code violations.

Playground inspections are conducted weekly to determine playground safety.

Building exterior and grounds inspections are conducted at all Public Housing properties to determine hazardous conditions as well as to assist in budget preparation.



### **Emergency Inspections**

Housing management staff may initiate an emergency inspection report to generate a work order if they believe that an emergency exists in the unit or on a Public Housing site. In addition, staff may conduct an emergency inspection without a work order and generate a work order after the inspection has been conducted (see Entry of Premises Notice in this chapter.) Repairs are to be completed within 24 hours from the time the work order is issued.

### **Emergency Repairs to be Completed in Less than 24 Hours**

The following items are to be considered emergency in nature and require immediate (less than 24 hour) repair or abatement:

- Broken window glass that affects unit security, is a cutting hazard, or occurs within inclement weather (to be secured or abated)
- Escaping gas
- Plumbing leaks that have the capacity to create flooding or cause damage to the unit
- Natural gas leaks or smell of fumes
- Backed-up sewage
- Electrical hazard
- Inoperable SNRHA-owned air conditioner/heater (seasonal)
- Inoperable smoke detectors will be treated as a 24-hour emergency and will be made operable by the SNRHA if the smoke detector is in need of repair. Residents who disengage smoke detectors will be charged (see Schedule of Charges posted.)
- Lock-outs – Subject to the resident paying the cost for responding.

### **Entry of Premises Notices**

The SNRHA will give prior written notice for non-emergency inspections. Non-emergency entries to the unit will be made during reasonable hours of the day.

The SNRHA will provide the family with 48 hour notice prior to entering the unit for non-emergency reasons other than the annual inspection.

An inspection may not be conducted if there are minors and no adult (required to show identification) present in the unit during the inspection.



If no person is at home, the staff will enter the unit and conduct the inspection and will leave a written notice to the resident explaining the reason the unit was entered and the date and time.

A written notice specifying the purpose for non-emergency entry into the unit will be delivered to the premises at least 2 days before entry.

Where the SNRHA is conducting regular annual inspection of its housing units, the family will receive reasonable advance notice of the inspection to allow the family to prepare and be able to pass the inspection.

Reasons the SNRHA will enter the unit are:

- Inspections and maintenance
- To make improvements and repairs
- To show the premises for leasing
- In cases of emergency

The family must call the SNRHA at least 24 hours prior to the scheduled date of inspection to reschedule the inspection, if necessary.

The SNRHA will reschedule the inspection no more than once unless the resident has a verifiable medical reason which has hindered the inspection. The SNRHA may request verification.

Repairs requested by the family will not require prior notice to the family. Residents are notified in the lease that resident-requested repairs presume permission for the SNRHA to enter. The resident may specify at the time of request for repair or maintenance that they be present. SNRHA will take reasonable measures to comply with the residents request; however known deficiencies must be corrected.

### **Non-Inspection Emergency Entry**

The SNRHA staff will allow access to the unit to proper authorities when issues of health or safety of the tenant are concerned.

### **Family Responsibility to Allow Inspection**

The SNRHA must be allowed to inspect the unit at reasonable times with reasonable notice. If the resident refuses to allow the inspection, the resident will be in violation of the lease.

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<sup>i</sup> 24 CFR §§ 960.205 (b) and 966.4(a)(1)(v)



## Chapter 10

### PET POLICY

[24 CFR 5.309]

#### **INTRODUCTION**

This chapter explains the SNRHA's policies on the keeping of pets and any criteria or standards pertaining to the policy. The rules adopted are reasonably related to the legitimate interest of the SNRHA to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the SNRHA.

The purpose of this policy is to establish the SNRHA's policy and procedures for ownership of pets and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

Residents will comply with the dwelling lease, which requires that no animals or pets of any kind be permitted on the premises without prior written approval of the SNRHA.

Nothing in this policy or the dwelling lease limits or impairs the right of persons with disabilities to own animals that are used to assist them.

The SNRHA Pet **Deposits, Fees, and Restrictions** do not apply to Assistance Animals. An Assistance Animal is an animal that is needed as a reasonable accommodation for persons with disabilities.

In accordance with Section 526 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA), SNRHA hereby sets forth rules and regulations concerning pet ownership in its public housing units. Only "common household pets" as defined herein will be permitted in SNRHA owned properties.

A common household pet, for the purposes of SNRHA's conventional housing program: A domesticated animal, such as a dog, cat, bird, or fish that is traditionally kept in the home for pleasure rather than for commercial or breeding purposes. Common household pet does not include reptiles. This definition shall not include animals that are used to assist persons with disabilities.

Residents may own up to two pets as defined in this policy. If one of the pets is a dog or cat, the second pet must be contained in a cage or an aquarium for fish. Each bird or other animal, other than fish, shall be counted as one pet.



### **Animals That Assist Persons with Disabilities**

Only rules related to the health of the animal, the responsibility of the animal's owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

To meet these exclusions, the resident/pet owner must provide SNRHA with the means to verify that:

That there is a person with disabilities in the household; and

That if the animal is needed because of the person's disability.

### **A. MANAGEMENT APPROVAL OF PETS**

All pets must be approved in advance by the SNRHA management. The pet owner must enter into a Pet Agreement with the SNRHA; pay the pet deposit as follows:

#### **DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |
|                                                            |         |

See Sections D and E following for other management requirements.

### **B. STANDARDS FOR PETS**

Pet rules as outlined below will not be applied to animals that assist persons with disabilities however rules related to the health of the animal, the responsibility of the animal's owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

#### **Types of Pets Allowed**

No pets except the following will be acceptable:



### Dogs

Maximum number: 1  
Maximum adult weight: 30 pounds  
Maximum height: 20" at shoulder at full growth  
Must be spayed or neutered and housebroken  
Must have all required inoculations  
Must be licensed as specified now or in the future by State law and local ordinance

### Cats

Maximum number: 1  
Must be spayed or neutered  
Must have all required inoculations  
Must be trained to use a litter box or other waste receptacle. Cardboard boxes are not acceptable and will not be approved. The resident shall not permit refuse from litter boxes to accumulate, become odorous, to become unsightly, or unsanitary.  
Must be licensed as specified now or in the future by State law or local ordinance

### Birds

Maximum number: 2  
Must be enclosed in a cage at all times

### Fish

Maximum aquarium size: 50 gallons  
Must be maintained on an approved stand

### Rodents (guinea pig, hamster, or gerbil ONLY)

Maximum number: 1  
Must be enclosed in an acceptable cage at all times





## **Types of Pets Not Allowed**

Common household pets permitted in dwelling units do not include:

Exotic pets or barnyard animals are prohibited. Exception may be made for certain species of pigs utilized as bonafide “service animals”. (Snakes and reptiles are considered exotic pets.)

Animals who would be allowed to produce offspring for sale

Wild animals, feral animals, and any other animals that are not amenable to routine human handling

Animals of species commonly used on farms

Non-human primates (unless as an assistive animal to a person with disabilities)

Animals whose climatological needs cannot be met in the unaltered environment of the individual dwelling unit

Pot-bellied pigs

Snakes, spiders, reptiles, and chickens

The following restrictions apply to pets, based on weight, size and inherent dangerousness, including prohibitions against the keeping of:

Any animal whose weight could exceed 30 pounds by adult hood

Dogs of the pit bull, Rottweiler, chow, or boxer breeds

Ferrets or other animals whose natural protective mechanisms pose a risk to small children of serious bites and lacerations

Hedgehogs or other animals whose protective instincts and natural body armor produce a risk to children of serious puncture injuries.

Chicks, turtles or other animals that pose a significant risk of salmonella infection to those who handle them

Pigeons, doves, mynah birds, psittacine birds, and birds of other species that are hosts to the organisms causing psittacosis in humans

Tenants are not permitted to have more than one *type* of pet.



### **C. PETS TEMPORARILY ON THE PREMISES**

Pets which are not owned by a tenant will not be allowed; although service animals of persons with disabilities who are visiting the unit are permitted.

Residents are prohibited from feeding or harboring stray animals.

This rule excludes visiting pet programs sponsored by a humane society or other non-profit organization and approved by the SNRHA.

State or local laws governing pets temporarily in dwelling accommodations shall prevail.

### **D. REGISTRATION, ADMINISTRATION, AND OTHER RESTRICTIONS**

#### **Registration of Pets**

1. Pets must be registered with the SNRHA before they are brought onto the premises. Registration includes certificate signed by a licensed veterinarian or State/local authority that the pet has received all inoculations required by State or local law, and that the pet has no communicable disease(s) and is pest-free. This provision applies to assistive animals for persons with disabilities.
2. Registration must be renewed and will be coordinated with the annual recertification date and proof of license and inoculation will be submitted at least 30 days prior to annual reexamination. This provision applies to assistive animals for persons with disabilities.
3. Dogs and cats must be spayed or neutered. This provision applies to assistive animals for persons with disabilities.
4. Execution of a Pet Agreement with the SNRHA stating that the tenant acknowledges complete responsibility for the care and cleaning of the pet will be required.
5. Approval for the keeping of a pet shall not be extended pending the completion of these requirements.
6. Registration for each animal is to be accomplished by the filing of the following disclosures and forms:
  - a. A health certificate prepared by a veterinarian (including attestations of no communicable disease and of spaying or neutering or of a medical condition precluding spaying or neutering)
  - b. Documentation of current rabies vaccination for species subject to state or local rabies vaccination requirements



- c. Copy of the license issued by the applicable municipality for “ownership” of each animal for whom licensing is a legal requirement
- d. Name, address and telephone number of a veterinarian who will be providing regular care
- e. Name of the adult household member who will be primarily responsible for animal care

### **Refusal to Register Pets**

1. The SNRHA may not refuse to register a pet based on the determination that the pet owner is financially unable to care for the pet. If the SNRHA refuses to register a pet, a written notification will be sent to the pet owner stating the reason for denial and shall be served in accordance with HUD Notice requirements.
2. The SNRHA will refuse to register a pet if:
  - a. The pet is not a common household pet as defined in this policy;  
Keeping the pet would violate any House Pet Rules;
  - b. The pet owner fails to provide complete pet registration information or fails to update the registration annually;
  - c. The SNRHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

A resident who cares for another resident's pet must notify the SNRHA and agree to abide by all of the pet rules in writing.

### **Pet Agreement**

Execution of a Pet Agreement will be required, under which the resident acknowledges:

1. The right of management to enter dwelling unit when there is evidence that an animal left alone is in danger or distress
2. The right of management to seek impoundment and sheltering of any animal found to be maintained in violation of housing rules, pending resolution of any dispute regarding such violation
3. Receipt of a copy of all animal-related requirements and restrictions administered by management



4. In the context of public housing, that failure to abide by any animal-related requirement or restriction constitutes a violation of the “Tenant Obligations” appearing at 24 CFR 966.4(f)(4) and, therefore, grounds for lease termination pursuant to 24 CFR 966.4(k)(2)

### **Other Restrictions**

The following other restrictions also apply:

1. A prohibition on the keeping of animals by any resident convicted of a felony or of a misdemeanor relating to treatment of an animal
2. A prohibition on the keeping of any dog or cat over six months of age who is not spayed or neutered
3. A prohibition against keeping animals in any dwelling unit having no air conditioning in which ambient temperatures may exceed 82 degrees at any time of day or night.
4. A restriction against walking or transporting any animal outside of the dwelling unit without use of a leash no longer than five (5') feet or animal transport enclosure.
5. A prohibition against allowing animals on any premises outside of the dwelling unit unaccompanied by a family member, including homeless animals that are being fed or otherwise supported by residents.
6. A prohibition against the tethering or chaining of animals outside of or within the dwelling unit.
7. A prohibition of feeding any dog and/or cat outside the unit.
8. A restriction against subjecting animals to any surgical procedure, such as de-barking or de-clawing, that is typically performed as a substitute for correcting environmental deficiencies and providing proper supervision, or that can render animals abnormally aggressive
9. A requirement for the prompt removal of animal feces deposited in any common area
10. A requirement for regular removal and replacement of litter used in litter boxes or in animal enclosures maintained within dwelling units
11. A requirement for implementation of effective flea control by measures that produce no toxic hazard to children who may come into contact with treated animals



12. Pets are to be restrained so that maintenance can be performed in the unit. The resident **shall**, whenever an inspection or maintenance is scheduled, either be at home or shall have all animals restrained or caged. If a maintenance person enters a unit where an animal is not restrained, maintenance shall not be performed, and the resident pet owner shall be charged a fee of \$25.00. If the situation occurs again, the pet shall be removed from the premises. The Housing Authority shall not be responsible if any animal escapes from the residence due to its maintenance, inspections, or other activities.

State and local public health and anti-cruelty laws are applicable. All complaints of cruelty and all dog bites will be referred to the relevant animal control or police agency for investigation and enforcement.

#### **E. ADDITIONAL FEES AND DEPOSITS FOR PETS**

SNRHA requires a refundable pet deposit of \$200 for dogs and cats subject to charges for pet associated damage.

SNRHA requires a non-refundable pet fee for dogs of \$50 annually to defray the cost of providing pet waste receptacles and equipment as well as pet waste clean-up costs associated with the overall upkeep of the community. Residents are expected to properly dispose of pet waste.

SNRHA will allow gradual payment of the deposit in accordance with the following:

- An initial payment of \$50 on or prior to the date the pet is properly registered and brought into the apartment; and
- Monthly payments in an amount no less than \$50 until the specified deposit has been paid.

SNRHA will allow gradual payment of the pet fee in accordance with the following:

- An initial payment of \$10.00 due by the effective date of the annual recertification and up to four additional installments of \$10.00.

The SNRHA reserves the right to change or increase the required deposit by amendment to these rules.

The SNRHA will refund the pet deposit to the tenant, less any damage caused by the pet to the dwelling unit, upon removal of the pet or the owner from the unit. Pet fees are non-refundable.



The SNRHA will return the pet deposit to the former tenant or to the person designated by the former tenant in the event of the former tenant's incapacitation or death.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the pet deposit. If the tenant disagrees with the amount charged to the pet deposit, the SNRHA will provide a meeting to discuss the charges.

All reasonable expenses incurred by the SNRHA as a result of damages directly attributable to the presence of the pet in the community will be the responsibility of the resident, including:

- The cost of repairs and replacements to the resident's dwelling unit;
- Fumigation of the dwelling unit;
- Common areas of the community.

Pet deposits are not a part of rent payable by the resident.

#### **F. ALTERATIONS TO UNIT**

Residents/pet owners shall not alter their unit, patio, premises or common areas to create an enclosure for any animal. Installation of pet doors is prohibited.

#### **G. PET WASTE REMOVAL CHARGE**

A separate pet waste removal charge of \$25 per occurrence will be assessed against the resident for violations of the pet policy.

Pet waste removal charges are not part of rent payable by the resident.

All reasonable expenses incurred by the SNRHA, as the result of damages directly attributable to the presence of the pet will be the responsibility of the resident, including:

The cost of repairs and replacements to the dwelling unit;

Fumigation of the dwelling unit.

If the tenant is in occupancy when such costs occur, the tenant shall be billed for such costs as a current charge.

If such expenses occur as the result of a move-out inspection, they will be deducted from the pet deposit. The resident will be billed for any amount, which exceeds the pet deposit.

The pet deposit will be refunded when the resident moves out or no longer have a pet on the premises, whichever occurs first.

The expense of flea disinfestations shall be the responsibility of the resident.



## **H. PET AREA RESTRICTIONS**

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash and under the control of the resident or other responsible adult individual at all times.

Pets are not permitted in common areas including lobbies, community rooms and laundry areas except for those common areas which are entrances to and exits from the building.

## **I. NOISE**

Pet owners must control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.

## **J. CLEANLINESS REQUIREMENTS**

### **Litter Box Requirements.**

All animal waste or the litter from litter boxes shall be picked up immediately by the pet owner, disposed of in sealed plastic trash bags, and placed in a trash bin.

Litter shall not be disposed of by being flushed through a toilet.

Litter boxes shall be stored inside the resident's dwelling unit.

### **Removal of Waste from Other Locations.**

The Resident/Pet Owner shall be responsible for the removal of waste by placing it in a sealed plastic bag and disposing of it in an outside trash bin.

Any unit occupied by a dog, cat, or rodent will be fumigated at the time the unit is vacated or during regularly scheduled extermination of the unit.

The resident/pet owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

## **K. PET CARE**

No pet (excluding fish) shall be left unattended in any apartment for a period in excess of 10 consecutive hours.

All residents/pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet.



Residents/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

#### **L. RESPONSIBLE PARTIES**

The resident/pet owner will be required to designate a responsible party for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

#### **M. INSPECTIONS**

The SNRHA may, after reasonable notice to the tenant during reasonable hours, enter and inspect the premises, in addition to other inspections allowed.

#### **N. TERMINATION OF TENANCY**

The SNRHA may initiate procedures for termination of tenancy based on a pet rule violation if:

The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified; and

The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

#### **O. PET REMOVAL**

If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation will be reported to the Responsible Party designated by the resident/pet owner. This includes pets that are poorly cared for or have been left unattended for over 10 consecutive hours.

If the responsible party is unwilling or unable to care for the pet, or if the SNRHA after reasonable efforts cannot contact the responsible party, the SNRHA may contact the appropriate State or local agency and request the removal of the pet.

If the pet is removed as a result of any aggressive act on the part of the pet, the pet will not be allowed back on the premises.

#### **P. EMERGENCIES**

The SNRHA will take all necessary steps to insure that symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate State or local entity authorized to remove such animals.





If it is necessary for the SNRHA to place the pet in a shelter facility, the cost will be the responsibility of the tenant/pet owner. Pets that become vicious, display aggressive behavior are subject to referral to appropriate State or Local agency.

## Chapter 11

### RECERTIFICATIONS

[24 CFR 5.613, 24 CFR 5.61524 CFR Part 960 Subpart C,  
5.657, 880.603, 884.218, 886.124, 886.324, 891.410, 891.610,  
891.750, 960.257, 982.516]

#### **INTRODUCTION**

HUD requires that PHA's offer all families the choice of paying income-based rent or flat rent at least annually. Families who choose to pay flat rent **or families who receive a verifiable fixed income** are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent **or fixed income** families must still report family composition and community service requirements on an annual basis.

To determine the amount of income-based rent, it is necessary for SNRHA to perform a reexamination of the family's income annually. At the annual reexamination, families who choose to pay income-based rent must report their current household composition, income, deductions and allowances. Between regular annual reexaminations, HUD requires that families report all changes in household composition, but SNRHA decides what other changes must be reported and the procedures for reporting them.

This chapter defines SNRHA's policy for conducting annual reexaminations. It also explains the interim reporting requirements for families, and the standards for timely reporting.

#### **A. ELIGIBILITY FOR CONTINUED OCCUPANCY**

Residents who meet the following criteria will be eligible for continued occupancy:

Qualify as a family as defined in this policy;

Are in full compliance with the resident obligations and responsibilities described in the dwelling lease;

Have provided Social Security numbers on all family members or have certifications on file indicating they have no Social Security number.

Whose family members have submitted required citizenship/eligible immigration status/non-contending documents. Who meet HUD standards on citizenship or immigration status or are paying a pro-rated rent.

Who are in compliance with the SNRHA's community service requirements.

Whose adult family members have passed an annual criminal screening.

#### **Remaining Family Members and Prior Debt**

1. Remaining family members age 18 years or older will be held responsible for arrearages incurred by the former head or spouse. SNRHA will not hold remaining family members (other than the head or spouse) responsible for any portion of the arrearage incurred before the remaining member attained age 18.

Exceptions may be made for extenuating circumstances or hardship.

2. Remaining family members under age 18 shall not be held responsible for the rent arrearages incurred by the former head of household.

## **B. ANNUAL RECERTIFICATIONS**

The terms "annual recertification" and "annual reexamination" are synonymous.

In order to be recertified, families are required to provide current and accurate information on income, assets, allowances and deductions, and family composition. The annual recertification of family income and composition will be conducted the staff.

Families who choose flat rent **and families who receive fixed income** are to be recertified every three years. SNRHA staff will mail annual information packages to families and may schedule an interview if additional information is needed.

Annual recertifications are scheduled; by the anniversary of their admission date.

### Admission Anniversary System:

For families who move in on the first of the month, the annual recertifications will be completed within 12 months of the anniversary of the move-in date. (Example: If family moves in August 1, the annual recertification will be conducted **at most 120 days prior** to be effective on August 1, the following year.)

For families who move in during the month, the annual recertifications will be completed no later than the first of the month in which the family moved in, the following year.

(Example: If family moves in August 15, the effective date of the next annual recertification is August 1.)

When families move to another dwelling unit, the annual recertification date will not change.

**Special Reexaminations:** When it is not possible to estimate family income accurately, a temporary determination will be made with respect to income and a special reexamination will be scheduled every 90 days until a reasonably accurate estimate of income can be made.

Special reexaminations shall be conducted when there is a change in the head of household that requires a remaining family member to take on the responsibilities of a leaseholder.

**Special Reexamination Following Income Disallowance:** When a family qualifies for an earned income disallowance, a special reexamination will occur at the end of the initial 12 month disallowance period and at the end of the **second 12 month disallowance period**.

**Zero/Extremely Low Income Families:** Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete a written no/low income certification every 180 days and undergo an interim recertification every 180 days. (See Other Interim Reporting Issues below).

### **Recertification Notice to the Family**

All families will be notified of their obligation to recertify by staff delivery or first class mail. The written notification shall be sent at least 120 calendar days in advance of the scheduled annual recertification date specifying the date and time of the appointment and the required documents that the tenant will need to supply.

During this reexamination period, the family will be given the option to choose flat rent or income-based rent. SNRHA will provide a form that states what the flat rent would be and what the family's income-based rent would be. The family will be required to make a choice and sign the form prior to the effective date of their reexamination. The form will be retained in the tenant's file.

If the family chooses flat rent, an annual recertification is required to verify community service requirements and family composition. Recertification of income is only required every three years.

Notification of the flat rent and an approximate amount of the income based rent, based on the last certification, and is sent at least 120 days in advance of the scheduled annual certification.

Families that have paid a flat rent for three years must complete a full certification process to determine accurate information regarding family composition and income. The family may choose to pay a flat rent or the income based rent annually.

### **Persons with Disabilities**

If requested as an accommodation by a person with a disability, the SNRHA will provide the notice in an accessible format. The SNRHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

Persons with disabilities, who are unable to come to the SNRHA's office will be granted an accommodation of conducting the interview at the person's home, upon verification that the accommodation requested meets the need presented by the disability.

### **Collection of Information**

The family is required to complete the Application for Continued Occupancy –Personal Declaration. Each adult member who reports no income or very low income will also be required to complete the Personal Declaration Form – No Income Questionnaire. Update form may be used for Interims.

### **Requirements to Attend**

The following family members will be required to attend the recertification interview and sign **the personal declaration** along with other required forms:

- The head of household, spouse, co-head, and

- All adult household members, age 18 and older.

If the head of household is unable to attend the interview, the appointment will be rescheduled one time at the family's request.

### **Failure to Respond to Notification to Recertify**

The written notification will explain which family members are required to attend the recertification interview. The family may call to request another appointment date up to 2 calendar days prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the SNRHA, the SNRHA will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the SNRHA will not schedule a third appointment. If a household fails to complete annual recertification, **they will receive a 30 day notice of lease termination for non-compliance with the recertification process.**

If the family schedules an appointment and completes annual recertification requirements within thirty days of the effective date of the household's annual recertification, the annual recertification will be completed and the household's rent will be based on the income.

Exceptions to these policies may be made by the Asset Manager if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

### **Documents Required From the Family**

In the notification letter to the family, the SNRHA will include instructions for the family to bring the following:

- Application for Continued Occupancy form Personal Declaration Form completed by head of household

- Documentation of income for all family members

- Documentation of assets

- Documentation to substantiate any deductions or allowances

- Documentation of family composition

- Picture identification for adults 18 years of age or older

- Other required documents on new family members, such as SSN or citizenship requirements

- Documentation of community service requirements

- Self-Declaration form when adult members 18 and over are declaring no income or very low income. (Except those 62 years and older/or disabled or enrolled in educational or approved training programs.)

SNRHA will require a print out of utility bills for three months to be submitted for residents claiming zero income.

### **Verification of Information**

All information which affects the families continued eligibility for the program, and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this Policy. Verifications used for recertification must be less than 120 days old on the effective date of the recertification. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine:

The continued eligibility of the resident as a *family* or as the *remaining member* of a family;

The unit size required by the family;

The amount of rent the family should pay.

### **Changes in the Tenant Rent**

If there is any change in rent, including change in family's choice in rent, the lease will be amended, or a new lease will be executed, or a Notice of Rent Adjustment will be issued [24 CFR 966.4(c) & (o)].

#### **Tenant Rent Increases**

If tenant rent increases, a 30-day notice will be mailed to the family prior to the family's annual recertification date.

If less than 30 days are remaining before the family's annual recertification date, the tenant rent increase will be effective on the first of the second month following the thirty day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the recertification processing, there will be a retroactive increase in rent to the family's annual recertification date.

#### **Tenant Rent Decreases**

If tenant rent decreases, it will be effective on the family's annual recertification date.

If the family causes a delay so that the processing of the recertification is not complete by the family's annual recertification date, rent change will be effective on the first day of the month following completion of the recertification processing by the SNRHA.

If tenant rent decreases and the change occurred within a month prior to the Recertification appointment, but the family did not report the change as an interim Adjustment, the decrease will be effective on the recertification anniversary date.

### **C. REPORTING INTERIM CHANGES**

Families must report all changes in household composition and increases in income/assets in writing within 10 calendar days to the SNRHA between annual recertifications. This includes additions due to birth, adoption and court-awarded custody. The family must

obtain SNRHA approval prior to all other additions to the household.

When there is a change in head of household or a new adult household member is added, the head of household will complete an application for continued occupancy – personal declaration or update form and recertify-revify, using the same procedures the SNRHA staff would use for an annual recertification, except for effective dates of changes. In such case, the Interim Recertification Policy would be used.

The annual recertification date will not change as a result of this action.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified prior to the approval by the SNRHA of the family member being added to the lease.

### **Increases in Income to be Reported and Rent Adjustments**

Families paying flat rent are not required to report any increases in income or assets between the recertification periods.

Families paying an income-based rent must report all increases in income/assets of all household members to the SNRHA in writing within 10 calendar days of the occurrence.

Families are required to report the following increases in income:

- Increases in income because a person with income joins the household;
- Increases in household income which comes as a result of a new income source.
- Increases in household income that was not anticipated at the annual recertification period.

Families who receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are required to report their annual increase when it occurs.

SNRHA will process rent adjustments for all increases in income, which are reported between regularly scheduled recertifications.

Rent increases (except those due to misrepresentation) require 30 days' notice.

### **Decreases in Income and Rent Adjustments**

Residents may report a decrease in income and other changes, such as an increase in allowances or deductions which would reduce the amount of the total tenant payment.

The SNRHA will process the rent adjustment unless the SNRHA confirms that the decrease in income will last less than 30 calendar days.

Decreases in tenant rent will be effective the first day of the month following the month in which the change is reported in writing to the SNRHA. If verification cannot be obtained prior to the end of the month in which the change is reported, the decrease will be made retroactive to the first day of the month following the month in which the change is reported.

### **D. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare

assistance is reduced specifically because of:

Fraud; or

Failure to participate in an economic self-sufficiency program; or

Noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA has a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

## **E. OTHER INTERIM REPORTING ISSUES**

**Residents are required to report all changes in family composition or status** to SNRHA in writing within 10 calendar days of the occurrence. Failure to report within the 10 calendar days may result in a retroactive rent increase, but not a retroactive credit or rent reduction. In order to qualify for rent reductions, residents must report and verify income decreases promptly.

An interim recertification will be scheduled for families with zero income or extremely low income every 180 days. Once income is reported recertification will cease until annual recertification time.

An interim reexamination will be scheduled for families with zero or extremely low-income every 180 days. Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete



a written no/low income certification every 180 days and undergo an interim recertification every 180 days, until they have a stable income. If any increases in income are indicated in any of the above information or other verification, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Monetary or non-monetary contributions from persons not residing in the dwelling unit for any purpose other than the payment or reimbursement of medical expenses shall be considered income. Families that report zero or extremely low income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc.

### **SNRHA Errors**

If the SNRHA makes a calculation error at admission to the program or at an annual recertification, an interim recertification will be conducted to correct the error, but the family will not be charged retroactively. Any decrease in rent will be made retroactive.

### **False or Incomplete Information Supplied by Family**

For families whose rent has been based on false or incomplete information supplied by The applicant/resident family, an interim recertification will be conducted upon notice by The SNRHA. Any increase in TTP and tenant rent will be retroactive.

## **F. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)**

### **Standard for Timely Reporting of Changes**

The SNRHA requires that families report interim changes to the SNRHA in writing within ten calendar days of when the change occurs. Any information, document or signature needed from the family which is needed to verify the change must be provided within 3 calendar days of reporting the change.

If the change is not reported within the required time period, or if the family fails to provide signatures, certifications or documentation, (in the time period requested by the SNRHA), it will be considered untimely reporting.

### **Procedures When the Change is Reported in a Timely Manner**

The SNRHA will notify the family of any changes in Tenant Rent to be effective according to the following guidelines:

**Increases in the Tenant Rent** is effective on the first of the month following at least thirty days' notice.

**Decreases in the Tenant Rent** are effective the first of the month following the month in which the change is reported.

The change may be implemented based on documentation provided by the family, pending third party written verification.

### **Procedures when the Change is not Reported by the Tenant in a Timely Manner**

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim recertification processing and the following guidelines will apply:

**Increase in Tenant Rent** will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any underpaid rent, utility reimbursement payment for which they would not have been eligible to receive and may be required to sign a Repayment Agreement in accordance with SNRHA repayment policy.

**Decrease in Tenant Rent** will be effective on the first of the month following completion of processing by the SNRHA and not retroactively.

### **Procedures when the Change is not processed by the SNRHA in a Timely Manner**

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the SNRHA in a timely manner.

Therefore, an increase will be effective after the required 30 days' notice prior to the first of the month after completion of processing by the SNRHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

### **G. REPORTING OF CHANGES IN FAMILY COMPOSITION**

All changes in family composition must be reported within 10 business days of the occurrence in writing.

The members of the family residing in the unit must be approved by the SNRHA. The family must inform the SNRHA and request approval of additional family members other than additions due to birth, adoption, or court-awarded custody before the new member occupies the unit.

The proposed new adult family members will be screened by SNRHA, according to the screening criteria in accordance with the criteria for eligibility and admission, prior to approval.

The SNRHA will not approve the addition of family members other than by birth, adoption, marriage or court-awarded custody where the occupancy standards would require a larger size unit.

An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody. SNRHA must receive a court awarded guardianship or custody is received within 365 calendar days. Failure shall result in the deduction being removed; and any income still being received shall be counted.

If an adult family member is declared permanently absent by the head of household, the notice must contain a certification by the head or co-head of household or spouse that the member (who may have been the head of household) removed is permanently absent.

The head of household must provide a statement that the head or co-head of household or

spouse will notify the SNRHA if the removed member returns to the household for a period longer than the visitor period allowed in the lease.

### **Increase in Family Size**

The SNRHA will consider a unit transfer (if needed under the Occupancy Guidelines) for additions to the family in the following cases:

Addition by marriage/or marital-type relation.

Addition of a minor who is a member of the nuclear family who had been living elsewhere.

Addition of a SNRHA-approved live-in attendant. Addition due to birth, adoption or court-awarded custody.

Families who need a larger sized unit because of voluntary additions identified above will be placed on the Transfer List at their next regularly scheduled recertification; unless it creates a health and safety hazard upon approval of the Director of Operations.

### **Definition of Temporarily/Permanently Absent**

The SNRHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. The SNRHA will evaluate absences from the unit in accordance with this policy.

### **Absence of Entire Family**

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the SNRHA will terminate tenancy in accordance with the appropriate lease termination procedures contained in this Policy.

Families are required to notify the SNRHA before they move out of a unit in accordance with the lease and to give the SNRHA information about any family absence from the unit.

Families must notify the SNRHA if they are going to be absent from the unit for more than 14 consecutive days. A person with a disability may request an extension of time as an accommodation.

"Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, the SNRHA may:

Conduct home visit

Write letters to the family at the unit Post

letters on exterior door Telephone the  
family at the unit Interview neighbors  
Verify if utilities are in service  
Check with Post Office for forwarding address  
Contact emergency contact

As a reasonable accommodation for a person with a disability, the SNRHA may approve an extension. (See Absence Due to Medical Reasons below for other reasons to approve an extension.) During the period of absence, the rent and other charges must remain current.

If the absence which resulted in termination of tenancy was due to a person's disability, and the SNRHA can verify that the person was unable to notify the SNRHA in accordance with the lease provisions regarding absences, and if a suitable unit is available, the SNRHA may reinstate the family as an accommodation if requested by the family.

If the dwelling unit is deemed abandoned by the tenant, SNRHA shall take possession of the unit and any of the tenant's possessions remaining in the unit, in accordance with the lease. Property abandoned by the tenant may be disposed of by SNRHA in accordance with Nevada State law, NRS 118A and SNRHA procedures.

#### **Absence of Any Member**

Any member of the household will be considered permanently absent if s/he is away from the unit for three consecutive months except as otherwise provided in this Chapter.

#### **Absence due to Medical Reasons**

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the SNRHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent and removed from the lease. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent, as long as rent and other charges remains current.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the SNRHA's "Absence of Entire Family" policy.

Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Asset Manager.

#### **Absence due to Incarceration**

If a sole member is incarcerated for more than 30 consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for 30 consecutive days. The rent and other charges must remain current during this period.

The SNRHA will determine if the reason for incarceration is for drug-related or criminal activity which would threaten the health, safety and right to peaceful enjoyment of the dwelling unit by other residents. If the offense is drug related or criminal activity that violates the lease and policy, the lease will be terminated.

### **Foster Care and Absences of Children**

If the family includes a child or children temporarily absent from the home due to placement in foster care, the SNRHA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 3 months 180 days from the date of removal of the child(ren), the family will be required to move to a smaller size unit. If all children are removed from the home permanently, the unit size will be reduced in accordance with the SNRHA's occupancy guidelines.

### **Absence of Adult**

If neither parent remains in the household and the SNRHA and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the SNRHA will treat that adult as a visitor for the first 30 calendar days.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the SNRHA will review the status at 30 calendar day intervals.

If the court has not awarded custody or legal guardianship, but the action is in process, SNRHA will secure verification from social services staff or the attorney as to the status. If by the end of that period, court-awarded custody or legal guardianship has been awarded to the guardian, and the guardian qualifies under Tenant Suitability criteria, the lease will be transferred to the guardian.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

SNRHA will transfer the lease to the guardian, in the absence of a court order, if the guardian qualifies under the Tenant Suitability criteria and has been in the unit for more than 30 days and it is reasonable to expect that custody will be granted.

When the SNRHA approves a person to reside in the unit as caretaker for the child/ren, the income should count pending a final disposition. The SNRHA will work with the appropriate service agencies to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 180 days, the person will be considered permanently absent.

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

### **Absence of Spouse or Secondary Wage earner**

The absence of the spouse or secondary wage earner must be verified by third-party documentation unless so verified per 24CFR 5.609(2) all income must be included.

### **Full-Time Students**

Full time students who attend school away from the home will be treated in the following manner:

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of unit size.

If the student is considered temporarily absent from the household, applicable income for that person will be counted. Full time students who attend school away from the home and live with the family during school recess will be considered temporarily absent from the household.

### **Visitors (See Chapter 9, Leasing)**

A visitor/*guest* is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Any adult not included on the HUD 50058 who has been in the unit more than 14 consecutive days, or more than 30 cumulative days in a 12 month period, will be considered to be living in the unit as an unauthorized.

The lease must provide the tenant has the right to exclusive use and occupancy of the leased unit by the members of the household authorized to reside in the unit in accordance with the lease, including reasonable accommodation of their guests [24 CFR 966.4(d)]. The head of household is responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near PHA premises [24 CFR 966.4(f)].

A resident family must notify the SNRHA in writing when overnight guests will be staying in the unit for more than 3 days.

A guest can remain in the unit no longer than 14 consecutive days or a total of 30 cumulative calendar days during any 12-month period.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last 20 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

Former residents who have been evicted are not permitted as overnight guests. Guests who represent the unit address as their residence address for receipt of benefits or other purposes will be considered unauthorized. In addition, guests who remain in the unit beyond the allowable time limit will be considered unauthorized, and their presence constitutes violation of the lease.

Absence of evidence of any other address will be considered verification that the visitor is an unauthorized household member.

Statements from neighbors and/or SNRHA staff will be considered in making the determination.

The SNRHA will consider:

- Statements from neighbors and/or SNRHA staff

- Vehicle license plate verification

- Post Office records

- Driver's license verification

- Law enforcement reports

- Credit reports

- Verification from other public or private sources

- Other reliable information

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, as stated above, the individual will be considered unauthorized and the SNRHA will terminate the family's lease since prior approval was not requested for the addition.

Minors and college students who were part of the family, but who now live away from home during the school year and are not considered members of the household may visit for up to 90 consecutive days per year without being considered a member of the household under the following conditions:

- The head of household has reported to the SNRHA, in writing, that the minor is a visitor.

- The SNRHA has provided the head of household with written permission for the minor to occupy the unit for more than 14 days.

In a joint custody arrangement, if the minor is in the household less than 184 days per year, the minor will be considered to be an eligible visitor and not a family member. If both parents reside in Public Housing or are a Section 8 Program participant, only one parent would be able to claim the child for deductions and for determination for the occupancy standards.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the public housing unit more than 50 percent of the time, are not subject to the time limitations of guests as described above.

### **Required Family Reporting to Management**

The additional person(s), whether a family member or a visitor, must be reported in writing to the manager within 3 calendar days of a stay intended to exceed the visitation period allowed under the lease/ACOP.

**H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF UNIT**

To be considered the remaining member of the tenant family, the person must have been previously approved by the SNRHA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

The court has to have awarded emancipated minor status to the minor or is legally married; or

The SNRHA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a transfer to an appropriate unit size per the Occupancy Standards. If the sole eligible member of the household dies, the unit must be returned to the SNRHA within 14 days.

**I. CHANGES IN UNIT SIZE**

The SNRHA shall grant exceptions from the occupancy standards if the family requests and the SNRHA determines the exceptions are justified according to this policy.

The SNRHA will not assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage or court-awarded custody.

The SNRHA will consider the size of the unit and the size of the bedrooms, as well as the number of bedrooms, when an exception is requested.

When an approvable change in the circumstances in a tenant family requires another unit size, the family will be placed on the Transfer List in accordance with the Transfer policy. (See Chapter 5, Occupancy Guidelines.)

**J. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES**

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members. Mixed families are eligible for prorated assistance in accordance with the mixed-family portion of the policy.

**K. UNIT TRANSFERS**

See Chapter 8, Transfer Policy.



## Chapter 14

### COMMUNITY SERVICE

[24 CFR 960.603-960.611]

#### **A. REQUIREMENT**

Each adult resident of the SNRHA shall:

Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or

Participate in an economic self-sufficiency program (defined below) for 8 hours per month.

An individual may not skip a month and then double up the following month, unless special circumstances warrant it. The Director of Operations or designee will make the determination of whether to permit a deviation from the schedule.

Individuals who have special circumstances which they believe will prevent them from completing the required community service hours for a given month, must notify SNRHA in writing immediately. SNRHA will review the request and notify the individual, in writing, of its determination within 10 calendar days. SNRHA may require those individuals to provide documentation to support their claim.

#### **B. EXEMPTIONS**

The SNRHA shall provide an exemption from the community service requirement for any individual who:

Is a family that is currently participating and is in compliance with the Public Housing Family Self-Sufficiency Program. Is 62

years of age or older;

Is a blind or disabled individual, as defined under section 216[i] [I] or 1614 of the Social Security Act, and who is unable to comply with this section, or is a primary caretaker of such individual;

Is engaged in a work activity as defined in section 407[d] of the Social Security Act; SNRHA will consider 20 hours per week as the minimum number of hours needed to qualify for a work activity exemption;

Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is

located, including a State-administered welfare-to-work program; or

Is in a family receiving assistance under a State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such program. **HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of a family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR. (PIH-2015-12 HA)**

The SNRHA will re-verify exemption status annually except in the case of an individual who is 62 years of age or older.

The SNRHA will permit residents to change exemption status during the year if status changes.

### **C. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM**

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, by one of the following:

Participating in the Family Self-Sufficiency Program and being current in the steps outlined in the Individual Training and Services Plan;

Participating in an educational or vocational training program designed to lead to employment, **as long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.**

Activities administered through Help of Southern Nevada (HELP).

### **D. ANNUAL DETERMINATIONS**

Requirement – For each public housing resident subject to the requirement of community service, the SNRHA shall, 90 days before the expiration of each lease term **or effective date of recertification**, review and determine the compliance of the resident with the community service requirement.

Such determination shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

If SNRHA has reasonable cause to believe that the certification provided by the family is false or fraudulent, SNRHA has the right to require third-party verification.

## **E. NONCOMPLIANCE**

If the SNRHA determines there is a family member who is subject to the community service requirement and has not complied with the requirement, the SNRHA shall notify the resident of such noncompliance, and that:

The determination of noncompliance is subject to the administrative grievance procedure under the SNRHA's Grievance Procedures; and

Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and

The SNRHA may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of the household, unless the SNRHA enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease.

### **Continued Non-compliance**

If, after the 12 month cure period, the family member is still not compliant, SNRHA must terminate tenancy of the entire family, according to SNRHA's lease, unless the family provides documentation that the non-compliant family member no longer resides in the unit.

If the family reports that a non-compliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before SNRHA will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the non-compliant family member that previously resided with them.

If the family does not request a grievance hearing, or provide such documentation within the required 10 calendar day timeframe, the family's lease and tenancy will automatically terminate at the end of the current lease term without further notice.

### **Ineligibility for Occupancy for Noncompliance**

The SNRHA shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.

## **F. SNRHA RESPONSIBILITY**

The SNRHA will ensure that all community service programs are accessible for persons with disabilities.

The SNRHA will ensure that:

The conditions under which the work is to be performed are not hazardous;

The work is not labor that would be performed by the SNRHA's employees responsible for essential maintenance and property services; or

The work is not otherwise unacceptable.

## **G. SNRHA IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENT**

SNRHA will provide the family with a copy of the Community Service Policy found in Exhibit 14-1 of this chapter, at lease-up, lease renewal, when a family member is determined to be subject to the community service requirement during the lease term, and at any time upon the family's request.

## **H. ELIGIBLE COMMUNITY SERVICE REQUIREMENTS**

All community service performed will be verified by acceptable third part verification and may include:

Community Service with a Certified Resident Council, on site resident Service contractor.

Volunteering in community activities, such as clean up, graffiti removal, painting, neighborhood reduction of criminal activity such as resident patrol and neighborhood watch programs.

Community service with faith based organizations

Any other community service organization that is pre-approved by SNRHA

Public educational facility.

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page  | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------|-------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALL     | ALL   | Change                | Entire Document will be updated with correct Revision Dates, CFR References, and Page Numbers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 4       | 4-5   | Add                   | Head, Spouse or co-head who is employed at least 20 hours per week <b>at the equivalent of minimum wage,</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 4       | 4-10  | Change                | The waiting list will be purged at least <del>bi</del> <b>tri</b> -annually ...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 4       | 4-12  | Change                | SNRHA staff will attempt to notify applicants by telephone <b>as a courtesy;</b> <del>and</del> all offers will be made in writing by first class mail.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4       | 4-12  | Change                | If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "good cause". The applicant will <del>not be removed from</del> <b>be returned to</b> the waiting list.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 6       | 6 - 5 | Change                | <b>The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.</b> <del>beginning on the date on which the increase is earned income begins and continuing for a cumulative 12-month period.</del> For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 <del>cumulative</del> <b>consecutive</b> calendar months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income <b>for the remaining 12 consecutive calendar months.</b>                                                                                                                                                                                                    |
| 6       | 6-6   | Change                | During the <del>cumulative</del> <b>initial</b> 12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6       | 6-6   | Change                | During the second and <del>final</del> <b>final</b> <del>cumulative</del> 12-month period after the expiration of the initial <del>cumulative</del> -12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 6       | 6-6   | Change                | <b>Maximum Two Four-Year Disallowance</b><br>The earned income disallowance is limited to a lifetime <del>48</del> 24 calendar month period..... <del>phase-</del> in exclusion during the <del>48</del> -24 month period ..... <del>If the period of increased income does not last for 12 consecutive months, the disallowance period may be resumed at any time within the 48-month period, and continued until the disallowance has been applied for a total of 12 months of each-</del>                                                                                                                                                                                                                                                                                                                                                                                   |
| 6       | 6-7   | Change                | <del>disallowance (the initial 12 month full exclusion and the second 12-month phase-in exclusion.</del> <b>If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.</b><br><del>No earned income disallowance will be applied after the 48-month period following the initial date the exclusion was applied.</del> <b>The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were "used".</b><br><b>Families that currently benefit from the IED, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48 month period, as was in effect prior to the effective date of this provision.</b> |
| 6       | 6-8   | Remove                | <del>Dates(s) earned income ended and resumed during the initial cumulative 12-month period of exclusion-</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 6       | 6-8   | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the initial exclusion of <b>100%</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                |
|---------|------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6       | 6-8  | Remove                | <del>Date(s) earned income ended and resumed during the second cumulative 12-month period (phase in) of exclusion (if any)</del>                                                                                                                                                                                                                                                                                             |
| 6       | 6-8  | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the phase in exclusion <b>of 50%</b> .                                                                                                                                                                                                                                                                                                               |
| 6       | 6-8  | Change                | Ending date of the maximum <del>48 months (four year)</del> <b>24 month (2 Year)</b> disallowance period.                                                                                                                                                                                                                                                                                                                    |
| 6       | 6-8  | Remove                | <del>(48 months from the date of the initial earned income disallowance)</del>                                                                                                                                                                                                                                                                                                                                               |
| 7       | 7-24 | Add                   | <b>Credit Card Statements will not be accepted as proof of payment of expenses</b>                                                                                                                                                                                                                                                                                                                                           |
| 8       | 8-1  | Change                | submit the <del> requisite</del> <b>requested</b> 3rd party                                                                                                                                                                                                                                                                                                                                                                  |
| 8       | 8-2  | Change                | 1 transfer for every <del>50</del> <b>20</b> new move-ins                                                                                                                                                                                                                                                                                                                                                                    |
| 8       | 8-2  | Change                | Designated Senior Developments: 1 transfer for <del>50</del> <b>2</b> new move-ins                                                                                                                                                                                                                                                                                                                                           |
| 8       | 8-3  | Add                   | <b>Good Standing criteria does not apply in the case of emergency transfers. Residents will be required to become compliant with all lease provisions upon completion of the Emergency Transfer to the new unit.</b>                                                                                                                                                                                                         |
| 8       | 8-8  | Change                | <b>Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement. All applicable charges will be transferred to the resident's new account.</b>                                                                                                                                                                                                                           |
| 8       | 8-8  | Addition              | The SNRHA will offer certain incentives to higher income families ( <b>Household income at or above 60% of AMI</b> ) willing to move into lower income projects...                                                                                                                                                                                                                                                           |
| 8       | 8-9  | Change                | In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, <del>the losing manager</del> <b>both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from</b> will notify the resident of responsibility for the flat rent on the unit, in which they are transferring from, until such time keys have been submitted. |
| 8       | 8-9  | Add                   | with disabilities, <b>in accordance with SNRHA Reasonable Accommodation Policy and Procedures.</b>                                                                                                                                                                                                                                                                                                                           |
| 8       | 8-10 | Change                | <b>For Otto Merida - Honolulu Street Family Apartments</b>                                                                                                                                                                                                                                                                                                                                                                   |
| 9       | 9-5  | Change                | Residents must advise the SNRHA when they will be absent from the unit for more than <del>30</del> <b>14</b> consecutive days                                                                                                                                                                                                                                                                                                |
| 9       | 9-6  | Add                   | <b>If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See Page 6-16</b>                                                                                |
| 9       | 9-7  | Change                | Tenant gave the required <del>30</del> <b>15</b> calendar days advance written notice                                                                                                                                                                                                                                                                                                                                        |
| 9       | 9-8  | Change                | If any of the above items are found within a household the resident will be immediately billed <b>per labor established according to the Maintenance Charge List and added into the tenant's security deposit funds.</b> <del>thirty dollars (\$30) per room or affected area.</del>                                                                                                                                         |

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9       | 9-11 | Change / Addition     | The premises listed below have been designated as smoke-free living environments:<br>• <b>Lubertha Johnson Perry Plaza Senior Development</b><br><b>With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.</b><br>Residents, <b>staff</b> and guests are prohibited                                                                                |
| 10      | 10-1 | Change                | The SNRHA Pet Policy <b>Deposits, Fees, and Restrictions</b> does not apply to Assistance Animals...                                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-1 | Addition              | Families who choose to pay flat rent <b>or families who receive a verifiable fixed income</b> are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent <b>or fixed income</b> ...                                                                                                                                                                                                         |
| 11      | 11-2 | Addition              | choose flat rent <b>and families who receive fixed income</b> are to be recertified every three years.                                                                                                                                                                                                                                                                                                                                                    |
| 11      | 11-2 | Addition              | ...recertification will be conducted <b>at most 120 days prior</b> to be effective on August 1, the following year.)                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-2 | Addition              | and at the end of <b>second 12 month disallowance period</b> <del>the phase in period.</del>                                                                                                                                                                                                                                                                                                                                                              |
| 11      | 11-4 | Addition              | recertification, <b>they will receive a 30 day notice of lease termination for non-compliance of the recertification process.</b> <del>their housing subsidy will be removed and they will be charged the flat rent for their unit as of the effective date of the household's annual recertification.</del>                                                                                                                                              |
| 11      | 11-6 | Remove                | receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are <del>not</del> required to report their annual increase when it occurs. <del>The SNRHA will not increase the family's total tenant payment until their next regularly scheduled annual except when an interim recertification is necessary as a result of any other changes listed in the "Reporting Requirements" section of this chapter.</del> |
| 14      | 14-2 | Addition              | <b>HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR.(PIH-2015-12 HA)</b>                                                                                       |
| 14      | 14-2 | Change                | Participating in an educational or vocational training program designed to lead to employment. <b>As long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.</b> <del>30 hours per week</del>                                                                                                                                                         |



## Chapter 4

### TENANT SELECTION AND ASSIGNMENT PLAN

(Includes Preferences and Managing the Waiting List)

[24 CFR 960.204]

#### **INTRODUCTION**

It is the SNRHA policy that each applicant shall be assigned an appropriate place on a jurisdiction-wide waiting list unless the applicant has applied for a development subject to a site-based waiting list. Applicants will be listed in sequence based upon date and time the application is received, the size and type of unit they require, the site in which they wish to reside for applicable designated communities, and factors of preference or priority. In filling an actual or expected vacancy, the SNRHA will offer the dwelling unit to an applicant in the appropriate sequence, with the goal of accomplishing de-concentration of poverty and income-mixing objectives. The SNRHA will offer the unit until it is accepted. This Chapter describes the SNRHA policies with regard to the number of unit offers that will be made to applicants selected from the waiting list.

#### **SNRHA OBJECTIVES**

SNRHA policies will be followed consistently and will affirmatively further HUD's fair housing goals.

It is the SNRHA objective to ensure that families are placed in the proper order on the waiting list so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This chapter explains the policies for the management of the waiting list.

When appropriate units are available, families will be selected from the waiting list in sequence within their preference category and date and time sequence.

By maintaining an accurate waiting list, the SNRHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner. Based on the SNRHA turnover and the availability of appropriate sized units, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

#### **SITE-BASED/DESIGNATED WAITING LISTS**

Per the Quality Housing and Work Responsibility Act of 1998, SNRHA uses site-based/designated waiting lists.

#### **A. MANAGEMENT OF THE WAITING LIST**

The SNRHA will administer its waiting list as required by 24 CFR Part 5, Subparts E and F, Part 945 and 960.201 through 960.215. The waiting list will be maintained in accordance with the following guidelines:

The application will be a permanent part of the file.





All applicants in the pool will be maintained in order of preference. Applications equal in preference will be maintained by date and time sequence.

All applicants must meet applicable income eligibility requirements as established by HUD.

### **Opening and Closing the Waiting Lists**

The SNRHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part.

The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit, and the ability of the SNRHA to house an applicant in an appropriate unit within a reasonable period of time.

When the SNRHA opens the waiting list, the SNRHA will advertise the location(s), and program(s) for which applications are being accepted in the following newspapers:

Las Vegas Review Journal/Sun  
El Mundo  
Las Vegas Asian Journal  
Indian Voice  
The Challenger Rehabilitation, Disability Newspaper

To reach persons with disabilities, the SNRHA will provide separate notice to local organizations representing the interests and needs of the disabled. This will include notice to the following organizations:

Opportunity Village  
Nevada Disability Advocacy and Law Center Nevada  
Legal Services  
Help Them Walk Again  
Nevada Association for the Handicapped

The notice will contain:

- The dates, times, and the locations where families may apply.
- Any designated housing for which site-based waiting lists are applicable
- The programs for which applications will be taken.
- Limitations, if any, on whom may apply.

The notices will be made in an accessible format, if requested. They will provide potential applicants with information that includes the SNRHA address and telephone number, and how to submit an application.

### **When Application Taking is Suspended**

The SNRHA may suspend the acceptance of applications if there are enough applicants to fill anticipated openings for the next 12 to 24 months.



The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

During the period when the waiting list is closed, the SNRHA will not maintain a list of individuals who wish to be notified when the waiting list is open.

Suspension of application taking is announced in the same way as opening the waiting list. SNRHA will give at least five (5) days notice prior to opening or closing the list.

When the period for accepting applications is over, the SNRHA will add the new applicants to the list by:

- Unit size, local preference, and by date and time of application.

The SNRHA will update the waiting list at least annually by removing the names of those families who are no longer interested, no longer qualify for housing, or cannot be reached by mail. At the time of initial intake, the SNRHA will advise families of their responsibility to notify the SNRHA in writing when mailing address changes.

### **Limits on Who May Apply**

When the waiting list is open,

- Any family asking to be placed on the waiting list for Public Housing rental assistance will be given the opportunity to complete an application.

When the application is submitted to the SNRHA, it establishes the family's date and time of application for placement order on the waiting list with preference points determining the final rank.

### **Multiple Families in Same Household**

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

## **B. SITE BASED WAITING LISTS**

The SNRHA offers a system of site-based waiting lists for HUD-approved designated communities.

The SNRHA maintains separate site-based waiting lists for all current or future mixed financed properties, as well as all current or future RAD conversion Properties.

Applicants may choose which site-based waiting list they wish to be placed on, regardless of the application site. Applicants may designate the community or communities in which they seek to reside.

SNRHA will monitor its site-based wait list annually by comparing data in January to data in October to determine the level of change, if any, in the overall racial, ethnic and disability-related tenant composition at each SNRHA site by analyzing its data.



Every reasonable action will be taken by the SNRHA to assure that applicants can make informed choices regarding the community(s) in which they wish to reside. The SNRHA will disclose information to applicants regarding the location of available sites.

### **Monitoring Site-Based Waiting Lists**

The system of site-based waiting lists will be carefully monitored to assure that civil rights and fair housing are affirmatively furthered.

The SNRHA adoption of site-based waiting lists is not in violation of any court order or settlement agreement, and is not inconsistent with any pending complaint brought by HUD.

The SNRHA will monitor its system of site-based waiting list annually to assure that racial steering does not occur. If the SNRHA annual analysis of its site-based waiting list indicates that a pattern of racial steering is or may be occurring, the SNRHA will take corrective action.

The SNRHA will assess changes in racial, ethnic or disability-related tenant composition at each SNRHA site that has occurred during the implementation of the site-based waiting lists. The SNRHA will make this assessment based on MTCS data.

The SNRHA has established site-based waiting lists for the following properties:

Espinoza Terrace, Designated Elderly Development, Henderson

Hampton Court, Family Development, Henderson

Otto Merida Desert Villas, Family Development, Las Vegas

Landsman Gardens, Family development, Henderson

Vera Johnson B, Family Development, Las Vegas. Vera Johnson B will convert from Mixed Finance to RAD Project Based Voucher after construction.

Biegger Estates, Family Development, Las Vegas

Rose Gardens, Designated Elderly Development, Las Vegas

The SNRHA intends to make available dwelling units, in communities designated for elderly families only, to near-elderly families if there are an insufficient number of elderly families on the waitlist. Near elderly will be defined as families whose members are 55 years of age or older.

### **C. WAITING LIST PREFERENCES**

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

The SNRHA preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, and further de-concentration of poverty in public housing. When such matching is required or permitted by current law, the SNRHA will give preference to qualified families.



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

Among applicants with equal preference status, the waiting list will be organized by date and time.

**Local Preferences**

Local preferences will be used to select among applicants on the waiting list. A public hearing with an opportunity for public comment will be held before the SNRHA adopts any local reference.

The SNRHA uses the following Local Preferences:

**Homeless Referral Preference:** Families who are homeless (family lacks a fixed regular and adequate night time residence, or has a primary night time residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, such as welfare voucher hotels, congregate shelters or transitional housing designed for homeless persons, or a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings) and are participating in case management with an approved referral agency. This preference shall be limited to up to 150 referrals per year ..... **60 points**

Unit offers to applicants referred for this preference will be made as follows: for every two applicants from the waiting list receiving a unit offer, one applicant referred under this preference will receive a unit offer.

*Homeless Families that live with friends or relatives who are not currently in the transition system, will be encourage to apply to other available SNRHA programs that they may qualify for.*

**Federally Declared Disasters:** Victims who are holders of Section 8 Vouchers or other subsidized programs as defined as eligible units by HUD, in another jurisdiction within 120 days of the President declaring a federal disaster. .... **55 points**

**Working Preference:** Head, spouse or co-head who is employed at least 20 hours per week **at the equivalent of minimum wage**, or who are active participants in accredited educational and training programs designed to prepare the individual for the job market. This preference is extended equally to elderly families or disabled families, including but not limited to those whose head or spouse is receiving SSI, SSD, or who can be verified to be unable to work, if both the head of household and spouse is either elderly or disabled..... **30 points**

**Veteran preference** for veteran as defined by State. .... **6 points**

**Residency preferences** for head, co-head or spouse, who live, work, have been hired to work, or are enrolled full time in an accredited school in Clark County... **5 points**



**Disabled veteran** or family (defined as dependent son, daughter, and spouse) of a veteran with a service-connected disability. .... **.5 points**

**Family of** (defined as spouse) a **deceased veteran** with a service-connected death. .... **.4 points**

***FINAL VERIFICATION OF PREFERENCES [24 CFR 5.415]***

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the SNRHA will obtain necessary verifications of preference at the interview and by third party verification.

***PREFERENCE DENIAL [24 CFR 5.415]***

If the SNRHA denies a preference, the SNRHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal meeting with the Housing Programs Manager or Director of Housing Programs. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

**Treatment of Single Applicants**

Single applicants will be treated as any other eligible family on the SNRHA waiting list.

**Pulling from the Wait List**

SNRHA shall utilize income targeting to meet HUD's requirements that 40% of admissions have income of less than 30% of minimum income. Elderly and disabled families are given the working preference as required by HUD regulations. All preferences claimed are verified at final eligibility determination. If preferences claimed cannot be verified, the applicant is returned to the appropriate placement on our waiting list and a written notice explaining this action is sent to the applicant.

**D. VERIFICATION OF PREFERENCE QUALIFICATION [24 CFR 5.415]** The

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

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list and ranked without the Local Preference and given an opportunity for a review.

**Change in Circumstances**

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the SNRHA in writing when their circumstances change. When an applicant claims an additional preference, s/he will be placed on the waiting list in the proper order of their newly claimed preference.

If the family failed to report income changes during final eligibility and the verified



failure would have affected their eligibility for a local preference, the family will be returned to the waiting list.

**E. PREFERENCE DENIAL** [24 CFR 5.415]

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

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

**F. FACTORS OTHER THAN PREFERENCES THAT AFFECT SELECTION OF APPLICANTS**

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

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

**G. INCOME TARGETING**

The SNRHA will monitor its admissions to ensure that at least 40 percent of families admitted to public housing in each fiscal year shall have incomes that do not exceed 30% of area median income of the SNRHA jurisdiction.

Hereafter families whose incomes do not exceed 30% of area median income will be referred to as "extremely low income families."

The SNRHA shall have the discretion, at least annually, to exercise the "fungibility" provision of the QHWRRA by admitting less than 40 percent of "extremely low income families" to public housing in a fiscal year, to the extent that the SNRHA has provided more than 75 percent of newly available vouchers to "extremely low income families." This fungibility provision discretion by the SNRHA is also reflected in the SNRHA Administrative Plan.

The fungibility credits will be used to drop the annual requirement below 40 percent of admissions to public housing for extremely low income families by the lowest of the following amounts:



The number of units equal to 10 percent of the number of newly available vouchers in the fiscal year; or

The number of public housing units that 1) are in public housing communities located in census tracts having a poverty rate of 30% or more, and 2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

**The Fungibility Floor:** Regardless of the above two amounts, in a fiscal year, at least 30% of the SNRHA admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the SNRHA overall requirement for housing extremely low-income families to drop to 30% of its newly available units.

Fungibility shall only be utilized if the SNRHA is anticipated to fall short of its 40% goal for new admissions to public housing.

### **Low Income Family Admissions**

Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

## **H. UNITS DESIGNATED FOR THE ELDERLY**

In accordance with the 1996 Housing Act, Head or Spouse must be at least 62 years of age will be selected for admission to such units or buildings covered by a HUD-approved Allocation Plan, except for the units which are accessible, which may be offered to persons with disabilities.

The SNRHA will take the following action when processing families for developments designated for the elderly when there are insufficient elderly families who wish to reside in a development, near-elderly families (head or spouse ages 55-61) will be selected for this type of unit.

## **I. UNITS DESIGNATED FOR THE DISABLED**

SNRHA has no HUD-approved disabled-only designated developments.

## **J. MIXED POPULATION UNITS**

A mixed population community is a public housing community, or portion of a community that was reserved for elderly families and disabled families at its inception (and has retained that character).

In accordance with the 1992 Housing Act, elderly families whose head spouse or sole member is at least 62 years of age, and disabled families whose head, co-head or spouse or sole member is a person with disabilities, will receive equal preference to such units.

No limit will be established on the number of elderly or disabled families that may occupy a mixed population property. All other SNRHA preferences will be applied.



## **K. GENERAL OCCUPANCY UNITS**

General occupancy units are designed to house all populations of eligible families. In accordance with the SNRHA occupancy standards, eligible families not needing units designed with special features or units designed for special populations will be admitted to the SNRHA general occupancy units.

The SNRHA will use its local preference system as stated in this chapter for admission of eligible families to its general occupancy units.

## **L. DECONCENTRATION OF POVERTY AND INCOME-MIXING**

The SNRHA admission policy is designed to provide for de-concentration of poverty and income mixing by bringing higher income tenants into lower income communities and lower income tenants into higher income communities.

Gross annual income is used for income limits at admission and for income-mixing purposes.

Skipping of a family on the waiting list specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met.

The SNRHA will gather data and analyze, at least annually, the tenant characteristics of its public housing stock, including information regarding tenant incomes, to assist in the SNRHA de-concentration efforts.

The SNRHA will use the gathered tenant income information in its assessment of its public housing developments to determine the appropriate designation to be assigned to the community for the purpose of assisting the SNRHA in its de-concentration goals.

If the SNRHA annual review of tenant incomes indicates that there has been a significant change in the tenant income characteristics of a particular community, the SNRHA will evaluate the changes. The SNRHA will determine whether, based on the SNRHA methodology of choice, the community needs to be re-designated as a higher or lower income community or whether the SNRHA has met the de-concentration goals and the community needs no particular designation.

### **Deconcentration and Income-Mixing Goals**

Admission policies related to the de-concentration efforts of the SNRHA do not impose specific quotas. Therefore, the SNRHA will not set specific quotas, but will strive to achieve de-concentration and income mixing in its developments.

The SNRHA income-mixing goal is a long-range goal and may not be achieved in the first year of implementation. The SNRHA will use its annual analysis of its public housing stock and tenant incomes to provide benchmarks for the SNRHA.

The SNRHA income-mixing goal, in conjunction with the requirement to achieve income targeting, will be achieved via unit offer procedures described in Section P of this chapter.





## **Community Designation Methodology**

### **Aggregate Average Method**

The SNRHA will review the annual resident income of all family sites to develop an average annual income, which will be used as a baseline. Developments with an average annual income above that baseline will be considered higher income developments, and developments with an average annual income below the baseline will be considered lower income developments.

Upon analyzing its findings the SNRHA will apply the policies, measures and incentives listed in Section P of this chapter to bring higher income families into lower income developments.

### **SNRHA Incentives for Higher Income Families**

Covered in Section P of this Chapter.

### **M. REMOVAL FROM WAITING LIST AND PURGING** [24 CFR 960.204(a)]

The waiting list will be purged at least **tri**-annually by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within 14 calendar days, s/he will be removed from the waiting list. If a letter is returned by the Post Office, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. Failure to respond will result in removal from all waiting lists.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed period.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

The SNRHA allows a grace period of 7 calendar days after completion of the purge mailing. Applicants who respond during this grace period will not be withdrawn.

Applicants are notified with confirmation of the SNRHA receipt of their application that they are responsible for notifying the SNRHA within 10 calendar days, if they have a change of address.

### **N. OFFER OF ACCESSIBLE UNITS**

The SNRHA has units designed for persons with mobility, sight and hearing impairments, referred to as accessible units.

No non-mobility-impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, the SNRHA will offer such units:



First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA control who has a disability that requires the special features of the vacant unit.

Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, the SNRHA will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement. SNRHA will pay all reasonable and customary costs associated with the relocation of the non-disabled family.

The Authority will make modifications to the unit in keeping with the Section 504 Transition Plan as the need arises and until the agency determines that an adequate number of units have been rehabilitated in numbers sufficient to evidence compliance with the Plan See Chapter 9.

#### **O. PLAN FOR UNIT OFFERS**

The SNRHA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is to offer the family at the top of the waiting list for the appropriate bedroom size and unit type the oldest available unit five days prior to target-ready date.

Unit offers to promote income targeting are made in accordance with HUD regulations of the oldest eligible certified family to the appropriate bedroom size of the oldest ready and available unit. Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

#### **Number of Offers - Two Offers**

SNRHA will make two offers on an appropriate unit. If the second offer is rejected or the applicant fails to execute a lease within the required timeframes, the applicant will be withdrawn from our waiting list. Exceptions are incorrect unit offers and/or offers to non-disabled families of accessible units, or other “good cause” reason. The applicant shall be informed of this in writing.

#### **SNRHA Incentives for Higher Income Families**

The SNRHA will offer certain incentives to higher income families willing to move into lower income communities. If a higher income family agrees to move to an SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family’s choice. The move will be approved, according to the Occupancy Guidelines, only if the family has consistently been in lease compliance for two years following admission.

In addition, the SNRHA will target homeownership opportunities to higher income families moving into lower income communities.



## **P. CHANGES PRIOR TO UNIT OFFER**

### **Applicants with a Change in Family Size or Status**

Applicants must report changes in income, family composition, and address within ten (10) calendar days of the change prior to eligibility and after final eligibility. If the family did not report the change within the required time frame, the family will be withdrawn and determined ineligible and offered an opportunity for informal hearing.

Properly reported changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. The SNRHA shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit or if the family is no longer eligible for the program.

The family will take the appropriate place in the selection pool or waiting list according to the preference points on the date they first applied **if the appropriate waiting list was open at the time of initial application.**

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

Income changes properly reported after the unit is offered will be processed following lease-up procedures.

## **O. APPLICANT STATUS AFTER FINAL UNIT OFFER**

When an applicant rejects the final unit offer the SNRHA will remove the applicant's name from the waiting list. Removal from the waiting list means the applicant must reapply. Exceptions may be made in accordance with 504 regulations, for persons whose refusal involved the need for a reasonable accommodation.

## **R. TIME-LIMIT FOR ACCEPTANCE OF UNIT**

Applicants will have three (3) business days to respond to an offer of an available unit. Applicants must accept a unit offered within one (1) business day of the date the unit is shown and execute a lease within two (2) additional business days of the offer acceptance. Extensions can be approved for good cause.

SNRHA staff will attempt to notify applicants by telephone **as a courtesy**; all offers will be made in writing by first class mail.

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

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "*good cause*," the applicant will **be returned to** the waiting list.

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



- An elderly family who makes the decision not to occupy or accept occupancy in designated housing for which they applied will be withdrawn from the designated housing waiting list, but this action will not affect their standing on any other waiting list. [24 CFR 945.303(d)]
- Inaccessibility to source of employment or education such that an adult household member must quit a job, drop out of an educational or a job training program.
- The family demonstrates to SNRHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons must be specific. Refusals due to the location of the unit alone are not considered to be good cause.
- A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household member, or a live-in aide necessary to care for the principal household member.
- The family is offered a unit which is handicap accessible, but there is no member of the family that need accessibility features in the unit. The unit is inappropriate for the applicant's disabilities

### **S. REFUSAL OF OFFER**

If the unit offered is inappropriate for the applicant's disabilities or if a non-disabled family is offered an accessible unit, the family will retain their position on the waiting list.

If the unit offered is refused for other reasons, the SNRHA will follow the applicable policy as listed in Section O, Plan for Unit Offers, and Section Q, Applicant Status after Final Offer.

### **T. SPECIAL PROGRAMS**

The SNRHA will administer a HUD, RAD (Rental Assistance Demonstration) program at the following properties:

- o Landsman Gardens, Henderson, Nevada.
- o Vera Johnson B, Las Vegas, Nevada
- o Biegger Estates, Las Vegas, Nevada
- o Rose Gardens, North Las Vegas, Nevada

**See Chapter 16 for RAD/PBV information.**



## Chapter 6

### DETERMINATION OF TOTAL TENANT PAYMENT

[24 CFR 5.628, 5.611, 5.613, 5.615]

#### **INTRODUCTION**

The accurate calculation of annual income and adjusted income will ensure that families are not paying more or less money for rent than their obligation under the regulations.

This chapter defines the allowable deductions from annual income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subpart F and further instructions set forth in HUD Notices, Memoranda and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. The SNRHA's policies in this chapter address those areas which allow the SNRHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

#### **A. MINIMUM RENT (TTP)**

The minimum rent (TTP) for the SNRHA is \$50.00.

The total tenant payment is the greater of:

30% of the adjusted monthly income

10% of the monthly income

The minimum rent as established by the SNRHA

The minimum rent refers to a minimum total tenant payment and not a minimum tenant rent.

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

The SNRHA recognizes that in some instances even the minimum rent may create a financial hardship for families. The SNRHA will review all relevant circumstances brought to the SNRHA's attention regarding financial hardship as it applies to minimum rent. The following section states that the SNRHA's procedures and policies in regard to minimum rent financial hardship as set forth by the QHWRA.



### **SNRHA Procedures for Notification to Families of Hardship Exceptions**

The SNRHA will notify all participant families subject to a minimum rent of their right to request a minimum rent hardship exception under the law.

The SNRHA will notify all eligible families at time of lease-up of their right to request a minimum rent hardship exception.

The SNRHA will notify all eligible families at the annual and interim recertification appointments of their right to request a minimum rent hardship exception.

The manager or their designee will document in the family's file that the family has been notified of their right to request a minimum rent hardship exception.

The SNRHA notification will advise the family that hardship exception determinations are subject to SNRHA grievance procedures.

The SNRHA will review all tenant requests for exception from the minimum rent due to financial hardships.

All requests for minimum rent exception are required to be in writing.

Requests for minimum rent exception will be accepted by the SNRHA from the family in writing.

Requests for minimum rent exception must state the family circumstances that qualify the family for an exception.

### **Exceptions to Minimum Rent**

The SNRHA will immediately grant the minimum rent exception to all families who request it.

The Minimum Rent will be suspended until the SNRHA determines whether the hardship is:

Covered by statute

Temporary or long term

If the SNRHA determines that the minimum rent is not covered by statute, the SNRHA will impose a minimum rent including payment for minimum rent from the time of suspension.



The SNRHA will use its standard verification procedures to verify circumstances which have resulted in financial hardship, such as loss of employment, death in the family, etc.

### **HUD Criteria for Hardship Exception**

In order for a family to qualify for a hardship exception the family's circumstances must fall into one of the following criteria:

The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance;

The family would be evicted as a result of the imposition of the minimum rent requirement;

The income of the family has decreased because of changed circumstances, including:

Loss of employment

Death in the family

Other circumstances as determined by the SNRHA or HUD

### **Temporary Hardship**

If the SNRHA determines that the hardship is temporary, a minimum rent will be imposed, including back payment from time of suspension, but the family will not be evicted for nonpayment of rent during the 90 day period commencing on the date of the family's request for exemption.

### **Repayment Agreements for Temporary Hardship**

The SNRHA will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period.

See Chapter 14, Rent and Debt Collection Procedures, for payment terms.

## **B. INCOME AND ALLOWANCES**

**Income:** Includes all monetary and non-monetary income or benefit amounts that are received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be calculated and what is to be excluded in the federal regulations. In accordance with this definition, all income that is not specifically excluded in the regulations is counted. (See Income Inclusions and Income Exclusions in the Glossary of Terms of this policy.)



**Annual Income** is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits. (24 CFR 5.607)

The low-income subsidy received to assist low-income persons in paying for their Medicare prescription drug plan costs must be excluded as annual income for the purpose of calculating any rent or assistance.

**Adjusted Income** is defined as the annual income minus any HUD allowable expenses and deductions.

### **Allowable Deductions**

HUD has 5 allowable deductions from annual income:

1. Dependent allowance: \$480 each for family members (other than the head or spouse), who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
2. "Elderly/disabled" allowance: \$400 per household for families whose head or spouse are 62 or over or disabled.
3. For any family that is a disabled family, or has a member (other than the head or spouse) who is a person with a disability. A disability assistance expenses for unreimbursed amounts paid for attendant care or auxiliary apparatus expenses for family members with disabilities, including the disabled member, where such expenses are necessary to permit an adult family member to be employed. The allowable expenses must be in excess of 3% of annual income. This allowance may not exceed the employment income received by the family members that is freed to go to work, who is at least 18 years of age.
4. For any elderly or disabled family:
  - a. 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;
  - b. 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;





- c. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that are equal to the total of these expenses less 3% of annual income.
5. Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare 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)).
6. The SNRHA does not provide for any optional deductions or allowances in the public housing program.

**C. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS**  
**24 CFR 962.255, 24 CFR 5.617, 24 CFR 960.255**

The annual income for qualified families may not be increased as a result of increases in earned income of a family member. **The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.** For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 **consecutive** months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income **for the remaining 12 consecutive calendar months.**

A family eligible for the earned income exclusion is a family that occupies a dwelling unit in a public housing community; and

Whose annual income increases as a result of employment of an adult member of the family who was previously unemployed for one or more years;

Whose earned annual income increases during the participation of a family member in any family self-sufficiency or other job training program; or

Whose annual income increases, as a result of new employment or increased earnings of an adult family member during or within six months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a six-month period is at least \$500. The qualifying TANF assistance may consist of any amount of monthly income maintenance, and/or at least \$500 in such TANF benefits and services as one-time payments, wage subsidies and transportation assistance.



The HUD definition of "previously unemployed" includes a person who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality if it is higher than the federal minimum wage.

The HUD definition of economic self-sufficiency program is any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Qualifying increases are any earned income increases of a family member during participation in an economic self-sufficiency or job training program and may include increases that occur after participation provided the training provides assistance, placement, training or mentoring after the training that leads to employment.

The amount that is subject to the disallowance is the amount of incremental increase in income of a family member. The incremental increase in income is calculated by comparing the amount of the family member's income before the beginning of qualifying employment (baseline) to the amount of such income after the employment.

#### **Initial Twelve-Month Exclusion**

During the **initial** 12-month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the SNRHA will exclude from annual income of a qualified family member any increase in income of the family member as a result of employment over the prior income of that family member (baseline).

#### **Second Twelve-Month Exclusion and Phase-in**

During the second **and final** 12-month period after the expiration of the initial 12-month period referred to above, the SNRHA must exclude from Annual Income of a qualified family member, 50 percent of any increase in income of a family member who is a person with disabilities as a result of employment over the income of that family member prior to the beginning of such employment.

#### **Maximum Two Year Disallowance**

The earned income disallowance is limited to a lifetime **24** month period for each family member. For each family member, the disallowance only applies for a maximum of 12 months of full exclusion of incremental increase, and a maximum of 12 months of phase-in exclusion during the **24** month period starting from the date of the initial exclusion.



**If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.**

**The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were “used”.**

**Families that currently benefit from the EID, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48-month period, as was in effect prior to the effective date of this provision.**

#### **Applicability to Child Care Expense Deductions**

The amount deducted for childcare necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction in the case of the deduction that is allowed due to employment.

#### **Applicability to Disability Expense Deductions**

The amount deducted for disability expense deduction that is necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for the disability expense deduction.

#### **Applicability to Families that Receive both Child Care Expense and Disability Deductions**

The amount deducted for both childcare and disability expense deductions necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction and disability expenses combined in the case of the deduction that is allowed due to employment.

#### **Tracking the Earned Income Exclusion**

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family’s file to show the reason for the reduced increase in rent.

**\*Such documentation will include:**

- **Date the increase in earned income was reported by the family**
- **Name of the family member whose earned income increased**



- Reason (new employment, participation in job training program, within 6 months after receiving TANF) for the increase in earned income
- Amount of the increase in earned income (amount to be excluded)
- Date the increase in income is first excluded from annual income
- Date the family member has received a total of 12 consecutive months of the initial exclusion of 100%
- Date the 12-month phase-in period began
- Date the family member has received a total of 12 consecutive months of the phase-in exclusion of 50%
- Ending date of the maximum 24 month (two year) disallowance period

The SNRHA will maintain a tracking system to ensure correct application of the earned income disallowance.

It is a SNRHA policy decision to conduct an interim reexamination for income increases for the purpose of calculating the earned income disallowance.

### **Inapplicability to Admission**

The earned income disallowance is only applied to determine the Annual Income of families who are participants in the public housing program, and therefore does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

### **E. INDIVIDUAL SAVINGS ACCOUNTS**

The SNRHA chooses not to establish a system of individual savings accounts for families who qualify for the disallowance of earned income.

### **F. TRAINING PROGRAMS FUNDED BY HUD**

All training income from a HUD sponsored or funded training program, whether incremental or not, is excluded from the resident's annual income while the resident is in training. Income from a Resident Services training program, which is funded by HUD, is excluded.

Upon employment with the SNRHA, the full amount of employment income received by the person is counted.

### **G. AVERAGING INCOME**

When annual income cannot be anticipated for a full 12 months, the SNRHA will average known sources of income that vary to compute an annual income.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third-party or check-stub verification is not available.



If by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so that the housing payment will not change from month to month.

The method used depends on the regularity, source and type of income.

## **H. MINIMUM INCOME**

There is no minimum income requirement. Families who report zero income or extremely low income are required to complete a written certification every 180 calendar days which will be verified with EIV and all federal, state and local agencies and other sources, as appropriate, including credit checks, to verify income sources. If any increases in income are indicated in any of the above information or other verification at any time, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Families that report zero or extremely low income will be required to provide information in writing regarding their means of basic subsistence, such as food, utilities, transportation, and other subsistence expenses, in writing. SNRHA will require a print out of utility bills for three months to be submitted at interim evaluations for residents claiming zero or extremely low income.

If the family's expenses exceed their known income, the SNRHA will make inquiry of the head of household as to the nature of the family's accessible resources.

Utility bills provided by the family which show that the utilities are in another person's name will require further investigation as to whether there is an unauthorized member of the household.

Where credit reports show credit accounts open and payments current, SNRHA will take action to investigate the possibility of unreported or underreported income, fraud or program abuse.

The SNRHA will terminate the lease of families for fraud or offer a repayment agreement when documented evidence indicates the family has unreported or underreported income, which includes receiving funds from other parties or individuals that has not been reported. Failure to enter into a repayment agreement and pay the required 25% down payment within the established guidelines shall result in the termination of the lease. Repeating this action will result in termination of the lease.



## **I. INCOME OF PERSON PERMANENTLY/TEMPORARILY CONFINED TO NURSING HOME**

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the SNRHA will calculate the income by using the following methodology and use the income figure which would result in a lower payment by the family:

Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member after 180 days or when doctor certification of length of absence is received, whichever comes first.

If the family member is temporarily confined in a hospital or nursing home, SNRHA will calculate the TTP by:

Including the income of the person temporarily confined to the nursing home and giving the family the medical deductions allowable on behalf of the person in the nursing home, if they are an elderly or disabled family. For the purpose of this section, “temporarily” is defined as no more than 180 days.

## **J. REGULAR CONTRIBUTIONS AND GIFTS** [24 CFR 5.609(a)(7)]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the tenant share of the rent.

Any contribution or gift received two consecutive months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$100 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter 7, Verification Procedures, for further definition.)

If the family's expenses exceed its known income, the SNRHA will question the family about contributions and gifts.

## **K. ALIMONY AND CHILD SUPPORT** [24 CFR 5.609(a)(7)]

Regular alimony and child support payments are counted as income for calculation of the family's share of the rental payment.



### **SNRHA Policy**

SNRHA will count court-awarded amounts for alimony and child support unless SNRHA verifies that: (1) the payments are not being made, and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [HCV GB, pp. 5-23 and 5-47].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

SNRHA will accept verification that the family is receiving an amount less than the award if:

- SNRHA receives verification from the agency responsible for enforcement or collection.
- The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

When child support or alimony fluctuates, SNRHA will follow the policy below.

### **SNRHA Policy**

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

1. SNRHA shall add the total of all payments listed for the past twelve months. The total shall then be considered anticipated income.
2. When verification documents from the DA office indicated no payment for more than 60 days from the date of the printout (upon receipt of verification), no income will be anticipated from child support/alimony. Participants are required to report all changes within 10 calendar days in writing including when child support/alimony is not received and/or starts.

### **L. LUMP-SUM RECEIPTS** [24 CFR 5.609(b)(5), (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, are not included in income but may be included in assets, if the amount has been invested in an allowable asset.

Lump-sum payments caused by delays in processing periodic payments such as unemployment or welfare assistance are counted as income. Lump sum payments from



Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt, the SNRHA will calculate retroactively.

### **Retroactive Calculation Methodology**

The SNRHA will go back to the date the lump-sum payment was received, but never further back than the date of admission.

The SNRHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due the SNRHA.

At the SNRHA's option, the SNRHA may enter into a Payment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

### **M. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS**

Contributions to company retirement/pension funds are handled as follows:

While an individual is employed, count as assets only amounts the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

### **N. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE**

The SNRHA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. In calculating total assets, the SNRHA will count the difference between the market value and the actual payment received.

Assets disposed of as a result of foreclosure or bankruptcy is not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of a divorce or separation is not considered to be assets disposed of for less than fair market value.

The SNRHA's minimum threshold for counting assets disposed of for less than Fair





Market value is \$5000. If the total value of assets disposed of within the two-year period is less than \$5000, they will not be considered an asset.

## **O. CHILD CARE EXPENSES**

Not reimbursable child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment.

In the case of a child attending private school, only after-hours care can be counted as child care expenses.

Child care expenses cannot be allowed as a deduction if there is an adult household member capable of caring for the child who can provide the child care. Examples of those adult members who would be considered *unable* to care for the child include:

The abuser in a documented child abuse situation, or

A person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source, or

Can provide proof that the adult member is searching for a job (maximum time allowed for search is 10 hours per week.)

An allowable deduction for child care expenses is based on the following guidelines:

**Child care to work:** The maximum child care expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

**Child care for school:** The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.

**Amount of Expense:** The SNRHA will survey the local care providers in the community and collect data as a guideline. If the hourly rate materially exceeds the guideline, the SNRHA may calculate the allowance using the guideline.

### **Child Care Verification:**

SNRHA will send out via mail to the child care provider a 3rd party verification, which will need to be completed, showing the name, age of children, hours and days watched along with amount charged. Verification is to include provider's license number or tax identification number if they are a licensed agency. Private providers will need to provide a social security number and have the form notarized.

No other form of verification will be accepted but that of the Housing Authority.



Secondary verification after attempting orals will be receipts.

**P. MEDICAL EXPENSES** [24 CFR 5.603]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

Persons with a Medicare prescription drug plan may be required to pay a premium and this premium will be counted as a medical expense.

Prescriptions not covered by the Medicare prescription drug plan will be counted toward the sum of allowable medical expense.

Nonprescription medicines must be doctor-recommended in order to be considered a medical expense.

Nonprescription medicines will be counted toward medical expenses for families who qualify if the family furnishes legible receipts.

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses.

**O. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES** [24 CFR 5.520]

**Applicability**

Prorating of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

**Prorated Assistance Calculation**

Prorated assistance will be calculated by subtracting the total tenant payment from the applicable maximum rent for the unit the family occupies to determine the Family Maximum Subsidy. The family's TTP will be calculated by:

Dividing the family maximum subsidy by the number of persons in the family to determine Member Maximum Subsidy.

Multiplying the member maximum subsidy by the number of eligible family members to determine Eligible Subsidy.

Subtracting the amount of eligible subsidy from the applicable maximum rent for the unit the family occupies to get the family's revised total tenant payment.

**R. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare



assistance is reduced specifically because of:

fraud; or

failure to participate in an economic self-sufficiency program; or

noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification Before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA will attempt to develop a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

### **S. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS**

If the cost of utilities (excluding telephone) is not included in the tenant rent, a utility allowance will be deducted from the total tenant payment. The utility allowance is intended to help defray the cost of utilities not included in the rent. The allowances are based on the monthly cost of reasonable consumption utilities in an energy conservative household, *not* on a family's actual consumption.



A survey of utility rate changes applicable to the agency's jurisdiction will be made annually and the *Schedule of Tenant-Paid Utility Allowances* and related services will be periodically adjusted by the agency in accordance with the results of the survey. Utility allowances may be adjusted upward or downward, or remain the same, dependent upon the most recent data regarding overall consumption and rates for the larger community (not just the public housing community).

When the utility allowance exceeds the family's total tenant payment, the SNRHA will provide a utility reimbursement payment for the family each month. The check will be made out directly to the tenant.

### **Resident-Paid Utilities**

The following requirements apply to residents living in developments with resident-paid utilities or applicants being admitted to such developments:

If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted.

Paying the utility bill is the resident's obligation under the lease. Failure to pay utilities is grounds for eviction.

### **T. EXCESS UTILITY PAYMENTS**

Residents in units where the SNRHA pays the utilities may be charged for excess utilities if additional appliances or equipment are used in the unit. This charge shall be applied as specified in the lease. [24CFR 966.4(b)(2)]

The SNRHA expects the resident to take every effort to ensure that utility consumption will be reasonable and in compliance with acceptable standards of usage applicable to unit and family size. If use of utilities is determined to be excessive, SNRHA will require payment for the amount of usage that is deemed to be excessive. Excessive utility usage will be determined if the individually metered utility monthly bill exceeds the approved utility allowance for the unit size by 30%. Payment for excessive utility usage will become due and payable on the first day of the second month following the month in which the charges are incurred, except at termination of lease when all charges are considered due and payable. In the case of water bills, usage will be based on the average unit size consumption.

### **U. FAMILY CHOICE IN RENTS**

#### **Authority for Family to Select**

The SNRHA shall provide for each family residing in a public housing unit to elect annually whether the rent paid by such family shall be 1) determined based on family income or 2) the flat rent. The SNRHA may not at any time fail to provide both such rent options for any public housing unit owned, assisted or operated by the SNRHA.



Annual choice: The SNRHA shall provide for families residing in public housing units to elect annually whether to pay income-based or flat rent. Except for financial hardship cases, the family may not be offered the rent choice more than once per year.

SNRHA will provide each family the following written information:

- Policy on switching types of rent in circumstances of hardship.
- The dollar amounts of tenant rent for the family under each option.
- If the family chose a flat rent for the previous year, the SNRHA will provide the amount of income-based rent for the subsequent year.
- Only the year the SNRHA conducts an income reexamination or if the family specifically requests it and submits updated income information. For a family that chooses the flat rent option, the SNRHA must conduct a reexamination of family income at least once every three years.
- The flat rent is based on the fair market rent. The SNRHA records must show how the SNRHA determines flat rents in accordance with its method and document flat rents offered to families.
- The SNRHA will not pay a utility reimbursement for a family that has chosen to pay a flat rent.
- For families paying income-based rent, SNRHA may choose to pay utility reimbursements either to the family, or directly to the utility supplier. If the PHA elects to pay the utility supplier, the SNRHA must first notify the family of the amount of utility reimbursement paid to the supplier.

### **Allowable Rent Structures**

#### **Flat Rents**

The SNRHA has established, for each dwelling unit in public housing, a flat rental amount for the dwelling unit, which:

Is based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA shall review the income of families paying flat rent not less than once every three years.



### **Income-Based Rents**

The monthly total tenant payment amount for a family shall be an amount, as verified by the SNRHA that does not exceed the greatest of the following amounts:

30 percent of the family's monthly adjusted income;

10 percent of the family's monthly income; or

The SNRHA's minimum TTP of \$50.00.

### **Switching Rent Determination Methods Because of Hardship Circumstances**

In the case of a family that has elected to pay the SNRHA's flat rent, the SNRHA shall immediately provide for the family to pay rent in the amount determined under income-based rent, during the period for which such choice was made, upon a determination that the family is unable to pay the flat rent because of financial hardship, including:

Situations in which the income of the family has decreased because of changed circumstances, loss of or reduction of employment, death in the family, and reduction in or loss of income of other assistance;

An increase, because of changed circumstances, in the family's expenses for medical costs, child care, transportation, education, or similar items; and

Such other situations as may be determined by the SNRHA.

All hardship situations will be verified.

The rental policy developed by the SNRHA encourages and rewards employment and self-sufficiency.

### **Annual Reexamination**

Within 120 days in advance of the annual reexamination, the family will be sent a form from the SNRHA, on which the family will indicate whether they choose flat rent or income-based rent. The SNRHA form will state what the flat rent would be, and an estimate, based on current information, what the family's income-based rent would be.

If the family indicates they choose flat rent, the form will be retained in the tenant file.

If the family indicates they choose income-based rent, a reexamination appointment will be scheduled according to SNRHA policy.



## **V. SNRHA'S FLAT RENT METHODOLOGY**

The SNRHA has set a flat rent for each bedroom size within the SNRHA's public housing inventory, based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA's flat rents have been established using the following methodology:

An amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.



## Chapter 7

### VERIFICATION

[24 CFR Parts 5.617, CFR  
960.206]

#### INTRODUCTION

The SNRHA must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain the family's consent to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. The SNRHA must not pass on the cost of verification to the family.

The SNRHA will follow the verification guidance provided by HUD in PIH Notice 2013-04 Verification Guidance and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary SNRHA policies.

Part I describes the general verification process. More detailed requirements related to individual factors are provided in subsequent parts including family information (Part II), income and assets (Part III), and mandatory deductions (Part IV).

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies of the SNRHA.

#### **PART I: GENERAL VERIFICATION REQUIREMENTS**

##### **7-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION**

The family must supply any information that the SNRHA or HUD determines is necessary to the administration of the program and must consent to SNRHA verification of that information

##### **Consent Forms**

It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and the SNRHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

The family will be required to complete the SNRHA release of information, in addition to the Debts Owed (HUD 52675) and HUD 92006





## Penalties for Failing to Consent

If any family member who is required to sign a consent form fails to do so, the SNRHA will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with SNRHA procedures.

### 7-I.B. OVERVIEW OF VERIFICATION

#### REQUIREMENTS HUD's Verification Hierarchy

HUD authorizes the SNRHA to use six methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires the SNRHA to use the most reliable form of verification that is available and to document the reasons when the SNRHA uses a lesser form of verification.

##### SNRHA Policy

**Upfront Income Verification (UIV):** The verification of income at admission or before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. HUD's **Enterprise Income Verification System (EIV)** is considered to be this method. This is currently not available for applicants.

**NOTICE: PIH-2013-04 (HA)** Guidance on Verification of Excluded Income.

##### **Purpose:**

This notice provides clarification and guidance on the verification requirements of income excluded from the

The SNRHA Public Housing Program in an effort to reduce administrative burden, will utilize the provision in the HUD Notice PIH-2013-04 as follows:

HUD has provided two categories of excluded income: fully excluded and partially excluded. Each category has different verification requirement.

##### **Fully Excluded Income:**

Income that is fully excluded means the entire amount qualifies to be excluded from the annual income determination. For fully excluded income, the SNRHA is **not required** to:

- Verify the income in accordance with the HUD-prescribed verification hierarchy;
- Document in the tenant file why third party verification was not available as required by 24 CFR 960.259(c)(i) and 24 CFR 982.516(a)(2); and
- Report the income in Section 7 of the form HUD-50058.

SNRHA may accept an applicant or participant's self-certification as verification of fully excluded income. The SNRHA's application and reexamination documentation, which is signed by all adult family members, may serve as the self-certification of the fully excluded income. SNRHA has the option of elevating the verification requirements if necessary, to determine if a source of income qualifies for a full exclusion.

Examples of common fully excluded income categories that are verifiable through applicant or



participant self-certification are:

- Supplemental Nutrition Assistance Program (SNAP) benefits, formerly known as food stamps.
- Income from a live-in aide.

For a complete list of income exclusions, see 24 CFR 5.609(c).

### **5. Partially Excluded Income:**

Income that is partially excluded means that only a certain portion of the income reported by the family qualifies to be excluded, while the remainder must be included when determining the family's annual income.

For partially excluded income, SNRHA is required to:

- Comply with HUD-prescribed verification requirements and all applicable regulations pertaining to
- the determination of annual income; and
- Report the income in Section 7 of the form HUD-50058.
- Examples of partially excluded income that are subject to regular verification requirements include:
- The Department of Veterans Affairs "Aid and Attendance" benefits – in accordance with 24 CFR 5.609(c)(4), these benefits may be excluded from income if they are used "specifically for, or in reimbursement of, the cost of medical expenses for any family member." Live-in or periodic medical assistance and services of doctors and health care professionals are among the services that may be counted as medical expenses. The SNRHA must verify the amount provided for aid and attendance medical expenses and the amount actually being used by the veteran for such expenses.

Any portion of the benefit not used for such expenses would continue to be counted as income by the SNRHA when determining the family's annual income.

- Earnings in excess of \$480 for full-time students 18 years old or older (24 CFR 5.609(c)(11) – in order to determine the amount of earnings to include in the calculation of the family's annual income, the SNRHA must verify the amount of employment income for these family members.

**The Verification Hierarchy.** SNRHA shall begin with the highest level of verification Techniques PHAs are required to access the EIV system and obtain an Income Report for each household. The SNRHA shall maintain the Income Report in the tenant file along with the form HUD-50058 and other supporting documentation to support income and rent determinations for all mandatory annual reexaminations of family income and composition.



If the Income Report does not contain any employment and income information for the family, the SNRHA shall attempt the next lower level verification technique, as noted in the below:

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

**Verification Technique Definitions**



### **Third Party Verification Techniques**

**Upfront Income 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. PHAs 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.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either 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 report, employer 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 SNRHA shall require two current and consecutive pay stubs for determining annual income from wages. For new income sources, two pay stubs shall be required that are consecutive or a new hire letter with date of hire, wages and hours. The PHA should project income based on the information from a traditional written 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. A standardized form to collect information from a third party source. The form is completed by the third party by hand (in writing or typeset). PHAs 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.

**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. PHA 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 file the reason(s) why third party verification was not available.**

The exception to third party verification can be found at 24 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 the 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 deductions from annual income; and (iv) other factors that affect the determination of adjusted income.

**How to comply with and reduce administrative burden of third party verification requirements of family annual income .** PHAs can comply with and reduce administrative burden of third party verification requirements for employment, wage, and unemployment compensation and social security benefits, and any other information that is verifiable using EIV by:

- a) Reviewing the EIV Income Report to confirm/validate tenant-reported income; and;
- b) Printing and maintaining an EIV Income Report (or an EIV Individual Control Number (ICN) page for interim reexaminations as prescribed in Section 12 of this Notice) in the tenant file; and
- c) Obtaining current acceptable tenant-provided documentation to supplement EIV information; and
- d) Using current tenant-provided documentation and/or third party verification to calculate annual income.

**Note:** Social Security benefit information in EIV is updated every three months. If the tenant agrees with the EIV-reported benefit information, PHAs do not need to obtain or request a benefit verification letter from the tenant. See PIH Notice 2010-03 for guidance on verifying Social Security benefit income through the EIV system.

The PHA may also reduce the administrative burden of obtaining third party verification by relying on acceptable documents that are generated by a third party, but provided by the tenant. 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.).

**When the PHA is required to request written third party verification** The PHA must request written third party verification under the following circumstances:

- a. When the tenant disputes the EIV information and is unable to provide acceptable documentation to support his/her dispute
- b. When the PHA requires additional information that is not available in EIV and /or the tenant is unable to provide the PHA with current acceptable tenant-provided documentation. Examples of additional information, includes but is not limited to:
  - i. Effective dates of income (i.e. employment, unemployment compensation, or social security benefits)
  - ii. For new employment: pay rate, number of hours worked per



- week, pay frequency, etc.
- iii. Confirmation of change in circumstances (i.e. reduced hours, reduced rate of pay, temporary leave of absence, etc.)

**Note:** 24 CFR §5.236(a), prohibits PHAs from taking adverse action based solely on EIV

### **Requirements for Acceptable Documents**

#### SNRHA Policy

Any documents used for verification must be the original (not photocopies) and generally must be dated within 60 calendar days of the date they are provided to the SNRHA. The documents must not be damaged, altered or in any way illegible. All tenant supplied documents should be dated no more than 60 days before the effective date of the family's reexamination or SNRHA's request date, if the document represents the most recent scheduled report from a source. For example, if the holder of a pension annuity provides semi-annual reports, the SNRHA would accept the most recent report.

Print-outs from web pages are considered original documents.

Pay stubs which must be current and consecutive when used with EIV and must not be older than 60 days from the request date or 60 days prior to the annual recertification effective date. Four consecutive pay stubs will be required when using EIV for annuals and two for new hire verifications..

Examples of acceptable tenant-provided documentation (generated by a third party source) include, but are not limited to: pay stubs, payroll summary reports, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices, bank statements, and local agencies, employer letter/notices. Current acceptable tenant-provided documents must be used for income and rent determinations. The SNRHA is required to obtain a minimum of two 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 written third party verification form or the best available information.

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

The SNRHA staff member who views the original document must make a photocopy. Any family self-certifications must be made in a format acceptable to the SNRHA and must be signed in the presence of a SNRHA representative or SNRHA notary public.

### **File Documentation**

The SNRHA must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that the SNRHA has followed all of the verification policies set forth in this



plan. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

#### SNRHA Policy

The SNRHA will document, in the family file, the

following: Reported family annual income

Value of assets

Expenses related to deductions from annual income

Other factors influencing the adjusted income or income-based rent determination

When the SNRHA is unable to obtain 3rd party verification, the SNRHA will document in the family file the reason that third-party verification was not available (including oral verification attempt) and will place a photocopy of any original document(s) in the family file. [24 CFR 960.259(c)(1); VG, p.15]

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#### **Special Verification Processes:**

HUD NOTICE PIH 2013-03 (HA):

**Purpose:** “This Notice establishes temporary guidelines for public housing agencies (SNRHA) in fulfilling certain Public Housing (PH) and Housing Choice Voucher (HCV) program requirements during this period of decreased resources available to SNRHA. These guidelines are intended to facilitate the ability of SNRHA to continue, without interruption and with minimal burden, the delivery of rental assistance to eligible families in their communities. The temporary provisions established by this Notice will be available to SNRHA until March 31, 2014.

The economic downturn that commenced in 2008 and which continues has only increased the need for housing assistance. Increased demand for housing assistance without corresponding increased resources strains the operations of SNRHA, and jeopardizes their ability to assist families at a time when families most need housing assistance. Increasing administrative flexibility should allow SNRHA to deliver rental assistance more efficiently and expeditiously. Reduction of administrative burden is anticipated to allow SNRHA to better manage their programs within current allocated budget authority. The temporary guidelines are also designed to increase efficiencies, minimizing the use of resources for program administration. HUD intends to pursue more permanent changes to increase flexibility and reduce administrative burden and will be informed by SNRHA’ use of the temporary compliance provisions of this Notice.” PIH Notice 2013-3

In accordance with HUD Notice PIH 2013-3, the SNRHA Public Housing Occupancy department shall process tenant income verification as follows:.





SNRHA, PH Ops may choose to use either actual past income or projected future income. Currently, annual income includes income that is anticipated to be received from a source outside the family during the 12-month period following the effective date of admission or annual reexamination. The Notice provides SNRHA with the option of determining annual income based on past actual income received or earned within the last 12 months.

For the purpose of verifying income reported in HUD's Enterprise Income Verification (EIV) system, the SNRHA may choose to use actual past income by utilizing the most recent 12 months of income information available in EIV. Because this EIV report will give actual earnings data verified by a third party, the program participant will no longer be required to provide third party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice).

If there has been a change in circumstances for a tenant, or a tenant disputes the EIV reported income information and is unable to provide acceptable documentation to resolve the dispute, the SNRHA must request written third-party verification.

For example, if a program participant lost his/her job, changed jobs, or reduced their hours in the months subsequent to the time period covered in EIV, the SNRHA must use, at the participant's request, the more recent income information verified by participant provided third-party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice) or through written third-party verification, which reflects the new or current work circumstance.

SNRHA must continue to verify income from sources not available in EIV. However, SNRHA must use the same time period for both wage and non-wage income. For example, if SNRHA uses EIV information from July 2011 to June 2012 for the purpose of verifying income from wages, the SNRHA must use the same time period for any non-wage income. This method may only be used if the SNRHA is able to align other non-wage income source dates with EIV.

**Allow households to self-certify as to having assets of less than \$5,000.**

Tenants with assets below \$5,000 typically generate minimal income from these assets which results in small changes to tenant rental payments. However, SNRHA spend significant time verifying such assets which strains SNRHA budgets, and leads to increased staff errors. The notice has made provisions intended to simplify the requirements associated with determining a participant's annual income (24 CFR 5.609(b)(3), 982.516(a)(2)(ii), 960.259(c)).

Families with assets are required to report all assets annually. The amount of interest earned on those assets is included as income used to calculate the tenant's rent obligation. Currently, 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.



This Notice allows a SNRHA to accept a family's declaration of the amount of assets of less than \$5,000, and the amount of income expected to be received from those assets. The SNRHA's application and reexamination documentation, which is signed by all adult family members, can serve as the declaration. Where the family has net family assets equal to or less than \$5000, the SNRHA does not need to request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets. Where the family has net family assets in excess of \$5000, the SNRHA must obtain supporting documentation (e.g. bank statements) from the family to confirm the assets. Any assets will continue to be reported on HUD Form 50058.

**Allow optional streamlined annual reexaminations for elderly families and disabled families on fixed incomes.**

SNRHA is statutorily required to verify income and calculate rent annually, including for elderly and disabled families on fixed incomes. The notice states that the requirement to undertake the complete process for income verification and rent determination for families on fixed incomes is not necessary given the infrequency of changes to their incomes. Further, this requirement requires considerable staff time and SNRHA resources. The notice provides simplification of the requirements associated with determining the annual income of participants on fixed incomes (24 CFR 982.516, 960.257).

SNRHA will conduct a streamlined reexamination of income for elderly families and disabled families when 100 percent of the family's income consists of fixed income. In a streamlined reexamination, SNRHA will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount.

For purposes of this process, the term 'fixed income' includes income from:

1. Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);
2. Federal, State, local, and private pension plans; and
3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

**7-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

HUD strongly recommends the use of up-front income verification (UIV). UIV is "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 large number of individuals" [VG, p. 7]. UIV includes the HUD EIV system and other upfront verification tools such as the Work Number.

HUD allows SNRHA to use the EIV information in conjunction with family-provided



documents to anticipate income.

### SNRHA Policy

The SNRHA will inform all applicants and participants of its use of the following UIV resources during the admission and reexamination process:

HUD's Enterprise Income Verification System

(EIV)

The SNRHA must restrict access to and safeguard UIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.

There may be legitimate differences between the information provided by the family and EIV-generated information. No adverse action can be taken against a family until the SNRHA has independently verified the EIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of the SNRHA.

### **Use of HUD's Enterprise Income Verification (EIV) System**

HUD's EIV system contains data showing earned income, unemployment benefits, Social Security and SSI benefits for participant families. HUD requires the SNRHA to use the EIV system when available. The following policies will apply when the SNRHA has access to HUD's EIV system.

The EIV system contains two main components: tenant income data reports and "exceeds threshold" reports.

#### ***Tenant Income Data (TID) Reports (EIV)***

The data shown on TID reports is updated quarterly. Data may be between 3 and 6 months old at the time reports are generated.

### SNRHA Policy

The SNRHA will obtain EIV reports for annual reexaminations on a monthly basis. SNRHA shall also obtain EIV reports for interims. Reports will be generated as part of the regular reexamination process.

EIV reports will be compared to family-provided information as part of the annual reexamination process. EIV reports may also be used to meet the regulatory requirement for third party verification, as described above. Policies for resolving discrepancies between EIV reports and family-provided information will be resolved as described in Chapter 5.I.D. and in this chapter.

EIV reports will be retained in participant's files with the applicable annual or interim reexamination documents.

When the SNRHA determines through EIV reports and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in the Chapter Program Integrity.



### ***Income Discrepancy Resolution***

The SNRHA shall reconcile income discrepancies.

#### **SNRHA Policy**

The SNRHA shall proceed as follows:

- SNRHA shall identify underreported income and/or unreported income sources; No adverse action may be taken based **solely** on EIV data. In order to protect any individual whose records are being used in a matching program, no recipient agency, non-Federal agency, or source agency may suspend, terminate, reduce or make a final denial of any financial assistance or payment under a Federal Benefit program to such individual, as a result of information produced by such matching program, until the agency has independently verified the information;
- Review current and historical 50058s;
- Verify effective dates of new and terminated income sources; Discuss the income discrepancy with the tenant;
- View past and current interim and annual recertification documents in the tenant's file;
- Obtain additional documents from the tenant and/or third party (if necessary);
- Obtain Social Security Earnings Statement (SSA Form 7004) for historical wage earnings (Form available on HUD's website) for retroactive rent calculations.

### ***EIV Identity Verification***

The EIV system verifies tenant identities against SSA records. These records are compared to PIC data for a match on Social Security number, name, and date of birth.

When identity verification for a participant fails, a message will be displayed within the EIV system and no income information will be displayed.

#### **SNRHA Policy**

The SNRHA will identify participants whose identity verification has failed as part of the annual reexamination process.

The SNRHA will attempt to resolve PIC/SSA discrepancies by reviewing file documents. When the SNRHA determines that discrepancies exist due to SNRHA errors such as spelling errors or incorrect birth dates, the errors will be corrected promptly and correction transmitted to HUD.

## **7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION**

### **Reasonable Effort and Timing**



Unless third-party verification is not required as described herein, HUD requires the SNRHA to make an attempt to obtain third-party verification before using another form of verification [VG, p. 15].

#### SNRHA Policy

The SNRHA will diligently seek third-party verification using the chart above as guideline for order of verifications. If written 3<sup>rd</sup> party is required and is not received or available by the client, after 10 calendar days, staff will then attempt an oral verification if the written third party is not received. File narratives shall be documented whenever UIV or third party written is not used. Information received orally from third parties may be used either to clarify information provided in writing by the third party or as independent verification when written third-party verification is not received in a timely fashion.

The SNRHA may mail, fax, or e-mail third-party written verification requests and will accept third-party responses using any of these methods. The SNRHA will send a written request for verification to each required source within 5 business days of securing a family's authorization for the release of the information and give the source 10 calendar days to respond in writing. If a response has not been received by the 11<sup>th</sup> business day, the SNRHA will request third-party oral verification.

The SNRHA will make a minimum of two attempts, (one written and one oral, if needed) to obtain third-party verification. A record of each attempt to contact the third-party source (including no-answer calls) and all contacts with the source will be documented in the file. Regarding third-party oral verification, SNRHA staff will record in the family's file the name and title of the person contacted, the date of the conversation (or attempt), the telephone number used, and the facts provided.

When any source responds verbally to the initial written request for verification the SNRHA will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

#### **Third-Party Written Verification**

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

Verifications received electronically directly from the source as well as items as noted above in the Chart( Including those provided directly from a clients) are considered third party written verifications.

#### SNRHA Policy

The SNRHA will accept verifications in the form of computerized printouts, showing payments, faxed, mailed or received via upfront verification systems



directly from the following agencies:

- Social Security Administration -
- EIV Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County Courts
- Other State and Federal Offices, including HUD

The SNRHA will use computer printouts as well as other acceptable forms of third party verification that do not appear as altered and are on a business or other entity's letterhead, received directly from the family for calculation family's income. Staff must attempt

third party verification when EIV nor family provided acceptable documentation is not available. If no response, then staff must attempt oral verifications and must document on the file narrative why third party was not used and complete an oral verification form. If the family disputes the information provided by the third party, the staff is to seek further clarification by phone with the third party. The information provided by the 3rd party is to prevail.

### **Third-Party Oral Verification**

#### SNRHA Policy

Oral third-party verification will be used when written third-party verification is delayed; not returned within 10 calendar days or not possible. When third-party oral verification is used, staff will be required to complete an Oral Verification/Review of Documents form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the SNRHA will document the file narrative and utilize documents provided by the participant. If the oral is provided by telephone, the SNRHA must originate the call.

### **Review of Documents**

#### SNRHA Policy

In the event that third-party written is not returned within 10 calendar days or oral verification is unavailable, or the information has not been verified by the third party within 10 calendar days, the SNRHA will notate the file narrative accordingly; ensure copies of documents requiring the third party verification are in file. Oral third party verification should be attempted prior to utilizing documents provided by the family as the primary source if the documents provide complete information and the file narrative must be documented.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied,



staff viewing the document(s) will complete an Oral Verification/Review of Documents form.

The SNRHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer printouts from the employer
- Employer's letters and wage printouts
- Bank Statements
- Award Letters
- Pension Letters
- Signed letters (provided that the information is confirmed by phone)
- Other documents noted in this Chapter as acceptable verification

Although these documents will be accepted, the SNRHA will also mail third party verifications to the source; attempt upfront verification and use these documents only after there has been no response to the third party verification method.

The SNRHA will accept faxed documents.

The SNRHA will accept mail from the third party source.

The SNRHA will accept hand carried documents from clients as long as they do not appear as altered and provide required documentation regarding wages.

The SNRHA will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the SNRHA will attempt to contact the verification provider by telephone to resolve the discrepancy. If the attempt to resolve the discrepancy by telephone is unsuccessful, the SNRHA will use the third party verification.

The SNRHA will not delay the processing of an application beyond 30 calendar days, except due to screening for criminal history, because a third party information provider does not return the verification in a timely manner. The next steps in the verification process shall be attempted after 10 calendar days, unless the family has been given an extension.

### **Self-Certification/Self-Declaration**

When verification cannot be made by third-party verification, including oral verification or review of documents, families will be required to submit a self-certification.

#### SNRHA Policy

Self-certification means a statement under penalty of perjury, and the signature must be witnessed by SNRHA staff.



### **When Third-Party Information is Late**

When third-party verification has been requested and the timeframes for submission have been exceeded, the SNRHA will use the information from documents on a provisional basis.

#### SNRHA Policy

If the SNRHA later receives third-party verification that differs from the amounts used in income and rent determinations and it is past the deadline for processing the reexamination, the SNRHA will conduct an interim reexamination to adjust the figures used for the reexamination, regardless of the SNRHA's interim reexamination policy, if needed.

### **When Third-Party Verification is not Required**

#### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth and for verification of checking/saving accounts.

#### ***Certain Assets and Expenses***

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification .

#### SNRHA Policy

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

#### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### SNRHA Policy

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The





cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.

### ***RELEASE OF INFORMATION***

Adult family members (age 18 and older) will be required to sign the HUD 9886 Release of Information/Privacy Act form. In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice. Additional release forms as developed by SNRHA are considered required forms that all applicants and participants must sign.

Each member requested to consent to the release of specific information will be provided with appropriate forms for their review and signature.

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

### ***COMPUTER MATCHING***

Where allowed by HUD and/or other State or local agencies, computer matching will be done for upfront verifications.

#### **SNRHA Policy**

The SNRHA will utilize the HUD established computer-based Tenant Eligibility Verification System (EIV) for obtaining Social Security benefits, Supplemental Security Income benefit history and tenant income discrepancy reports from the Social Security Administration. Additionally, to the extent possible, SNRHA will use the UIV systems to obtain upfront verification of wages and Child Support data systems for verification of child support when available.

When computer matching results in a discrepancy with information in the SNRHA records, the SNRHA will follow up with the family and verification sources to resolve this discrepancy. If the family has unreported or underreported income, SNRHA will follow the procedures in the Program Integrity Addendum of the Admissions and Continued Occupancy Policy.

### ***ITEMS TO BE VERIFIED***

All income not specifically excluded by the regulations.

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

Current assets including assets disposed of for less than fair market value in preceding two years. Child care expense where it allows an adult family member to be employed, search for



employment, or to further his/her education.

Total un-reimbursed medical expenses of all family members in households whose head or spouse is elderly or disabled.

Un-reimbursed disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family that allows an *adult* family member to be employed.

Disability for determination of preferences, allowances or deductions. Eligible immigrant status

Social Security Numbers for all family members who have been issued a social security number.

"Preference" status

Familial/Marital status when needed for head or spouse definition to determine deductions. Need for reasonable accommodations

Verification of sanctions by the Nevada Office of Human Services that TANF benefits have been reduced for either welfare fraud or failure to comply with economic self-sufficiency requirements.

#### SNRHA Policy

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance with economic self-sufficiency requirements *before* denying the family's request for rent reduction. The verification will include the amount of the sanction and the duration.

### ***VERIFICATION GUIDANCE [24 CFR 982.516]***

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

#### **Employment Income**

##### SNRHA Policy

Verification forms request the employer to specify

the: Dates of employment

Amount and frequency of pay

Date of the last pay increase

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months

Year to date earnings

Estimated income from overtime, tips, bonus pay expected during next 12



months

*Acceptable methods of verification include, in this order:*

1. EIV with a minimum of 2 consecutive paystubs.
2. Third party written verification  
Employment verification form completed by the employer
3. Oral third party
4. Review of documents  
Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings. At least three (3) consecutive pay stubs are required when third party verification cannot be obtained.
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Social Security, Pensions, Supplementary Security Income (SSI), Disability Income**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Benefit verification form completed by agency providing the benefits.
3. Award or benefit notification letters prepared and signed by the providing agency that is no more than 60 days old.

### **Unemployment Compensation**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Verification form completed by the unemployment compensation agency.
3. Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
4. Payment stubs

### **Welfare Payments or General Assistance**

#### SNRHA Policy



*Acceptable methods of verification include, in this order:*

1. Written statement from payment provider indicating the amount of grant/payment, start date of payments, family members, and anticipated changes in payment in the next 12 months.
2. Computer-generated Notice of Action.

## **Alimony or Child Support Payments**

### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. Print out received via 3rd party verification from the DA's office.
2. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
3. A third party verification form completed by the person paying the support.
4. A letter from the person paying the support.
5. Copy of latest check and/or payment stubs from Court Trustee. SNRHA must record the date, amount, and number of the check if not photocopied.
6. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If payments are irregular, the family must provide:

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A self-certification from the family indicating the amount(s) received.

A welfare notice of action showing amounts received by the DA –Child Support Division.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

## **Net Income from a Business**

### SNRHA Policy

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

*Acceptable methods of verification include:*

1. IRS Form 1040, including: Schedule C  
(Small Business) Schedule E



(Rental Property Income)

Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

2. Audited or unaudited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
5. Family's self-certification as to net income realized from the business during previous years.

### **Child Care Business**

#### SNRHA Policy

The childcare provider must be 18 years of age or older.

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

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

If the family has filed a tax return, the family will be required to provide it via Form IRS 4506-T.

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

### **Recurring Gifts**

#### SNRHA Policy

The family must furnish a self-certification, which contains the following information: The person who provides the gifts

The value of the gifts

The regularity (dates) of the gifts

The purpose of the gifts

SNRHA shall send out verifications to the donors.



### **Full-time Student Status**

Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by students is not counted towards family income.

#### SNRHA Policy

Verification of full time student status includes:

Written verification from the registrar's office or other school official.

School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution. (State of Nevada: 12 credits)

### ***VERIFICATION OF ASSETS***

#### **Family Assets**

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

#### SNRHA Policy

*Acceptable verification may include any of the following:*

Verification forms, letters, or documents from a financial institution or broker. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

Real estate taxes statements if the approximate current market value can be reduced from assessment.

Financial statements for business assets.

Copies of closing documents showing the selling price and the distribution of the sales proceeds.

Appraisals of personal property held as an investment.

Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

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

#### SNRHA Policy



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

If the family certifies that they have disposed of assets for less than fair market value, verification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible. Family certification will be accepted if no other verification is possible.

### ***VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME [24 CFR 982.516]***

#### **Medical Expenses**

##### SNRHA Policy

Eligible families who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below (**Credit Card Statements will not be accepted as proof of payment of expenses**):

Written verification by an eye doctor, optician, otolaryngologist, hearing aide provider, or other medical practitioner or provider of medical equipment of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written verification from a medical lab, provider of oxygen, blood products, or other specialized medical supplies of (a) the anticipated medical costs to be incurred by the family and regular payments will be reimbursed by insurance or a government agency.

Written verification from the provider of medical equipment such as hospital bed, scooter, wheelchair, commode, artificial limbs, etc. of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

For attendant care paid to an individual:

A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the



number of hours the care is needed for calculation purposes.

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

Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

Copies of payment agreements or most recent invoice that verify payments made on outstanding attendant care bills that will continue over all or part of the next 12 months.

Receipts or other record of attendant care expenses incurred during the past 12 months that can be used to anticipate future attendant care expenses.

The SNRHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

### **Assistance to Persons with Disabilities**

In All Cases:

#### SNRHA Policy

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

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

Attendant Care:

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

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

Auxiliary Apparatus:

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

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

### **Live-In Aide**





### SNRHA Policy

When a participant requires a live-in aide, the SNRHA shall submit their signed reasonable accommodation request form to the medical professional noted on their request for third party verification of the need. Once approved by the 504 officer, the participant shall have 30 days to submit the name of the live-in aide and schedule them to come in for screening. The unit size shall NOT be increased until such time as SNRHA staff has completed their screening of the Live-In Aide in compliance with SNRHA guidance. The participant shall be allowed to submit another name for a live-in aide if the first does not pass the screening process but must submit this name within 14 calendar days of the denial notice.

The approved unit size would be adjusted, if required to accommodate a room for the live –in aide. Each year the SNRHA at annual recertification time shall re-verify the need for a live-in aide.

### ***VERIFYING NON-FINANCIAL FACTORS [24 CFR 982.153(b) (15)]***

#### **Verification of Legal Identity**

In order to prevent program abuse, the SNRHA will require applicants/residents to furnish verification of legal identity for all adult family members.

#### SNRHA Policy

The documents listed below will be considered acceptable verification of legal identity for adults, as long as they include a picture of the individual. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

Driver's license

U.S. passport

Department of Motor Vehicles Identification Card

Validated Sheriff Card

Military Identification

DMV Instructional ID

Clark County Heath Card with valid photo ID Veteran's ID with photo

Certificate of Birth, naturalization papers

An original Certificate of Birth is required for all minors. Other documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

Adoption papers



Custody agreement

School records

Hospital Birth Certifications

Passport

Health and Human Services ID (foster children; adopted Children) I-94

***Verification of Marital Status (for purposes of meeting Spouse definition and determining the eligibility of counting income of absence spouse)***

SNRHA Policy

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records. A marriage certificate generally is required to verify that a couple is married. In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

***Familial Relationships***

SNRHA Policy

Verification of guardianship is:

Court-ordered assignment

Verification from social services agency

SNRHA Self-certification of temporary guardianship or appointment

In each case above (except court assignment), SNRHA must receive a court awarded guardianship or custody documents within 365 calendar days or head of household must resign SNRHA's documents and submit required supporting documents. Failure shall result in subsidy standard being decreased; and allowance decreased. Any income still coming into the household on behalf of the child would be counted.

Other family relationships will be verified through birth certificates or other relevant documents.

***Verification of Permanent Absence of Family Member***

If an adult member who was formerly a member of the household or was never reported and identified by staff as being a spouse and is reported permanently absent by the family, the SNRHA will consider any of the following as verification:

- Husband or wife institutes divorce action
- Husband or wife institutes legal separation.



- Order of protection/restraining order obtained by one family member against another.

### ***Verification of Change in Family Composition***

The SNRHA may verify changes in family composition (either reported or unreported) through one or more of the following actions: letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

### ***Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512, 5.514]***

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants.

Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the SNRHA hearing is pending.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury, the Declaration 214 Form, noting that they are a citizen or national.

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status (Declaration 214 Form) and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status (Declaration 214 Form) and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The SNRHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the SNRHA must request within ten days that the INS conduct a manual search.

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

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

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

Additionally, SNRHA must terminate assistance for at least 24 months if it determines that a family has knowingly permitted an ineligible person to live in the assisted unit without informing the SNRHA.

### ***Time of Verification***

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same



time as verification of other factors of eligibility for final eligibility determination.

The SNRHA will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family.

For family members added after other members have been verified, the verification occurs upon approval of additional person by the SNRHA.

Once verification has been completed for any covered program, it shall be verified annually unless their eligibility immigration status changes to permanent resident. In the case of port-in families, if the initial PHA does not supply the documents, the SNRHA must conduct the determination and/or when the SNRHA notes a Resident Alien Card with an expiring date or no date of expiration.

#### Acceptable Documents of Eligible Immigration

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

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

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

#### SNRHA Policy

SNRHA will recertify eligible immigration status one year prior to expiration date of the following documents:

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)

#### ***Medical Need for Larger Unit***

##### SNRHA Policy

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional as a reasonable accommodation for a disabled family member. At each Annual Inspection, staff will verify that the additional room is still being used for medical equipment. When this is not the case, the unit size be decreased in compliance with SNRHA guidance.



## **When Third-Party Verification is Not Required**

### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

### ***Certain Assets and Expenses***

#### **SNRHA Policy**

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available, if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification,

### **SNRHA Policy**

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### **SNRHA Policy**

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

The SNRHA will document in the family file the reason that the third-party verification was not available and will place a photocopy of the original document(s) in the family file.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.



**7-I.E. REVIEW OF DOCUMENTS**

**Using Review of Documents as Verification**

SNRHA Policy

If the SNRHA has determined that third-party verification is not available or not required, the SNRHA will use documents provided by the family as verification.

The SNRHA may also review documents when necessary to help clarify information provided by third parties. In such cases the SNRHA will document in the file how the SNRHA arrived at a final conclusion about the income or expense to include in its calculations.

**7-I.F. SELF-CERTIFICATION**

SNRHA Policy

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to the SNRHA.

The SNRHA may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to the SNRHA and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a SNRHA representative or SNRHA notary public. The cost shall not be passed on to the client.

**PART II: VERIFYING FAMILY INFORMATION**

**7-II.A. VERIFICATION OF LEGAL IDENTITY**

SNRHA Policy

The SNRHA will require families to furnish verification of legal identity for each household member.

| <b>Verification of Legal Identity for Adults</b>                                                                                                                                                          | <b>Verification of Legal Identity for Children</b>                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Driver's license<br>U.S. passport.<br>Department of Motor Vehicles<br>Identification Card Validated<br>Sheriff Card<br>Military ID<br>DMV Instructional ID<br>Clark County Heath Card with valid photo ID | Certificate of birth<br>Adoption papers<br>Custody agreement<br>School records<br>Hospital Birth Certifications<br>Passport<br>Health and Human Services ID (foster children; adopted children) |



|                                                                          |      |
|--------------------------------------------------------------------------|------|
| Veteran's ID with photo<br>Certificate of Birth<br>Naturalization papers | I-94 |
|--------------------------------------------------------------------------|------|

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

### **7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 , 5.218 and 5.233]**

Every family member must provide documentation of a valid social security number (SSN) unless they are a non-citizen or non-eligible immigrant.

#### SNRHA Policy

The SNRHA will request to copy the family member's social security card.

If the social security card is not available, SNRHA will instruct the family to obtain a duplicate card from the local social Security Administration (SSA) office, but will complete the action by accepting the following documents as evidence if the SSN is provided on the document:

- Benefit award letters from a government agency; retirement benefit letters; life insurance policies.
- Any document issued by the Social Security Administration that clearly lists the family member's social security number and name.
- For individuals who are at least 62 years of age and are unable to submit the required documentation of their SSN within the initial 60-day period, the SNRHA will grant an additional 60 calendar days to provide documentation.

Social security numbers must be verified only once during continuously-assisted occupancy. If any family member obtains an SSN after admission to the program, the new SSN must be disclosed within 30 days.

The social security numbers of non-household members, such as live-in aids, must be verified for the purpose of conducting criminal background checks.

Names on verifications of Legal Identity and Social Security Number must match.

### **7-II.C. FAMILY RELATIONSHIPS**

Applicants and program participants are required to identify the relationship of each household member to the head of household. If an applicant list themselves as married and no not list a spouse, they will still be required to submit a separation or divorce degree. Definitions of the primary household relationships are provided in the Eligibility chapter.

#### SNRHA Policy

Other family relationships will be verified through birth certificates or other relevant documents.



## **Marriage**

### SNRHA Policy

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

## **Separation or Divorce**

### SNRHA Policy

The SNRHA will require the family to document the divorce, or separation.

A certified copy of a divorce decree, signed by a court officer, is required to document that a couple is divorced.

A copy of a court-ordered maintenance or other court record is required to document a separation.

## **Absence of Adult Member**

### SNRHA Policy

The SNRHA will consider any of the following as

verification: Husband or wife institutes divorce action

Husband or wife institutes legal separation.

Order of protection/restraining order obtained by one family member against another.

If an applicant list themselves as married, but does not list a spouse name, they will still be required to provide a separation document or divorce decree.

If no such documentation is available, the applicant may complete SNRHA's Marital Separation form, which will required above documentation to be provided within 365 days of the date the form is submitted.

## **Foster Children and Foster Adults**

### SNRHA Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

## **7-II.D. DOCUMENTATION OF AGE**

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.





### SNRHA Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, the SNRHA will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

## **7-II.E. VERIFICATION OF STUDENT**

### **STATUS General Requirements**

#### SNRHA Policy

The SNRHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family reports full-time student status for an adult other than the head, spouse, or co-head.

The family reports child care expenses to enable a family member to further his or her education.

The family includes a student enrolled in an *institution of higher education*.

The family claims an income exclusion because the student is receiving earned income and only the first \$480 is included as income.

### **Restrictions on Assistance to Students Enrolled in Institutions of Higher Education**

This section applies only to students who are seeking assistance on their own, separately from their parents. It does not apply to students residing with parents who are seeking or receiving PH assistance.

#### SNRHA Policy

In accordance with the verification hierarchy described in Section 6-1.B, the SNRHA will determine whether the student is exempt from the restrictions in 24 CFR 5.612 by verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see Section Exhibit 3-2).

The student is at least 24 years old.

The student is a veteran, as defined in Chapter 2

The student is married.

The student has at least one dependent child, as defined in Section 2.

If the SNRHA cannot verify at least one of these exemption criteria, the SNRHA will conclude that the student is subject to the restrictions on assistance at 24 CFR 5.612.



In addition to verifying the student's income eligibility, the SNRHA will then proceed to verify either the student's parents' income eligibility or the student's independence from his/her parents (see below).

### ***Independent Student***

#### **SNRHA Policy**

The SNRHA will verify a student's independence from his/her parents to determine that the student's parents' income is not relevant for determining the student's eligibility by doing all of the following:

Either reviewing and verifying previous address information to determine whether the student has established a household separate from his/her parents for at least one year or reviewing and verifying documentation relevant to determining whether the student meets the U.S. Department of Education's definition of *independent student*.

Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent

Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0.

### **7-II.F. DOCUMENTATION OF DISABILITY**

The SNRHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income. The SNRHA is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. The SNRHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If the SNRHA receives a verification document that provides such information, the PHA will not place this information in the tenant file. Under no circumstances will the PHA request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at [www.os.dhhs.gov](http://www.os.dhhs.gov).

The above cited regulation does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance



### **Family Members Receiving SSA Disability Benefits**

Verification of the receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income disallowances and deductions.

#### SNRHA Policy

For family members claiming disability who receive disability benefits from the SSA, the SNRHA will attempt to obtain information about disability benefits through the HUD Enterprise Income Verification (EIV) system when it is available. If documentation from HUD's EIV System is not available, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member claiming disability status. If the family is unable to provide the document(s), the SNRHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant or participant receives the benefit verification letter they will be required to provide it to the SNRHA.

### **Family Members Not Receiving SSA Disability Benefits**

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.603.

#### SNRHA Policy

For family members claiming disability who do not receive disability benefits from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

## **PART III: VERIFYING INCOME AND ASSETS**

Chapter 5, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This part provides SNRHA policies that supplement the general verification procedures specified in Part I of this chapter.

### **7-III.A. EARNED**

#### **INCOME Wages**

##### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV with two consecutive current paystubs for annuals and for New Hires.
2. Acceptable 3<sup>rd</sup> Party written verification provided by the resident.



- 3 Third party written verification  
Employment verification form completed by the employer
4. Oral third party -must document why other steps above where not available
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.
7. Current check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Tips**

#### SNRHA Policy

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year. Interruption of employment due to temporary leave of absence (i.e. maternity leave, short-term disability): upon verification that earnings have stopped, an interim will be conducted to remove the income. The family may be required to complete a Zero Income Questionnaire/Certification.

The family is required to report any other income received in lieu of earnings. The family will be required to report when the income starts again. At that time an interim will be conducted to add the income back into the family budget.

### **7-III.B. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS Social Security/SSI Benefits**

#### SNRHA Policy

To verify the SS/SSI benefits of applicants, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant has received the benefit verification letter they will be required to provide it to the SNRHA.

To verify the SS/SSI benefits of participants, the SNRHA will obtain information about social security/SSI benefits through the HUD EIV System or the Tenant Assessment Subsystem (TASS). If benefit information is not available in HUD systems, the SNRHA will request a current SSA benefit verification letter from each



family member that receives social security benefits. If the family is unable to provide the document(s) the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the participant has received the benefit verification letter they will be required to provide it to the SNRHA.

### **7-III. C. ASSETS AND INCOME FROM**

#### **ASSETS**

##### **Assets Disposed of for Less than Fair Market**

##### **Value**

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. The SNRHA needs to verify only those certifications that warrant documentation.

##### SNRHA Policy

The SNRHA will verify the value of assets disposed of only if:

- The SNRHA does not already have a reasonable estimation of its value from previously collected information, or
- The amount reported by the family in the certification appears obviously in error. Example 1: An elderly participant reported a \$10,000 certificate of deposit at the last annual reexamination and the SNRHA verified this amount. Now the person reports that she has given this \$10,000 to her son. The SNRHA has a reasonable estimate of the value of the asset; therefore, re-verification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately \$5,000. Based upon market conditions, this declaration does not seem realistic. Therefore, the SNRHA will verify the value of this asset.

### **7-III.D. NET INCOME FROM RENTAL PROPERTY**

##### SNRHA Policy

The family must provide:

A current executed lease for the property that shows the rental amount or certification from the current tenant.

A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income). If schedule E was not prepared, the SNRHA will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and



may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

### **7-III.E. RETIREMENT ACCOUNTS**

#### SNRHA Policy

When third-party verification is not available the type of original document that will be accepted depends upon the family member's retirement status.

*Before* retirement, the SNRHA will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 6 months from the effective date of the examination.

*Upon* retirement, the SNRHA will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.

*After* retirement, the SNRHA will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

### **7-III.F. INCOME FROM EXCLUDED SOURCES**

The SNRHA must obtain verification for income exclusions only if, without verification, the SNRHA would not be able to determine whether the income is to be excluded. For example: If a family's 16 year old has a job at a fast food restaurant, the SNRHA will confirm that SNRHA records verify the child's age but will not send a verification request to the restaurant. However, if a family claims the earned income disallowance for a source of income, both the source and the income must be verified.

#### SNRHA Policy

The SNRHA will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share (as is the case with the earned income disallowance). In all other cases, including food stamps, the SNRHA will report the amount to be excluded as indicated on documents provided by the family, including the family's written certification.

### **7-III.G. ZERO/EXTREMELY LOW ANNUAL INCOME STATUS**

#### SNRHA Policy

Families claiming to have no annual income will be required to execute verification forms to determine that certain forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household. Zero income households will be interviewed at least once every 180 days.



## **PART IV: VERIFYING MANDATORY DEDUCTIONS**

### **7-IV.A. DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS**

The dependent and elderly/disabled family deductions require only that the PHA verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

#### **Dependent Deduction**

See Chapter 6 for a full discussion of this deduction. The SNRHA must verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or co-head of the family and is not a foster child
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student

#### **Elderly/Disabled Family Deduction**

See Eligibility chapter for a definition of elderly and disabled families and Chapter 5 for a discussion of the deduction. The SNRHA must verify that the head, spouse, or co-head is 62 years of age or older or a person with disabilities.

### **7-IV.B. MEDICAL EXPENSE DEDUCTION**

Policies related to medical expenses are found in Chapter 6.

#### **Amount of Expense**

##### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the medical provider requesting the needed information.

Medical expenses will be verified through:

Third-party verification form signed by the provider, when possible

If third-party is not possible, copies of cancelled checks used to make medical expense payments and/or printouts or receipts from the source will be used. (Credit card statements will not be allowed as verification of payment of medical expenses.) In this case the SNRHA will make a best effort to determine what expenses from the past are likely to continue to occur in the future. The SNRHA will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming 12 months.

In addition, the SNRHA must verify that:



- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

### **Eligible Household**

The medical expense deduction is permitted only for households in which the head, spouse, or co-head is at least 62, or a person with disabilities. The SNRHA must verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter of this plan.

### **Qualified Expenses**

To be eligible for the medical expenses deduction, the costs must qualify as medical expenses.

See Chapter 6 for the SNRHA policy on what counts as a medical expense.

### **Unreimbursed Expenses**

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source.

### **Expenses Incurred in Past Years**

#### SNRHA Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, the SNRHA will verify:

The anticipated repayment schedule

The amounts paid in the past, and

Whether the amounts to be repaid have been deducted from the family's annual income in past years

## **7-IV.C. DISABILITY ASSISTANCE EXPENSES**

Policies related to disability assistance expenses are found in Chapter 6.

### **Amount of Expense**

#### ***Attendant Care***

#### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:





Third-party verification form signed by the provider, when possible.

If third-party is not possible, copies of cancelled checks used to make attendant care payments and/or receipts from care source. (Credit card statements will not be allowed as verification of payment of medical expenses.)

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 months.

### ***Auxiliary Apparatus***

#### **SNRHA Policy**

Expenses for auxiliary apparatus will be verified through:

Third-party verification of anticipated purchase costs of auxiliary apparatus. If third-party is not possible, billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months.

If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months

In addition, the SNRHA must verify that:

The family member for whom the expense is incurred is a person with disabilities

The expense permits a family member, or members, to work (see Chapter 5). The expense is not reimbursed from another source (see Chapter 5).

The expense does not exceed the amount of the earned income of the individual freed for work.

### ***Family Member is a Person with Disabilities***

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. The SNRHA will verify that the expense is incurred for a person with disabilities.

### ***Family Member(s) Permitted to Work***

The SNRHA must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.

#### **SNRHA Policy**

The SNRHA will seek third-party verification from a Rehabilitation Agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work.



If third-party and document review verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work.

### **Unreimbursed Expenses**

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

An attendant care provider will be asked to certify that, to the best of the provider's knowledge, the expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

### **7-IV.D. CHILD CARE EXPENSES**

The SNRHA must verify that:

- The child is eligible for care.
- The costs claimed are not reimbursed.
- The costs enable a family member to pursue an eligible activity.
- The costs are for an allowable type of childcare.
- The costs are reasonable if seeking employment or furthering education.

#### **Eligible Child**

To be eligible for the childcare deduction, the costs must be incurred for the care of a child under the age of 13. The SNRHA will verify that the child being cared for (including foster children) is under the age of 13.

#### **Unreimbursed Expense**

To be eligible for the childcare deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The childcare provider will be asked to certify that, to the best of the provider's knowledge, the childcare expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that the childcare expenses are not paid by or reimbursed to the family from any source.

The SNRHA must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

#### ***Information to be Gathered***



The SNRHA will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### ***Seeking Work***

Whenever possible the SNRHA will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases the SNRHA will request verification from the agency of the member's job seeking efforts to date and require the family to submit to the SNRHA any reports provided to the other agency.

In the event third-party verification is not available, the SNRHA will provide the family with a form on which the family member must record job search efforts. The SNRHA will review this information at each subsequent reexamination for which this deduction is claimed.

### ***Furthering Education***

The SNRHA will ask that the academic or vocational educational institution verify that the person permitted to further his or her education by the childcare is enrolled and provide information about the timing of classes for which the person is registered.

### ***Gainful Employment***

The SNRHA will seek verification from the employer of the work schedule of the person who is permitted to work by the childcare. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified.

## **Allowable Type of Child Care**

The type of care to be provided is determined by the family.

### **SNRHA Policy**

The SNRHA will verify that the type of childcare selected by the family is allowable, as described in Chapter 6.

The SNRHA will verify that the fees paid to the childcare provider cover only childcare costs (e.g., no housekeeping services or personal services) and are paid only for the care of an eligible child (e.g., prorated costs if some of the care is provided for ineligible family members).

The SNRHA will verify the childcare provider is not a family member residing in the household. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.



## **Reasonableness of Expenses**

Only reasonable childcare costs can be deducted for seeking employment or furthering education.

### SNRHA Policy

To verify that the childcare costs are reasonable, the actual costs the family incurs will be compared with the SNRHA's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable.

If the family presents a justification for costs that exceed typical costs in the area, the SNRHA will request additional documentation, as required, to support a determination that the higher cost is appropriate.

SNRHA will send out our childcare verification form when child care expenses are being verified. This form must be completed with all questions answered and returned by mail or fax. This form will be the only verification childcare form acceptable by our agency. Private childcare providers that do not have tax identification numbers must complete the section that requests their social security numbers or their INS number.

Written verification from the person who receives the payments is required. If the child care provider is licensed, the provider is required to provide their Employment Identification Number.

Verifications must specify the child care provider's business or individual name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Family's must certify as to whether any of those payments have been or will be paid or reimbursed by outside sources.



EXIITBIT 7-1: EXCERPT FROM HUD VERIFICATION

GUIDANCE NOTICE (PIII 2004-01, pp.11-14)

|                                     |                                                                                                                                               |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Upfront (UIV)</b>                | <b>Highest (Highly Recommended, highest level of third party verification)</b>                                                                |
| <b>Written 3<sup>rd</sup> Party</b> | <b>High (Mandatory if upfront income verification is not available or if UIV data differs substantially from tenant-reported information)</b> |
| <b>Oral 3<sup>rd</sup> Party</b>    | <b>Medium (Mandatory if written third party verification is not available)</b>                                                                |
| <b>Document Review</b>              | <b>Medium-Low (Use on provisional basis)</b>                                                                                                  |
| <b>Tenant Declaration</b>           | <b>Low (Use as a last resort)</b>                                                                                                             |

| Income Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Upfront                                                                                                                                                             | Written Third                                                                                                                                                                                                       | Oral Third Party                                                                                                                                                                                                       | Document Review                                                                                                                                                                                                                                                                                                                                                                                                  | Tenant Declaration                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 5)                                                                                                                                                           | (LEVEL 4)                                                                                                                                                                                                           | (LEVEL 3)                                                                                                                                                                                                              | (LEVEL 2)                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 1)                                                                                                                                                                                                                                         |
| Wages/Salaries                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Use of computer matching agreements with a State Wage Information Collection Agency (SWICA) to obtain wage information electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the independent sources to obtain wage information.                                                                                                | In the event the independent source does not respond to the PHA's written request for information, the PHA may contact the independent source by phone or make an in person visit to obtain the requested information. | When neither form of third party verification can be obtained, the PHA may accept original documents such as consecutive pay stubs (HUD recommends the PHA review at least three months of pay stubs, if employed by the same employer for three months or more), W-2 forms, etc. from the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from earnings. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Agreements with private vendor agencies, such as The Work Number or ChoicePoint to obtain wage and salary information.                                              | The PHA may have the tenant sign a Request for Earnings Statement from the SSA to confirm past earnings. The PHA mails the form to SSA and the statement will be sent to the address the PHA specifies on the form. |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Use of HUD systems, when available.                                                                                                                                 |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
| <p><b>Verification of Employment Income:</b> The PHA should always obtain as much information as possible about the employment, such as start date (new employment), termination date (previous employment), pay frequency, pay rate, anticipated pay increases in the next twelve months, year-to-date earnings, bonuses, overtime, company name, address and telephone number, name and position of the person completing the employment verification form.</p> <p><b>Effective Date of Employment:</b> The PHA should always confirm start and termination dates of employment.</p> |                                                                                                                                                                     |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |



|                                                                                                                                                                                                                                                                                                    |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Self-Employment                                                                                                                                                                                                                                                                                    | Not Available                                                                                                                                           | The PHA mails or faxes a verification form directly to sources identified by the family to obtain income information.                                                                                                                         | The PHA may call the source to obtain income information.                                                                                                                                               | The PHA may accept any documents (i.e. tax returns, invoices and letters from customers) provided by the tenant to verify self-employment income. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not obtained. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from self-employment. <b>Note:</b> The PHA must document in the tenant file, the reason                 |
| <b>Verification of Self-Employment Income:</b> Typically, it is a challenge for PHAs to obtain third party verification of self-employment income. When third party verification is not available, the PHA should always request a notarized tenant declaration that includes a perjury statement. |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
| Social Security Benefits                                                                                                                                                                                                                                                                           | Use of HUD Tenant Assessment System (TASS) to obtain current benefit history and discrepancy reports.                                                   | The PHA mails or faxes a verification form directly to the local SSA office to obtain social security benefit information. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may call SSA, with the tenant on the line, to obtain current benefit amount. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may accept an original SSA Notice from the tenant. Note: The PHA must document in the tenant file, the reason third party verification was not available.                                                                                              | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly social security benefits. Note: The PHA must document in the tenant file, the reason third party verification was not available. |
| Welfare Benefits                                                                                                                                                                                                                                                                                   | Use of computer matching agreements with the local Social Services Agency to obtain current benefit amount electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the local Social Services Agency to obtain welfare benefit information.                                                                                                      | The PHA may call the local Social Services Agency to obtain current benefit amount.                                                                                                                     | The PHA may review an original award notice or printout from the local Social Services Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly welfare benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.  |



| Income Type           | Upfront<br><b>(LEVEL 5)</b>                                                                                                                                                                                     | Written Third<br><b>(LEVEL 4)</b>                                                                                                                                                             | Oral Third Party<br><b>(LEVEL 3)</b>                                                                                                          | Document Review<br><b>(LEVEL 2)</b>                                                                                                                                                                                                                                                                            | Tenant Declaration<br><b>(LEVEL 1)</b>                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Child Support         | Use of agreement with the local Child Support Enforcement Agency to obtain current child support amount and payment status electronically, by mail or fax or in person.                                         | The PHA mails, faxes, or e-mails a verification form directly to the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may call the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may review an original court order, notice or printout from the local Child Support Enforcement Agency provided by the tenant to verify current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
| Unemployment Benefits | Use of computer matching agreements with a State Wage Information Collection Agency to obtain unemployment compensation electronically, by mail or fax or in person.<br><br>Use of HUD systems, when available. | The PHA mails, faxes, or e-mails a verification form directly to the State Wage Information Collection Agency to obtain unemployment compensation information.                                | The PHA may call the State Wage Information Collection Agency to obtain current benefit amount.                                               | The PHA may review an original benefit notice or unemployment check stub, or printout from the local State Wage Information Collection Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares unemployment benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                           |
| Pensions              | Use of computer matching agreements with a Federal, State, or Local Government Agency to obtain pension information electronically, by mail or fax or in person.                                                | The PHA mails, faxes, or e-mails a verification form directly to the pension provider to obtain pension information.                                                                          | The PHA may call the pension provider to obtain current benefit amount.                                                                       | The PHA may review an original benefit notice from the pension provider provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                                                                                                  | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly pension amounts. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                         |



| <b>EXHIBIT 7-2: SUMMARY OF DOCUMENTATION REQUIREMENTS FOR NONCITIZENS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• All noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the PHA.</li> <li>• Except for persons 62 or older, all noncitizens must sign a verification consent form</li> <li>• Additional documents are required based upon the person's status.</li> </ul>                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>Elderly Noncitizens</b></p> <ul style="list-style-type: none"> <li>• A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits.</li> </ul>                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>All other Noncitizens</b></p> <ul style="list-style-type: none"> <li>• Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below.</li> </ul>                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Form I-551 Alien Registration Receipt Card (for permanent resident aliens)</li> <li>• Form I-94 Arrival-Departure Record annotated with one of the following:               <ul style="list-style-type: none"> <li>• “Admitted as a Refugee Pursuant to Section 207”</li> <li>• “Section 208” or “Asylum”</li> <li>• “Section 243(h)” or “Deportation stayed by Attorney General”</li> <li>• “Paroled Pursuant to Section 221 (d)(5) of the USCIS”</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Form I-94 Arrival-Departure Record with no annotation accompanied by:               <ul style="list-style-type: none"> <li>• A final court decision granting asylum (but only if no appeal is taken);</li> <li>• A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90);</li> <li>• A court decision granting withholding of deportation; or</li> <li>• A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).</li> </ul> </li> </ul> |
| <ul style="list-style-type: none"> <li>• Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>• Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

- A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or
- Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the *Federal Register*.



## **Chapter 8**

### **TRANSFER POLICY**

#### **INTRODUCTION**

It is the policy of the SNRHA to permit resident transfers, within and/or between SNRHA public housing communities for the following limited reasons:

- To abate dangerous and/or substandard living conditions;
- To abate emergency life-threatening living conditions caused by third-party criminal activity;
- To accommodate verified physical conditions caused by long-term illness and/or disability;
- To accommodate resident families that are determined to be over- or under-housed by virtue of their family size; and
- To promote homeownership, transfer of families to scattered sites
- To accommodate relocation due to modernization work, community safety

Each transfer request will be evaluated on a case-by-case basis, taking into consideration:

- The documentation that substantiates the reason for the request;
- Whether or not the resident is in good standing with the SNRHA
- The availability of suitable alternative units.

SNRHA will not grant a transfer request solely to accommodate neighbors who "cannot get along."

Activities of residents that adversely affect the right of others to the peaceful enjoyment of their community will be treated as lease violations and may be considered cause for lease termination.

#### **A. ELIGIBILITY FOR TRANSFER**

In order to be determined eligible to receive a transfer, residents must submit the **requested** 3rd party documentation to SNRHA, to substantiate their request, and must be in good standing with the SNRHA.

The type of documentation that must be submitted will vary, depending on the nature of the request.

#### **Good Standing**

A resident will be considered in good standing if he or she and/or household members have not had:

- A history of delinquent rent payments, or
- A history of community disturbance and/or unit destruction.
- Maintain acceptable housekeeping standards
- Fulfilling community service requirements

**Transfer List**

Resident families who are determined eligible to receive a transfer will be placed on a transfer waiting list in accordance with the date of transfer approval and reason for their transfer request. SNRHA will implement transfers in the priority order listed in the following table.

Inappropriately housed resident families who are determined eligible to receive a transfer will be placed on the transfer waiting list at the time of annual certification.

**Priority of Transfers**

Approved transfers shall be accomplished in the following priority order:

| Type of Transfer                         | When executed                                                                | Transfer will be within the housing development:                                           | Ratio                                       | Initiated by                                                     |
|------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------------|
| <b>Emergency</b>                         | Within 24 hours of documentation, verification & approval                    | Unless emergency transfer cannot be accomplished in this manner.                           | Not applicable                              | SNRHA or written family request                                  |
| <b>Medical and accessibility</b>         | Within 30 days of documentation, verification & approval                     | Unless appropriate unit meeting the family’s needs is not available within the development | Not applicable                              | Written family request                                           |
| <b>Under housed (Overcrowded)</b>        | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Over housed</b>                       | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Under housed with family’s waiver</b> | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA, not less than one year from the date of initial occupancy |

|                                                                                                                  |                                                                                                               |                                                                         |                                             |                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Higher income family moving to a lower income development</b>                                                 | Next available scattered site home or development of the family's choice                                      | Not applicable                                                          | 1 transfer for every <b>20</b> new move-ins | At written request of family                                                                                       |
| <b>Scattered Site SNRHA Site</b>                                                                                 | Next available scattered site unit when family name reaches the top after certification of eligibility        | All available SS units                                                  | Not applicable                              | SNRHA, not less than <b>two</b> years from the date of initial occupancy <b>and must meet suitability criteria</b> |
| <b>Designated Senior Developments</b>                                                                            | Transfers from Studio to One bedroom unit when family name reaches the top after certification of eligibility | Unless type of unit does not exist within that development's inventory. | 1 transfer for <b>2</b> new move-ins.       | SNRHA, not less than one year from the date of initial occupancy                                                   |
| <b>Newly Modernized Units</b>                                                                                    | Next available unit when family name reaches the top after certification of eligibility                       | Not applicable                                                          | Not applicable                              | SNRHA on effective date of annual recert                                                                           |
| <b><u>Administrative Reasons determined by the PHA (e.g. to permit modernization work, community safety)</u></b> | Within 30 days of Notification                                                                                | Unless type of unit does not exist within that development's inventory. | Not Applicable                              | SNRHA                                                                                                              |

**B. EMERGENCY TRANSFERS**

Emergency transfers will be implemented by the SNRHA to remove a resident family from life-threatening and/or hazardous living conditions caused by third-party criminal activity and/or unit damage. **Good standing criteria does not apply in the case of emergency transfers.**

**Residents will be required to become complaint with all lease provisions upon completion of the Emergency Transfer to the new unit.**

**Emergency Transfers due to Third Party Criminal Activity**

SNRHA will consider transfer requests from resident families who have been victims of life-threatening criminal activity committed by third parties or who have witnessed serious criminal activity and agreed to testify on behalf of the State at a criminal proceeding.

Families who request a unit transfer due to third-party criminal activity may be required to submit verifiable documentation evidencing one or all of the following:

- Police reports and/or police statements detailing the incident in question
- Eyewitness statements describing the incident in question
- Confirmatory letters from the Victim Witness Protection Unit, Rape Crisis Center or similarly recognized entity
- Medical reports from a licensed health care provider
- Subpoena or other written contacts from the Clark County District Attorney or U.S. Attorney

The SNRHA will require residents who are victims of domestic violence to certify their victim status and the names of their abusers. Third-party verification must be provided by victim service providers, medical professionals, or attorney who have counseled the victim and can verify their status as a domestic violence victim.

All documentation submitted shall remain confidential and shall be reviewed and evaluated by the Director of Operations only. Transfer requests due to third-party criminal activity shall be evaluated on a case-by-case basis, by consideration of the following criteria:

- The availability of a suitable alternative unit
- The documentation describing/verifying the incident
- The severity of the incident

**Notification:** If approved, the family will be notified that:

- A unit has been designated;
- They must execute a new lease and move within five (5 days) of receipt of the notice, and
- If they refuse to accept the unit, they must execute a waiver of their emergency transfer request.

**Emergency Transfers Initiated or Confirmed by Law Enforcement**

If the emergency transfer request is initiated or confirmed by authorized law enforcement officials, the SNRHA may take the following action to maintain the confidentiality of the request and subsequent transfer:

- By-passing the regular transfer occupancy function and/or staff;
- Maintaining the resident family's file separate from other resident files; and
- Concealing and/or changing the identity of the resident family's file.

### **Emergency Transfers due to Hazardous Unit Conditions**

A transfer due to hazardous unit conditions is mandatory. It may be initiated at any time by the SNRHA or the resident family or both, after detection of a unit condition that poses a threat to the health and safety of the resident family. A hazardous unit condition is one that arises from:

- Substantial fire damage;
- Life-threatening fungus as determined by a Clark County Health District Official and/or a licensed hazardous waste consultant;
- Exposed electrical wiring;
- Defective ventilation;
- Inadequate plumbing, heating and/or cooling that will require long-term repair;
- Other serious conditions identified by the SNRHA Maintenance Department that require long-term repair.

**Notification:** If at least one of the foregoing conditions is found to exist, the SNRHA shall immediately notify the resident family or families affected and advise them, in writing, as follows:

- A unit has been designated;
- They will be required to move and sign a new lease no later than five (5) days from the date they receive the notice;
- If the hazardous condition was caused by the family, the family shall bear the cost of repair and moving.
  - If the family is unable to move due to financial reasons, SNRHA shall contract with a third party entity to move the family and shall bill the family for said costs, no later than the date on which the repair bills are submitted to them.
  - If the resident family refuses to move or otherwise fails to pay the repair and/or moving costs, SNRHA will initiate eviction proceedings against the family
- If the hazardous condition was not caused by the family, the SNRHA will bear all repairs and documented moving costs incurred by the family.

### **C. TRANSFERS DUE TO ILLNESS AND/OR DISABILITY**

Unit transfers will be implemented by SNRHA to accommodate the accessibility needs of residents and/or their household members, arising from long-term illness or disability.

Accessibility needs are those that require one or all of the following:

- A first floor and/or single story dwelling;
- Widened hallways and/or lowered cabinets;
- Roll-in shower facilities
- Flashing-light-censored smoke detectors
- Central air conditioning and heat

### **Documentation**

Families who request a transfer due to illness and/or disability may be required to submit recent verifiable documentation from a health care provider or social service entity that confirms the impairment and the accessibility needs.

**Notification**

Upon a determination that the family's request for a transfer due to illness or disability has been approved, the SNRHA shall send the resident a thirty (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty (30) day period has passed:

A unit to which the family may transfer will be designated at such time as it becomes available;

They will be required to enter into a new lease for the transfer unit;

That if they refuse to move into the unit, they must sign a waiver of the transfer request.

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

**D. TRANSFERS TO ACCOMMODATE FAMILIES THAT ARE OVER- OR UNDER-HOUSED.**

Unit transfers will be implemented by SNRHA to accommodate resident families that are determined to be over-housed or under-housed **by virtue of their family size based on the general occupancy standards.** These transfers may be initiated by the SNRHA or the resident or both. A family may request an exception to the general occupancy standards. The SNRHA will evaluate the relationship and ages of all family members and the overall size of the unit. If approved, the family must agree to remain in the approved unit for one year.

**Notification**

Upon a determination that the family is approved to move into a unit of a different size, the SNRHA shall send the resident a thirty- (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty- (30) day period has passed:

A unit to which the family must transfer may be designated;

They will be required to move into that unit in accordance with the terms of their lease;

They will be required to enter into a new lease for the transfer unit;

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

### **Resident Refusal of the Transfer Unit**

The resident may decline the transfer unit for good and reasonable cause. Such cause shall be considered sufficient if:

The unit does not provide adequate accessibility, or

The unit will not have the required effect of accommodating the family size.

The Director of Operations shall determine if the unit refusal is for good cause. If the resident declines the unit without good cause, the SNRHA shall assign the unit to another family and void the request for transfer if generated by the family.

If the resident refuses the transfer unit when the reason for the transfer is an emergency, under/over housed or abatement, a 30-day notice will be issued. The unit will be reassigned and the transfer will be voided.

### **Transfer Procedures**

The Development Manager and resident will participate in a pre-transfer inspection to determine damages prior to transfer and the charges made part of the new lease.

The resident and SNRHA shall enter into a new lease agreement for the transfer unit.

### **Security Deposits**

1. Families transferring to another development must have paid the security deposit in full at the sending development.
2. SNRHA will charge the families for any damages to the previous unit.
3. Security deposits will be refunded to the resident under the terms of the lease for the

- previous unit. The resident must deposit with the SNRHA a security deposit on the new unit consistent with the security deposit policy in effect at the time of the transfer.
4. Refer to Security Deposit Chapter for additional details.
  5. Move-out charges will be posted to the new unit. The office of the receiving development is responsible for collecting any maintenance charges due SNRHA.

## **E. GENERAL CONDITIONS GOVERNING TRANSFERS**

### **Discrimination Prohibited**

Transfer requests shall be processed, evaluated, initiated and/or determined without regard to race, color, religion, gender, creed or national origin. Transfer requests based on household composition and/or illness disability must consider family size and disability.

### **Cleaning and/or Repair Charges**

All transfers are subject to charges for cleaning or repair work performed by the maintenance staff on the vacated unit. All charges will be assessed after an inspection is completed by the resident and the housing manager. **Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement.**

### **Rent Adjustments for Transferred Residents**

No rent adjustment will be made, except for utility allowance, until the next scheduled certification.

### **Reexamination Date**

The date of the transfer changes the reexamination date according to the block system of the gaining development, unless the annual reexamination period would exceed twelve months since the family's last annual reexamination.

The losing development will send the family's file to the gaining development once they have been notified that the family has accepted the unit, before the family is leased up. The gaining development will not attempt to lease up a family without possession of the family's file.

### **SNRHA Incentives for Higher Income Families Transferring Into Lower Income Developments**

The SNRHA will offer certain incentives to higher income families (**Household Income at or above 60% of AMI**) willing to move into lower income projects. If a higher income family agrees to move to a SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family's choice. The move will be approved according to the Occupancy Guidelines only if the family has consistently been in lease compliance for two years following admission.

SNRHA will target homeownership opportunities to higher income families moving into lower income projects.



## **Processing In and Out of Developments**

### **Gaining Developments**

Transfers from other developments will be processed in the same manner as move-ins, including a new lease and applicable security deposit.

The resident transferring between public housing projects does not have to meet the admission requirements pertaining to income or preference.

### **Residents Failure to Transfer Units**

In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, **both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from.**

### **COST OF TRANSFERS**

Residents shall bear the cost of transfers to correct occupancy standards, resident requested transfers, incentive transfers, and other voluntary transfers.

SNRHA will bear the reasonable cost of transfers SNRHA requests for demolition, disposition, rehabilitation, building system failures, or emergency conditions due to no fault of the tenant. SNRHA will bear the reasonable cost of transfers needed as a reasonable accommodation for residents with disabilities, **in accordance with SNRHA Reasonable Accommodation Policy and Procedures.** The reasonable cost of transfers includes not just the cost of packing, moving, and unloading, but also the cost of connecting and reconnecting any existing resident-paid services such as telephone and cable.

## **Resident Selection Criteria For Otto Merida Family Apartments**

**The following criteria will be utilized to select from current residents residing in other Public Housing communities for the Project:**

1. Must have a favorable rental payment history. A resident will be considered to have a favorable rental payment history if there have been two or less delinquent rent payments in the previous twelve months.
2. Must be in good standing with SNRHA and in compliance with all terms and conditions of the resident's existing Lease.
3. Resident must be currently employed or enrolled in the Family Self Sufficiency Program and must have accomplished one or more established goals within the Program. SNRHA will provide the Manager with a list of residents wishing to transfer to the Project and the Manager will determine and certify the eligibility of the resident, and the resident will be notified of the determination. Transfer requests will be processed on a first come, first serve basis.

### **Income Tiering**

In addition to the above selection criteria, SNRHA will institute an income-tiering system in allocating units within the Project. The units will be divided into three income tiers, which will be distributed equally across the development and by unit types. The income tiers will be as follows:

- **Low Tier:** Less than 20% of the HUD Area Median Income (AMI) for a Family of Four (or \$11,819 in 2005) 20 units;
- **Middle Tier:** Greater than 20% AMI and Less than 30% AMI for a Family of Four (or \$17,730 in 2005) 20 units; and
- **High Tier:** Greater than 30% AMI and Less than 60% AMI maximum tax credit income Level (or \$35,460 in 2005 for a Family of Four) 20 units.

Transfer requests from current SNRHA residents who meet the initial resident selection criteria noted above will be placed in one of the three income tiers, or disqualified by the Manager if the applicants' income is above the 60% AMI tax credit limit or do not meet the LIHTC eligibility.

After the initial inquiry is made of existing public housing residents, public housing residents may apply for transfer to the Project at the time of their annual certification by completing an application for the Honolulu Street Apartments.

### **Public Housing Waiting List**

In the event there are no current public housing residents within the appropriate income tiers as indicated above who wish to transfer to the Project, Project vacancies will be filled from

**Southern Nevada Regional Housing Authority**

SNRHA's Public Housing certified waiting list utilizing current preferences and screening criteria in accordance with SNRHA's ACOP and the screening criteria described above.

Employment income is a current SNRHA waiting list preference.

In the event there are no eligible applicants on the current Public Housing certified waiting list within the three income tiers, outreach will be conducted to the general public as provided in the Marketing Policy.



## **Chapter 9 LEASING**

[24 CFR 966.4]

### **INTRODUCTION**

It is the SNRHA's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This chapter describes pre-leasing activities and the SNRHA's policies pertaining to lease execution, security deposits, other charges, and additions to the lease.

### **A. LEASE ORIENTATION**

In conjunction with execution of the lease, all adult family members must attend a new resident orientation within 90 days of move-in.

Residents with disabilities may request a reasonable accommodation.

### **Orientation Agenda**

When families attend the lease orientation, they will be provided with:

- A sample copy of the lease
- A copy of the grievance procedure
- A copy of the house rules
- Supportive services information, including FSS
- Emergency maintenance policy
- Community Service requirements and policy
- Pet policy
- Trespass policy
- Bed Bug Addendum
- Housekeeping Standard
- Other Lease addendums

Topics to be discussed will include, but are not limited to:

- Applicable deposits and other charges
- Maintenance charges
- Provisions of the lease
- Unit maintenance and work orders
- Terms of occupancy
- Rent choice/Flat rent/income based/seasonal employment

SNRHA shall ensure additional efforts are made to ensure full program accessibility to persons with Limited English Proficiency, including notifying organizations that provides services to low-income families whose primary language is Spanish, as outlined in SNRHA's Limited English Proficiency Plan.



## **B. LEASE REQUIREMENTS**

The initial term of the lease will be for 12 months. The lease will renew automatically for 12-month terms with the following exception:

- SNRHA will not renew the lease if the family has violated the community service requirement (24 CFR 966.4).
- Due to the community service requirement, the lease does not automatically renew for terms of 12 months. An annual signing process, the completion of recertification, is required.
- The lease further provides for termination and eviction at the end of any 12-month lease term for non-compliance with the community service requirements at 24 CFR Part 960, Subpart F and Chapter 15 of this Admissions and Continued Occupancy Policy.

## **C. EXECUTION OF LEASE**

The lease shall be executed by the head of household, spouse or co-head; and by an authorized representative of SNRHA, prior to admission.

The head or co-head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head or co-head.

An appointment will be scheduled for the parties to execute the lease. One executed copy of the lease will be given to the tenant, and the SNRHA will retain the original in the tenant's file. The lease is incorporated into this policy by reference. The lease document will reflect current SNRHA policies as well as applicable Federal, State and local law. The following provisions govern lease execution and amendments:

- A lease is executed at the time of admission for all new tenants.
- A new lease is executed at the time of the transfer of a tenant from one SNRHA unit to another
- If, for any reason, the head or co-head of household of the lease cease to be a member of the household, a new lease will be executed with the remaining members, so long as they meet the program requirements.
- Lease signers must be persons legally eligible to execute contracts.
- The names, relationship to head, date of birth, and social security number of all household members are listed on the lease at initial occupancy and on the Application for Continued Occupancy (need to determine name of form to be used) each subsequent year. Only those persons listed on the most recent certification shall be permitted to occupy a dwelling unit.
- Changes to tenant rents are made upon the preparation and execution of an addendum to the lease which reflects any change in household composition or rent. Documentation will be included in the tenant file to support proper notice.



- Households that include a live-in aide are required to execute a live in aide agreement authorizing the arrangement and describing the status of the aide.
- Households that include a live-in aide will contain file documentation that the live-in aide is not a party to the lease and is not entitled to SNRHA assistance, with the exception of occupancy while serving as the aide for the participant family member.

The SNRHA may modify its form of lease from time to time, giving tenants an opportunity to comment on proposed changes and advance notice of the implementation of any changes. A tenant's refusal to accept permissible and reasonable lease modifications, or those modifications required by HUD, is grounds for termination of tenancy.

#### **D. ADDITIONS TO THE LEASE**

Only those persons listed on the most recent certification form and lease shall be permitted to occupy a dwelling unit<sup>1</sup>.

All persons listed on the most recent certification form and the lease must use the dwelling unit as their sole residence.

Requests for the addition of a new member of the household must be approved by the SNRHA, prior to the actual move-in by the proposed new member.

Following receipt of a family's request for approval, the SNRHA will conduct a pre-admission screening, including the Criminal History Report, of the proposed new adult member. Only new members approved by the SNRHA will be added to the household.

Family members over the age of 18 who move from the dwelling unit to establish new households shall be removed from the lease. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list. Exceptions will be made by the approval of the Director of Operations or designee.

Minors being added to the household by other than birth or legal adoption or court – awarded custody must be verified by court action. Temporary guardianship will be considered as a court action. All temporary guardianship will be renewed and verified every six months.

#### **Factors Determining Household Additions**

Household additions subject to screening:

- Resident plans to marry;
- Resident desires to add a new adult family member to the lease or employ a live-in aide.



- A unit is occupied by a remaining family member(s) under age 18 (not an emancipated minor) and an adult who was not a member of the original household requests permission to take over as the head of household. Guardianship and/or custody of the remaining family member(s) under 18 must be obtained by the adult who was not a member of the original household. The family will have 90 days to obtain all documentation. If the adult is unable to provide appropriate documentation regarding the remaining minor, children and/or fails to comply with all screening requirements they are ineligible to occupy the unit at the expiration of the 90 days.

Factors determining household additions that are not subject to screening:

Children born to a family member or whom a family member legally adopts are exempt from the pre-screening process.

Children for whom the family receives court-awarded custody

Persons under the age of 18 years

Foster Children proposed to live in the unit

In cases where the addition of a new member who has not been born, married, awarded legal custody or guardianship, or legally adopted into the family, and the addition will affect the bedroom size required by the family, according to the SNRHA occupancy standards, the SNRHA will not approve the addition. An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody.

Residents who fail to notify the SNRHA of additions to the household, or who permit persons to join the household without undergoing screening, are in violation of the lease. Such persons are considered to be unauthorized occupants by the SNRHA, and the entire household will be subject to eviction [24 CFR 966.4(f) (3)].

Family members age 18 and over, other than spouse, who move from the dwelling unit shall be removed from the lease. The tenant must notify the SNRHA of the move-out within 10 calendar days of its occurrence. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list.

The SNRHA in making determinations under this paragraph will consider medical hardship or other extenuating circumstances.



## **Visitors**

1. The resident may not allow visitors to stay overnight more than fourteen (14) consecutive days nor more than 30 calendar days in a twelve month period without prior written approval of management.
2. Visitors who remain beyond this period shall be considered unauthorized, and their presence constitutes a breach of the lease.
3. If an individual other than a leaseholder is representing to an outside agency that they are residing in the lessee's unit, the person will be considered an unauthorized member of the household.
4. Roomers and lodgers are not permitted to occupy a dwelling unit, nor are they permitted to move in with any family occupying a dwelling unit. Advertisements for roomers or lodgers shall be considered a violation of the lease by virtue of intent to sub lease portions of the assisted unit.
5. Residents are not permitted to allow a former tenant of the SNRHA who has been evicted to occupy their unit for any period of time.
6. Medical hardship or other extenuating circumstances shall be considered by SNRHA in making determinations under this area. Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Property Manager.

## **Absences from the Unit**

Residents must advise the SNRHA when they will be absent from the unit for more than **30** consecutive days and provide a means for the SNRHA to contact the resident in the event of an emergency. Failure to advise the SNRHA in writing of extended absences is grounds for termination of the lease.

## **E. LEASING UNITS WITH ACCESSIBLE OR ADAPTABLE FEATURES**

[24 CFR 8.27(a) (1) (2) and (b)]

Before offering a vacant accessible unit to a non-disabled applicant or resident, the SNRHA will offer such units:

First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA's control, who has a disability that requires the special features of the vacant unit?





Second, to a current occupant of other public housing developments under the SNRHA's control who has a disability that requires the special features of the vacant unit?

Thirdly, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

Accessible units will be offered to and accepted by non-disabled applicants or residents only with the understanding that such applicants/resident must agree to relocate to a non-accessible unit at a later date if a person with a disability requiring the unit applies for housing and is determined eligible or there is an existing resident who require the features of the accessible unit.

The SNRHA will require a non-disabled applicant or resident to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant or resident. This requirement will be a provision of the lease agreement.

#### **F. UTILITY SERVICES**

Tenants responsible for direct payment of utilities must abide by any and all regulations of the specific utility company, including regulations pertaining to advance payments of deposits.

**If a resident is resident or applicant is unable to establish utility services due to a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See page 6-16.**

Failure to maintain utility services during tenancy is a lease violation and grounds for eviction. Non-payment of excess utility charge payments to the SNRHA is a violation of the lease and is grounds for eviction.

SNRHA may send utility reimbursement directly to the utility supplier without the consent of the family that is paying an income based rent. SNRHA will notify the family of the amount of any such direct payment to the utility supplier.

The lease will designate the appliances provided by SNRHA (i.e.: stove and refrigerator). The tenant is responsible for proper hook-up, safety and maintenance of any appliances they may provide (i.e.: dryers).

#### **G. SECURITY AND PET DEPOSITS**

##### **Security Deposit**

Tenant security deposits are required to minimize collection losses and encourage



residents to leave their apartments clean and in good condition when they vacate.

### **Security Deposit Amounts**

New tenants must pay a security deposit to the SNRHA at the time of leasing the unit.

The Security Deposits for Public Housing will be based on bedroom size as follows:

- Efficiency Unit: \$200.00
- One Bedroom Unit: \$200.00
- Two Bedroom Unit \$250.00
- Three Bedroom Unit \$300.00
- Four Bedroom Unit \$350.00
- Five Bedroom Unit \$400.00

Scattered Site units will be required to pay an additional \$100 deposit for lawn or yard maintenance for which they are responsible for under terms of their lease.

### **Transfer of Security Deposit**

If a resident transfers, the original security deposit may be refunded to the resident. The resident must then pay the required deposit for the new unit. The resident will be responsible for payment of any additional security deposits as outlined in this policy. The tenant will also be further billed for any maintenance or other charges beyond the security deposit.

The SNRHA may permit installment payments of security when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA. The Authority may allow for one-quarter of the required deposit at the time of admission and the remainder to be paid with additional equal payments for a three month period. The full deposit must be paid within 120 days of initial occupancy.

The Security Deposit will be returned, less any applicable charges, to the tenant after move-out, if the following conditions are met:

- There is no unpaid rent and/or charges for which the resident is liable under the lease or as a result of breaching the lease.
- The dwelling unit and all equipment are left clean, and all trash and debris have been removed by the family.
- There is no breakage or damage beyond that expected from normal wear and use.
- Tenant gave the required **30** calendar days advance written notice of intent to vacate and all keys issued have been returned to the management office when the family vacates the dwelling unit.

The Security Deposit may not be used to pay charges during the tenant's occupancy.



The SNRHA will hold the security deposit for the period the tenant occupies the unit. The SNRHA will refund the Security Deposit less any amounts owed, within 30 calendar days after move out and tenant's notification of new address. If no address is provided, the refund will be mailed to the last known address.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the security deposits. If the tenant disagrees with the amount charged to the security deposits, the SNRHA will provide a meeting to discuss the charges.

The resident must leave the dwelling unit in a clean and undamaged (beyond normal wear and tear) condition and must furnish a forwarding address to the SNRHA. All keys to the unit must be returned to the Management upon vacating the unit.

The SNRHA will not use the security deposit for payment of rent or other charges while the tenant is living in the unit.

The tenant will be billed for any maintenance or other charges. If the tenant family will be transferred from one public housing dwelling unit to another the SNRHA will conduct the required move-out inspection and determine what charges, if any, should be assessed to tenant's account. SNRHA will establish the security deposit for the new unit based upon the current security deposit policy and the family will be required to pay the balance/new deposit amount in effect at that time.

## **H. ADDITIONAL SECURITY DEPOSIT COLLECTION PROCEDURES**

Security Deposits are governed by the terms of the lease, 24CFR's and Nevada's Statutes. The SNRHA reserves the right to bill a resident's account additional charges if any of the situations below exist or take place within a resident's apartment. This money will be added to the resident's current security deposit. Such deposits may be collected for the following:

- 1) Unauthorized wallpapering.
- 2) Painting walls any color other than the original color upon move-in.
- 3) If the resident fails a housing inspection due to unsanitary housekeeping or excessive damage to the unit that is beyond normal wear and tear.
- 4) Evidence of pet damages (carpet stains, clawing, biting unit components, defecation interior or exterior, fleas, landscaping, lawn or property, fences or other visual damage).

If any of the above items are found within a household the resident will be immediately billed **per labor rates established according to the Maintenance Charge List and added into the tenant's security deposit funds.** The SNRHA has enacted this change to protect the interest of our housing stock and to reduce the billable charges due by the resident once they have moved out of SNRHA housing.



## **Pet Deposit**

### **DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |

ALL PET AGREEMENTS SIGNED WITH RESIDENTS OF SNRHA PRIOR TO THE ADOPTION OF THIS POLICY (03/01/2010) ARE NOT SUBJECT TO PAYING ADDITIONAL DEPOSIT AMOUNTS

RESIDENTS SIGNING PET POLICY AGREEMENTS FOLLOWING THE ADOPTION OF THIS POLICY WILL BE SUBJECT TO PAYING DEPOSITS FOR ANY NEW OR ADDITIONAL PETS.

Assistance Animals for persons with a disability are not subject to the pet deposit.

The SNRHA may permit installment payments of when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA.

The pet security deposit is to cover the cost of damages created by the pet. Tenant will be given a list of all such damages and the applicable charges that will be deducted from the pet deposit at the time the tenant vacates the unit or the pet is removed from the unit, whichever occurs first. Tenant will also be advised of their right to an informal meeting and/or grievance hearing should they dispute the charges. (See Chapter 10 for remainder of pet policy provisions.) The pet deposit will be returned to the tenant or the person designated by the former tenant, upon notification that the pet is no longer in the unit or in the event of the former tenant's incapacitation or death.

## **Interest**

SNRHA will not compute or pay any interest on any deposit.

## **I. RENT PAYMENTS**

See Chapter 13, Rent and Debt Collection Procedures.

## **J. FEES AND NONPAYMENT PENALTIES**

See Chapter 13, Rent and Debt Collection Procedures.



**K. SCHEDULES OF SPECIAL CHARGES**

Schedules of special charges for services, repairs, utilities and rules and regulations which are required to be incorporated into the lease by reference shall be publicly posted in a conspicuous manner in the community office, and they will be provided to the resident at the time of lease execution.

The SNRHA will assess residents a charge for tenant-caused damage to its Conventional housing facilities (i.e., dwelling unit and/or common areas). Where there is no specific cost listed for an item of work, the charge to the family will be based upon the SNRHA labor rate times (x) the hours of labor charged to the job plus (+) the actual cost of parts and materials that were used on the job. A Schedule of Charges will be maintained by the agency and periodically updated. A copy of this schedule will be posted in all management offices and shall be made available upon request. The SNRHA will not charge for any repairs that are necessitated by normal wear and tear; nor is there a charge for any scheduled periodic work, such as painting or extermination. However, if extermination is required on other than the pre-established scheduled basis and there is a determination that the extra extermination services are due to the negligence of the tenant family, the SNRHA reserves the right to charge for said service.

**L. MODIFICATIONS TO THE LEASE**

Schedules of special charges and rules and regulations are subject to modification or revision. Tenants will be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and they will be given an opportunity to present written comments. Comments will be taken into consideration before any proposed modifications or revisions become effective.

A copy of such notice shall be posted in the central office, each development office.

Any modifications of the lease must be accomplished by a written addendum to the lease and signed by parties, the resident(s) and the SNRHA.

**M. CANCELLATION OF THE LEASE**

Cancellation of the tenant's lease is to be in accordance with the provisions contained in the lease agreement and as stated in this policy.

**N. SMOKE FREE HOUSING**

In order to provide a healthier environment for our residents, the Board of Commissioners has adopted a Smoke Free Housing Policy. The purpose of this policy is to provide a healthier environment for our residents and eliminate the harmful effects of secondhand smoke, fire danger and damage to apartments due to smoke. Secondhand smoke is particularly dangerous to children and people with respiratory disease. It is the third leading cause of preventable death in the United States. In 2006, the US Surgeon General stated that there is no safe level of second hand smoke.



**Definition of Smoke/Smoking:**

The term “smoke” and “smoking” means inhaling, exhaling, breathing or carrying any lighted cigar, cigarette or other tobacco product on similar lighted product in any manner or in any form.

**Smoke-Free Apartments:**

The premises listed below have been designated as smoke-free living environments:

- **Lubertha Johnson Estates Senior Development**

**With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.**

Residents, **staff** and guests are prohibited from smoking on these properties owned and managed by SNRHA, including the apartment rented by the resident, the building in which the dwelling unit is located, and all common areas inside and outside the building up to 15 feet from each building and 50 feet from the buildings entry.

**The Southern Nevada Regional Housing Authority Not a Guarantor of Smoke-Free Environment**

The adoption of a smoke free living environment and the efforts to designate a property as smoke-free does not make SNRHA a guarantor of resident’s health or of the smoke free condition of the resident’s apartment and common areas. However, SNRHA shall take reasonable steps to enforce the smoke-free terms of its leases and to make the property smoke-free. SNRHA will post smoke free properties with “No Smoking” signs inside and outside the buildings and may, at its sole option, consider designating smoking areas at any or all of the properties.

**Smoking on the Property as a Lease Violation**

If a resident smells tobacco smoke anywhere in the building, they should report this to the office as soon as possible. Management will seek the source of the smoke and take appropriate action. A resident will be in violation of his/her lease if the resident or any guest is determined to be smoking on SNRHA property. Three (3) violations of SNRHA’s Smoke Free Policy may result in eviction. All applicants/residents acknowledge receipt of this Policy and Smoke-Free Lease Addendum in writing at the time of application and/or next rent recertification.

**O. INSPECTIONS OF PUBLIC HOUSING UNITS**

**Initial Inspections**

The SNRHA and the family will inspect the premises prior to occupancy of the unit in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the SNRHA and the tenant, will be kept in the unit file and tenant file.



### **Vacate Inspections**

The management staff will perform a move-out inspection when the family vacates the unit, and will encourage the family to participate in the move-out inspection.

The purpose of this inspection is to determine necessary maintenance and whether there are damages that exceed normal wear and tear. The SNRHA will determine if there are tenant caused damages to the unit. Tenant caused damages may affect part or all of the family's security deposit. Documentation, including pictures of tenant caused damages will be maintained in tenant file.

The move-out inspection also assists the SNRHA in determining the time and extent of the preparation and repairs necessary to make the unit ready for the next tenant.

### **Annual Inspections**

The SNRHA will inspect all units annually using HUD-required standards. All inspections will include a check of all smoke alarms to ensure proper working order. Pictures of any damages and/or housekeeping problems may be taken. At each annual inspection, staff will verify that the additional room is still being used for medical equipment or live-in aide.

Residents who "fail" the inspection due to housekeeping or tenant-caused damages will be given 10 calendar days to correct noted items and placed on a schedule of 30, 60, and 90 day inspections conducted to ensure lease compliance. Failure to comply with housekeeping requirements are grounds for lease termination.

Residents may request a copy of the inspection report with required corrections. In cases where units failed inspection for housekeeping or damage, a conference is scheduled with the property management.

If necessary to bring the unit into HUD-required compliance, needed repairs will be completed by the SNRHA.

Required corrections will be repaired by the SNRHA within 30 business days of the inspection date.

Damages beyond "normal wear and tear" will be billed to the tenant.

Residents who repeatedly "fail" the inspection or cause excessive damage to the unit will be in violation of their lease. SNRHA will take appropriate lease enforcement action.



### **Quality Control Inspections**

The housing management staff will conduct periodic quality control inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

The SNRHA management staff will conduct quality control inspections on 5% of the units.

The purpose of these quality control inspections is to assure that repairs were completed at an acceptable level of craftsmanship and within an acceptable time frame.

The property manager may conduct periodic inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

### **Special Inspections**

Housing management staff may conduct a special inspection for housekeeping, unit condition, or suspected lease violation.

HUD representatives or local government officials may review SNRHA operations periodically and as a part of their monitoring may inspect a sampling of the SNRHA's inventory.

Modernized and Scattered Site Inspections: New move inspections will be conducted within 60 days of the resident leasing the unit to ensure the unit and grounds are being maintained.

Unit inspections will be conducted within ten (10) working days from the date SNRHA is notified or receives knowledge of an unsatisfactory condition such as infestation, damages, unsatisfactory housekeeping or complaints of poor exterior conditions.

### **Other Inspections**

The SNRHA management staff will periodically conduct windshield and/or walk-through inspections to determine whether there may be lease violations, adverse conditions or local code violations.

Playground inspections are conducted weekly to determine playground safety.

Building exterior and grounds inspections are conducted at all Public Housing properties to determine hazardous conditions as well as to assist in budget preparation.





### **Emergency Inspections**

Housing management staff may initiate an emergency inspection report to generate a work order if they believe that an emergency exists in the unit or on a Public Housing site. In addition, staff may conduct an emergency inspection without a work order and generate a work order after the inspection has been conducted (see Entry of Premises Notice in this chapter.) Repairs are to be completed within 24 hours from the time the work order is issued.

### **Emergency Repairs to be Completed in Less than 24 Hours**

The following items are to be considered emergency in nature and require immediate (less than 24 hour) repair or abatement:

- Broken window glass that affects unit security, is a cutting hazard, or occurs within inclement weather (to be secured or abated)
- Escaping gas
- Plumbing leaks that have the capacity to create flooding or cause damage to the unit
- Natural gas leaks or smell of fumes
- Backed-up sewage
- Electrical hazard
- Inoperable SNRHA-owned air conditioner/heater (seasonal)
- Inoperable smoke detectors will be treated as a 24-hour emergency and will be made operable by the SNRHA if the smoke detector is in need of repair. Residents who disengage smoke detectors will be charged (see Schedule of Charges posted.)
- Lock-outs – Subject to the resident paying the cost for responding.

### **Entry of Premises Notices**

The SNRHA will give prior written notice for non-emergency inspections. Non-emergency entries to the unit will be made during reasonable hours of the day.

The SNRHA will provide the family with 48 hour notice prior to entering the unit for non-emergency reasons other than the annual inspection.

An inspection may not be conducted if there are minors and no adult (required to show identification) present in the unit during the inspection.



If no person is at home, the staff will enter the unit and conduct the inspection and will leave a written notice to the resident explaining the reason the unit was entered and the date and time.

A written notice specifying the purpose for non-emergency entry into the unit will be delivered to the premises at least 2 days before entry.

Where the SNRHA is conducting regular annual inspection of its housing units, the family will receive reasonable advance notice of the inspection to allow the family to prepare and be able to pass the inspection.

Reasons the SNRHA will enter the unit are:

- Inspections and maintenance
- To make improvements and repairs
- To show the premises for leasing
- In cases of emergency

The family must call the SNRHA at least 24 hours prior to the scheduled date of inspection to reschedule the inspection, if necessary.

The SNRHA will reschedule the inspection no more than once unless the resident has a verifiable medical reason which has hindered the inspection. The SNRHA may request verification.

Repairs requested by the family will not require prior notice to the family. Residents are notified in the lease that resident-requested repairs presume permission for the SNRHA to enter. The resident may specify at the time of request for repair or maintenance that they be present. SNRHA will take reasonable measures to comply with the residents request; however known deficiencies must be corrected.

### **Non-Inspection Emergency Entry**

The SNRHA staff will allow access to the unit to proper authorities when issues of health or safety of the tenant are concerned.

### **Family Responsibility to Allow Inspection**

The SNRHA must be allowed to inspect the unit at reasonable times with reasonable notice. If the resident refuses to allow the inspection, the resident will be in violation of the lease.

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<sup>i</sup> 24 CFR §§ 960.205 (b) and 966.4(a)(1)(v)



## Chapter 10

### PET POLICY

[24 CFR 5.309]

#### **INTRODUCTION**

This chapter explains the SNRHA's policies on the keeping of pets and any criteria or standards pertaining to the policy. The rules adopted are reasonably related to the legitimate interest of the SNRHA to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the SNRHA.

The purpose of this policy is to establish the SNRHA's policy and procedures for ownership of pets and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

Residents will comply with the dwelling lease, which requires that no animals or pets of any kind be permitted on the premises without prior written approval of the SNRHA.

Nothing in this policy or the dwelling lease limits or impairs the right of persons with disabilities to own animals that are used to assist them.

The SNRHA Pet **Deposits, Fees, and Restrictions** do not apply to Assistance Animals. An Assistance Animal is an animal that is needed as a reasonable accommodation for persons with disabilities.

In accordance with Section 526 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA), SNRHA hereby sets forth rules and regulations concerning pet ownership in its public housing units. Only "common household pets" as defined herein will be permitted in SNRHA owned properties.

A common household pet, for the purposes of SNRHA's conventional housing program: A domesticated animal, such as a dog, cat, bird, or fish that is traditionally kept in the home for pleasure rather than for commercial or breeding purposes. Common household pet does not include reptiles. This definition shall not include animals that are used to assist persons with disabilities.

Residents may own up to two pets as defined in this policy. If one of the pets is a dog or cat, the second pet must be contained in a cage or an aquarium for fish. Each bird or other animal, other than fish, shall be counted as one pet.



**Animals That Assist Persons with Disabilities**

Only rules related to the health of the animal, the responsibility of the animal’s owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

To meet these exclusions, the resident/pet owner must provide SNRHA with the means to verify that:

That there is a person with disabilities in the household; and

That if the animal is needed because of the person’s disability.

**A. MANAGEMENT APPROVAL OF PETS**

All pets must be approved in advance by the SNRHA management. The pet owner must enter into a Pet Agreement with the SNRHA; pay the pet deposit as follows:

**DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |
|                                                            |         |

See Sections D and E following for other management requirements.

**B. STANDARDS FOR PETS**

Pet rules as outlined below will not be applied to animals that assist persons with disabilities however rules related to the health of the animal, the responsibility of the animal’s owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

**Types of Pets Allowed**

No pets except the following will be acceptable:



### Dogs

Maximum number: 1  
Maximum adult weight: 30 pounds  
Maximum height: 20" at shoulder at full growth  
Must be spayed or neutered and housebroken  
Must have all required inoculations  
Must be licensed as specified now or in the future by State law and local ordinance

### Cats

Maximum number: 1  
Must be spayed or neutered  
Must have all required inoculations  
Must be trained to use a litter box or other waste receptacle. Cardboard boxes are not acceptable and will not be approved. The resident shall not permit refuse from litter boxes to accumulate, become odorous, to become unsightly, or unsanitary.  
Must be licensed as specified now or in the future by State law or local ordinance

### Birds

Maximum number: 2  
Must be enclosed in a cage at all times

### Fish

Maximum aquarium size: 50 gallons  
Must be maintained on an approved stand

### Rodents (guinea pig, hamster, or gerbil ONLY)

Maximum number: 1  
Must be enclosed in an acceptable cage at all times



## **Types of Pets Not Allowed**

Common household pets permitted in dwelling units do not include:

Exotic pets or barnyard animals are prohibited. Exception may be made for certain species of pigs utilized as bonafide “service animals”. (Snakes and reptiles are considered exotic pets.)

Animals who would be allowed to produce offspring for sale

Wild animals, feral animals, and any other animals that are not amenable to routine human handling

Animals of species commonly used on farms

Non-human primates (unless as an assistive animal to a person with disabilities)

Animals whose climatological needs cannot be met in the unaltered environment of the individual dwelling unit

Pot-bellied pigs

Snakes, spiders, reptiles, and chickens

The following restrictions apply to pets, based on weight, size and inherent dangerousness, including prohibitions against the keeping of:

Any animal whose weight could exceed 30 pounds by adult hood

Dogs of the pit bull, Rottweiler, chow, or boxer breeds

Ferrets or other animals whose natural protective mechanisms pose a risk to small children of serious bites and lacerations

Hedgehogs or other animals whose protective instincts and natural body armor produce a risk to children of serious puncture injuries.

Chicks, turtles or other animals that pose a significant risk of salmonella infection to those who handle them

Pigeons, doves, mynah birds, psittacine birds, and birds of other species that are hosts to the organisms causing psittacosis in humans

Tenants are not permitted to have more than one *type* of pet.



### **C. PETS TEMPORARILY ON THE PREMISES**

Pets which are not owned by a tenant will not be allowed; although service animals of persons with disabilities who are visiting the unit are permitted.

Residents are prohibited from feeding or harboring stray animals.

This rule excludes visiting pet programs sponsored by a humane society or other non-profit organization and approved by the SNRHA.

State or local laws governing pets temporarily in dwelling accommodations shall prevail.

### **D. REGISTRATION, ADMINISTRATION, AND OTHER RESTRICTIONS**

#### **Registration of Pets**

1. Pets must be registered with the SNRHA before they are brought onto the premises. Registration includes certificate signed by a licensed veterinarian or State/local authority that the pet has received all inoculations required by State or local law, and that the pet has no communicable disease(s) and is pest-free. This provision applies to assistive animals for persons with disabilities.
2. Registration must be renewed and will be coordinated with the annual recertification date and proof of license and inoculation will be submitted at least 30 days prior to annual reexamination. This provision applies to assistive animals for persons with disabilities.
3. Dogs and cats must be spayed or neutered. This provision applies to assistive animals for persons with disabilities.
4. Execution of a Pet Agreement with the SNRHA stating that the tenant acknowledges complete responsibility for the care and cleaning of the pet will be required.
5. Approval for the keeping of a pet shall not be extended pending the completion of these requirements.
6. Registration for each animal is to be accomplished by the filing of the following disclosures and forms:
  - a. A health certificate prepared by a veterinarian (including attestations of no communicable disease and of spaying or neutering or of a medical condition precluding spaying or neutering)
  - b. Documentation of current rabies vaccination for species subject to state or local rabies vaccination requirements



- c. Copy of the license issued by the applicable municipality for “ownership” of each animal for whom licensing is a legal requirement
- d. Name, address and telephone number of a veterinarian who will be providing regular care
- e. Name of the adult household member who will be primarily responsible for animal care

### **Refusal to Register Pets**

1. The SNRHA may not refuse to register a pet based on the determination that the pet owner is financially unable to care for the pet. If the SNRHA refuses to register a pet, a written notification will be sent to the pet owner stating the reason for denial and shall be served in accordance with HUD Notice requirements.
2. The SNRHA will refuse to register a pet if:
  - a. The pet is not a common household pet as defined in this policy;  
Keeping the pet would violate any House Pet Rules;
  - b. The pet owner fails to provide complete pet registration information or fails to update the registration annually;
  - c. The SNRHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

A resident who cares for another resident's pet must notify the SNRHA and agree to abide by all of the pet rules in writing.

### **Pet Agreement**

Execution of a Pet Agreement will be required, under which the resident acknowledges:

1. The right of management to enter dwelling unit when there is evidence that an animal left alone is in danger or distress
2. The right of management to seek impoundment and sheltering of any animal found to be maintained in violation of housing rules, pending resolution of any dispute regarding such violation
3. Receipt of a copy of all animal-related requirements and restrictions administered by management





4. In the context of public housing, that failure to abide by any animal-related requirement or restriction constitutes a violation of the “Tenant Obligations” appearing at 24 CFR 966.4(f)(4) and, therefore, grounds for lease termination pursuant to 24 CFR 966.4(k)(2)

### **Other Restrictions**

The following other restrictions also apply:

1. A prohibition on the keeping of animals by any resident convicted of a felony or of a misdemeanor relating to treatment of an animal
2. A prohibition on the keeping of any dog or cat over six months of age who is not spayed or neutered
3. A prohibition against keeping animals in any dwelling unit having no air conditioning in which ambient temperatures may exceed 82 degrees at any time of day or night.
4. A restriction against walking or transporting any animal outside of the dwelling unit without use of a leash no longer than five (5') feet or animal transport enclosure.
5. A prohibition against allowing animals on any premises outside of the dwelling unit unaccompanied by a family member, including homeless animals that are being fed or otherwise supported by residents.
6. A prohibition against the tethering or chaining of animals outside of or within the dwelling unit.
7. A prohibition of feeding any dog and/or cat outside the unit.
8. A restriction against subjecting animals to any surgical procedure, such as de-barking or de-clawing, that is typically performed as a substitute for correcting environmental deficiencies and providing proper supervision, or that can render animals abnormally aggressive
9. A requirement for the prompt removal of animal feces deposited in any common area
10. A requirement for regular removal and replacement of litter used in litter boxes or in animal enclosures maintained within dwelling units
11. A requirement for implementation of effective flea control by measures that produce no toxic hazard to children who may come into contact with treated animals



12. Pets are to be restrained so that maintenance can be performed in the unit. The resident **shall**, whenever an inspection or maintenance is scheduled, either be at home or shall have all animals restrained or caged. If a maintenance person enters a unit where an animal is not restrained, maintenance shall not be performed, and the resident pet owner shall be charged a fee of \$25.00. If the situation occurs again, the pet shall be removed from the premises. The Housing Authority shall not be responsible if any animal escapes from the residence due to its maintenance, inspections, or other activities.

State and local public health and anti-cruelty laws are applicable. All complaints of cruelty and all dog bites will be referred to the relevant animal control or police agency for investigation and enforcement.

#### **E. ADDITIONAL FEES AND DEPOSITS FOR PETS**

SNRHA requires a refundable pet deposit of \$200 for dogs and cats subject to charges for pet associated damage.

SNRHA requires a non-refundable pet fee for dogs of \$50 annually to defray the cost of providing pet waste receptacles and equipment as well as pet waste clean-up costs associated with the overall upkeep of the community. Residents are expected to properly dispose of pet waste.

SNRHA will allow gradual payment of the deposit in accordance with the following:

- An initial payment of \$50 on or prior to the date the pet is properly registered and brought into the apartment; and
- Monthly payments in an amount no less than \$50 until the specified deposit has been paid.

SNRHA will allow gradual payment of the pet fee in accordance with the following:

- An initial payment of \$10.00 due by the effective date of the annual recertification and up to four additional installments of \$10.00.

The SNRHA reserves the right to change or increase the required deposit by amendment to these rules.

The SNRHA will refund the pet deposit to the tenant, less any damage caused by the pet to the dwelling unit, upon removal of the pet or the owner from the unit. Pet fees are non-refundable.



The SNRHA will return the pet deposit to the former tenant or to the person designated by the former tenant in the event of the former tenant's incapacitation or death.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the pet deposit. If the tenant disagrees with the amount charged to the pet deposit, the SNRHA will provide a meeting to discuss the charges.

All reasonable expenses incurred by the SNRHA as a result of damages directly attributable to the presence of the pet in the community will be the responsibility of the resident, including:

- The cost of repairs and replacements to the resident's dwelling unit;
- Fumigation of the dwelling unit;
- Common areas of the community.

Pet deposits are not a part of rent payable by the resident.

#### **F. ALTERATIONS TO UNIT**

Residents/pet owners shall not alter their unit, patio, premises or common areas to create an enclosure for any animal. Installation of pet doors is prohibited.

#### **G. PET WASTE REMOVAL CHARGE**

A separate pet waste removal charge of \$25 per occurrence will be assessed against the resident for violations of the pet policy.

Pet waste removal charges are not part of rent payable by the resident.

All reasonable expenses incurred by the SNRHA, as the result of damages directly attributable to the presence of the pet will be the responsibility of the resident, including:

The cost of repairs and replacements to the dwelling unit;

Fumigation of the dwelling unit.

If the tenant is in occupancy when such costs occur, the tenant shall be billed for such costs as a current charge.

If such expenses occur as the result of a move-out inspection, they will be deducted from the pet deposit. The resident will be billed for any amount, which exceeds the pet deposit.

The pet deposit will be refunded when the resident moves out or no longer have a pet on the premises, whichever occurs first.

The expense of flea disinfestations shall be the responsibility of the resident.



## **H. PET AREA RESTRICTIONS**

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash and under the control of the resident or other responsible adult individual at all times.

Pets are not permitted in common areas including lobbies, community rooms and laundry areas except for those common areas which are entrances to and exits from the building.

## **I. NOISE**

Pet owners must control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.

## **J. CLEANLINESS REQUIREMENTS**

### **Litter Box Requirements.**

All animal waste or the litter from litter boxes shall be picked up immediately by the pet owner, disposed of in sealed plastic trash bags, and placed in a trash bin.

Litter shall not be disposed of by being flushed through a toilet.

Litter boxes shall be stored inside the resident's dwelling unit.

### **Removal of Waste from Other Locations.**

The Resident/Pet Owner shall be responsible for the removal of waste by placing it in a sealed plastic bag and disposing of it in an outside trash bin.

Any unit occupied by a dog, cat, or rodent will be fumigated at the time the unit is vacated or during regularly scheduled extermination of the unit.

The resident/pet owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

## **K. PET CARE**

No pet (excluding fish) shall be left unattended in any apartment for a period in excess of 10 consecutive hours.

All residents/pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet.



Residents/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

**L. RESPONSIBLE PARTIES**

The resident/pet owner will be required to designate a responsible party for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

**M. INSPECTIONS**

The SNRHA may, after reasonable notice to the tenant during reasonable hours, enter and inspect the premises, in addition to other inspections allowed.

**N. TERMINATION OF TENANCY**

The SNRHA may initiate procedures for termination of tenancy based on a pet rule violation if:

The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified; and

The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

**O. PET REMOVAL**

If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation will be reported to the Responsible Party designated by the resident/pet owner. This includes pets that are poorly cared for or have been left unattended for over 10 consecutive hours.

If the responsible party is unwilling or unable to care for the pet, or if the SNRHA after reasonable efforts cannot contact the responsible party, the SNRHA may contact the appropriate State or local agency and request the removal of the pet.

If the pet is removed as a result of any aggressive act on the part of the pet, the pet will not be allowed back on the premises.

**P. EMERGENCIES**

The SNRHA will take all necessary steps to insure that symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate State or local entity authorized to remove such animals.



If it is necessary for the SNRHA to place the pet in a shelter facility, the cost will be the responsibility of the tenant/pet owner. Pets that become vicious, display aggressive behavior are subject to referral to appropriate State or Local agency.

## Chapter 11

### RECERTIFICATIONS

[24 CFR 5.613, 24 CFR 5.61524 CFR Part 960 Subpart C,  
5.657, 880.603, 884.218, 886.124, 886.324, 891.410, 891.610,  
891.750, 960.257, 982.516]

#### **INTRODUCTION**

HUD requires that PHA's offer all families the choice of paying income-based rent or flat rent at least annually. Families who choose to pay flat rent **or families who receive a verifiable fixed income** are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent **or fixed income** families must still report family composition and community service requirements on an annual basis.

To determine the amount of income-based rent, it is necessary for SNRHA to perform a reexamination of the family's income annually. At the annual reexamination, families who choose to pay income-based rent must report their current household composition, income, deductions and allowances. Between regular annual reexaminations, HUD requires that families report all changes in household composition, but SNRHA decides what other changes must be reported and the procedures for reporting them.

This chapter defines SNRHA's policy for conducting annual reexaminations. It also explains the interim reporting requirements for families, and the standards for timely reporting.

#### **A. ELIGIBILITY FOR CONTINUED OCCUPANCY**

Residents who meet the following criteria will be eligible for continued occupancy:

Qualify as a family as defined in this policy;

Are in full compliance with the resident obligations and responsibilities described in the dwelling lease;

Have provided Social Security numbers on all family members or have certifications on file indicating they have no Social Security number.

Whose family members have submitted required citizenship/eligible immigration status/non-contending documents. Who meet HUD standards on citizenship or immigration status or are paying a pro-rated rent.

Who are in compliance with the SNRHA's community service requirements.

Whose adult family members have passed an annual criminal screening.

#### **Remaining Family Members and Prior Debt**

1. Remaining family members age 18 years or older will be held responsible for arrearages incurred by the former head or spouse. SNRHA will not hold remaining family members (other than the head or spouse) responsible for any portion of the arrearage incurred before the remaining member attained age 18.

Exceptions may be made for extenuating circumstances or hardship.

2. Remaining family members under age 18 shall not be held responsible for the rent arrearages incurred by the former head of household.

## **B. ANNUAL RECERTIFICATIONS**

The terms "annual recertification" and "annual reexamination" are synonymous.

In order to be recertified, families are required to provide current and accurate information on income, assets, allowances and deductions, and family composition. The annual recertification of family income and composition will be conducted the staff.

Families who choose flat rent **and families who receive fixed income** are to be recertified every three years. SNRHA staff will mail annual information packages to families and may schedule an interview if additional information is needed.

Annual recertifications are scheduled; by the anniversary of their admission date.

### Admission Anniversary System:

For families who move in on the first of the month, the annual recertifications will be completed within 12 months of the anniversary of the move-in date. (Example: If family moves in August 1, the annual recertification will be conducted **at most 120 days prior** to be effective on August 1, the following year.)

For families who move in during the month, the annual recertifications will be completed no later than the first of the month in which the family moved in, the following year.

(Example: If family moves in August 15, the effective date of the next annual recertification is August 1.)

When families move to another dwelling unit, the annual recertification date will not change.

**Special Reexaminations:** When it is not possible to estimate family income accurately, a temporary determination will be made with respect to income and a special reexamination will be scheduled every 90 days until a reasonably accurate estimate of income can be made.

Special reexaminations shall be conducted when there is a change in the head of household that requires a remaining family member to take on the responsibilities of a leaseholder.

**Special Reexamination Following Income Disallowance:** When a family qualifies for an earned income disallowance, a special reexamination will occur at the end of the initial 12 month disallowance period and at the end of the **second 12 month disallowance period**.

**Zero/Extremely Low Income Families:** Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete a written no/low income certification every 180 days and undergo an interim recertification every 180 days. (See Other Interim Reporting Issues below).



### **Recertification Notice to the Family**

All families will be notified of their obligation to recertify by staff delivery or first class mail. The written notification shall be sent at least 120 calendar days in advance of the scheduled annual recertification date specifying the date and time of the appointment and the required documents that the tenant will need to supply.

During this reexamination period, the family will be given the option to choose flat rent or income-based rent. SNRHA will provide a form that states what the flat rent would be and what the family's income-based rent would be. The family will be required to make a choice and sign the form prior to the effective date of their reexamination. The form will be retained in the tenant's file.

If the family chooses flat rent, an annual recertification is required to verify community service requirements and family composition. Recertification of income is only required every three years.

Notification of the flat rent and an approximate amount of the income based rent, based on the last certification, and is sent at least 120 days in advance of the scheduled annual certification.

Families that have paid a flat rent for three years must complete a full certification process to determine accurate information regarding family composition and income. The family may choose to pay a flat rent or the income based rent annually.

### **Persons with Disabilities**

If requested as an accommodation by a person with a disability, the SNRHA will provide the notice in an accessible format. The SNRHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

Persons with disabilities, who are unable to come to the SNRHA's office will be granted an accommodation of conducting the interview at the person's home, upon verification that the accommodation requested meets the need presented by the disability.

### **Collection of Information**

The family is required to complete the Application for Continued Occupancy –Personal Declaration. Each adult member who reports no income or very low income will also be required to complete the Personal Declaration Form – No Income Questionnaire. Update form may be used for Interims.

### **Requirements to Attend**

The following family members will be required to attend the recertification interview and sign **the personal declaration** along with other required forms:

- The head of household, spouse, co-head, and

- All adult household members, age 18 and older.

If the head of household is unable to attend the interview, the appointment will be rescheduled one time at the family's request.

### **Failure to Respond to Notification to Recertify**

The written notification will explain which family members are required to attend the recertification interview. The family may call to request another appointment date up to 2 calendar days prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the SNRHA, the SNRHA will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the SNRHA will not schedule a third appointment. If a household fails to complete annual recertification, **they will receive a 30 day notice of lease termination for non-compliance with the recertification process.**

If the family schedules an appointment and completes annual recertification requirements within thirty days of the effective date of the household's annual recertification, the annual recertification will be completed and the household's rent will be based on the income.

Exceptions to these policies may be made by the Asset Manager if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

### **Documents Required From the Family**

In the notification letter to the family, the SNRHA will include instructions for the family to bring the following:

- Application for Continued Occupancy form Personal Declaration Form completed by head of household

- Documentation of income for all family members

- Documentation of assets

- Documentation to substantiate any deductions or allowances

- Documentation of family composition

- Picture identification for adults 18 years of age or older

- Other required documents on new family members, such as SSN or citizenship requirements

- Documentation of community service requirements

- Self-Declaration form when adult members 18 and over are declaring no income or very low income. (Except those 62 years and older/or disabled or enrolled in educational or approved training programs.)

SNRHA will require a print out of utility bills for three months to be submitted for residents claiming zero income.

### **Verification of Information**

All information which affects the families continued eligibility for the program, and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this Policy. Verifications used for recertification must be less than 120 days old on the effective date of the recertification. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine:

The continued eligibility of the resident as a *family* or as the *remaining member* of a family;

The unit size required by the family;

The amount of rent the family should pay.

### **Changes in the Tenant Rent**

If there is any change in rent, including change in family's choice in rent, the lease will be amended, or a new lease will be executed, or a Notice of Rent Adjustment will be issued [24 CFR 966.4(c) & (o)].

#### **Tenant Rent Increases**

If tenant rent increases, a 30-day notice will be mailed to the family prior to the family's annual recertification date.

If less than 30 days are remaining before the family's annual recertification date, the tenant rent increase will be effective on the first of the second month following the thirty day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the recertification processing, there will be a retroactive increase in rent to the family's annual recertification date.

#### **Tenant Rent Decreases**

If tenant rent decreases, it will be effective on the family's annual recertification date.

If the family causes a delay so that the processing of the recertification is not complete by the family's annual recertification date, rent change will be effective on the first day of the month following completion of the recertification processing by the SNRHA.

If tenant rent decreases and the change occurred within a month prior to the Recertification appointment, but the family did not report the change as an interim Adjustment, the decrease will be effective on the recertification anniversary date.

### **C. REPORTING INTERIM CHANGES**

Families must report all changes in household composition and increases in income/assets in writing within 10 calendar days to the SNRHA between annual recertifications. This includes additions due to birth, adoption and court-awarded custody. The family must

obtain SNRHA approval prior to all other additions to the household.

When there is a change in head of household or a new adult household member is added, the head of household will complete an application for continued occupancy – personal declaration or update form and recertify-revify, using the same procedures the SNRHA staff would use for an annual recertification, except for effective dates of changes. In such case, the Interim Recertification Policy would be used.

The annual recertification date will not change as a result of this action.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified prior to the approval by the SNRHA of the family member being added to the lease.

### **Increases in Income to be Reported and Rent Adjustments**

Families paying flat rent are not required to report any increases in income or assets between the recertification periods.

Families paying an income-based rent must report all increases in income/assets of all household members to the SNRHA in writing within 10 calendar days of the occurrence.

Families are required to report the following increases in income:

- Increases in income because a person with income joins the household;
- Increases in household income which comes as a result of a new income source.
- Increases in household income that was not anticipated at the annual recertification period.

Families who receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are required to report their annual increase when it occurs.

SNRHA will process rent adjustments for all increases in income, which are reported between regularly scheduled recertifications.

Rent increases (except those due to misrepresentation) require 30 days' notice.

### **Decreases in Income and Rent Adjustments**

Residents may report a decrease in income and other changes, such as an increase in allowances or deductions which would reduce the amount of the total tenant payment.

The SNRHA will process the rent adjustment unless the SNRHA confirms that the decrease in income will last less than 30 calendar days.

Decreases in tenant rent will be effective the first day of the month following the month in which the change is reported in writing to the SNRHA. If verification cannot be obtained prior to the end of the month in which the change is reported, the decrease will be made retroactive to the first day of the month following the month in which the change is reported.

### **D. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare

assistance is reduced specifically because of:

Fraud; or

Failure to participate in an economic self-sufficiency program; or

Noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA has a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

## **E. OTHER INTERIM REPORTING ISSUES**

**Residents are required to report all changes in family composition or status to SNRHA in writing within 10 calendar days of the occurrence. Failure to report within the 10 calendar days may result in a retroactive rent increase, but not a retroactive credit or rent reduction. In order to qualify for rent reductions, residents must report and verify income decreases promptly.**

An interim recertification will be scheduled for families with zero income or extremely low income every 180 days. Once income is reported recertification will cease until annual recertification time.

An interim reexamination will be scheduled for families with zero or extremely low-income every 180 days. Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete

a written no/low income certification every 180 days and undergo an interim recertification every 180 days, until they have a stable income. If any increases in income are indicated in any of the above information or other verification, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Monetary or non-monetary contributions from persons not residing in the dwelling unit for any purpose other than the payment or reimbursement of medical expenses shall be considered income. Families that report zero or extremely low income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc.

### **SNRHA Errors**

If the SNRHA makes a calculation error at admission to the program or at an annual recertification, an interim recertification will be conducted to correct the error, but the family will not be charged retroactively. Any decrease in rent will be made retroactive.

### **False or Incomplete Information Supplied by Family**

For families whose rent has been based on false or incomplete information supplied by The applicant/resident family, an interim recertification will be conducted upon notice by The SNRHA. Any increase in TTP and tenant rent will be retroactive.

## **F. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)**

### **Standard for Timely Reporting of Changes**

The SNRHA requires that families report interim changes to the SNRHA in writing within ten calendar days of when the change occurs. Any information, document or signature needed from the family which is needed to verify the change must be provided within 3 calendar days of reporting the change.

If the change is not reported within the required time period, or if the family fails to provide signatures, certifications or documentation, (in the time period requested by the SNRHA), it will be considered untimely reporting.

### **Procedures When the Change is Reported in a Timely Manner**

The SNRHA will notify the family of any changes in Tenant Rent to be effective according to the following guidelines:

**Increases in the Tenant Rent** is effective on the first of the month following at least thirty days' notice.

**Decreases in the Tenant Rent** are effective the first of the month following the month in which the change is reported.

The change may be implemented based on documentation provided by the family, pending third party written verification.

### **Procedures when the Change is not Reported by the Tenant in a Timely Manner**

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim recertification processing and the following guidelines will apply:

**Increase in Tenant Rent** will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any underpaid rent, utility reimbursement payment for which they would not have been eligible to receive and may be required to sign a Repayment Agreement in accordance with SNRHA repayment policy.

**Decrease in Tenant Rent** will be effective on the first of the month following completion of processing by the SNRHA and not retroactively.

### **Procedures when the Change is not processed by the SNRHA in a Timely Manner**

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the SNRHA in a timely manner.

Therefore, an increase will be effective after the required 30 days' notice prior to the first of the month after completion of processing by the SNRHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

### **G. REPORTING OF CHANGES IN FAMILY COMPOSITION**

All changes in family composition must be reported within 10 business days of the occurrence in writing.

The members of the family residing in the unit must be approved by the SNRHA. The family must inform the SNRHA and request approval of additional family members other than additions due to birth, adoption, or court-awarded custody before the new member occupies the unit.

The proposed new adult family members will be screened by SNRHA, according to the screening criteria in accordance with the criteria for eligibility and admission, prior to approval.

The SNRHA will not approve the addition of family members other than by birth, adoption, marriage or court-awarded custody where the occupancy standards would require a larger size unit.

An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody. SNRHA must receive a court awarded guardianship or custody is received within 365 calendar days. Failure shall result in the deduction being removed; and any income still being received shall be counted.

If an adult family member is declared permanently absent by the head of household, the notice must contain a certification by the head or co-head of household or spouse that the member (who may have been the head of household) removed is permanently absent.

The head of household must provide a statement that the head or co-head of household or

spouse will notify the SNRHA if the removed member returns to the household for a period longer than the visitor period allowed in the lease.

### **Increase in Family Size**

The SNRHA will consider a unit transfer (if needed under the Occupancy Guidelines) for additions to the family in the following cases:

Addition by marriage/or marital-type relation.

Addition of a minor who is a member of the nuclear family who had been living elsewhere.

Addition of a SNRHA-approved live-in attendant. Addition due to birth, adoption or court-awarded custody.

Families who need a larger sized unit because of voluntary additions identified above will be placed on the Transfer List at their next regularly scheduled recertification; unless it creates a health and safety hazard upon approval of the Director of Operations.

### **Definition of Temporarily/Permanently Absent**

The SNRHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. The SNRHA will evaluate absences from the unit in accordance with this policy.

### **Absence of Entire Family**

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the SNRHA will terminate tenancy in accordance with the appropriate lease termination procedures contained in this Policy.

Families are required to notify the SNRHA before they move out of a unit in accordance with the lease and to give the SNRHA information about any family absence from the unit.

Families must notify the SNRHA if they are going to be absent from the unit for more than 14 consecutive days. A person with a disability may request an extension of time as an accommodation.

"Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, the SNRHA may:

Conduct home visit

Write letters to the family at the unit Post



letters on exterior door Telephone the  
family at the unit Interview neighbors  
Verify if utilities are in service  
Check with Post Office for forwarding address  
Contact emergency contact

As a reasonable accommodation for a person with a disability, the SNRHA may approve an extension. (See Absence Due to Medical Reasons below for other reasons to approve an extension.) During the period of absence, the rent and other charges must remain current.

If the absence which resulted in termination of tenancy was due to a person's disability, and the SNRHA can verify that the person was unable to notify the SNRHA in accordance with the lease provisions regarding absences, and if a suitable unit is available, the SNRHA may reinstate the family as an accommodation if requested by the family.

If the dwelling unit is deemed abandoned by the tenant, SNRHA shall take possession of the unit and any of the tenant's possessions remaining in the unit, in accordance with the lease. Property abandoned by the tenant may be disposed of by SNRHA in accordance with Nevada State law, NRS 118A and SNRHA procedures.

#### **Absence of Any Member**

Any member of the household will be considered permanently absent if s/he is away from the unit for three consecutive months except as otherwise provided in this Chapter.

#### **Absence due to Medical Reasons**

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the SNRHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent and removed from the lease. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent, as long as rent and other charges remains current.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the SNRHA's "Absence of Entire Family" policy.

Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Asset Manager.

#### **Absence due to Incarceration**

If a sole member is incarcerated for more than 30 consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for 30 consecutive days. The rent and other charges must remain current during this period.

The SNRHA will determine if the reason for incarceration is for drug-related or criminal activity which would threaten the health, safety and right to peaceful enjoyment of the dwelling unit by other residents. If the offense is drug related or criminal activity that violates the lease and policy, the lease will be terminated.

### **Foster Care and Absences of Children**

If the family includes a child or children temporarily absent from the home due to placement in foster care, the SNRHA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 3 months 180 days from the date of removal of the child(ren), the family will be required to move to a smaller size unit. If all children are removed from the home permanently, the unit size will be reduced in accordance with the SNRHA's occupancy guidelines.

### **Absence of Adult**

If neither parent remains in the household and the SNRHA and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the SNRHA will treat that adult as a visitor for the first 30 calendar days.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the SNRHA will review the status at 30 calendar day intervals.

If the court has not awarded custody or legal guardianship, but the action is in process, SNRHA will secure verification from social services staff or the attorney as to the status. If by the end of that period, court-awarded custody or legal guardianship has been awarded to the guardian, and the guardian qualifies under Tenant Suitability criteria, the lease will be transferred to the guardian.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

SNRHA will transfer the lease to the guardian, in the absence of a court order, if the guardian qualifies under the Tenant Suitability criteria and has been in the unit for more than 30 days and it is reasonable to expect that custody will be granted.

When the SNRHA approves a person to reside in the unit as caretaker for the child/ren, the income should count pending a final disposition. The SNRHA will work with the appropriate service agencies to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 180 days, the person will be considered permanently absent.

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

### **Absence of Spouse or Secondary Wage earner**

The absence of the spouse or secondary wage earner must be verified by third-party documentation unless so verified per 24CFR 5.609(2) all income must be included.

### **Full-Time Students**

Full time students who attend school away from the home will be treated in the following manner:

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of unit size.

If the student is considered temporarily absent from the household, applicable income for that person will be counted. Full time students who attend school away from the home and live with the family during school recess will be considered temporarily absent from the household.

### **Visitors (See Chapter 9, Leasing)**

A visitor/*guest* is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Any adult not included on the HUD 50058 who has been in the unit more than 14 consecutive days, or more than 30 cumulative days in a 12 month period, will be considered to be living in the unit as an unauthorized.

The lease must provide the tenant has the right to exclusive use and occupancy of the leased unit by the members of the household authorized to reside in the unit in accordance with the lease, including reasonable accommodation of their guests [24 CFR 966.4(d)]. The head of household is responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near PHA premises [24 CFR 966.4(f)].

A resident family must notify the SNRHA in writing when overnight guests will be staying in the unit for more than 3 days.

A guest can remain in the unit no longer than 14 consecutive days or a total of 30 cumulative calendar days during any 12-month period.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last 20 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

Former residents who have been evicted are not permitted as overnight guests. Guests who represent the unit address as their residence address for receipt of benefits or other purposes will be considered unauthorized. In addition, guests who remain in the unit beyond the allowable time limit will be considered unauthorized, and their presence constitutes violation of the lease.

Absence of evidence of any other address will be considered verification that the visitor is an unauthorized household member.

Statements from neighbors and/or SNRHA staff will be considered in making the determination.

The SNRHA will consider:

Statements from neighbors and/or SNRHA staff

Vehicle license plate verification

Post Office records

Driver's license verification

Law enforcement reports

Credit reports

Verification from other public or private sources

Other reliable information

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, as stated above, the individual will be considered unauthorized and the SNRHA will terminate the family's lease since prior approval was not requested for the addition.

Minors and college students who were part of the family, but who now live away from home during the school year and are not considered members of the household may visit for up to 90 consecutive days per year without being considered a member of the household under the following conditions:

The head of household has reported to the SNRHA, in writing, that the minor is a visitor.

The SNRHA has provided the head of household with written permission for the minor to occupy the unit for more than 14 days.

In a joint custody arrangement, if the minor is in the household less than 184 days per year, the minor will be considered to be an eligible visitor and not a family member. If both parents reside in Public Housing or are a Section 8 Program participant, only one parent would be able to claim the child for deductions and for determination for the occupancy standards.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the public housing unit more than 50 percent of the time, are not subject to the time limitations of guests as described above.

### **Required Family Reporting to Management**

The additional person(s), whether a family member or a visitor, must be reported in writing to the manager within 3 calendar days of a stay intended to exceed the visitation period allowed under the lease/ACOP.

**H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF UNIT**

To be considered the remaining member of the tenant family, the person must have been previously approved by the SNRHA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

The court has to have awarded emancipated minor status to the minor or is legally married; or

The SNRHA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a transfer to an appropriate unit size per the Occupancy Standards. If the sole eligible member of the household dies, the unit must be returned to the SNRHA within 14 days.

**I. CHANGES IN UNIT SIZE**

The SNRHA shall grant exceptions from the occupancy standards if the family requests and the SNRHA determines the exceptions are justified according to this policy.

The SNRHA will not assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage or court-awarded custody.

The SNRHA will consider the size of the unit and the size of the bedrooms, as well as the number of bedrooms, when an exception is requested.

When an approvable change in the circumstances in a tenant family requires another unit size, the family will be placed on the Transfer List in accordance with the Transfer policy. (See Chapter 5, Occupancy Guidelines.)

**J. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES**

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members. Mixed families are eligible for prorated assistance in accordance with the mixed-family portion of the policy.

**K. UNIT TRANSFERS**

See Chapter 8, Transfer Policy.

## Chapter 14

### COMMUNITY SERVICE

[24 CFR 960.603-960.611]

#### **A. REQUIREMENT**

Each adult resident of the SNRHA shall:

Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or

Participate in an economic self-sufficiency program (defined below) for 8 hours per month.

An individual may not skip a month and then double up the following month, unless special circumstances warrant it. The Director of Operations or designee will make the determination of whether to permit a deviation from the schedule.

Individuals who have special circumstances which they believe will prevent them from completing the required community service hours for a given month, must notify SNRHA in writing immediately. SNRHA will review the request and notify the individual, in writing, of its determination within 10 calendar days. SNRHA may require those individuals to provide documentation to support their claim.

#### **B. EXEMPTIONS**

The SNRHA shall provide an exemption from the community service requirement for any individual who:

Is a family that is currently participating and is in compliance with the Public Housing Family Self-Sufficiency Program. Is 62

years of age or older;

Is a blind or disabled individual, as defined under section 216[i] [I] or 1614 of the Social Security Act, and who is unable to comply with this section, or is a primary caretaker of such individual;

Is engaged in a work activity as defined in section 407[d] of the Social Security Act; SNRHA will consider 20 hours per week as the minimum number of hours needed to qualify for a work activity exemption;

Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is

located, including a State-administered welfare-to-work program; or

Is in a family receiving assistance under a State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such program. **HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of a family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR. (PIH-2015-12 HA)**

The SNRHA will re-verify exemption status annually except in the case of an individual who is 62 years of age or older.

The SNRHA will permit residents to change exemption status during the year if status changes.

### **C. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM**

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, by one of the following:

Participating in the Family Self-Sufficiency Program and being current in the steps outlined in the Individual Training and Services Plan;

Participating in an educational or vocational training program designed to lead to employment, **as long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.**

Activities administered through Help of Southern Nevada (HELP).

### **D. ANNUAL DETERMINATIONS**

Requirement – For each public housing resident subject to the requirement of community service, the SNRHA shall, 90 days before the expiration of each lease term **or effective date of recertification**, review and determine the compliance of the resident with the community service requirement.

Such determination shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

If SNRHA has reasonable cause to believe that the certification provided by the family is false or fraudulent, SNRHA has the right to require third-party verification.

## **E. NONCOMPLIANCE**

If the SNRHA determines there is a family member who is subject to the community service requirement and has not complied with the requirement, the SNRHA shall notify the resident of such noncompliance, and that:

The determination of noncompliance is subject to the administrative grievance procedure under the SNRHA's Grievance Procedures; and

Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and

The SNRHA may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of the household, unless the SNRHA enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease.

### **Continued Non-compliance**

If, after the 12 month cure period, the family member is still not compliant, SNRHA must terminate tenancy of the entire family, according to SNRHA's lease, unless the family provides documentation that the non-compliant family member no longer resides in the unit.

If the family reports that a non-compliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before SNRHA will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the non-compliant family member that previously resided with them.

If the family does not request a grievance hearing, or provide such documentation within the required 10 calendar day timeframe, the family's lease and tenancy will automatically terminate at the end of the current lease term without further notice.

### **Ineligibility for Occupancy for Noncompliance**

The SNRHA shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.



## **F. SNRHA RESPONSIBILITY**

The SNRHA will ensure that all community service programs are accessible for persons with disabilities.

The SNRHA will ensure that:

The conditions under which the work is to be performed are not hazardous;

The work is not labor that would be performed by the SNRHA's employees responsible for essential maintenance and property services; or

The work is not otherwise unacceptable.

## **G. SNRHA IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENT**

SNRHA will provide the family with a copy of the Community Service Policy found in Exhibit 14-1 of this chapter, at lease-up, lease renewal, when a family member is determined to be subject to the community service requirement during the lease term, and at any time upon the family's request.

## **H. ELIGIBLE COMMUNITY SERVICE REQUIREMENTS**

All community service performed will be verified by acceptable third part verification and may include:

Community Service with a Certified Resident Council, on site resident Service contractor.

Volunteering in community activities, such as clean up, graffiti removal, painting, neighborhood reduction of criminal activity such as resident patrol and neighborhood watch programs.

Community service with faith based organizations

Any other community service organization that is pre-approved by SNRHA

Public educational facility.

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page  | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------|-------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ALL     | ALL   | Change                | Entire Document will be updated with correct Revision Dates, CFR References, and Page Numbers                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 4       | 4-5   | Add                   | Head, Spouse or co-head who is employed at least 20 hours per week <b>at the equivalent of minimum wage,</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 4       | 4-10  | Change                | The waiting list will be purged at least <del>bi</del> <b>tri</b> -annually ...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 4       | 4-12  | Change                | SNRHA staff will attempt to notify applicants by telephone <b>as a courtesy;</b> <del>and</del> all offers will be made in writing by first class mail.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4       | 4-12  | Change                | If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "good cause". The applicant will <del>not be removed from</del> <b>be returned to</b> the waiting list.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 6       | 6 - 5 | Change                | <b>The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.</b> <del>beginning on the date on which the increase is earned income begins and continuing for a cumulative 12-month period.</del> For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 <del>cumulative</del> <b>consecutive</b> calendar months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income <b>for the remaining 12 consecutive calendar months.</b>                                                                                                                                                                                                    |
| 6       | 6-6   | Change                | During the <del>cumulative</del> <b>initial</b> 12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6       | 6-6   | Change                | During the second and <del>final</del> <b>final</b> <del>cumulative</del> 12-month period after the expiration of the initial <del>cumulative</del> -12-month                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 6       | 6-6   | Change                | <b>Maximum Two Four-Year Disallowance</b><br>The earned income disallowance is limited to a lifetime <del>48</del> 24 calendar month period.....phase- in exclusion during the <del>48</del> -24 month period ..... <del>If the period of increased income does not last for 12 consecutive months, the disallowance period may be resumed at any time within the 48-month period, and continued until the disallowance has been applied for a total of 12 months of each-</del>                                                                                                                                                                                                                                                                                                                                                                                               |
| 6       | 6-7   | Change                | <del>disallowance (the initial 12 month full exclusion and the second 12-month phase-in exclusion.</del> <b>If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.</b><br><del>No earned income disallowance will be applied after the 48-month period following the initial date the exclusion was applied.</del> <b>The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were "used".</b><br><b>Families that currently benefit from the IED, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48 month period, as was in effect prior to the effective date of this provision.</b> |
| 6       | 6-8   | Remove                | <del>Dates(s) earned income ended and resumed during the initial cumulative 12-month period of exclusion-</del>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 6       | 6-8   | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the initial exclusion of <b>100%</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6       | 6-8  | Remove                | <del>Date(s) earned income ended and resumed during the second cumulative 12-month period (phase in) of exclusion (if any)</del>                                                                                                                                                                                                                                                                                                        |
| 6       | 6-8  | Change                | Date the family has received a total of 12 <b>consecutive</b> months of the phase in exclusion <b>of 50%</b> .                                                                                                                                                                                                                                                                                                                          |
| 6       | 6-8  | Change                | Ending date of the maximum <del>48 months (four year)</del> <b>24 month (2 Year)</b> disallowance period.                                                                                                                                                                                                                                                                                                                               |
| 6       | 6-8  | Remove                | <del>(48 months from the date of the initial earned income disallowance)</del>                                                                                                                                                                                                                                                                                                                                                          |
| 7       | 7-24 | Add                   | <b>Credit Card Statements will not be accepted as proof of payment of expenses</b>                                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-1  | Change                | submit the <del> requisite</del> <b>requested</b> 3rd party                                                                                                                                                                                                                                                                                                                                                                             |
| 8       | 8-2  | Change                | 1 transfer for every <del>50</del> <b>20</b> new move-ins                                                                                                                                                                                                                                                                                                                                                                               |
| 8       | 8-2  | Change                | Designated Senior Developments: 1 transfer for <del>50</del> <b>2</b> new move-ins                                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-3  | Add                   | <b>Good Standing criteria does not apply in the case of emergency transfers. Residents will be required to become compliant with all lease provisions upon completion of the Emergency Transfer to the new unit.</b>                                                                                                                                                                                                                    |
| 8       | 8-8  | Change                | <b>Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement. All applicable charges will be transferred to the resident's new account.</b>                                                                                                                                                                                                                                      |
| 8       | 8-8  | Addition              | The SNRHA will offer certain incentives to higher income families ( <b>Household income at or above 60% of AMI</b> ) willing to move into lower income projects...                                                                                                                                                                                                                                                                      |
| 8       | 8-9  | Change                | In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, <del>the losing manager</del> <b>both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from</b> will notify the resident of responsibility for the flat rent on the unit, in which they are transferring from, <del>until such time keys have been submitted.</del> |
| 8       | 8-9  | Add                   | with disabilities, <b>in accordance with SNRHA Reasonable Accommodation Policy and Procedures.</b>                                                                                                                                                                                                                                                                                                                                      |
| 8       | 8-10 | Change                | <b>For Otto Merida - Honolulu Street Family Apartments</b>                                                                                                                                                                                                                                                                                                                                                                              |
| 9       | 9-5  | Change                | Residents must advise the SNRHA when they will be absent from the unit for more than <del>30</del> <b>14</b> consecutive days                                                                                                                                                                                                                                                                                                           |
| 9       | 9-6  | Add                   | <b>If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See Page 6-16</b>                                                                                           |
| 9       | 9-7  | Change                | Tenant gave the required <del>30</del> <b>15</b> calendar days advance written notice                                                                                                                                                                                                                                                                                                                                                   |
| 9       | 9-8  | Change                | If any of the above items are found within a household the resident will be immediately billed <b>per labor established according to the Maintenance Charge List and added into the tenant's security deposit funds.</b> <del>thirty dollars (\$30) per room or affected area.</del>                                                                                                                                                    |

**Southern Nevada Regional Housing Authority  
Operations Department Requested Additions / Changes**

| Chapter | Page | Add / Change / Remove | Summary of Change or Addition                                                                                                                                                                                                                                                                                                                                                                                                                             |
|---------|------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9       | 9-11 | Change / Addition     | The premises listed below have been designated as smoke-free living environments:<br>• <b>Lubertha Johnson Perry Plaza Senior Development</b><br><b>With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.</b><br>Residents, <b>staff</b> and guests are prohibited                                                                                |
| 10      | 10-1 | Change                | The SNRHA Pet Policy <b>Deposits, Fees, and Restrictions</b> does not apply to Assistance Animals...                                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-1 | Addition              | Families who choose to pay flat rent <b>or families who receive a verifiable fixed income</b> are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent <b>or fixed income</b> ...                                                                                                                                                                                                         |
| 11      | 11-2 | Addition              | choose flat rent <b>and families who receive fixed income</b> are to be recertified every three years.                                                                                                                                                                                                                                                                                                                                                    |
| 11      | 11-2 | Addition              | ...recertification will be conducted <b>at most 120 days prior</b> to be effective on August 1, the following year.)                                                                                                                                                                                                                                                                                                                                      |
| 11      | 11-2 | Addition              | and at the end of <b>second 12 month disallowance period</b> <del>the phase in period.</del>                                                                                                                                                                                                                                                                                                                                                              |
| 11      | 11-4 | Addition              | recertification, <b>they will receive a 30 day notice of lease termination for non-compliance of the recertification process.</b> <del>their housing subsidy will be removed and they will be charged the flat rent for their unit as of the effective date of the household's annual recertification.</del>                                                                                                                                              |
| 11      | 11-6 | Remove                | receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are <del>not</del> required to report their annual increase when it occurs. <del>The SNRHA will not increase the family's total tenant payment until their next regularly scheduled annual except when an interim recertification is necessary as a result of any other changes listed in the "Reporting Requirements" section of this chapter.</del> |
| 14      | 14-2 | Addition              | <b>HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR.(PIH-2015-12 HA)</b>                                                                                       |
| 14      | 14-2 | Change                | Participating in an educational or vocational training program designed to lead to employment. <b>As long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.</b> <del>30 hours per week</del>                                                                                                                                                         |



## Chapter 4

### TENANT SELECTION AND ASSIGNMENT PLAN

(Includes Preferences and Managing the Waiting List)

[24 CFR 960.204]

#### **INTRODUCTION**

It is the SNRHA policy that each applicant shall be assigned an appropriate place on a jurisdiction-wide waiting list unless the applicant has applied for a development subject to a site-based waiting list. Applicants will be listed in sequence based upon date and time the application is received, the size and type of unit they require, the site in which they wish to reside for applicable designated communities, and factors of preference or priority. In filling an actual or expected vacancy, the SNRHA will offer the dwelling unit to an applicant in the appropriate sequence, with the goal of accomplishing de-concentration of poverty and income-mixing objectives. The SNRHA will offer the unit until it is accepted. This Chapter describes the SNRHA policies with regard to the number of unit offers that will be made to applicants selected from the waiting list.

#### **SNRHA OBJECTIVES**

SNRHA policies will be followed consistently and will affirmatively further HUD's fair housing goals.

It is the SNRHA objective to ensure that families are placed in the proper order on the waiting list so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This chapter explains the policies for the management of the waiting list.

When appropriate units are available, families will be selected from the waiting list in sequence within their preference category and date and time sequence.

By maintaining an accurate waiting list, the SNRHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner. Based on the SNRHA turnover and the availability of appropriate sized units, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

#### **SITE-BASED/DESIGNATED WAITING LISTS**

Per the Quality Housing and Work Responsibility Act of 1998, SNRHA uses site-based/designated waiting lists.

#### **A. MANAGEMENT OF THE WAITING LIST**

The SNRHA will administer its waiting list as required by 24 CFR Part 5, Subparts E and F, Part 945 and 960.201 through 960.215. The waiting list will be maintained in accordance with the following guidelines:

The application will be a permanent part of the file.



All applicants in the pool will be maintained in order of preference. Applications equal in preference will be maintained by date and time sequence.

All applicants must meet applicable income eligibility requirements as established by HUD.

### **Opening and Closing the Waiting Lists**

The SNRHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part.

The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit, and the ability of the SNRHA to house an applicant in an appropriate unit within a reasonable period of time.

When the SNRHA opens the waiting list, the SNRHA will advertise the location(s), and program(s) for which applications are being accepted in the following newspapers:

Las Vegas Review Journal/Sun  
El Mundo  
Las Vegas Asian Journal  
Indian Voice  
The Challenger Rehabilitation, Disability Newspaper

To reach persons with disabilities, the SNRHA will provide separate notice to local organizations representing the interests and needs of the disabled. This will include notice to the following organizations:

Opportunity Village  
Nevada Disability Advocacy and Law Center Nevada  
Legal Services  
Help Them Walk Again  
Nevada Association for the Handicapped

The notice will contain:

- The dates, times, and the locations where families may apply.
- Any designated housing for which site-based waiting lists are applicable
- The programs for which applications will be taken.
- Limitations, if any, on whom may apply.

The notices will be made in an accessible format, if requested. They will provide potential applicants with information that includes the SNRHA address and telephone number, and how to submit an application.

### **When Application Taking is Suspended**

The SNRHA may suspend the acceptance of applications if there are enough applicants to fill anticipated openings for the next 12 to 24 months.



The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

During the period when the waiting list is closed, the SNRHA will not maintain a list of individuals who wish to be notified when the waiting list is open.

Suspension of application taking is announced in the same way as opening the waiting list. SNRHA will give at least five (5) days notice prior to opening or closing the list.

When the period for accepting applications is over, the SNRHA will add the new applicants to the list by:

- Unit size, local preference, and by date and time of application.

The SNRHA will update the waiting list at least annually by removing the names of those families who are no longer interested, no longer qualify for housing, or cannot be reached by mail. At the time of initial intake, the SNRHA will advise families of their responsibility to notify the SNRHA in writing when mailing address changes.

### **Limits on Who May Apply**

When the waiting list is open,

- Any family asking to be placed on the waiting list for Public Housing rental assistance will be given the opportunity to complete an application.

When the application is submitted to the SNRHA, it establishes the family's date and time of application for placement order on the waiting list with preference points determining the final rank.

### **Multiple Families in Same Household**

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

### **B. SITE BASED WAITING LISTS**

The SNRHA offers a system of site-based waiting lists for HUD-approved designated communities.

The SNRHA maintains separate site-based waiting lists for all current or future mixed financed properties, as well as all current or future RAD conversion Properties.

Applicants may choose which site-based waiting list they wish to be placed on, regardless of the application site. Applicants may designate the community or communities in which they seek to reside.

SNRHA will monitor its site-based wait list annually by comparing data in January to data in October to determine the level of change, if any, in the overall racial, ethnic and disability-related tenant composition at each SNRHA site by analyzing its data.



Every reasonable action will be taken by the SNRHA to assure that applicants can make informed choices regarding the community(s) in which they wish to reside. The SNRHA will disclose information to applicants regarding the location of available sites.

### **Monitoring Site-Based Waiting Lists**

The system of site-based waiting lists will be carefully monitored to assure that civil rights and fair housing are affirmatively furthered.

The SNRHA adoption of site-based waiting lists is not in violation of any court order or settlement agreement, and is not inconsistent with any pending complaint brought by HUD.

The SNRHA will monitor its system of site-based waiting list annually to assure that racial steering does not occur. If the SNRHA annual analysis of its site-based waiting list indicates that a pattern of racial steering is or may be occurring, the SNRHA will take corrective action.

The SNRHA will assess changes in racial, ethnic or disability-related tenant composition at each SNRHA site that has occurred during the implementation of the site-based waiting lists. The SNRHA will make this assessment based on MTCS data.

The SNRHA has established site-based waiting lists for the following properties:

Espinoza Terrace, Designated Elderly Development, Henderson

Hampton Court, Family Development, Henderson

Otto Merida Desert Villas, Family Development, Las Vegas

Landsman Gardens, Family development, Henderson

Vera Johnson B, Family Development, Las Vegas. Vera Johnson B will convert from Mixed Finance to RAD Project Based Voucher after construction.

Biegger Estates, Family Development, Las Vegas

Rose Gardens, Designated Elderly Development, Las Vegas

The SNRHA intends to make available dwelling units, in communities designated for elderly families only, to near-elderly families if there are an insufficient number of elderly families on the waitlist. Near elderly will be defined as families whose members are 55 years of age or older.

### **C. WAITING LIST PREFERENCES**

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

The SNRHA preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, and further de-concentration of poverty in public housing. When such matching is required or permitted by current law, the SNRHA will give preference to qualified families.





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

Among applicants with equal preference status, the waiting list will be organized by date and time.

**Local Preferences**

Local preferences will be used to select among applicants on the waiting list. A public hearing with an opportunity for public comment will be held before the SNRHA adopts any local reference.

The SNRHA uses the following Local Preferences:

**Homeless Referral Preference:** Families who are homeless (family lacks a fixed regular and adequate night time residence, or has a primary night time residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, such as welfare voucher hotels, congregate shelters or transitional housing designed for homeless persons, or a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings) and are participating in case management with an approved referral agency. This preference shall be limited to up to 150 referrals per year ..... **60 points**

Unit offers to applicants referred for this preference will be made as follows: for every two applicants from the waiting list receiving a unit offer, one applicant referred under this preference will receive a unit offer.

*Homeless Families that live with friends or relatives who are not currently in the transition system, will be encourage to apply to other available SNRHA programs that they may qualify for.*

**Federally Declared Disasters:** Victims who are holders of Section 8 Vouchers or other subsidized programs as defined as eligible units by HUD, in another jurisdiction within 120 days of the President declaring a federal disaster. .... **55 points**

**Working Preference:** Head, spouse or co-head who is employed at least 20 hours per week **at the equivalent of minimum wage**, or who are active participants in accredited educational and training programs designed to prepare the individual for the job market. This preference is extended equally to elderly families or disabled families, including but not limited to those whose head or spouse is receiving SSI, SSD, or who can be verified to be unable to work, if both the head of household and spouse is either elderly or disabled..... **30 points**

**Veteran preference** for veteran as defined by State. .... **6 points**

**Residency preferences** for head, co-head or spouse, who live, work, have been hired to work, or are enrolled full time in an accredited school in Clark County... **5 points**



**Disabled veteran** or family (defined as dependent son, daughter, and spouse) of a veteran with a service-connected disability. .... **.5 points**

**Family of** (defined as spouse) a **deceased veteran** with a service-connected death. .... **.4 points**

***FINAL VERIFICATION OF PREFERENCES [24 CFR 5.415]***

Preference information on applications will be updated as applicants are selected from the waiting list. At that time, the SNRHA will obtain necessary verifications of preference at the interview and by third party verification.

***PREFERENCE DENIAL [24 CFR 5.415]***

If the SNRHA denies a preference, the SNRHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for an informal meeting with the Housing Programs Manager or Director of Housing Programs. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

**Treatment of Single Applicants**

Single applicants will be treated as any other eligible family on the SNRHA waiting list.

**Pulling from the Wait List**

SNRHA shall utilize income targeting to meet HUD's requirements that 40% of admissions have income of less than 30% of minimum income. Elderly and disabled families are given the working preference as required by HUD regulations. All preferences claimed are verified at final eligibility determination. If preferences claimed cannot be verified, the applicant is returned to the appropriate placement on our waiting list and a written notice explaining this action is sent to the applicant.

**D. VERIFICATION OF PREFERENCE QUALIFICATION [24 CFR 5.415]** The

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

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list and ranked without the Local Preference and given an opportunity for a review.

**Change in Circumstances**

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the SNRHA in writing when their circumstances change. When an applicant claims an additional preference, s/he will be placed on the waiting list in the proper order of their newly claimed preference.

If the family failed to report income changes during final eligibility and the verified



failure would have affected their eligibility for a local preference, the family will be returned to the waiting list.

**E. PREFERENCE DENIAL** [24 CFR 5.415]

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

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

**F. FACTORS OTHER THAN PREFERENCES THAT AFFECT SELECTION OF APPLICANTS**

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

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

**G. INCOME TARGETING**

The SNRHA will monitor its admissions to ensure that at least 40 percent of families admitted to public housing in each fiscal year shall have incomes that do not exceed 30% of area median income of the SNRHA jurisdiction.

Hereafter families whose incomes do not exceed 30% of area median income will be referred to as "extremely low income families."

The SNRHA shall have the discretion, at least annually, to exercise the "fungibility" provision of the QHWRRA by admitting less than 40 percent of "extremely low income families" to public housing in a fiscal year, to the extent that the SNRHA has provided more than 75 percent of newly available vouchers to "extremely low income families." This fungibility provision discretion by the SNRHA is also reflected in the SNRHA Administrative Plan.

The fungibility credits will be used to drop the annual requirement below 40 percent of admissions to public housing for extremely low income families by the lowest of the following amounts:



The number of units equal to 10 percent of the number of newly available vouchers in the fiscal year; or

The number of public housing units that 1) are in public housing communities located in census tracts having a poverty rate of 30% or more, and 2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

**The Fungibility Floor:** Regardless of the above two amounts, in a fiscal year, at least 30% of the SNRHA admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the SNRHA overall requirement for housing extremely low-income families to drop to 30% of its newly available units.

Fungibility shall only be utilized if the SNRHA is anticipated to fall short of its 40% goal for new admissions to public housing.

### **Low Income Family Admissions**

Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

## **H. UNITS DESIGNATED FOR THE ELDERLY**

In accordance with the 1996 Housing Act, Head or Spouse must be at least 62 years of age will be selected for admission to such units or buildings covered by a HUD-approved Allocation Plan, except for the units which are accessible, which may be offered to persons with disabilities.

The SNRHA will take the following action when processing families for developments designated for the elderly when there are insufficient elderly families who wish to reside in a development, near-elderly families (head or spouse ages 55-61) will be selected for this type of unit.

## **I. UNITS DESIGNATED FOR THE DISABLED**

SNRHA has no HUD-approved disabled-only designated developments.

## **J. MIXED POPULATION UNITS**

A mixed population community is a public housing community, or portion of a community that was reserved for elderly families and disabled families at its inception (and has retained that character).

In accordance with the 1992 Housing Act, elderly families whose head spouse or sole member is at least 62 years of age, and disabled families whose head, co-head or spouse or sole member is a person with disabilities, will receive equal preference to such units.

No limit will be established on the number of elderly or disabled families that may occupy a mixed population property. All other SNRHA preferences will be applied.



## **K. GENERAL OCCUPANCY UNITS**

General occupancy units are designed to house all populations of eligible families. In accordance with the SNRHA occupancy standards, eligible families not needing units designed with special features or units designed for special populations will be admitted to the SNRHA general occupancy units.

The SNRHA will use its local preference system as stated in this chapter for admission of eligible families to its general occupancy units.

## **L. DECONCENTRATION OF POVERTY AND INCOME-MIXING**

The SNRHA admission policy is designed to provide for de-concentration of poverty and income mixing by bringing higher income tenants into lower income communities and lower income tenants into higher income communities.

Gross annual income is used for income limits at admission and for income-mixing purposes.

Skipping of a family on the waiting list specifically to reach another family with a lower or higher income is not to be considered an adverse action to the family. Such skipping will be uniformly applied until the target threshold is met.

The SNRHA will gather data and analyze, at least annually, the tenant characteristics of its public housing stock, including information regarding tenant incomes, to assist in the SNRHA de-concentration efforts.

The SNRHA will use the gathered tenant income information in its assessment of its public housing developments to determine the appropriate designation to be assigned to the community for the purpose of assisting the SNRHA in its de-concentration goals.

If the SNRHA annual review of tenant incomes indicates that there has been a significant change in the tenant income characteristics of a particular community, the SNRHA will evaluate the changes. The SNRHA will determine whether, based on the SNRHA methodology of choice, the community needs to be re-designated as a higher or lower income community or whether the SNRHA has met the de-concentration goals and the community needs no particular designation.

### **Deconcentration and Income-Mixing Goals**

Admission policies related to the de-concentration efforts of the SNRHA do not impose specific quotas. Therefore, the SNRHA will not set specific quotas, but will strive to achieve de-concentration and income mixing in its developments.

The SNRHA income-mixing goal is a long-range goal and may not be achieved in the first year of implementation. The SNRHA will use its annual analysis of its public housing stock and tenant incomes to provide benchmarks for the SNRHA.

The SNRHA income-mixing goal, in conjunction with the requirement to achieve income targeting, will be achieved via unit offer procedures described in Section P of this chapter.



## **Community Designation Methodology**

### **Aggregate Average Method**

The SNRHA will review the annual resident income of all family sites to develop an average annual income, which will be used as a baseline. Developments with an average annual income above that baseline will be considered higher income developments, and developments with an average annual income below the baseline will be considered lower income developments.

Upon analyzing its findings the SNRHA will apply the policies, measures and incentives listed in Section P of this chapter to bring higher income families into lower income developments.

### **SNRHA Incentives for Higher Income Families**

Covered in Section P of this Chapter.

### **M. REMOVAL FROM WAITING LIST AND PURGING** [24 CFR 960.204(a)]

The waiting list will be purged at least **tri**-annually by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within 14 calendar days, s/he will be removed from the waiting list. If a letter is returned by the Post Office, the applicant will be removed without further notice and the envelope and letter will be maintained in the file. Failure to respond will result in removal from all waiting lists.

If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed period.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

The SNRHA allows a grace period of 7 calendar days after completion of the purge mailing. Applicants who respond during this grace period will not be withdrawn.

Applicants are notified with confirmation of the SNRHA receipt of their application that they are responsible for notifying the SNRHA within 10 calendar days, if they have a change of address.

### **N. OFFER OF ACCESSIBLE UNITS**

The SNRHA has units designed for persons with mobility, sight and hearing impairments, referred to as accessible units.

No non-mobility-impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, the SNRHA will offer such units:



First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA control who has a disability that requires the special features of the vacant unit.

Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, the SNRHA will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement. SNRHA will pay all reasonable and customary costs associated with the relocation of the non-disabled family.

The Authority will make modifications to the unit in keeping with the Section 504 Transition Plan as the need arises and until the agency determines that an adequate number of units have been rehabilitated in numbers sufficient to evidence compliance with the Plan See Chapter 9.

#### **O. PLAN FOR UNIT OFFERS**

The SNRHA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is to offer the family at the top of the waiting list for the appropriate bedroom size and unit type the oldest available unit five days prior to target-ready date.

Unit offers to promote income targeting are made in accordance with HUD regulations of the oldest eligible certified family to the appropriate bedroom size of the oldest ready and available unit. Once the SNRHA has met the 40% targeted income requirement for new admissions of extremely low-income families, the SNRHA will fill the remainder of its new admission units with families whose incomes do not exceed 80% of the HUD approved area median income.

#### **Number of Offers - Two Offers**

SNRHA will make two offers on an appropriate unit. If the second offer is rejected or the applicant fails to execute a lease within the required timeframes, the applicant will be withdrawn from our waiting list. Exceptions are incorrect unit offers and/or offers to non-disabled families of accessible units, or other “good cause” reason. The applicant shall be informed of this in writing.

#### **SNRHA Incentives for Higher Income Families**

The SNRHA will offer certain incentives to higher income families willing to move into lower income communities. If a higher income family agrees to move to an SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family’s choice. The move will be approved, according to the Occupancy Guidelines, only if the family has consistently been in lease compliance for two years following admission.

In addition, the SNRHA will target homeownership opportunities to higher income families moving into lower income communities.



## **P. CHANGES PRIOR TO UNIT OFFER**

### **Applicants with a Change in Family Size or Status**

Applicants must report changes in income, family composition, and address within ten (10) calendar days of the change prior to eligibility and after final eligibility. If the family did not report the change within the required time frame, the family will be withdrawn and determined ineligible and offered an opportunity for informal hearing.

Properly reported changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. The SNRHA shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit or if the family is no longer eligible for the program.

The family will take the appropriate place in the selection pool or waiting list according to the preference points on the date they first applied **if the appropriate waiting list was open at the time of initial application.**

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

Income changes properly reported after the unit is offered will be processed following lease-up procedures.

## **O. APPLICANT STATUS AFTER FINAL UNIT OFFER**

When an applicant rejects the final unit offer the SNRHA will remove the applicant's name from the waiting list. Removal from the waiting list means the applicant must reapply. Exceptions may be made in accordance with 504 regulations, for persons whose refusal involved the need for a reasonable accommodation.

## **R. TIME-LIMIT FOR ACCEPTANCE OF UNIT**

Applicants will have three (3) business days to respond to an offer of an available unit. Applicants must accept a unit offered within one (1) business day of the date the unit is shown and execute a lease within two (2) additional business days of the offer acceptance. Extensions can be approved for good cause.

SNRHA staff will attempt to notify applicants by telephone **as a courtesy**; all offers will be made in writing by first class mail.

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

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "*good cause*," the applicant will **be returned to** the waiting list.

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





- An elderly family who makes the decision not to occupy or accept occupancy in designated housing for which they applied will be withdrawn from the designated housing waiting list, but this action will not affect their standing on any other waiting list. [24 CFR 945.303(d)]
- Inaccessibility to source of employment or education such that an adult household member must quit a job, drop out of an educational or a job training program.
- The family demonstrates to SNRHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons must be specific. Refusals due to the location of the unit alone are not considered to be good cause.
- A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household member, or a live-in aide necessary to care for the principal household member.
- The family is offered a unit which is handicap accessible, but there is no member of the family that need accessibility features in the unit. The unit is inappropriate for the applicant's disabilities

### **S. REFUSAL OF OFFER**

If the unit offered is inappropriate for the applicant's disabilities or if a non-disabled family is offered an accessible unit, the family will retain their position on the waiting list.

If the unit offered is refused for other reasons, the SNRHA will follow the applicable policy as listed in Section O, Plan for Unit Offers, and Section Q, Applicant Status after Final Offer.

### **T. SPECIAL PROGRAMS**

The SNRHA will administer a HUD, RAD (Rental Assistance Demonstration) program at the following properties:

- o Landsman Gardens, Henderson, Nevada.
- o Vera Johnson B, Las Vegas, Nevada
- o Biegger Estates, Las Vegas, Nevada
- o Rose Gardens, North Las Vegas, Nevada

**See Chapter 16 for RAD/PBV information.**



## Chapter 6

### DETERMINATION OF TOTAL TENANT PAYMENT

[24 CFR 5.628, 5.611, 5.613, 5.615]

#### **INTRODUCTION**

The accurate calculation of annual income and adjusted income will ensure that families are not paying more or less money for rent than their obligation under the regulations.

This chapter defines the allowable deductions from annual income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subpart F and further instructions set forth in HUD Notices, Memoranda and Addenda. The formula for the calculation of TTP is specific and not subject to interpretation. The SNRHA's policies in this chapter address those areas which allow the SNRHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

#### **A. MINIMUM RENT (TTP)**

The minimum rent (TTP) for the SNRHA is \$50.00.

The total tenant payment is the greater of:

30% of the adjusted monthly income

10% of the monthly income

The minimum rent as established by the SNRHA

The minimum rent refers to a minimum total tenant payment and not a minimum tenant rent.

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

The SNRHA recognizes that in some instances even the minimum rent may create a financial hardship for families. The SNRHA will review all relevant circumstances brought to the SNRHA's attention regarding financial hardship as it applies to minimum rent. The following section states that the SNRHA's procedures and policies in regard to minimum rent financial hardship as set forth by the QHWRA.



### **SNRHA Procedures for Notification to Families of Hardship Exceptions**

The SNRHA will notify all participant families subject to a minimum rent of their right to request a minimum rent hardship exception under the law.

The SNRHA will notify all eligible families at time of lease-up of their right to request a minimum rent hardship exception.

The SNRHA will notify all eligible families at the annual and interim recertification appointments of their right to request a minimum rent hardship exception.

The manager or their designee will document in the family's file that the family has been notified of their right to request a minimum rent hardship exception.

The SNRHA notification will advise the family that hardship exception determinations are subject to SNRHA grievance procedures.

The SNRHA will review all tenant requests for exception from the minimum rent due to financial hardships.

All requests for minimum rent exception are required to be in writing.

Requests for minimum rent exception will be accepted by the SNRHA from the family in writing.

Requests for minimum rent exception must state the family circumstances that qualify the family for an exception.

### **Exceptions to Minimum Rent**

The SNRHA will immediately grant the minimum rent exception to all families who request it.

The Minimum Rent will be suspended until the SNRHA determines whether the hardship is:

Covered by statute

Temporary or long term

If the SNRHA determines that the minimum rent is not covered by statute, the SNRHA will impose a minimum rent including payment for minimum rent from the time of suspension.



The SNRHA will use its standard verification procedures to verify circumstances which have resulted in financial hardship, such as loss of employment, death in the family, etc.

### **HUD Criteria for Hardship Exception**

In order for a family to qualify for a hardship exception the family's circumstances must fall into one of the following criteria:

The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance;

The family would be evicted as a result of the imposition of the minimum rent requirement;

The income of the family has decreased because of changed circumstances, including:

Loss of employment

Death in the family

Other circumstances as determined by the SNRHA or HUD

### **Temporary Hardship**

If the SNRHA determines that the hardship is temporary, a minimum rent will be imposed, including back payment from time of suspension, but the family will not be evicted for nonpayment of rent during the 90 day period commencing on the date of the family's request for exemption.

### **Repayment Agreements for Temporary Hardship**

The SNRHA will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period.

See Chapter 14, Rent and Debt Collection Procedures, for payment terms.

## **B. INCOME AND ALLOWANCES**

**Income:** Includes all monetary and non-monetary income or benefit amounts that are received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be calculated and what is to be excluded in the federal regulations. In accordance with this definition, all income that is not specifically excluded in the regulations is counted. (See Income Inclusions and Income Exclusions in the Glossary of Terms of this policy.)



**Annual Income** is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits. (24 CFR 5.607)

The low-income subsidy received to assist low-income persons in paying for their Medicare prescription drug plan costs must be excluded as annual income for the purpose of calculating any rent or assistance.

**Adjusted Income** is defined as the annual income minus any HUD allowable expenses and deductions.

### **Allowable Deductions**

HUD has 5 allowable deductions from annual income:

1. Dependent allowance: \$480 each for family members (other than the head or spouse), who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
2. "Elderly/disabled" allowance: \$400 per household for families whose head or spouse are 62 or over or disabled.
3. For any family that is a disabled family, or has a member (other than the head or spouse) who is a person with a disability. A disability assistance expenses for unreimbursed amounts paid for attendant care or auxiliary apparatus expenses for family members with disabilities, including the disabled member, where such expenses are necessary to permit an adult family member to be employed. The allowable expenses must be in excess of 3% of annual income. This allowance may not exceed the employment income received by the family members that is freed to go to work, who is at least 18 years of age.
4. For any elderly or disabled family:
  - a. 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;
  - b. 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;



- c. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that are equal to the total of these expenses less 3% of annual income.
5. Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for childcare. In the case of childcare 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)).
6. The SNRHA does not provide for any optional deductions or allowances in the public housing program.

**C. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS**  
**24 CFR 962.255, 24 CFR 5.617, 24 CFR 960.255**

The annual income for qualified families may not be increased as a result of increases in earned income of a family member. **The family member will be eligible to receive EID for 24 consecutive calendar months to be effective the date of the earned income increase.** For calculation purposes, the disallowance shall begin the first of the month after the employment begins. After the family receives 12 **consecutive** months of the full exclusion, annual income will include a phase-in of half the allowable earned income exclusion from annual income **for the remaining 12 consecutive calendar months.**

A family eligible for the earned income exclusion is a family that occupies a dwelling unit in a public housing community; and

Whose annual income increases as a result of employment of an adult member of the family who was previously unemployed for one or more years;

Whose earned annual income increases during the participation of a family member in any family self-sufficiency or other job training program; or

Whose annual income increases, as a result of new employment or increased earnings of an adult family member during or within six months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a six-month period is at least \$500. The qualifying TANF assistance may consist of any amount of monthly income maintenance, and/or at least \$500 in such TANF benefits and services as one-time payments, wage subsidies and transportation assistance.



The HUD definition of "previously unemployed" includes a person who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality if it is higher than the federal minimum wage.

The HUD definition of economic self-sufficiency program is any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Qualifying increases are any earned income increases of a family member during participation in an economic self-sufficiency or job training program and may include increases that occur after participation provided the training provides assistance, placement, training or mentoring after the training that leads to employment.

The amount that is subject to the disallowance is the amount of incremental increase in income of a family member. The incremental increase in income is calculated by comparing the amount of the family member's income before the beginning of qualifying employment (baseline) to the amount of such income after the employment.

#### **Initial Twelve-Month Exclusion**

During the **initial** 12-month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the SNRHA will exclude from annual income of a qualified family member any increase in income of the family member as a result of employment over the prior income of that family member (baseline).

#### **Second Twelve-Month Exclusion and Phase-in**

During the second **and final** 12-month period after the expiration of the initial 12-month period referred to above, the SNRHA must exclude from Annual Income of a qualified family member, 50 percent of any increase in income of a family member who is a person with disabilities as a result of employment over the income of that family member prior to the beginning of such employment.

#### **Maximum Two Year Disallowance**

The earned income disallowance is limited to a lifetime **24** month period for each family member. For each family member, the disallowance only applies for a maximum of 12 months of full exclusion of incremental increase, and a maximum of 12 months of phase-in exclusion during the **24** month period starting from the date of the initial exclusion.



**If the family member discontinues the employment that initially qualified the family for the EID, the 24 calendar month period continues.**

**The EID benefit is limited to a lifetime of 24 months for the qualifying family member. At the end of the 24 months, the EID ends regardless of how many months were “used”.**

**Families that currently benefit from the EID, or who became eligible prior to the effective date of changes to the ACOP are eligible to receive the EID benefits for the 24 months over a 48-month period, as was in effect prior to the effective date of this provision.**

**Applicability to Child Care Expense Deductions**

The amount deducted for childcare necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction in the case of the deduction that is allowed due to employment.

**Applicability to Disability Expense Deductions**

The amount deducted for disability expense deduction that is necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for the disability expense deduction.

**Applicability to Families that Receive both Child Care Expense and Disability Deductions**

The amount deducted for both childcare and disability expense deductions necessary to permit employment shall not exceed the amount of employment income that is included in Annual Income. Therefore, for families entitled to the earned income disallowance, the amounts of the earned income that is included in the Annual Income after the application of the earned income disallowance will be used in determining the cap for childcare deduction and disability expenses combined in the case of the deduction that is allowed due to employment.

**Tracking the Earned Income Exclusion**

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family’s file to show the reason for the reduced increase in rent.

**\*Such documentation will include:**

- **Date the increase in earned income was reported by the family**
- **Name of the family member whose earned income increased**





- Reason (new employment, participation in job training program, within 6 months after receiving TANF) for the increase in earned income
- Amount of the increase in earned income (amount to be excluded)
- Date the increase in income is first excluded from annual income
- Date the family member has received a total of 12 consecutive months of the initial exclusion of 100%
- Date the 12-month phase-in period began
- Date the family member has received a total of 12 consecutive months of the phase-in exclusion of 50%
- Ending date of the maximum 24 month (two year) disallowance period

The SNRHA will maintain a tracking system to ensure correct application of the earned income disallowance.

It is a SNRHA policy decision to conduct an interim reexamination for income increases for the purpose of calculating the earned income disallowance.

### **Inapplicability to Admission**

The earned income disallowance is only applied to determine the Annual Income of families who are participants in the public housing program, and therefore does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

### **E. INDIVIDUAL SAVINGS ACCOUNTS**

The SNRHA chooses not to establish a system of individual savings accounts for families who qualify for the disallowance of earned income.

### **F. TRAINING PROGRAMS FUNDED BY HUD**

All training income from a HUD sponsored or funded training program, whether incremental or not, is excluded from the resident's annual income while the resident is in training. Income from a Resident Services training program, which is funded by HUD, is excluded.

Upon employment with the SNRHA, the full amount of employment income received by the person is counted.

### **G. AVERAGING INCOME**

When annual income cannot be anticipated for a full 12 months, the SNRHA will average known sources of income that vary to compute an annual income.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third-party or check-stub verification is not available.



If by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so that the housing payment will not change from month to month.

The method used depends on the regularity, source and type of income.

## **H. MINIMUM INCOME**

There is no minimum income requirement. Families who report zero income or extremely low income are required to complete a written certification every 180 calendar days which will be verified with EIV and all federal, state and local agencies and other sources, as appropriate, including credit checks, to verify income sources. If any increases in income are indicated in any of the above information or other verification at any time, then the family will be reviewed for an interim and the rent will be adjusted accordingly.

Families that report zero or extremely low income will be required to provide information in writing regarding their means of basic subsistence, such as food, utilities, transportation, and other subsistence expenses, in writing. SNRHA will require a print out of utility bills for three months to be submitted at interim evaluations for residents claiming zero or extremely low income.

If the family's expenses exceed their known income, the SNRHA will make inquiry of the head of household as to the nature of the family's accessible resources.

Utility bills provided by the family which show that the utilities are in another person's name will require further investigation as to whether there is an unauthorized member of the household.

Where credit reports show credit accounts open and payments current, SNRHA will take action to investigate the possibility of unreported or underreported income, fraud or program abuse.

The SNRHA will terminate the lease of families for fraud or offer a repayment agreement when documented evidence indicates the family has unreported or underreported income, which includes receiving funds from other parties or individuals that has not been reported. Failure to enter into a repayment agreement and pay the required 25% down payment within the established guidelines shall result in the termination of the lease. Repeating this action will result in termination of the lease.



## **I. INCOME OF PERSON PERMANENTLY/TEMPORARILY CONFINED TO NURSING HOME**

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the SNRHA will calculate the income by using the following methodology and use the income figure which would result in a lower payment by the family:

Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member after 180 days or when doctor certification of length of absence is received, whichever comes first.

If the family member is temporarily confined in a hospital or nursing home, SNRHA will calculate the TTP by:

Including the income of the person temporarily confined to the nursing home and giving the family the medical deductions allowable on behalf of the person in the nursing home, if they are an elderly or disabled family. For the purpose of this section, “temporarily” is defined as no more than 180 days.

## **J. REGULAR CONTRIBUTIONS AND GIFTS** [24 CFR 5.609(a)(7)]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the tenant share of the rent.

Any contribution or gift received two consecutive months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$100 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter 7, Verification Procedures, for further definition.)

If the family's expenses exceed its known income, the SNRHA will question the family about contributions and gifts.

## **K. ALIMONY AND CHILD SUPPORT** [24 CFR 5.609(a)(7)]

Regular alimony and child support payments are counted as income for calculation of the family's share of the rental payment.



### **SNRHA Policy**

SNRHA will count court-awarded amounts for alimony and child support unless SNRHA verifies that: (1) the payments are not being made, and (2) the family has made reasonable efforts to collect amounts due, including filing with courts or agencies responsible for enforcing payments [HCV GB, pp. 5-23 and 5-47].

Families who do not have court-awarded alimony and child support awards are not required to seek a court award and are not required to take independent legal action to obtain collection.

SNRHA will accept verification that the family is receiving an amount less than the award if:

- SNRHA receives verification from the agency responsible for enforcement or collection.
- The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

When child support or alimony fluctuates, SNRHA will follow the policy below.

### **SNRHA Policy**

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month; this estimate will be used so as to reduce the number of interim adjustments.

1. SNRHA shall add the total of all payments listed for the past twelve months. The total shall then be considered anticipated income.
2. When verification documents from the DA office indicated no payment for more than 60 days from the date of the printout (upon receipt of verification), no income will be anticipated from child support/alimony. Participants are required to report all changes within 10 calendar days in writing including when child support/alimony is not received and/or starts.

### **L. LUMP-SUM RECEIPTS** [24 CFR 5.609(b)(5), (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, are not included in income but may be included in assets, if the amount has been invested in an allowable asset.

Lump-sum payments caused by delays in processing periodic payments such as unemployment or welfare assistance are counted as income. Lump sum payments from



Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt, the SNRHA will calculate retroactively.

### **Retroactive Calculation Methodology**

The SNRHA will go back to the date the lump-sum payment was received, but never further back than the date of admission.

The SNRHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due the SNRHA.

At the SNRHA's option, the SNRHA may enter into a Payment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

### **M. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS**

Contributions to company retirement/pension funds are handled as follows:

While an individual is employed, count as assets only amounts the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

### **N. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE**

The SNRHA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. In calculating total assets, the SNRHA will count the difference between the market value and the actual payment received.

Assets disposed of as a result of foreclosure or bankruptcy is not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of a divorce or separation is not considered to be assets disposed of for less than fair market value.

The SNRHA's minimum threshold for counting assets disposed of for less than Fair



Market value is \$5000. If the total value of assets disposed of within the two-year period is less than \$5000, they will not be considered an asset.

## **O. CHILD CARE EXPENSES**

Not reimbursable child care expenses for children under 13 may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment.

In the case of a child attending private school, only after-hours care can be counted as child care expenses.

Child care expenses cannot be allowed as a deduction if there is an adult household member capable of caring for the child who can provide the child care. Examples of those adult members who would be considered *unable* to care for the child include:

The abuser in a documented child abuse situation, or

A person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source, or

Can provide proof that the adult member is searching for a job (maximum time allowed for search is 10 hours per week.)

An allowable deduction for child care expenses is based on the following guidelines:

**Child care to work:** The maximum child care expense allowed must be less than the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

**Child care for school:** The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.

**Amount of Expense:** The SNRHA will survey the local care providers in the community and collect data as a guideline. If the hourly rate materially exceeds the guideline, the SNRHA may calculate the allowance using the guideline.

### **Child Care Verification:**

SNRHA will send out via mail to the child care provider a 3rd party verification, which will need to be completed, showing the name, age of children, hours and days watched along with amount charged. Verification is to include provider's license number or tax identification number if they are a licensed agency. Private providers will need to provide a social security number and have the form notarized.

No other form of verification will be accepted but that of the Housing Authority.



Secondary verification after attempting orals will be receipts.

**P. MEDICAL EXPENSES** [24 CFR 5.603]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

Persons with a Medicare prescription drug plan may be required to pay a premium and this premium will be counted as a medical expense.

Prescriptions not covered by the Medicare prescription drug plan will be counted toward the sum of allowable medical expense.

Nonprescription medicines must be doctor-recommended in order to be considered a medical expense.

Nonprescription medicines will be counted toward medical expenses for families who qualify if the family furnishes legible receipts.

Acupressure, acupuncture and related herbal medicines, and chiropractic services will be considered allowable medical expenses.

**O. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES** [24 CFR 5.520]

**Applicability**

Prorating of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

**Prorated Assistance Calculation**

Prorated assistance will be calculated by subtracting the total tenant payment from the applicable maximum rent for the unit the family occupies to determine the Family Maximum Subsidy. The family's TTP will be calculated by:

Dividing the family maximum subsidy by the number of persons in the family to determine Member Maximum Subsidy.

Multiplying the member maximum subsidy by the number of eligible family members to determine Eligible Subsidy.

Subtracting the amount of eligible subsidy from the applicable maximum rent for the unit the family occupies to get the family's revised total tenant payment.

**R. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare



assistance is reduced specifically because of:

fraud; or

failure to participate in an economic self-sufficiency program; or

noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification Before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA will attempt to develop a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

### **S. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS**

If the cost of utilities (excluding telephone) is not included in the tenant rent, a utility allowance will be deducted from the total tenant payment. The utility allowance is intended to help defray the cost of utilities not included in the rent. The allowances are based on the monthly cost of reasonable consumption utilities in an energy conservative household, *not* on a family's actual consumption.





A survey of utility rate changes applicable to the agency's jurisdiction will be made annually and the *Schedule of Tenant-Paid Utility Allowances* and related services will be periodically adjusted by the agency in accordance with the results of the survey. Utility allowances may be adjusted upward or downward, or remain the same, dependent upon the most recent data regarding overall consumption and rates for the larger community (not just the public housing community).

When the utility allowance exceeds the family's total tenant payment, the SNRHA will provide a utility reimbursement payment for the family each month. The check will be made out directly to the tenant.

### **Resident-Paid Utilities**

The following requirements apply to residents living in developments with resident-paid utilities or applicants being admitted to such developments:

If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted.

Paying the utility bill is the resident's obligation under the lease. Failure to pay utilities is grounds for eviction.

### **T. EXCESS UTILITY PAYMENTS**

Residents in units where the SNRHA pays the utilities may be charged for excess utilities if additional appliances or equipment are used in the unit. This charge shall be applied as specified in the lease. [24CFR 966.4(b)(2)]

The SNRHA expects the resident to take every effort to ensure that utility consumption will be reasonable and in compliance with acceptable standards of usage applicable to unit and family size. If use of utilities is determined to be excessive, SNRHA will require payment for the amount of usage that is deemed to be excessive. Excessive utility usage will be determined if the individually metered utility monthly bill exceeds the approved utility allowance for the unit size by 30%. Payment for excessive utility usage will become due and payable on the first day of the second month following the month in which the charges are incurred, except at termination of lease when all charges are considered due and payable. In the case of water bills, usage will be based on the average unit size consumption.

### **U. FAMILY CHOICE IN RENTS**

#### **Authority for Family to Select**

The SNRHA shall provide for each family residing in a public housing unit to elect annually whether the rent paid by such family shall be 1) determined based on family income or 2) the flat rent. The SNRHA may not at any time fail to provide both such rent options for any public housing unit owned, assisted or operated by the SNRHA.



Annual choice: The SNRHA shall provide for families residing in public housing units to elect annually whether to pay income-based or flat rent. Except for financial hardship cases, the family may not be offered the rent choice more than once per year.

SNRHA will provide each family the following written information:

- Policy on switching types of rent in circumstances of hardship.
- The dollar amounts of tenant rent for the family under each option.
- If the family chose a flat rent for the previous year, the SNRHA will provide the amount of income-based rent for the subsequent year.
- Only the year the SNRHA conducts an income reexamination or if the family specifically requests it and submits updated income information. For a family that chooses the flat rent option, the SNRHA must conduct a reexamination of family income at least once every three years.
- The flat rent is based on the fair market rent. The SNRHA records must show how the SNRHA determines flat rents in accordance with its method and document flat rents offered to families.
- The SNRHA will not pay a utility reimbursement for a family that has chosen to pay a flat rent.
- For families paying income-based rent, SNRHA may choose to pay utility reimbursements either to the family, or directly to the utility supplier. If the PHA elects to pay the utility supplier, the SNRHA must first notify the family of the amount of utility reimbursement paid to the supplier.

### **Allowable Rent Structures**

#### **Flat Rents**

The SNRHA has established, for each dwelling unit in public housing, a flat rental amount for the dwelling unit, which:

Is based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA shall review the income of families paying flat rent not less than once every three years.



### **Income-Based Rents**

The monthly total tenant payment amount for a family shall be an amount, as verified by the SNRHA that does not exceed the greatest of the following amounts:

30 percent of the family's monthly adjusted income;

10 percent of the family's monthly income; or

The SNRHA's minimum TTP of \$50.00.

### **Switching Rent Determination Methods Because of Hardship Circumstances**

In the case of a family that has elected to pay the SNRHA's flat rent, the SNRHA shall immediately provide for the family to pay rent in the amount determined under income-based rent, during the period for which such choice was made, upon a determination that the family is unable to pay the flat rent because of financial hardship, including:

Situations in which the income of the family has decreased because of changed circumstances, loss of or reduction of employment, death in the family, and reduction in or loss of income of other assistance;

An increase, because of changed circumstances, in the family's expenses for medical costs, child care, transportation, education, or similar items; and

Such other situations as may be determined by the SNRHA.

All hardship situations will be verified.

The rental policy developed by the SNRHA encourages and rewards employment and self-sufficiency.

### **Annual Reexamination**

Within 120 days in advance of the annual reexamination, the family will be sent a form from the SNRHA, on which the family will indicate whether they choose flat rent or income-based rent. The SNRHA form will state what the flat rent would be, and an estimate, based on current information, what the family's income-based rent would be.

If the family indicates they choose flat rent, the form will be retained in the tenant file.

If the family indicates they choose income-based rent, a reexamination appointment will be scheduled according to SNRHA policy.



## **V. SNRHA'S FLAT RENT METHODOLOGY**

The SNRHA has set a flat rent for each bedroom size within the SNRHA's public housing inventory, based on an amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.

The SNRHA's flat rents have been established using the following methodology:

An amount no less than 80% of the applicable FMR established under 8 ( c ) of the U.S. Housing Act of 1937, in accordance with HUD Notice PIH 2014-07.



## Chapter 7

### VERIFICATION

[24 CFR Parts 5.617, CFR  
960.206]

#### INTRODUCTION

The SNRHA must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain the family's consent to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. The SNRHA must not pass on the cost of verification to the family.

The SNRHA will follow the verification guidance provided by HUD in PIH Notice 2013-04 Verification Guidance and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary SNRHA policies.

Part I describes the general verification process. More detailed requirements related to individual factors are provided in subsequent parts including family information (Part II), income and assets (Part III), and mandatory deductions (Part IV).

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies of the SNRHA.

#### **PART I: GENERAL VERIFICATION REQUIREMENTS**

##### **7-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION**

The family must supply any information that the SNRHA or HUD determines is necessary to the administration of the program and must consent to SNRHA verification of that information

##### **Consent Forms**

It is required that all adult applicants and participants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and the SNRHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

The family will be required to complete the SNRHA release of information, in addition to the Debts Owed (HUD 52675) and HUD 92006



## Penalties for Failing to Consent

If any family member who is required to sign a consent form fails to do so, the SNRHA will deny admission to applicants and terminate assistance of participants. The family may request an informal review (applicants) or informal hearing (participants) in accordance with SNRHA procedures.

### 7-I.B. OVERVIEW OF VERIFICATION

#### REQUIREMENTS HUD's Verification Hierarchy

HUD authorizes the SNRHA to use six methods to verify family information and specifies the circumstances in which each method will be used. In general HUD requires the SNRHA to use the most reliable form of verification that is available and to document the reasons when the SNRHA uses a lesser form of verification.

##### SNRHA Policy

**Upfront Income Verification (UIV):** The verification of income at admission or before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. HUD's **Enterprise Income Verification System (EIV)** is considered to be this method. This is currently not available for applicants.

**NOTICE: PIH-2013-04 (HA)** Guidance on Verification of Excluded Income.

##### **Purpose:**

This notice provides clarification and guidance on the verification requirements of income excluded from the

The SNRHA Public Housing Program in an effort to reduce administrative burden, will utilize the provision in the HUD Notice PIH-2013-04 as follows:

HUD has provided two categories of excluded income: fully excluded and partially excluded. Each category has different verification requirement.

##### **Fully Excluded Income:**

Income that is fully excluded means the entire amount qualifies to be excluded from the annual income determination. For fully excluded income, the SNRHA is **not required** to:

- Verify the income in accordance with the HUD-prescribed verification hierarchy;
- Document in the tenant file why third party verification was not available as required by 24 CFR 960.259(c)(i) and 24 CFR 982.516(a)(2); and
- Report the income in Section 7 of the form HUD-50058.

SNRHA may accept an applicant or participant's self-certification as verification of fully excluded income. The SNRHA's application and reexamination documentation, which is signed by all adult family members, may serve as the self-certification of the fully excluded income. SNRHA has the option of elevating the verification requirements if necessary, to determine if a source of income qualifies for a full exclusion.

Examples of common fully excluded income categories that are verifiable through applicant or



participant self-certification are:

- Supplemental Nutrition Assistance Program (SNAP) benefits, formerly known as food stamps.
- Income from a live-in aide.

For a complete list of income exclusions, see 24 CFR 5.609(c).

### **5. Partially Excluded Income:**

Income that is partially excluded means that only a certain portion of the income reported by the family qualifies to be excluded, while the remainder must be included when determining the family's annual income.

For partially excluded income, SNRHA is required to:

- Comply with HUD-prescribed verification requirements and all applicable regulations pertaining to
- the determination of annual income; and
- Report the income in Section 7 of the form HUD-50058.
- Examples of partially excluded income that are subject to regular verification requirements include:
- The Department of Veterans Affairs "Aid and Attendance" benefits – in accordance with 24 CFR 5.609(c)(4), these benefits may be excluded from income if they are used "specifically for, or in reimbursement of, the cost of medical expenses for any family member." Live-in or periodic medical assistance and services of doctors and health care professionals are among the services that may be counted as medical expenses. The SNRHA must verify the amount provided for aid and attendance medical expenses and the amount actually being used by the veteran for such expenses.

Any portion of the benefit not used for such expenses would continue to be counted as income by the SNRHA when determining the family's annual income.

- Earnings in excess of \$480 for full-time students 18 years old or older (24 CFR 5.609(c)(11) – in order to determine the amount of earnings to include in the calculation of the family's annual income, the SNRHA must verify the amount of employment income for these family members.

**The Verification Hierarchy.** SNRHA shall begin with the highest level of verification Techniques PHAs are required to access the EIV system and obtain an Income Report for each household. The SNRHA shall maintain the Income Report in the tenant file along with the form HUD-50058 and other supporting documentation to support income and rent determinations for all mandatory annual reexaminations of family income and composition.



If the Income Report does not contain any employment and income information for the family, the SNRHA shall attempt the next lower level verification technique, as noted in the below:

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

**Verification Technique Definitions**





### **Third Party Verification Techniques**

**Upfront Income 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. PHAs 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.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated either 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 report, employer 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 SNRHA shall require two current and consecutive pay stubs for determining annual income from wages. For new income sources, two pay stubs shall be required that are consecutive or a new hire letter with date of hire, wages and hours. The PHA should project income based on the information from a traditional written 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. A standardized form to collect information from a third party source. The form is completed by the third party by hand (in writing or typeset). PHAs 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.

**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. PHA 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 file the reason(s) why third party verification was not available.**

The exception to third party verification can be found at 24 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 the 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 deductions from annual income; and (iv) other factors that affect the determination of adjusted income.

**How to comply with and reduce administrative burden of third party verification requirements of family annual income .** PHAs can comply with and reduce administrative burden of third party verification requirements for employment, wage, and unemployment compensation and social security benefits, and any other information that is verifiable using EIV by:

- a) Reviewing the EIV Income Report to confirm/validate tenant-reported income; and;
- b) Printing and maintaining an EIV Income Report (or an EIV Individual Control Number (ICN) page for interim reexaminations as prescribed in Section 12 of this Notice) in the tenant file; and
- c) Obtaining current acceptable tenant-provided documentation to supplement EIV information; and
- d) Using current tenant-provided documentation and/or third party verification to calculate annual income.

**Note:** Social Security benefit information in EIV is updated every three months. If the tenant agrees with the EIV-reported benefit information, PHAs do not need to obtain or request a benefit verification letter from the tenant. See PIH Notice 2010-03 for guidance on verifying Social Security benefit income through the EIV system.

The PHA may also reduce the administrative burden of obtaining third party verification by relying on acceptable documents that are generated by a third party, but provided by the tenant. 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.).

**When the PHA is required to request written third party verification** The PHA must request written third party verification under the following circumstances:

- a. When the tenant disputes the EIV information and is unable to provide acceptable documentation to support his/her dispute
- b. When the PHA requires additional information that is not available in EIV and /or the tenant is unable to provide the PHA with current acceptable tenant-provided documentation. Examples of additional information, includes but is not limited to:
  - i. Effective dates of income (i.e. employment, unemployment compensation, or social security benefits)
  - ii. For new employment: pay rate, number of hours worked per



- week, pay frequency, etc.
- iii. Confirmation of change in circumstances (i.e. reduced hours, reduced rate of pay, temporary leave of absence, etc.)

**Note:** 24 CFR §5.236(a), prohibits PHAs from taking adverse action based solely on EIV

### **Requirements for Acceptable Documents**

#### SNRHA Policy

Any documents used for verification must be the original (not photocopies) and generally must be dated within 60 calendar days of the date they are provided to the SNRHA. The documents must not be damaged, altered or in any way illegible. All tenant supplied documents should be dated no more than 60 days before the effective date of the family's reexamination or SNRHA's request date, if the document represents the most recent scheduled report from a source. For example, if the holder of a pension annuity provides semi-annual reports, the SNRHA would accept the most recent report.

Print-outs from web pages are considered original documents.

Pay stubs which must be current and consecutive when used with EIV and must not be older than 60 days from the request date or 60 days prior to the annual recertification effective date. Four consecutive pay stubs will be required when using EIV for annuals and two for new hire verifications..

Examples of acceptable tenant-provided documentation (generated by a third party source) include, but are not limited to: pay stubs, payroll summary reports, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices, bank statements, and local agencies, employer letter/notices. Current acceptable tenant-provided documents must be used for income and rent determinations. The SNRHA is required to obtain a minimum of two 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 written third party verification form or the best available information.

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

The SNRHA staff member who views the original document must make a photocopy. Any family self-certifications must be made in a format acceptable to the SNRHA and must be signed in the presence of a SNRHA representative or SNRHA notary public.

### **File Documentation**

The SNRHA must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that the SNRHA has followed all of the verification policies set forth in this



plan. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

#### SNRHA Policy

The SNRHA will document, in the family file, the

following: Reported family annual income

Value of assets

Expenses related to deductions from annual income

Other factors influencing the adjusted income or income-based rent determination

When the SNRHA is unable to obtain 3rd party verification, the SNRHA will document in the family file the reason that third-party verification was not available (including oral verification attempt) and will place a photocopy of any original document(s) in the family file. [24 CFR 960.259(c)(1); VG, p.15]

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#### **Special Verification Processes:**

HUD NOTICE PIH 2013-03 (HA):

**Purpose:** “This Notice establishes temporary guidelines for public housing agencies (SNRHA) in fulfilling certain Public Housing (PH) and Housing Choice Voucher (HCV) program requirements during this period of decreased resources available to SNRHA. These guidelines are intended to facilitate the ability of SNRHA to continue, without interruption and with minimal burden, the delivery of rental assistance to eligible families in their communities. The temporary provisions established by this Notice will be available to SNRHA until March 31, 2014.

The economic downturn that commenced in 2008 and which continues has only increased the need for housing assistance. Increased demand for housing assistance without corresponding increased resources strains the operations of SNRHA, and jeopardizes their ability to assist families at a time when families most need housing assistance. Increasing administrative flexibility should allow SNRHA to deliver rental assistance more efficiently and expeditiously. Reduction of administrative burden is anticipated to allow SNRHA to better manage their programs within current allocated budget authority. The temporary guidelines are also designed to increase efficiencies, minimizing the use of resources for program administration. HUD intends to pursue more permanent changes to increase flexibility and reduce administrative burden and will be informed by SNRHA’ use of the temporary compliance provisions of this Notice.” PIH Notice 2013-3

In accordance with HUD Notice PIH 2013-3, the SNRHA Public Housing Occupancy department shall process tenant income verification as follows:.



SNRHA, PH Ops may choose to use either actual past income or projected future income. Currently, annual income includes income that is anticipated to be received from a source outside the family during the 12-month period following the effective date of admission or annual reexamination. The Notice provides SNRHA with the option of determining annual income based on past actual income received or earned within the last 12 months.

For the purpose of verifying income reported in HUD's Enterprise Income Verification (EIV) system, the SNRHA may choose to use actual past income by utilizing the most recent 12 months of income information available in EIV. Because this EIV report will give actual earnings data verified by a third party, the program participant will no longer be required to provide third party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice).

If there has been a change in circumstances for a tenant, or a tenant disputes the EIV reported income information and is unable to provide acceptable documentation to resolve the dispute, the SNRHA must request written third-party verification.

For example, if a program participant lost his/her job, changed jobs, or reduced their hours in the months subsequent to the time period covered in EIV, the SNRHA must use, at the participant's request, the more recent income information verified by participant provided third-party documentation (e.g., paystubs, payroll summary report, unemployment monetary benefit notice) or through written third-party verification, which reflects the new or current work circumstance.

SNRHA must continue to verify income from sources not available in EIV. However, SNRHA must use the same time period for both wage and non-wage income. For example, if SNRHA uses EIV information from July 2011 to June 2012 for the purpose of verifying income from wages, the SNRHA must use the same time period for any non-wage income. This method may only be used if the SNRHA is able to align other non-wage income source dates with EIV.

**Allow households to self-certify as to having assets of less than \$5,000.**

Tenants with assets below \$5,000 typically generate minimal income from these assets which results in small changes to tenant rental payments. However, SNRHA spend significant time verifying such assets which strains SNRHA budgets, and leads to increased staff errors. The notice has made provisions intended to simplify the requirements associated with determining a participant's annual income (24 CFR 5.609(b)(3), 982.516(a)(2)(ii), 960.259(c)).

Families with assets are required to report all assets annually. The amount of interest earned on those assets is included as income used to calculate the tenant's rent obligation. Currently, 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.



This Notice allows a SNRHA to accept a family's declaration of the amount of assets of less than \$5,000, and the amount of income expected to be received from those assets. The SNRHA's application and reexamination documentation, which is signed by all adult family members, can serve as the declaration. Where the family has net family assets equal to or less than \$5000, the SNRHA does not need to request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets. Where the family has net family assets in excess of \$5000, the SNRHA must obtain supporting documentation (e.g. bank statements) from the family to confirm the assets. Any assets will continue to be reported on HUD Form 50058.

**Allow optional streamlined annual reexaminations for elderly families and disabled families on fixed incomes.**

SNRHA is statutorily required to verify income and calculate rent annually, including for elderly and disabled families on fixed incomes. The notice states that the requirement to undertake the complete process for income verification and rent determination for families on fixed incomes is not necessary given the infrequency of changes to their incomes. Further, this requirement requires considerable staff time and SNRHA resources. The notice provides simplification of the requirements associated with determining the annual income of participants on fixed incomes (24 CFR 982.516, 960.257).

SNRHA will conduct a streamlined reexamination of income for elderly families and disabled families when 100 percent of the family's income consists of fixed income. In a streamlined reexamination, SNRHA will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount.

For purposes of this process, the term 'fixed income' includes income from:

1. Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);
2. Federal, State, local, and private pension plans; and
3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

**7-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

HUD strongly recommends the use of up-front income verification (UIV). UIV is "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 large number of individuals" [VG, p. 7]. UIV includes the HUD EIV system and other upfront verification tools such as the Work Number.

HUD allows SNRHA to use the EIV information in conjunction with family-provided



documents to anticipate income.

### SNRHA Policy

The SNRHA will inform all applicants and participants of its use of the following UIV resources during the admission and reexamination process:

HUD's Enterprise Income Verification System

(EIV)

The SNRHA must restrict access to and safeguard UIV data in accordance with HUD guidance on security procedures, as issued and made available by HUD.

There may be legitimate differences between the information provided by the family and EIV-generated information. No adverse action can be taken against a family until the SNRHA has independently verified the EIV information and the family has been granted an opportunity to contest any adverse findings through the informal review/hearing process of the SNRHA.

### **Use of HUD's Enterprise Income Verification (EIV) System**

HUD's EIV system contains data showing earned income, unemployment benefits, Social Security and SSI benefits for participant families. HUD requires the SNRHA to use the EIV system when available. The following policies will apply when the SNRHA has access to HUD's EIV system.

The EIV system contains two main components: tenant income data reports and "exceeds threshold" reports.

#### ***Tenant Income Data (TID) Reports (EIV)***

The data shown on TID reports is updated quarterly. Data may be between 3 and 6 months old at the time reports are generated.

### SNRHA Policy

The SNRHA will obtain EIV reports for annual reexaminations on a monthly basis. SNRHA shall also obtain EIV reports for interims. Reports will be generated as part of the regular reexamination process.

EIV reports will be compared to family-provided information as part of the annual reexamination process. EIV reports may also be used to meet the regulatory requirement for third party verification, as described above. Policies for resolving discrepancies between EIV reports and family-provided information will be resolved as described in Chapter 5.I.D. and in this chapter.

EIV reports will be retained in participant's files with the applicable annual or interim reexamination documents.

When the SNRHA determines through EIV reports and third party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in the Chapter Program Integrity.





### ***Income Discrepancy Resolution***

The SNRHA shall reconcile income discrepancies.

#### **SNRHA Policy**

The SNRHA shall proceed as follows:

- SNRHA shall identify underreported income and/or unreported income sources; No adverse action may be taken based **solely** on EIV data. In order to protect any individual whose records are being used in a matching program, no recipient agency, non-Federal agency, or source agency may suspend, terminate, reduce or make a final denial of any financial assistance or payment under a Federal Benefit program to such individual, as a result of information produced by such matching program, until the agency has independently verified the information;
- Review current and historical 50058s;
- Verify effective dates of new and terminated income sources; Discuss the income discrepancy with the tenant;
- View past and current interim and annual recertification documents in the tenant's file;
- Obtain additional documents from the tenant and/or third party (if necessary);
- Obtain Social Security Earnings Statement (SSA Form 7004) for historical wage earnings (Form available on HUD's website) for retroactive rent calculations.

### ***EIV Identity Verification***

The EIV system verifies tenant identities against SSA records. These records are compared to PIC data for a match on Social Security number, name, and date of birth.

When identity verification for a participant fails, a message will be displayed within the EIV system and no income information will be displayed.

#### **SNRHA Policy**

The SNRHA will identify participants whose identity verification has failed as part of the annual reexamination process.

The SNRHA will attempt to resolve PIC/SSA discrepancies by reviewing file documents. When the SNRHA determines that discrepancies exist due to SNRHA errors such as spelling errors or incorrect birth dates, the errors will be corrected promptly and correction transmitted to HUD.

## **7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION**

### **Reasonable Effort and Timing**



Unless third-party verification is not required as described herein, HUD requires the SNRHA to make an attempt to obtain third-party verification before using another form of verification [VG, p. 15].

#### SNRHA Policy

The SNRHA will diligently seek third-party verification using the chart above as guideline for order of verifications. If written 3<sup>rd</sup> party is required and is not received or available by the client, after 10 calendar days, staff will then attempt an oral verification if the written third party is not received. File narratives shall be documented whenever UIV or third party written is not used. Information received orally from third parties may be used either to clarify information provided in writing by the third party or as independent verification when written third-party verification is not received in a timely fashion.

The SNRHA may mail, fax, or e-mail third-party written verification requests and will accept third-party responses using any of these methods. The SNRHA will send a written request for verification to each required source within 5 business days of securing a family's authorization for the release of the information and give the source 10 calendar days to respond in writing. If a response has not been received by the 11<sup>th</sup> business day, the SNRHA will request third-party oral verification.

The SNRHA will make a minimum of two attempts, (one written and one oral, if needed) to obtain third-party verification. A record of each attempt to contact the third-party source (including no-answer calls) and all contacts with the source will be documented in the file. Regarding third-party oral verification, SNRHA staff will record in the family's file the name and title of the person contacted, the date of the conversation (or attempt), the telephone number used, and the facts provided.

When any source responds verbally to the initial written request for verification the SNRHA will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

#### **Third-Party Written Verification**

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

Verifications received electronically directly from the source as well as items as noted above in the Chart( Including those provided directly from a clients) are considered third party written verifications.

#### SNRHA Policy

The SNRHA will accept verifications in the form of computerized printouts, showing payments, faxed, mailed or received via upfront verification systems



directly from the following agencies:

- Social Security Administration -
- EIV Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County Courts
- Other State and Federal Offices, including HUD

The SNRHA will use computer printouts as well as other acceptable forms of third party verification that do not appear as altered and are on a business or other entity's letterhead, received directly from the family for calculation family's income. Staff must attempt

third party verification when EIV nor family provided acceptable documentation is not available. If no response, then staff must attempt oral verifications and must document on the file narrative why third party was not used and complete an oral verification form. If the family disputes the information provided by the third party, the staff is to seek further clarification by phone with the third party. The information provided by the 3rd party is to prevail.

### **Third-Party Oral Verification**

#### SNRHA Policy

Oral third-party verification will be used when written third-party verification is delayed; not returned within 10 calendar days or not possible. When third-party oral verification is used, staff will be required to complete an Oral Verification/Review of Documents form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the SNRHA will document the file narrative and utilize documents provided by the participant. If the oral is provided by telephone, the SNRHA must originate the call.

### **Review of Documents**

#### SNRHA Policy

In the event that third-party written is not returned within 10 calendar days or oral verification is unavailable, or the information has not been verified by the third party within 10 calendar days, the SNRHA will notate the file narrative accordingly; ensure copies of documents requiring the third party verification are in file. Oral third party verification should be attempted prior to utilizing documents provided by the family as the primary source if the documents provide complete information and the file narrative must be documented.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied,



staff viewing the document(s) will complete an Oral Verification/Review of Documents form.

The SNRHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

- Printed wage stubs
- Computer printouts from the employer
- Employer's letters and wage printouts
- Bank Statements
- Award Letters
- Pension Letters
- Signed letters (provided that the information is confirmed by phone)
- Other documents noted in this Chapter as acceptable verification

Although these documents will be accepted, the SNRHA will also mail third party verifications to the source; attempt upfront verification and use these documents only after there has been no response to the third party verification method.

The SNRHA will accept faxed documents.

The SNRHA will accept mail from the third party source.

The SNRHA will accept hand carried documents from clients as long as they do not appear as altered and provide required documentation regarding wages.

The SNRHA will not accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the SNRHA will attempt to contact the verification provider by telephone to resolve the discrepancy. If the attempt to resolve the discrepancy by telephone is unsuccessful, the SNRHA will use the third party verification.

The SNRHA will not delay the processing of an application beyond 30 calendar days, except due to screening for criminal history, because a third party information provider does not return the verification in a timely manner. The next steps in the verification process shall be attempted after 10 calendar days, unless the family has been given an extension.

### **Self-Certification/Self-Declaration**

When verification cannot be made by third-party verification, including oral verification or review of documents, families will be required to submit a self-certification.

#### SNRHA Policy

Self-certification means a statement under penalty of perjury, and the signature must be witnessed by SNRHA staff.



### **When Third-Party Information is Late**

When third-party verification has been requested and the timeframes for submission have been exceeded, the SNRHA will use the information from documents on a provisional basis.

#### SNRHA Policy

If the SNRHA later receives third-party verification that differs from the amounts used in income and rent determinations and it is past the deadline for processing the reexamination, the SNRHA will conduct an interim reexamination to adjust the figures used for the reexamination, regardless of the SNRHA's interim reexamination policy, if needed.

### **When Third-Party Verification is not Required**

#### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth and for verification of checking/saving accounts.

#### ***Certain Assets and Expenses***

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification .

#### SNRHA Policy

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

#### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### SNRHA Policy

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The



cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.

### ***RELEASE OF INFORMATION***

Adult family members (age 18 and older) will be required to sign the HUD 9886 Release of Information/Privacy Act form. In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice. Additional release forms as developed by SNRHA are considered required forms that all applicants and participants must sign.

Each member requested to consent to the release of specific information will be provided with appropriate forms for their review and signature.

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

### ***COMPUTER MATCHING***

Where allowed by HUD and/or other State or local agencies, computer matching will be done for upfront verifications.

#### **SNRHA Policy**

The SNRHA will utilize the HUD established computer-based Tenant Eligibility Verification System (EIV) for obtaining Social Security benefits, Supplemental Security Income benefit history and tenant income discrepancy reports from the Social Security Administration. Additionally, to the extent possible, SNRHA will use the UIV systems to obtain upfront verification of wages and Child Support data systems for verification of child support when available.

When computer matching results in a discrepancy with information in the SNRHA records, the SNRHA will follow up with the family and verification sources to resolve this discrepancy. If the family has unreported or underreported income, SNRHA will follow the procedures in the Program Integrity Addendum of the Admissions and Continued Occupancy Policy.

### ***ITEMS TO BE VERIFIED***

All income not specifically excluded by the regulations.

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

Current assets including assets disposed of for less than fair market value in preceding two years. Child care expense where it allows an adult family member to be employed, search for



employment, or to further his/her education.

Total un-reimbursed medical expenses of all family members in households whose head or spouse is elderly or disabled.

Un-reimbursed disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family that allows an *adult* family member to be employed.

Disability for determination of preferences, allowances or deductions. Eligible immigrant status

Social Security Numbers for all family members who have been issued a social security number.

"Preference" status

Familial/Marital status when needed for head or spouse definition to determine deductions. Need for reasonable accommodations

Verification of sanctions by the Nevada Office of Human Services that TANF benefits have been reduced for either welfare fraud or failure to comply with economic self-sufficiency requirements.

#### SNRHA Policy

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance with economic self-sufficiency requirements *before* denying the family's request for rent reduction. The verification will include the amount of the sanction and the duration.

### ***VERIFICATION GUIDANCE [24 CFR 982.516]***

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

#### **Employment Income**

##### SNRHA Policy

Verification forms request the employer to specify

the: Dates of employment

Amount and frequency of pay

Date of the last pay increase

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months

Year to date earnings

Estimated income from overtime, tips, bonus pay expected during next 12



months

*Acceptable methods of verification include, in this order:*

1. EIV with a minimum of 2 consecutive paystubs.
2. Third party written verification  
Employment verification form completed by the employer
3. Oral third party
4. Review of documents  
Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings. At least three (3) consecutive pay stubs are required when third party verification cannot be obtained.
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Social Security, Pensions, Supplementary Security Income (SSI), Disability Income**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Benefit verification form completed by agency providing the benefits.
3. Award or benefit notification letters prepared and signed by the providing agency that is no more than 60 days old.

### **Unemployment Compensation**

#### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV
2. Verification form completed by the unemployment compensation agency.
3. Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
4. Payment stubs

### **Welfare Payments or General Assistance**

#### SNRHA Policy





*Acceptable methods of verification include, in this order:*

1. Written statement from payment provider indicating the amount of grant/payment, start date of payments, family members, and anticipated changes in payment in the next 12 months.
2. Computer-generated Notice of Action.

## **Alimony or Child Support Payments**

### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. Print out received via 3rd party verification from the DA's office.
2. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
3. A third party verification form completed by the person paying the support.
4. A letter from the person paying the support.
5. Copy of latest check and/or payment stubs from Court Trustee. SNRHA must record the date, amount, and number of the check if not photocopied.
6. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If payments are irregular, the family must provide:

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A self-certification from the family indicating the amount(s) received.

A welfare notice of action showing amounts received by the DA –Child Support Division.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

## **Net Income from a Business**

### SNRHA Policy

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

*Acceptable methods of verification include:*

1. IRS Form 1040, including: Schedule C  
(Small Business) Schedule E



(Rental Property Income)

Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

2. Audited or unaudited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
5. Family's self-certification as to net income realized from the business during previous years.

### **Child Care Business**

#### SNRHA Policy

The childcare provider must be 18 years of age or older.

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

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

If the family has filed a tax return, the family will be required to provide it via Form IRS 4506-T.

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

### **Recurring Gifts**

#### SNRHA Policy

The family must furnish a self-certification, which contains the following information: The person who provides the gifts

The value of the gifts

The regularity (dates) of the gifts

The purpose of the gifts

SNRHA shall send out verifications to the donors.



### **Full-time Student Status**

Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by students is not counted towards family income.

#### SNRHA Policy

Verification of full time student status includes:

Written verification from the registrar's office or other school official.

School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution. (State of Nevada: 12 credits)

### ***VERIFICATION OF ASSETS***

#### **Family Assets**

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

#### SNRHA Policy

*Acceptable verification may include any of the following:*

Verification forms, letters, or documents from a financial institution or broker. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

Real estate taxes statements if the approximate current market value can be reduced from assessment.

Financial statements for business assets.

Copies of closing documents showing the selling price and the distribution of the sales proceeds.

Appraisals of personal property held as an investment.

Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

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

#### SNRHA Policy



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

If the family certifies that they have disposed of assets for less than fair market value, verification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible. Family certification will be accepted if no other verification is possible.

### ***VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME [24 CFR 982.516]***

#### **Medical Expenses**

##### SNRHA Policy

Eligible families who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below (**Credit Card Statements will not be accepted as proof of payment of expenses**):

Written verification by an eye doctor, optician, otolaryngologist, hearing aide provider, or other medical practitioner or provider of medical equipment of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written verification from a medical lab, provider of oxygen, blood products, or other specialized medical supplies of (a) the anticipated medical costs to be incurred by the family and regular payments will be reimbursed by insurance or a government agency.

Written verification from the provider of medical equipment such as hospital bed, scooter, wheelchair, commode, artificial limbs, etc. of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

For attendant care paid to an individual:

A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the



number of hours the care is needed for calculation purposes.

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

Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

Copies of payment agreements or most recent invoice that verify payments made on outstanding attendant care bills that will continue over all or part of the next 12 months.

Receipts or other record of attendant care expenses incurred during the past 12 months that can be used to anticipate future attendant care expenses.

The SNRHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

### **Assistance to Persons with Disabilities**

In All Cases:

#### SNRHA Policy

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

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

Attendant Care:

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

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

Auxiliary Apparatus:

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

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

### **Live-In Aide**



### SNRHA Policy

When a participant requires a live-in aide, the SNRHA shall submit their signed reasonable accommodation request form to the medical professional noted on their request for third party verification of the need. Once approved by the 504 officer, the participant shall have 30 days to submit the name of the live-in aide and schedule them to come in for screening. The unit size shall NOT be increased until such time as SNRHA staff has completed their screening of the Live-In Aide in compliance with SNRHA guidance. The participant shall be allowed to submit another name for a live-in aide if the first does not pass the screening process but must submit this name within 14 calendar days of the denial notice.

The approved unit size would be adjusted, if required to accommodate a room for the live –in aide. Each year the SNRHA at annual recertification time shall re-verify the need for a live-in aide.

### ***VERIFYING NON-FINANCIAL FACTORS [24 CFR 982.153(b) (15)]***

#### **Verification of Legal Identity**

In order to prevent program abuse, the SNRHA will require applicants/residents to furnish verification of legal identity for all adult family members.

#### SNRHA Policy

The documents listed below will be considered acceptable verification of legal identity for adults, as long as they include a picture of the individual. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

Driver's license

U.S. passport

Department of Motor Vehicles Identification Card

Validated Sheriff Card

Military Identification

DMV Instructional ID

Clark County Heath Card with valid photo ID Veteran's ID with photo

Certificate of Birth, naturalization papers

An original Certificate of Birth is required for all minors. Other documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

Adoption papers



Custody agreement

School records

Hospital Birth Certifications

Passport

Health and Human Services ID (foster children; adopted Children) I-94

***Verification of Marital Status (for purposes of meeting Spouse definition and determining the eligibility of counting income of absence spouse)***

SNRHA Policy

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records. A marriage certificate generally is required to verify that a couple is married. In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

***Familial Relationships***

SNRHA Policy

Verification of guardianship is:

Court-ordered assignment

Verification from social services agency

SNRHA Self-certification of temporary guardianship or appointment

In each case above (except court assignment), SNRHA must receive a court awarded guardianship or custody documents within 365 calendar days or head of household must resign SNRHA's documents and submit required supporting documents. Failure shall result in subsidy standard being decreased; and allowance decreased. Any income still coming into the household on behalf of the child would be counted.

Other family relationships will be verified through birth certificates or other relevant documents.

***Verification of Permanent Absence of Family Member***

If an adult member who was formerly a member of the household or was never reported and identified by staff as being a spouse and is reported permanently absent by the family, the SNRHA will consider any of the following as verification:

- Husband or wife institutes divorce action
- Husband or wife institutes legal separation.



- Order of protection/restraining order obtained by one family member against another.

### ***Verification of Change in Family Composition***

The SNRHA may verify changes in family composition (either reported or unreported) through one or more of the following actions: letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

### ***Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512, 5.514]***

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants.

Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the SNRHA hearing is pending.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury, the Declaration 214 Form, noting that they are a citizen or national.

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status (Declaration 214 Form) and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status (Declaration 214 Form) and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The SNRHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the SNRHA must request within ten days that the INS conduct a manual search.

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

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

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

Additionally, SNRHA must terminate assistance for at least 24 months if it determines that a family has knowingly permitted an ineligible person to live in the assisted unit without informing the SNRHA.

### ***Time of Verification***

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same





time as verification of other factors of eligibility for final eligibility determination.

The SNRHA will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family.

For family members added after other members have been verified, the verification occurs upon approval of additional person by the SNRHA.

Once verification has been completed for any covered program, it shall be verified annually unless their eligibility immigration status changes to permanent resident. In the case of port-in families, if the initial PHA does not supply the documents, the SNRHA must conduct the determination and/or when the SNRHA notes a Resident Alien Card with an expiring date or no date of expiration.

#### Acceptable Documents of Eligible Immigration

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

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

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

#### SNRHA Policy

SNRHA will recertify eligible immigration status one year prior to expiration date of the following documents:

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)

#### ***Medical Need for Larger Unit***

##### SNRHA Policy

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional as a reasonable accommodation for a disabled family member. At each Annual Inspection, staff will verify that the additional room is still being used for medical equipment. When this is not the case, the unit size be decreased in compliance with SNRHA guidance.



## **When Third-Party Verification is Not Required**

### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

### ***Certain Assets and Expenses***

#### **SNRHA Policy**

The SNRHA will accept a self-certification from a family as verification of assets disposed of for less than fair market value.

The SNRHA will determine that third-party verification is not available, if the asset or expense involves an insignificant amount, making it not cost-effective or reasonable to obtain third-party verification,

### **SNRHA Policy**

The SNRHA will use review of documents in lieu of requesting third-party verification when the market value of an individual asset or an expense is less than \$5,000 annually *and* the family has original documents that support the declared amount.

### ***Certain Income, Asset and Expense Sources***

The SNRHA will determine that third-party verification is not available when it is known that an income source does not have the ability to provide written or oral third-party verification. For example, the SNRHA will rely upon review of documents when the SNRHA determines that a third party's privacy rules prohibit the source from disclosing information.

#### **SNRHA Policy**

The SNRHA also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense *and* the family has original documents that provide the necessary information.

The SNRHA will document in the family file the reason that the third-party verification was not available and will place a photocopy of the original document(s) in the family file.

If the family cannot provide original documents, the SNRHA will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost.



**7-I.E. REVIEW OF DOCUMENTS**

**Using Review of Documents as Verification**

SNRHA Policy

If the SNRHA has determined that third-party verification is not available or not required, the SNRHA will use documents provided by the family as verification.

The SNRHA may also review documents when necessary to help clarify information provided by third parties. In such cases the SNRHA will document in the file how the SNRHA arrived at a final conclusion about the income or expense to include in its calculations.

**7-I.F. SELF-CERTIFICATION**

SNRHA Policy

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to the SNRHA.

The SNRHA may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to the SNRHA and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a SNRHA representative or SNRHA notary public. The cost shall not be passed on to the client.

**PART II: VERIFYING FAMILY INFORMATION**

**7-II.A. VERIFICATION OF LEGAL IDENTITY**

SNRHA Policy

The SNRHA will require families to furnish verification of legal identity for each household member.

| <b>Verification of Legal Identity for Adults</b>                                                                                                                                                          | <b>Verification of Legal Identity for Children</b>                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Driver's license<br>U.S. passport.<br>Department of Motor Vehicles<br>Identification Card Validated<br>Sheriff Card<br>Military ID<br>DMV Instructional ID<br>Clark County Heath Card with valid photo ID | Certificate of birth<br>Adoption papers<br>Custody agreement<br>School records<br>Hospital Birth Certifications<br>Passport<br>Health and Human Services ID (foster children; adopted children) |



|                                                                          |      |
|--------------------------------------------------------------------------|------|
| Veteran's ID with photo<br>Certificate of Birth<br>Naturalization papers | I-94 |
|--------------------------------------------------------------------------|------|

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

### **7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 , 5.218 and 5.233]**

Every family member must provide documentation of a valid social security number (SSN) unless they are a non-citizen or non-eligible immigrant.

#### SNRHA Policy

The SNRHA will request to copy the family member's social security card.

If the social security card is not available, SNRHA will instruct the family to obtain a duplicate card from the local social Security Administration (SSA) office, but will complete the action by accepting the following documents as evidence if the SSN is provided on the document:

- Benefit award letters from a government agency; retirement benefit letters; life insurance policies.
- Any document issued by the Social Security Administration that clearly lists the family member's social security number and name.
- For individuals who are at least 62 years of age and are unable to submit the required documentation of their SSN within the initial 60-day period, the SNRHA will grant an additional 60 calendar days to provide documentation.

Social security numbers must be verified only once during continuously-assisted occupancy. If any family member obtains an SSN after admission to the program, the new SSN must be disclosed within 30 days.

The social security numbers of non-household members, such as live-in aids, must be verified for the purpose of conducting criminal background checks.

Names on verifications of Legal Identity and Social Security Number must match.

### **7-II.C. FAMILY RELATIONSHIPS**

Applicants and program participants are required to identify the relationship of each household member to the head of household. If an applicant list themselves as married and no not list a spouse, they will still be required to submit a separation or divorce degree. Definitions of the primary household relationships are provided in the Eligibility chapter.

#### SNRHA Policy

Other family relationships will be verified through birth certificates or other relevant documents.



## **Marriage**

### SNRHA Policy

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

## **Separation or Divorce**

### SNRHA Policy

The SNRHA will require the family to document the divorce, or separation.

A certified copy of a divorce decree, signed by a court officer, is required to document that a couple is divorced.

A copy of a court-ordered maintenance or other court record is required to document a separation.

## **Absence of Adult Member**

### SNRHA Policy

The SNRHA will consider any of the following as

verification: Husband or wife institutes divorce action

Husband or wife institutes legal separation.

Order of protection/restraining order obtained by one family member against another.

If an applicant list themselves as married, but does not list a spouse name, they will still be required to provide a separation document or divorce decree.

If no such documentation is available, the applicant may complete SNRHA's Marital Separation form, which will required above documentation to be provided within 365 days of the date the form is submitted.

## **Foster Children and Foster Adults**

### SNRHA Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

## **7-II.D. DOCUMENTATION OF AGE**

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.



### SNRHA Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, the SNRHA will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

## **7-II.E. VERIFICATION OF STUDENT**

### **STATUS General Requirements**

#### SNRHA Policy

The SNRHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family reports full-time student status for an adult other than the head, spouse, or co-head.

The family reports child care expenses to enable a family member to further his or her education.

The family includes a student enrolled in an *institution of higher education*.

The family claims an income exclusion because the student is receiving earned income and only the first \$480 is included as income.

### **Restrictions on Assistance to Students Enrolled in Institutions of Higher Education**

This section applies only to students who are seeking assistance on their own, separately from their parents. It does not apply to students residing with parents who are seeking or receiving PH assistance.

#### SNRHA Policy

In accordance with the verification hierarchy described in Section 6-1.B, the SNRHA will determine whether the student is exempt from the restrictions in 24 CFR 5.612 by verifying any one of the following exemption criteria:

The student is enrolled at an educational institution that does not meet the definition of *institution of higher education* in the Higher Education Act of 1965 (see Section Exhibit 3-2).

The student is at least 24 years old.

The student is a veteran, as defined in Chapter 2

The student is married.

The student has at least one dependent child, as defined in Section 2.

If the SNRHA cannot verify at least one of these exemption criteria, the SNRHA will conclude that the student is subject to the restrictions on assistance at 24 CFR 5.612.



In addition to verifying the student's income eligibility, the SNRHA will then proceed to verify either the student's parents' income eligibility or the student's independence from his/her parents (see below).

### ***Independent Student***

#### **SNRHA Policy**

The SNRHA will verify a student's independence from his/her parents to determine that the student's parents' income is not relevant for determining the student's eligibility by doing all of the following:

Either reviewing and verifying previous address information to determine whether the student has established a household separate from his/her parents for at least one year or reviewing and verifying documentation relevant to determining whether the student meets the U.S. Department of Education's definition of *independent student*.

Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent

Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0.

### **7-II.F. DOCUMENTATION OF DISABILITY**

The SNRHA must verify the existence of a disability in order to allow certain income disallowances and deductions from income. The SNRHA is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. The SNRHA may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If the SNRHA receives a verification document that provides such information, the PHA will not place this information in the tenant file. Under no circumstances will the PHA request a participant's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' website at [www.os.dhhs.gov](http://www.os.dhhs.gov).

The above cited regulation does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they are persons with disabilities:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance



### **Family Members Receiving SSA Disability Benefits**

Verification of the receipt of disability benefits from the Social Security Administration (SSA) is sufficient verification of disability for the purpose of qualifying for waiting list preferences (if applicable) or certain income disallowances and deductions.

#### SNRHA Policy

For family members claiming disability who receive disability benefits from the SSA, the SNRHA will attempt to obtain information about disability benefits through the HUD Enterprise Income Verification (EIV) system when it is available. If documentation from HUD's EIV System is not available, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member claiming disability status. If the family is unable to provide the document(s), the SNRHA will ask the family to request a benefit verification letter by either calling SSA at 1-800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant or participant receives the benefit verification letter they will be required to provide it to the SNRHA.

### **Family Members Not Receiving SSA Disability Benefits**

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.603.

#### SNRHA Policy

For family members claiming disability who do not receive disability benefits from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

## **PART III: VERIFYING INCOME AND ASSETS**

Chapter 5, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This part provides SNRHA policies that supplement the general verification procedures specified in Part I of this chapter.

### **7-III.A. EARNED**

#### **INCOME Wages**

##### SNRHA Policy

*Acceptable methods of verification include, in this order:*

1. EIV with two consecutive current paystubs for annuals and for New Hires.
2. Acceptable 3<sup>rd</sup> Party written verification provided by the resident.





3. Third party written verification  
Employment verification form completed by the employer
4. Oral third party -must document why other steps above where not available
5. W-2 forms and IRS Form 4506-T release
6. Self-certifications may be used for verifying self-employment income, or income from tips and other gratuities.
7. Current check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.

In cases where there are questions about the validity of information provided by the family, SNRHA will require the most recent federal income tax statements to be obtained via use of IRS Form 4506-T.

### **Tips**

#### SNRHA Policy

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year. Interruption of employment due to temporary leave of absence (i.e. maternity leave, short-term disability): upon verification that earnings have stopped, an interim will be conducted to remove the income. The family may be required to complete a Zero Income Questionnaire/Certification.

The family is required to report any other income received in lieu of earnings. The family will be required to report when the income starts again. At that time an interim will be conducted to add the income back into the family budget.

### **7-III.B. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS Social Security/SSI Benefits**

#### SNRHA Policy

To verify the SS/SSI benefits of applicants, the SNRHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the applicant has received the benefit verification letter they will be required to provide it to the SNRHA.

To verify the SS/SSI benefits of participants, the SNRHA will obtain information about social security/SSI benefits through the HUD EIV System or the Tenant Assessment Subsystem (TASS). If benefit information is not available in HUD systems, the SNRHA will request a current SSA benefit verification letter from each



family member that receives social security benefits. If the family is unable to provide the document(s) the PHA will ask the family to request a benefit verification letter by either calling SSA at 1- 800-772-1213, or by requesting it from [www.ssa.gov](http://www.ssa.gov). Once the participant has received the benefit verification letter they will be required to provide it to the SNRHA.

### **7-III. C. ASSETS AND INCOME FROM**

#### **ASSETS**

##### **Assets Disposed of for Less than Fair Market**

##### **Value**

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years. The SNRHA needs to verify only those certifications that warrant documentation.

##### SNRHA Policy

The SNRHA will verify the value of assets disposed of only if:

- The SNRHA does not already have a reasonable estimation of its value from previously collected information, or
- The amount reported by the family in the certification appears obviously in error. Example 1: An elderly participant reported a \$10,000 certificate of deposit at the last annual reexamination and the SNRHA verified this amount. Now the person reports that she has given this \$10,000 to her son. The SNRHA has a reasonable estimate of the value of the asset; therefore, re-verification of the value of the asset is not necessary.

Example 2: A family member has disposed of its 1/4 share of real property located in a desirable area and has valued her share at approximately \$5,000. Based upon market conditions, this declaration does not seem realistic. Therefore, the SNRHA will verify the value of this asset.

### **7-III.D. NET INCOME FROM RENTAL PROPERTY**

##### SNRHA Policy

The family must provide:

A current executed lease for the property that shows the rental amount or certification from the current tenant.

A self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income). If schedule E was not prepared, the SNRHA will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and



may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.

### **7-III.E. RETIREMENT ACCOUNTS**

#### SNRHA Policy

When third-party verification is not available the type of original document that will be accepted depends upon the family member's retirement status.

*Before* retirement, the SNRHA will accept an original document from the entity holding the account with a date that shows it is the most recently scheduled statement for the account but in no case earlier than 6 months from the effective date of the examination.

*Upon* retirement, the SNRHA will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.

*After* retirement, the SNRHA will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

### **7-III.F. INCOME FROM EXCLUDED SOURCES**

The SNRHA must obtain verification for income exclusions only if, without verification, the SNRHA would not be able to determine whether the income is to be excluded. For example: If a family's 16 year old has a job at a fast food restaurant, the SNRHA will confirm that SNRHA records verify the child's age but will not send a verification request to the restaurant. However, if a family claims the earned income disallowance for a source of income, both the source and the income must be verified.

#### SNRHA Policy

The SNRHA will reconcile differences in amounts reported by the third party and the family only when the excluded amount is used to calculate the family share (as is the case with the earned income disallowance). In all other cases, including food stamps, the SNRHA will report the amount to be excluded as indicated on documents provided by the family, including the family's written certification.

### **7-III.G. ZERO/EXTREMELY LOW ANNUAL INCOME STATUS**

#### SNRHA Policy

Families claiming to have no annual income will be required to execute verification forms to determine that certain forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household. Zero income households will be interviewed at least once every 180 days.



## **PART IV: VERIFYING MANDATORY DEDUCTIONS**

### **7-IV.A. DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS**

The dependent and elderly/disabled family deductions require only that the PHA verify that the family members identified as dependents or elderly/disabled persons meet the statutory definitions. No further verifications are required.

#### **Dependent Deduction**

See Chapter 6 for a full discussion of this deduction. The SNRHA must verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse, or co-head of the family and is not a foster child
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student

#### **Elderly/Disabled Family Deduction**

See Eligibility chapter for a definition of elderly and disabled families and Chapter 5 for a discussion of the deduction. The SNRHA must verify that the head, spouse, or co-head is 62 years of age or older or a person with disabilities.

### **7-IV.B. MEDICAL EXPENSE DEDUCTION**

Policies related to medical expenses are found in Chapter 6.

#### **Amount of Expense**

##### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the medical provider requesting the needed information.

Medical expenses will be verified through:

Third-party verification form signed by the provider, when possible

If third-party is not possible, copies of cancelled checks used to make medical expense payments and/or printouts or receipts from the source will be used. (Credit card statements will not be allowed as verification of payment of medical expenses.) In this case the SNRHA will make a best effort to determine what expenses from the past are likely to continue to occur in the future. The SNRHA will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming 12 months.

In addition, the SNRHA must verify that:



- The household is eligible for the deduction.
- The costs to be deducted are qualified medical expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

### **Eligible Household**

The medical expense deduction is permitted only for households in which the head, spouse, or co-head is at least 62, or a person with disabilities. The SNRHA must verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter of this plan.

### **Qualified Expenses**

To be eligible for the medical expenses deduction, the costs must qualify as medical expenses.

See Chapter 6 for the SNRHA policy on what counts as a medical expense.

### **Unreimbursed Expenses**

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source.

### **Expenses Incurred in Past Years**

#### SNRHA Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, the SNRHA will verify:

The anticipated repayment schedule

The amounts paid in the past, and

Whether the amounts to be repaid have been deducted from the family's annual income in past years

## **7-IV.C. DISABILITY ASSISTANCE EXPENSES**

Policies related to disability assistance expenses are found in Chapter 6.

### **Amount of Expense**

#### ***Attendant Care***

#### SNRHA Policy

The SNRHA will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:



Third-party verification form signed by the provider, when possible.

If third-party is not possible, copies of cancelled checks used to make attendant care payments and/or receipts from care source. (Credit card statements will not be allowed as verification of payment of medical expenses.)

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 months.

### ***Auxiliary Apparatus***

#### **SNRHA Policy**

Expenses for auxiliary apparatus will be verified through:

Third-party verification of anticipated purchase costs of auxiliary apparatus. If third-party is not possible, billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months.

If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months

In addition, the SNRHA must verify that:

The family member for whom the expense is incurred is a person with disabilities

The expense permits a family member, or members, to work (see Chapter 5). The expense is not reimbursed from another source (see Chapter 5).

The expense does not exceed the amount of the earned income of the individual freed for work.

### ***Family Member is a Person with Disabilities***

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. The SNRHA will verify that the expense is incurred for a person with disabilities.

### ***Family Member(s) Permitted to Work***

The SNRHA must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.

#### **SNRHA Policy**

The SNRHA will seek third-party verification from a Rehabilitation Agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work.



If third-party and document review verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense frees a family member, or members (possibly including the family member receiving the assistance), to work.

### **Unreimbursed Expenses**

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

An attendant care provider will be asked to certify that, to the best of the provider's knowledge, the expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

### **7-IV.D. CHILD CARE EXPENSES**

The SNRHA must verify that:

- The child is eligible for care.
- The costs claimed are not reimbursed.
- The costs enable a family member to pursue an eligible activity.
- The costs are for an allowable type of childcare.
- The costs are reasonable if seeking employment or furthering education.

#### **Eligible Child**

To be eligible for the childcare deduction, the costs must be incurred for the care of a child under the age of 13. The SNRHA will verify that the child being cared for (including foster children) is under the age of 13.

#### **Unreimbursed Expense**

To be eligible for the childcare deduction, the costs must not be reimbursed by another source.

#### SNRHA Policy

The childcare provider will be asked to certify that, to the best of the provider's knowledge, the childcare expenses are not paid by or reimbursed to the family from any source. The family will be required to certify that the childcare expenses are not paid by or reimbursed to the family from any source.

The SNRHA must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

#### ***Information to be Gathered***



The SNRHA will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### ***Seeking Work***

Whenever possible the SNRHA will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases the SNRHA will request verification from the agency of the member's job seeking efforts to date and require the family to submit to the SNRHA any reports provided to the other agency.

In the event third-party verification is not available, the SNRHA will provide the family with a form on which the family member must record job search efforts. The SNRHA will review this information at each subsequent reexamination for which this deduction is claimed.

### ***Furthering Education***

The SNRHA will ask that the academic or vocational educational institution verify that the person permitted to further his or her education by the childcare is enrolled and provide information about the timing of classes for which the person is registered.

### ***Gainful Employment***

The SNRHA will seek verification from the employer of the work schedule of the person who is permitted to work by the childcare. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified.

## **Allowable Type of Child Care**

The type of care to be provided is determined by the family.

### **SNRHA Policy**

The SNRHA will verify that the type of childcare selected by the family is allowable, as described in Chapter 6.

The SNRHA will verify that the fees paid to the childcare provider cover only childcare costs (e.g., no housekeeping services or personal services) and are paid only for the care of an eligible child (e.g., prorated costs if some of the care is provided for ineligible family members).

The SNRHA will verify the childcare provider is not a family member residing in the household. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.





## **Reasonableness of Expenses**

Only reasonable childcare costs can be deducted for seeking employment or furthering education.

### SNRHA Policy

To verify that the childcare costs are reasonable, the actual costs the family incurs will be compared with the SNRHA's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable.

If the family presents a justification for costs that exceed typical costs in the area, the SNRHA will request additional documentation, as required, to support a determination that the higher cost is appropriate.

SNRHA will send out our childcare verification form when child care expenses are being verified. This form must be completed with all questions answered and returned by mail or fax. This form will be the only verification childcare form acceptable by our agency. Private childcare providers that do not have tax identification numbers must complete the section that requests their social security numbers or their INS number.

Written verification from the person who receives the payments is required. If the child care provider is licensed, the provider is required to provide their Employment Identification Number.

Verifications must specify the child care provider's business or individual name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Family's must certify as to whether any of those payments have been or will be paid or reimbursed by outside sources.



EXIITBIT 7-1: EXCERPT FROM HUD VERIFICATION

GUIDANCE NOTICE (PIII 2004-01, pp.11-14)

|                                     |                                                                                                                                               |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Upfront (UIV)</b>                | <b>Highest (Highly Recommended, highest level of third party verification)</b>                                                                |
| <b>Written 3<sup>rd</sup> Party</b> | <b>High (Mandatory if upfront income verification is not available or if UIV data differs substantially from tenant-reported information)</b> |
| <b>Oral 3<sup>rd</sup> Party</b>    | <b>Medium (Mandatory if written third party verification is not available)</b>                                                                |
| <b>Document Review</b>              | <b>Medium-Low (Use on provisional basis)</b>                                                                                                  |
| <b>Tenant Declaration</b>           | <b>Low (Use as a last resort)</b>                                                                                                             |

| Income Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Upfront                                                                                                                                                             | Written Third                                                                                                                                                                                                       | Oral Third Party                                                                                                                                                                                                       | Document Review                                                                                                                                                                                                                                                                                                                                                                                                  | Tenant Declaration                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 5)                                                                                                                                                           | (LEVEL 4)                                                                                                                                                                                                           | (LEVEL 3)                                                                                                                                                                                                              | (LEVEL 2)                                                                                                                                                                                                                                                                                                                                                                                                        | (LEVEL 1)                                                                                                                                                                                                                                         |
| Wages/Salaries                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Use of computer matching agreements with a State Wage Information Collection Agency (SWICA) to obtain wage information electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the independent sources to obtain wage information.                                                                                                | In the event the independent source does not respond to the PHA's written request for information, the PHA may contact the independent source by phone or make an in person visit to obtain the requested information. | When neither form of third party verification can be obtained, the PHA may accept original documents such as consecutive pay stubs (HUD recommends the PHA review at least three months of pay stubs, if employed by the same employer for three months or more), W-2 forms, etc. from the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from earnings. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Agreements with private vendor agencies, such as The Work Number or ChoicePoint to obtain wage and salary information.                                              | The PHA may have the tenant sign a Request for Earnings Statement from the SSA to confirm past earnings. The PHA mails the form to SSA and the statement will be sent to the address the PHA specifies on the form. |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Use of HUD systems, when available.                                                                                                                                 |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |
| <p><b>Verification of Employment Income:</b> The PHA should always obtain as much information as possible about the employment, such as start date (new employment), termination date (previous employment), pay frequency, pay rate, anticipated pay increases in the next twelve months, year-to-date earnings, bonuses, overtime, company name, address and telephone number, name and position of the person completing the employment verification form.</p> <p><b>Effective Date of Employment:</b> The PHA should always confirm start and termination dates of employment.</p> |                                                                                                                                                                     |                                                                                                                                                                                                                     |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                   |



|                                                                                                                                                                                                                                                                                                    |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Self-Employment                                                                                                                                                                                                                                                                                    | Not Available                                                                                                                                           | The PHA mails or faxes a verification form directly to sources identified by the family to obtain income information.                                                                                                                         | The PHA may call the source to obtain income information.                                                                                                                                               | The PHA may accept any documents (i.e. tax returns, invoices and letters from customers) provided by the tenant to verify self-employment income. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not obtained. | The PHA may accept a notarized statement or affidavit from the tenant that declares the family's total annual income from self-employment. <b>Note:</b> The PHA must document in the tenant file, the reason                 |
| <b>Verification of Self-Employment Income:</b> Typically, it is a challenge for PHAs to obtain third party verification of self-employment income. When third party verification is not available, the PHA should always request a notarized tenant declaration that includes a perjury statement. |                                                                                                                                                         |                                                                                                                                                                                                                                               |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                              |
| Social Security Benefits                                                                                                                                                                                                                                                                           | Use of HUD Tenant Assessment System (TASS) to obtain current benefit history and discrepancy reports.                                                   | The PHA mails or faxes a verification form directly to the local SSA office to obtain social security benefit information. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may call SSA, with the tenant on the line, to obtain current benefit amount. (Not Available in some areas because SSA makes this data available through TASS. SSA encourages PHAs to use TASS.) | The PHA may accept an original SSA Notice from the tenant. Note: The PHA must document in the tenant file, the reason third party verification was not available.                                                                                              | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly social security benefits. Note: The PHA must document in the tenant file, the reason third party verification was not available. |
| Welfare Benefits                                                                                                                                                                                                                                                                                   | Use of computer matching agreements with the local Social Services Agency to obtain current benefit amount electronically, by mail or fax or in person. | The PHA mails, faxes, or e-mails a verification form directly to the local Social Services Agency to obtain welfare benefit information.                                                                                                      | The PHA may call the local Social Services Agency to obtain current benefit amount.                                                                                                                     | The PHA may review an original award notice or printout from the local Social Services Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly welfare benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.  |



| Income Type           | Upfront<br><b>(LEVEL 5)</b>                                                                                                                                                                                     | Written Third<br><b>(LEVEL 4)</b>                                                                                                                                                             | Oral Third Party<br><b>(LEVEL 3)</b>                                                                                                          | Document Review<br><b>(LEVEL 2)</b>                                                                                                                                                                                                                                                                            | Tenant Declaration<br><b>(LEVEL 1)</b>                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Child Support         | Use of agreement with the local Child Support Enforcement Agency to obtain current child support amount and payment status electronically, by mail or fax or in person.                                         | The PHA mails, faxes, or e-mails a verification form directly to the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may call the local Child Support Enforcement Agency or child support payer to obtain current child support amount and payment status. | The PHA may review an original court order, notice or printout from the local Child Support Enforcement Agency provided by the tenant to verify current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. | The PHA may accept a notarized statement or affidavit from the tenant that declares current child support amount and payment status. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available. |
| Unemployment Benefits | Use of computer matching agreements with a State Wage Information Collection Agency to obtain unemployment compensation electronically, by mail or fax or in person.<br><br>Use of HUD systems, when available. | The PHA mails, faxes, or e-mails a verification form directly to the State Wage Information Collection Agency to obtain unemployment compensation information.                                | The PHA may call the State Wage Information Collection Agency to obtain current benefit amount.                                               | The PHA may review an original benefit notice or unemployment check stub, or printout from the local State Wage Information Collection Agency provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                            | The PHA may accept a notarized statement or affidavit from the tenant that declares unemployment benefits. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                           |
| Pensions              | Use of computer matching agreements with a Federal, State, or Local Government Agency to obtain pension information electronically, by mail or fax or in person.                                                | The PHA mails, faxes, or e-mails a verification form directly to the pension provider to obtain pension information.                                                                          | The PHA may call the pension provider to obtain current benefit amount.                                                                       | The PHA may review an original benefit notice from the pension provider provided by the tenant. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                                                                                                  | The PHA may accept a notarized statement or affidavit from the tenant that declares monthly pension amounts. <b>Note:</b> The PHA must document in the tenant file, the reason third party verification was not available.                         |



| <b>EXHIBIT 7-2: SUMMARY OF DOCUMENTATION REQUIREMENTS FOR NONCITIZENS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• <b>All</b> noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the PHA.</li> <li>• Except for persons 62 or older, all noncitizens must sign a verification consent form</li> <li>• Additional documents are required based upon the person's status.</li> </ul>                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Elderly Noncitizens</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits.</li> </ul>                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>All other Noncitizens</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below.</li> </ul>                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• Form I-551 Alien Registration Receipt Card (for permanent resident aliens)</li> <li>• Form I-94 Arrival-Departure Record annotated with one of the following:               <ul style="list-style-type: none"> <li>• “Admitted as a Refugee Pursuant to Section 207”</li> <li>• “Section 208” or “Asylum”</li> <li>• “Section 243(h)” or “Deportation stayed by Attorney General”</li> <li>• “Paroled Pursuant to Section 221 (d)(5) of the USCIS”</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Form I-94 Arrival-Departure Record with no annotation accompanied by:               <ul style="list-style-type: none"> <li>• A final court decision granting asylum (but only if no appeal is taken);</li> <li>• A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90);</li> <li>• A court decision granting withholding of deportation; or</li> <li>• A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).</li> </ul> </li> </ul> |
| <ul style="list-style-type: none"> <li>• Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>• Form I-688B Employment Authorization Card annotated “Provision of Law 274a. 12(11)” or “Provision of Law 274a.12”.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

- A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or

- Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the *Federal Register*.

## **Chapter 8**

### **TRANSFER POLICY**

#### **INTRODUCTION**

It is the policy of the SNRHA to permit resident transfers, within and/or between SNRHA public housing communities for the following limited reasons:

- To abate dangerous and/or substandard living conditions;
- To abate emergency life-threatening living conditions caused by third-party criminal activity;
- To accommodate verified physical conditions caused by long-term illness and/or disability;
- To accommodate resident families that are determined to be over- or under-housed by virtue of their family size; and
- To promote homeownership, transfer of families to scattered sites
- To accommodate relocation due to modernization work, community safety

Each transfer request will be evaluated on a case-by-case basis, taking into consideration:

- The documentation that substantiates the reason for the request;
- Whether or not the resident is in good standing with the SNRHA
- The availability of suitable alternative units.

SNRHA will not grant a transfer request solely to accommodate neighbors who "cannot get along."

Activities of residents that adversely affect the right of others to the peaceful enjoyment of their community will be treated as lease violations and may be considered cause for lease termination.

#### **A. ELIGIBILITY FOR TRANSFER**

In order to be determined eligible to receive a transfer, residents must submit the **requested** 3rd party documentation to SNRHA, to substantiate their request, and must be in good standing with the SNRHA.

The type of documentation that must be submitted will vary, depending on the nature of the request.

#### **Good Standing**

A resident will be considered in good standing if he or she and/or household members have not had:

- A history of delinquent rent payments, or
- A history of community disturbance and/or unit destruction.
- Maintain acceptable housekeeping standards
- Fulfilling community service requirements

**Transfer List**

Resident families who are determined eligible to receive a transfer will be placed on a transfer waiting list in accordance with the date of transfer approval and reason for their transfer request. SNRHA will implement transfers in the priority order listed in the following table.

Inappropriately housed resident families who are determined eligible to receive a transfer will be placed on the transfer waiting list at the time of annual certification.

**Priority of Transfers**

Approved transfers shall be accomplished in the following priority order:

| Type of Transfer                         | When executed                                                                | Transfer will be within the housing development:                                           | Ratio                                       | Initiated by                                                     |
|------------------------------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------------|
| <b>Emergency</b>                         | Within 24 hours of documentation, verification & approval                    | Unless emergency transfer cannot be accomplished in this manner.                           | Not applicable                              | SNRHA or written family request                                  |
| <b>Medical and accessibility</b>         | Within 30 days of documentation, verification & approval                     | Unless appropriate unit meeting the family’s needs is not available within the development | Not applicable                              | Written family request                                           |
| <b>Under housed (Overcrowded)</b>        | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Over housed</b>                       | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA on effective date of annual recert                         |
| <b>Under housed with family’s waiver</b> | When family’s name reaches top of transfer list & authorized units available | Unless type of unit required does not exist within that development’s inventory            | 1 transfer for every <b>20</b> new move-ins | SNRHA, not less than one year from the date of initial occupancy |

|                                                                                                                  |                                                                                                               |                                                                         |                                             |                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Higher income family moving to a lower income development</b>                                                 | Next available scattered site home or development of the family's choice                                      | Not applicable                                                          | 1 transfer for every <b>20</b> new move-ins | At written request of family                                                                                       |
| <b>Scattered Site SNRHA Site</b>                                                                                 | Next available scattered site unit when family name reaches the top after certification of eligibility        | All available SS units                                                  | Not applicable                              | SNRHA, not less than <b>two</b> years from the date of initial occupancy <b>and must meet suitability criteria</b> |
| <b>Designated Senior Developments</b>                                                                            | Transfers from Studio to One bedroom unit when family name reaches the top after certification of eligibility | Unless type of unit does not exist within that development's inventory. | 1 transfer for <b>2</b> new move-ins.       | SNRHA, not less than one year from the date of initial occupancy                                                   |
| <b>Newly Modernized Units</b>                                                                                    | Next available unit when family name reaches the top after certification of eligibility                       | Not applicable                                                          | Not applicable                              | SNRHA on effective date of annual recert                                                                           |
| <b><u>Administrative Reasons determined by the PHA (e.g. to permit modernization work, community safety)</u></b> | Within 30 days of Notification                                                                                | Unless type of unit does not exist within that development's inventory. | Not Applicable                              | SNRHA                                                                                                              |

**B. EMERGENCY TRANSFERS**

Emergency transfers will be implemented by the SNRHA to remove a resident family from life-threatening and/or hazardous living conditions caused by third-party criminal activity and/or unit damage. **Good standing criteria does not apply in the case of emergency transfers.**



**Residents will be required to become complaint with all lease provisions upon completion of the Emergency Transfer to the new unit.**

**Emergency Transfers due to Third Party Criminal Activity**

SNRHA will consider transfer requests from resident families who have been victims of life-threatening criminal activity committed by third parties or who have witnessed serious criminal activity and agreed to testify on behalf of the State at a criminal proceeding.

Families who request a unit transfer due to third-party criminal activity may be required to submit verifiable documentation evidencing one or all of the following:

- Police reports and/or police statements detailing the incident in question
- Eyewitness statements describing the incident in question
- Confirmatory letters from the Victim Witness Protection Unit, Rape Crisis Center or similarly recognized entity
- Medical reports from a licensed health care provider
- Subpoena or other written contacts from the Clark County District Attorney or U.S. Attorney

The SNRHA will require residents who are victims of domestic violence to certify their victim status and the names of their abusers. Third-party verification must be provided by victim service providers, medical professionals, or attorney who have counseled the victim and can verify their status as a domestic violence victim.

All documentation submitted shall remain confidential and shall be reviewed and evaluated by the Director of Operations only. Transfer requests due to third-party criminal activity shall be evaluated on a case-by-case basis, by consideration of the following criteria:

- The availability of a suitable alternative unit
- The documentation describing/verifying the incident
- The severity of the incident

**Notification:** If approved, the family will be notified that:

- A unit has been designated;
- They must execute a new lease and move within five (5 days) of receipt of the notice, and
- If they refuse to accept the unit, they must execute a waiver of their emergency transfer request.

**Emergency Transfers Initiated or Confirmed by Law Enforcement**

If the emergency transfer request is initiated or confirmed by authorized law enforcement officials, the SNRHA may take the following action to maintain the confidentiality of the request and subsequent transfer:

- By-passing the regular transfer occupancy function and/or staff;
- Maintaining the resident family's file separate from other resident files; and
- Concealing and/or changing the identity of the resident family's file.

### **Emergency Transfers due to Hazardous Unit Conditions**

A transfer due to hazardous unit conditions is mandatory. It may be initiated at any time by the SNRHA or the resident family or both, after detection of a unit condition that poses a threat to the health and safety of the resident family. A hazardous unit condition is one that arises from:

- Substantial fire damage;
- Life-threatening fungus as determined by a Clark County Health District Official and/or a licensed hazardous waste consultant;
- Exposed electrical wiring;
- Defective ventilation;
- Inadequate plumbing, heating and/or cooling that will require long-term repair;
- Other serious conditions identified by the SNRHA Maintenance Department that require long-term repair.

**Notification:** If at least one of the foregoing conditions is found to exist, the SNRHA shall immediately notify the resident family or families affected and advise them, in writing, as follows:

- A unit has been designated;
- They will be required to move and sign a new lease no later than five (5) days from the date they receive the notice;
- If the hazardous condition was caused by the family, the family shall bear the cost of repair and moving.
  - If the family is unable to move due to financial reasons, SNRHA shall contract with a third party entity to move the family and shall bill the family for said costs, no later than the date on which the repair bills are submitted to them.
  - If the resident family refuses to move or otherwise fails to pay the repair and/or moving costs, SNRHA will initiate eviction proceedings against the family
- If the hazardous condition was not caused by the family, the SNRHA will bear all repairs and documented moving costs incurred by the family.

### **C. TRANSFERS DUE TO ILLNESS AND/OR DISABILITY**

Unit transfers will be implemented by SNRHA to accommodate the accessibility needs of residents and/or their household members, arising from long-term illness or disability. Accessibility needs are those that require one or all of the following:

- A first floor and/or single story dwelling;
- Widened hallways and/or lowered cabinets;
- Roll-in shower facilities
- Flashing-light-censored smoke detectors
- Central air conditioning and heat

### **Documentation**

Families who request a transfer due to illness and/or disability may be required to submit recent verifiable documentation from a health care provider or social service entity that confirms the impairment and the accessibility needs.

**Notification**

Upon a determination that the family's request for a transfer due to illness or disability has been approved, the SNRHA shall send the resident a thirty (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty (30) day period has passed:

A unit to which the family may transfer will be designated at such time as it becomes available;

They will be required to enter into a new lease for the transfer unit;

That if they refuse to move into the unit, they must sign a waiver of the transfer request.

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

**D. TRANSFERS TO ACCOMMODATE FAMILIES THAT ARE OVER- OR UNDER-HOUSED.**

Unit transfers will be implemented by SNRHA to accommodate resident families that are determined to be over-housed or under-housed **by virtue of their family size based on the general occupancy standards.** These transfers may be initiated by the SNRHA or the resident or both. A family may request an exception to the general occupancy standards. The SNRHA will evaluate the relationship and ages of all family members and the overall size of the unit. If approved, the family must agree to remain in the approved unit for one year.

**Notification**

Upon a determination that the family is approved to move into a unit of a different size, the SNRHA shall send the resident a thirty- (30) day Notice of Transfer. This places the resident family on notice that they have been approved for a transfer and that any time after the thirty- (30) day period has passed:

A unit to which the family must transfer may be designated;

They will be required to move into that unit in accordance with the terms of their lease;

They will be required to enter into a new lease for the transfer unit;

When the transfer is authorized, the resident family shall be notified of the identity of the transfer unit and that they are required to accept the dwelling unit within three (3) calendar days and lease the unit within two (2) calendar days after accepting the unit.

The resident can receive an extension of up to an additional seven (7) calendar days, at the SNRHA's discretion, subject to documented evidence of an undue hardship on the family.

Examples of undue hardship include but are not limited to:

Death in the immediate family

Jury duty

Hospitalization

Verified medical reasons

A new disability which makes the new unit unsuitable for the family's housing needs

Inability to obtain the resources to execute the move

Any extension must be approved by the Director of Operations or designee.

### **Resident Refusal of the Transfer Unit**

The resident may decline the transfer unit for good and reasonable cause. Such cause shall be considered sufficient if:

The unit does not provide adequate accessibility, or

The unit will not have the required effect of accommodating the family size.

The Director of Operations shall determine if the unit refusal is for good cause. If the resident declines the unit without good cause, the SNRHA shall assign the unit to another family and void the request for transfer if generated by the family.

If the resident refuses the transfer unit when the reason for the transfer is an emergency, under/over housed or abatement, a 30-day notice will be issued. The unit will be reassigned and the transfer will be voided.

### **Transfer Procedures**

The Development Manager and resident will participate in a pre-transfer inspection to determine damages prior to transfer and the charges made part of the new lease.

The resident and SNRHA shall enter into a new lease agreement for the transfer unit.

### **Security Deposits**

1. Families transferring to another development must have paid the security deposit in full at the sending development.
2. SNRHA will charge the families for any damages to the previous unit.
3. Security deposits will be refunded to the resident under the terms of the lease for the

- previous unit. The resident must deposit with the SNRHA a security deposit on the new unit consistent with the security deposit policy in effect at the time of the transfer.
4. Refer to Security Deposit Chapter for additional details.
  5. Move-out charges will be posted to the new unit. The office of the receiving development is responsible for collecting any maintenance charges due SNRHA.

## **E. GENERAL CONDITIONS GOVERNING TRANSFERS**

### **Discrimination Prohibited**

Transfer requests shall be processed, evaluated, initiated and/or determined without regard to race, color, religion, gender, creed or national origin. Transfer requests based on household composition and/or illness disability must consider family size and disability.

### **Cleaning and/or Repair Charges**

All transfers are subject to charges for cleaning or repair work performed by the maintenance staff on the vacated unit. All charges will be assessed after an inspection is completed by the resident and the housing manager. **Residents will be required to pay any amounts owed to the past property within 30 days of the move out statement.**

### **Rent Adjustments for Transferred Residents**

No rent adjustment will be made, except for utility allowance, until the next scheduled certification.

### **Reexamination Date**

The date of the transfer changes the reexamination date according to the block system of the gaining development, unless the annual reexamination period would exceed twelve months since the family's last annual reexamination.

The losing development will send the family's file to the gaining development once they have been notified that the family has accepted the unit, before the family is leased up. The gaining development will not attempt to lease up a family without possession of the family's file.

### **SNRHA Incentives for Higher Income Families Transferring Into Lower Income Developments**

The SNRHA will offer certain incentives to higher income families (**Household Income at or above 60% of AMI**) willing to move into lower income projects. If a higher income family agrees to move to a SNRHA-specified lower income development, the SNRHA will agree to approve to transfer the resident family to the next available scattered site home or the development of the family's choice. The move will be approved according to the Occupancy Guidelines only if the family has consistently been in lease compliance for two years following admission.

SNRHA will target homeownership opportunities to higher income families moving into lower income projects.

## **Processing In and Out of Developments**

### **Gaining Developments**

Transfers from other developments will be processed in the same manner as move-ins, including a new lease and applicable security deposit.

The resident transferring between public housing projects does not have to meet the admission requirements pertaining to income or preference.

### **Residents Failure to Transfer Units**

In the event the resident fails to transfer and submit keys within the timeframes as stated in this policy, **both managers will serve the tenant with a 30 Day Notice for failure to vacate the unit they are transferring from.**

### **COST OF TRANSFERS**

Residents shall bear the cost of transfers to correct occupancy standards, resident requested transfers, incentive transfers, and other voluntary transfers.

SNRHA will bear the reasonable cost of transfers SNRHA requests for demolition, disposition, rehabilitation, building system failures, or emergency conditions due to no fault of the tenant. SNRHA will bear the reasonable cost of transfers needed as a reasonable accommodation for residents with disabilities, **in accordance with SNRHA Reasonable Accommodation Policy and Procedures.** The reasonable cost of transfers includes not just the cost of packing, moving, and unloading, but also the cost of connecting and reconnecting any existing resident-paid services such as telephone and cable.

## **Resident Selection Criteria For Otto Merida Family Apartments**

**The following criteria will be utilized to select from current residents residing in other Public Housing communities for the Project:**

1. Must have a favorable rental payment history. A resident will be considered to have a favorable rental payment history if there have been two or less delinquent rent payments in the previous twelve months.
2. Must be in good standing with SNRHA and in compliance with all terms and conditions of the resident's existing Lease.
3. Resident must be currently employed or enrolled in the Family Self Sufficiency Program and must have accomplished one or more established goals within the Program. SNRHA will provide the Manager with a list of residents wishing to transfer to the Project and the Manager will determine and certify the eligibility of the resident, and the resident will be notified of the determination. Transfer requests will be processed on a first come, first serve basis.

### **Income Tiering**

In addition to the above selection criteria, SNRHA will institute an income-tiring system in allocating units within the Project. The units will be divided into three income tiers, which will be distributed equally across the development and by unit types. The income tiers will be as follows:

- **Low Tier:** Less than 20% of the HUD Area Median Income (AMI) for a Family of Four (or \$11,819 in 2005) 20 units;
- **Middle Tier:** Greater than 20% AMI and Less than 30% AMI for a Family of Four (or \$17,730 in 2005) 20 units; and
- **High Tier:** Greater than 30% AMI and Less than 60% AMI maximum tax credit income Level (or \$35,460 in 2005 for a Family of Four) 20 units.

Transfer requests from current SNRHA residents who meet the initial resident selection criteria noted above will be placed in one of the three income tiers, or disqualified by the Manager if the applicants' income is above the 60% AMI tax credit limit or do not meet the LIHTC eligibility.

After the initial inquiry is made of existing public housing residents, public housing residents may apply for transfer to the Project at the time of their annual certification by completing an application for the Honolulu Street Apartments.

### **Public Housing Waiting List**

In the event there are no current public housing residents within the appropriate income tiers as indicated above who wish to transfer to the Project, Project vacancies will be filled from

**Southern Nevada Regional Housing Authority**

SNRHA's Public Housing certified waiting list utilizing current preferences and screening criteria in accordance with SNRHA's ACOP and the screening criteria described above.

Employment income is a current SNRHA waiting list preference.

In the event there are no eligible applicants on the current Public Housing certified waiting list within the three income tiers, outreach will be conducted to the general public as provided in the Marketing Policy.





## **Chapter 9** **LEASING** [24 CFR 966.4]

### **INTRODUCTION**

It is the SNRHA's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This chapter describes pre-leasing activities and the SNRHA's policies pertaining to lease execution, security deposits, other charges, and additions to the lease.

### **A. LEASE ORIENTATION**

In conjunction with execution of the lease, all adult family members must attend a new resident orientation within 90 days of move-in.

Residents with disabilities may request a reasonable accommodation.

### **Orientation Agenda**

When families attend the lease orientation, they will be provided with:

- A sample copy of the lease
- A copy of the grievance procedure
- A copy of the house rules
- Supportive services information, including FSS
- Emergency maintenance policy
- Community Service requirements and policy
- Pet policy
- Trespass policy
- Bed Bug Addendum
- Housekeeping Standard
- Other Lease addendums

Topics to be discussed will include, but are not limited to:

- Applicable deposits and other charges
- Maintenance charges
- Provisions of the lease
- Unit maintenance and work orders
- Terms of occupancy
- Rent choice/Flat rent/income based/seasonal employment

SNRHA shall ensure additional efforts are made to ensure full program accessibility to persons with Limited English Proficiency, including notifying organizations that provides services to low-income families whose primary language is Spanish, as outlined in SNRHA's Limited English Proficiency Plan.



## **B. LEASE REQUIREMENTS**

The initial term of the lease will be for 12 months. The lease will renew automatically for 12-month terms with the following exception:

- SNRHA will not renew the lease if the family has violated the community service requirement (24 CFR 966.4).
- Due to the community service requirement, the lease does not automatically renew for terms of 12 months. An annual signing process, the completion of recertification, is required.
- The lease further provides for termination and eviction at the end of any 12-month lease term for non-compliance with the community service requirements at 24 CFR Part 960, Subpart F and Chapter 15 of this Admissions and Continued Occupancy Policy.

## **C. EXECUTION OF LEASE**

The lease shall be executed by the head of household, spouse or co-head; and by an authorized representative of SNRHA, prior to admission.

The head or co-head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head or co-head.

An appointment will be scheduled for the parties to execute the lease. One executed copy of the lease will be given to the tenant, and the SNRHA will retain the original in the tenant's file. The lease is incorporated into this policy by reference. The lease document will reflect current SNRHA policies as well as applicable Federal, State and local law. The following provisions govern lease execution and amendments:

- A lease is executed at the time of admission for all new tenants.
- A new lease is executed at the time of the transfer of a tenant from one SNRHA unit to another
- If, for any reason, the head or co-head of household of the lease cease to be a member of the household, a new lease will be executed with the remaining members, so long as they meet the program requirements.
- Lease signers must be persons legally eligible to execute contracts.
- The names, relationship to head, date of birth, and social security number of all household members are listed on the lease at initial occupancy and on the Application for Continued Occupancy (need to determine name of form to be used) each subsequent year. Only those persons listed on the most recent certification shall be permitted to occupy a dwelling unit.
- Changes to tenant rents are made upon the preparation and execution of an addendum to the lease which reflects any change in household composition or rent. Documentation will be included in the tenant file to support proper notice.



- Households that include a live-in aide are required to execute a live in aide agreement authorizing the arrangement and describing the status of the aide.
- Households that include a live-in aide will contain file documentation that the live-in aide is not a party to the lease and is not entitled to SNRHA assistance, with the exception of occupancy while serving as the aide for the participant family member.

The SNRHA may modify its form of lease from time to time, giving tenants an opportunity to comment on proposed changes and advance notice of the implementation of any changes. A tenant's refusal to accept permissible and reasonable lease modifications, or those modifications required by HUD, is grounds for termination of tenancy.

#### **D. ADDITIONS TO THE LEASE**

Only those persons listed on the most recent certification form and lease shall be permitted to occupy a dwelling unit<sup>1</sup>.

All persons listed on the most recent certification form and the lease must use the dwelling unit as their sole residence.

Requests for the addition of a new member of the household must be approved by the SNRHA, prior to the actual move-in by the proposed new member.

Following receipt of a family's request for approval, the SNRHA will conduct a pre-admission screening, including the Criminal History Report, of the proposed new adult member. Only new members approved by the SNRHA will be added to the household.

Family members over the age of 18 who move from the dwelling unit to establish new households shall be removed from the lease. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list. Exceptions will be made by the approval of the Director of Operations or designee.

Minors being added to the household by other than birth or legal adoption or court – awarded custody must be verified by court action. Temporary guardianship will be considered as a court action. All temporary guardianship will be renewed and verified every six months.

#### **Factors Determining Household Additions**

Household additions subject to screening:

- Resident plans to marry;
- Resident desires to add a new adult family member to the lease or employ a live-in aide.



- A unit is occupied by a remaining family member(s) under age 18 (not an emancipated minor) and an adult who was not a member of the original household requests permission to take over as the head of household. Guardianship and/or custody of the remaining family member(s) under 18 must be obtained by the adult who was not a member of the original household. The family will have 90 days to obtain all documentation. If the adult is unable to provide appropriate documentation regarding the remaining minor, children and/or fails to comply with all screening requirements they are ineligible to occupy the unit at the expiration of the 90 days.

Factors determining household additions that are not subject to screening:

Children born to a family member or whom a family member legally adopts are exempt from the pre-screening process.

Children for whom the family receives court-awarded custody

Persons under the age of 18 years

Foster Children proposed to live in the unit

In cases where the addition of a new member who has not been born, married, awarded legal custody or guardianship, or legally adopted into the family, and the addition will affect the bedroom size required by the family, according to the SNRHA occupancy standards, the SNRHA will not approve the addition. An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody.

Residents who fail to notify the SNRHA of additions to the household, or who permit persons to join the household without undergoing screening, are in violation of the lease. Such persons are considered to be unauthorized occupants by the SNRHA, and the entire household will be subject to eviction [24 CFR 966.4(f) (3)].

Family members age 18 and over, other than spouse, who move from the dwelling unit shall be removed from the lease. The tenant must notify the SNRHA of the move-out within 10 calendar days of its occurrence. These individuals may not be readmitted to the unit and must apply as a new applicant for placement on the waiting list.

The SNRHA in making determinations under this paragraph will consider medical hardship or other extenuating circumstances.



## **Visitors**

1. The resident may not allow visitors to stay overnight more than fourteen (14) consecutive days nor more than 30 calendar days in a twelve month period without prior written approval of management.
2. Visitors who remain beyond this period shall be considered unauthorized, and their presence constitutes a breach of the lease.
3. If an individual other than a leaseholder is representing to an outside agency that they are residing in the lessee's unit, the person will be considered an unauthorized member of the household.
4. Roomers and lodgers are not permitted to occupy a dwelling unit, nor are they permitted to move in with any family occupying a dwelling unit. Advertisements for roomers or lodgers shall be considered a violation of the lease by virtue of intent to sub lease portions of the assisted unit.
5. Residents are not permitted to allow a former tenant of the SNRHA who has been evicted to occupy their unit for any period of time.
6. Medical hardship or other extenuating circumstances shall be considered by SNRHA in making determinations under this area. Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Property Manager.

## **Absences from the Unit**

Residents must advise the SNRHA when they will be absent from the unit for more than **30** consecutive days and provide a means for the SNRHA to contact the resident in the event of an emergency. Failure to advise the SNRHA in writing of extended absences is grounds for termination of the lease.

## **E. LEASING UNITS WITH ACCESSIBLE OR ADAPTABLE FEATURES**

[24 CFR 8.27(a) (1) (2) and (b)]

Before offering a vacant accessible unit to a non-disabled applicant or resident, the SNRHA will offer such units:

First, to a current occupant of another unit of the same development, or other public housing developments under the SNRHA's control, who has a disability that requires the special features of the vacant unit?



Second, to a current occupant of other public housing developments under the SNRHA's control who has a disability that requires the special features of the vacant unit?

Thirdly, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

Accessible units will be offered to and accepted by non-disabled applicants or residents only with the understanding that such applicants/resident must agree to relocate to a non-accessible unit at a later date if a person with a disability requiring the unit applies for housing and is determined eligible or there is an existing resident who require the features of the accessible unit.

The SNRHA will require a non-disabled applicant or resident to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant or resident. This requirement will be a provision of the lease agreement.

#### **F. UTILITY SERVICES**

Tenants responsible for direct payment of utilities must abide by any and all regulations of the specific utility company, including regulations pertaining to advance payments of deposits.

**If a resident is resident or applicant is unable to establish utility services due to a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer or that an applicant cannot be admitted. See page 6-16.**

Failure to maintain utility services during tenancy is a lease violation and grounds for eviction. Non-payment of excess utility charge payments to the SNRHA is a violation of the lease and is grounds for eviction.

SNRHA may send utility reimbursement directly to the utility supplier without the consent of the family that is paying an income based rent. SNRHA will notify the family of the amount of any such direct payment to the utility supplier.

The lease will designate the appliances provided by SNRHA (i.e.: stove and refrigerator). The tenant is responsible for proper hook-up, safety and maintenance of any appliances they may provide (i.e.: dryers).

#### **G. SECURITY AND PET DEPOSITS**

##### **Security Deposit**

Tenant security deposits are required to minimize collection losses and encourage



residents to leave their apartments clean and in good condition when they vacate.

### **Security Deposit Amounts**

New tenants must pay a security deposit to the SNRHA at the time of leasing the unit.

The Security Deposits for Public Housing will be based on bedroom size as follows:

- Efficiency Unit: \$200.00
- One Bedroom Unit: \$200.00
- Two Bedroom Unit \$250.00
- Three Bedroom Unit \$300.00
- Four Bedroom Unit \$350.00
- Five Bedroom Unit \$400.00

Scattered Site units will be required to pay an additional \$100 deposit for lawn or yard maintenance for which they are responsible for under terms of their lease.

### **Transfer of Security Deposit**

If a resident transfers, the original security deposit may be refunded to the resident. The resident must then pay the required deposit for the new unit. The resident will be responsible for payment of any additional security deposits as outlined in this policy. The tenant will also be further billed for any maintenance or other charges beyond the security deposit.

The SNRHA may permit installment payments of security when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA. The Authority may allow for one-quarter of the required deposit at the time of admission and the remainder to be paid with additional equal payments for a three month period. The full deposit must be paid within 120 days of initial occupancy.

The Security Deposit will be returned, less any applicable charges, to the tenant after move-out, if the following conditions are met:

- There is no unpaid rent and/or charges for which the resident is liable under the lease or as a result of breaching the lease.
- The dwelling unit and all equipment are left clean, and all trash and debris have been removed by the family.
- There is no breakage or damage beyond that expected from normal wear and use.
- Tenant gave the required **30** calendar days advance written notice of intent to vacate and all keys issued have been returned to the management office when the family vacates the dwelling unit.

The Security Deposit may not be used to pay charges during the tenant's occupancy.



The SNRHA will hold the security deposit for the period the tenant occupies the unit. The SNRHA will refund the Security Deposit less any amounts owed, within 30 calendar days after move out and tenant's notification of new address. If no address is provided, the refund will be mailed to the last known address.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the security deposits. If the tenant disagrees with the amount charged to the security deposits, the SNRHA will provide a meeting to discuss the charges.

The resident must leave the dwelling unit in a clean and undamaged (beyond normal wear and tear) condition and must furnish a forwarding address to the SNRHA. All keys to the unit must be returned to the Management upon vacating the unit.

The SNRHA will not use the security deposit for payment of rent or other charges while the tenant is living in the unit.

The tenant will be billed for any maintenance or other charges. If the tenant family will be transferred from one public housing dwelling unit to another the SNRHA will conduct the required move-out inspection and determine what charges, if any, should be assessed to tenant's account. SNRHA will establish the security deposit for the new unit based upon the current security deposit policy and the family will be required to pay the balance/new deposit amount in effect at that time.

## **H. ADDITIONAL SECURITY DEPOSIT COLLECTION PROCEDURES**

Security Deposits are governed by the terms of the lease, 24CFR's and Nevada's Statutes. The SNRHA reserves the right to bill a resident's account additional charges if any of the situations below exist or take place within a resident's apartment. This money will be added to the resident's current security deposit. Such deposits may be collected for the following:

- 1) Unauthorized wallpapering.
- 2) Painting walls any color other than the original color upon move-in.
- 3) If the resident fails a housing inspection due to unsanitary housekeeping or excessive damage to the unit that is beyond normal wear and tear.
- 4) Evidence of pet damages (carpet stains, clawing, biting unit components, defecation interior or exterior, fleas, landscaping, lawn or property, fences or other visual damage).

If any of the above items are found within a household the resident will be immediately billed **per labor rates established according to the Maintenance Charge List and added into the tenant's security deposit funds.** The SNRHA has enacted this change to protect the interest of our housing stock and to reduce the billable charges due by the resident once they have moved out of SNRHA housing.





## **Pet Deposit**

### **DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |

ALL PET AGREEMENTS SIGNED WITH RESIDENTS OF SNRHA PRIOR TO THE ADOPTION OF THIS POLICY (03/01/2010) ARE NOT SUBJECT TO PAYING ADDITIONAL DEPOSIT AMOUNTS

RESIDENTS SIGNING PET POLICY AGREEMENTS FOLLOWING THE ADOPTION OF THIS POLICY WILL BE SUBJECT TO PAYING DEPOSITS FOR ANY NEW OR ADDITIONAL PETS.

Assistance Animals for persons with a disability are not subject to the pet deposit.

The SNRHA may permit installment payments of when a new tenant demonstrates a financial hardship to the satisfaction of the SNRHA.

The pet security deposit is to cover the cost of damages created by the pet. Tenant will be given a list of all such damages and the applicable charges that will be deducted from the pet deposit at the time the tenant vacates the unit or the pet is removed from the unit, whichever occurs first. Tenant will also be advised of their right to an informal meeting and/or grievance hearing should they dispute the charges. (See Chapter 10 for remainder of pet policy provisions.) The pet deposit will be returned to the tenant or the person designated by the former tenant, upon notification that the pet is no longer in the unit or in the event of the former tenant's incapacitation or death.

## **Interest**

SNRHA will not compute or pay any interest on any deposit.

## **I. RENT PAYMENTS**

See Chapter 13, Rent and Debt Collection Procedures.

## **J. FEES AND NONPAYMENT PENALTIES**

See Chapter 13, Rent and Debt Collection Procedures.



#### **K. SCHEDULES OF SPECIAL CHARGES**

Schedules of special charges for services, repairs, utilities and rules and regulations which are required to be incorporated into the lease by reference shall be publicly posted in a conspicuous manner in the community office, and they will be provided to the resident at the time of lease execution.

The SNRHA will assess residents a charge for tenant-caused damage to its Conventional housing facilities (i.e., dwelling unit and/or common areas). Where there is no specific cost listed for an item of work, the charge to the family will be based upon the SNRHA labor rate times (x) the hours of labor charged to the job plus (+) the actual cost of parts and materials that were used on the job. A Schedule of Charges will be maintained by the agency and periodically updated. A copy of this schedule will be posted in all management offices and shall be made available upon request. The SNRHA will not charge for any repairs that are necessitated by normal wear and tear; nor is there a charge for any scheduled periodic work, such as painting or extermination. However, if extermination is required on other than the pre-established scheduled basis and there is a determination that the extra extermination services are due to the negligence of the tenant family, the SNRHA reserves the right to charge for said service.

#### **L. MODIFICATIONS TO THE LEASE**

Schedules of special charges and rules and regulations are subject to modification or revision. Tenants will be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and they will be given an opportunity to present written comments. Comments will be taken into consideration before any proposed modifications or revisions become effective.

A copy of such notice shall be posted in the central office, each development office.

Any modifications of the lease must be accomplished by a written addendum to the lease and signed by parties, the resident(s) and the SNRHA.

#### **M. CANCELLATION OF THE LEASE**

Cancellation of the tenant's lease is to be in accordance with the provisions contained in the lease agreement and as stated in this policy.

#### **N. SMOKE FREE HOUSING**

In order to provide a healthier environment for our residents, the Board of Commissioners has adopted a Smoke Free Housing Policy. The purpose of this policy is to provide a healthier environment for our residents and eliminate the harmful effects of secondhand smoke, fire danger and damage to apartments due to smoke. Secondhand smoke is particularly dangerous to children and people with respiratory disease. It is the third leading cause of preventable death in the United States. In 2006, the US Surgeon General stated that there is no safe level of second hand smoke.



**Definition of Smoke/Smoking:**

The term “smoke” and “smoking” means inhaling, exhaling, breathing or carrying any lighted cigar, cigarette or other tobacco product on similar lighted product in any manner or in any form.

**Smoke-Free Apartments:**

The premises listed below have been designated as smoke-free living environments:

- **Lubertha Johnson Estates Senior Development**

**With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.**

Residents, **staff** and guests are prohibited from smoking on these properties owned and managed by SNRHA, including the apartment rented by the resident, the building in which the dwelling unit is located, and all common areas inside and outside the building up to 15 feet from each building and 50 feet from the buildings entry.

**The Southern Nevada Regional Housing Authority Not a Guarantor of Smoke-Free Environment**

The adoption of a smoke free living environment and the efforts to designate a property as smoke-free does not make SNRHA a guarantor of resident’s health or of the smoke free condition of the resident’s apartment and common areas. However, SNRHA shall take reasonable steps to enforce the smoke-free terms of its leases and to make the property smoke-free. SNRHA will post smoke free properties with “No Smoking” signs inside and outside the buildings and may, at its sole option, consider designating smoking areas at any or all of the properties.

**Smoking on the Property as a Lease Violation**

If a resident smells tobacco smoke anywhere in the building, they should report this to the office as soon as possible. Management will seek the source of the smoke and take appropriate action. A resident will be in violation of his/her lease if the resident or any guest is determined to be smoking on SNRHA property. Three (3) violations of SNRHA’s Smoke Free Policy may result in eviction. All applicants/residents acknowledge receipt of this Policy and Smoke-Free Lease Addendum in writing at the time of application and/or next rent recertification.

**O. INSPECTIONS OF PUBLIC HOUSING UNITS**

**Initial Inspections**

The SNRHA and the family will inspect the premises prior to occupancy of the unit in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the SNRHA and the tenant, will be kept in the unit file and tenant file.



### **Vacate Inspections**

The management staff will perform a move-out inspection when the family vacates the unit, and will encourage the family to participate in the move-out inspection.

The purpose of this inspection is to determine necessary maintenance and whether there are damages that exceed normal wear and tear. The SNRHA will determine if there are tenant caused damages to the unit. Tenant caused damages may affect part or all of the family's security deposit. Documentation, including pictures of tenant caused damages will be maintained in tenant file.

The move-out inspection also assists the SNRHA in determining the time and extent of the preparation and repairs necessary to make the unit ready for the next tenant.

### **Annual Inspections**

The SNRHA will inspect all units annually using HUD-required standards. All inspections will include a check of all smoke alarms to ensure proper working order. Pictures of any damages and/or housekeeping problems may be taken. At each annual inspection, staff will verify that the additional room is still being used for medical equipment or live-in aide.

Residents who "fail" the inspection due to housekeeping or tenant-caused damages will be given 10 calendar days to correct noted items and placed on a schedule of 30, 60, and 90 day inspections conducted to ensure lease compliance. Failure to comply with housekeeping requirements are grounds for lease termination.

Residents may request a copy of the inspection report with required corrections. In cases where units failed inspection for housekeeping or damage, a conference is scheduled with the property management.

If necessary to bring the unit into HUD-required compliance, needed repairs will be completed by the SNRHA.

Required corrections will be repaired by the SNRHA within 30 business days of the inspection date.

Damages beyond "normal wear and tear" will be billed to the tenant.

Residents who repeatedly "fail" the inspection or cause excessive damage to the unit will be in violation of their lease. SNRHA will take appropriate lease enforcement action.



### **Quality Control Inspections**

The housing management staff will conduct periodic quality control inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

The SNRHA management staff will conduct quality control inspections on 5% of the units.

The purpose of these quality control inspections is to assure that repairs were completed at an acceptable level of craftsmanship and within an acceptable time frame.

The property manager may conduct periodic inspections to determine the condition of the unit and to identify problems or issues in which the SNRHA can be of service to the family.

### **Special Inspections**

Housing management staff may conduct a special inspection for housekeeping, unit condition, or suspected lease violation.

HUD representatives or local government officials may review SNRHA operations periodically and as a part of their monitoring may inspect a sampling of the SNRHA's inventory.

Modernized and Scattered Site Inspections: New move inspections will be conducted within 60 days of the resident leasing the unit to ensure the unit and grounds are being maintained.

Unit inspections will be conducted within ten (10) working days from the date SNRHA is notified or receives knowledge of an unsatisfactory condition such as infestation, damages, unsatisfactory housekeeping or complaints of poor exterior conditions.

### **Other Inspections**

The SNRHA management staff will periodically conduct windshield and/or walk-through inspections to determine whether there may be lease violations, adverse conditions or local code violations.

Playground inspections are conducted weekly to determine playground safety.

Building exterior and grounds inspections are conducted at all Public Housing properties to determine hazardous conditions as well as to assist in budget preparation.



### **Emergency Inspections**

Housing management staff may initiate an emergency inspection report to generate a work order if they believe that an emergency exists in the unit or on a Public Housing site. In addition, staff may conduct an emergency inspection without a work order and generate a work order after the inspection has been conducted (see Entry of Premises Notice in this chapter.) Repairs are to be completed within 24 hours from the time the work order is issued.

### **Emergency Repairs to be Completed in Less than 24 Hours**

The following items are to be considered emergency in nature and require immediate (less than 24 hour) repair or abatement:

- Broken window glass that affects unit security, is a cutting hazard, or occurs within inclement weather (to be secured or abated)
- Escaping gas
- Plumbing leaks that have the capacity to create flooding or cause damage to the unit
- Natural gas leaks or smell of fumes
- Backed-up sewage
- Electrical hazard
- Inoperable SNRHA-owned air conditioner/heater (seasonal)
- Inoperable smoke detectors will be treated as a 24-hour emergency and will be made operable by the SNRHA if the smoke detector is in need of repair. Residents who disengage smoke detectors will be charged (see Schedule of Charges posted.)
- Lock-outs – Subject to the resident paying the cost for responding.

### **Entry of Premises Notices**

The SNRHA will give prior written notice for non-emergency inspections. Non-emergency entries to the unit will be made during reasonable hours of the day.

The SNRHA will provide the family with 48 hour notice prior to entering the unit for non-emergency reasons other than the annual inspection.

An inspection may not be conducted if there are minors and no adult (required to show identification) present in the unit during the inspection.



If no person is at home, the staff will enter the unit and conduct the inspection and will leave a written notice to the resident explaining the reason the unit was entered and the date and time.

A written notice specifying the purpose for non-emergency entry into the unit will be delivered to the premises at least 2 days before entry.

Where the SNRHA is conducting regular annual inspection of its housing units, the family will receive reasonable advance notice of the inspection to allow the family to prepare and be able to pass the inspection.

Reasons the SNRHA will enter the unit are:

- Inspections and maintenance
- To make improvements and repairs
- To show the premises for leasing
- In cases of emergency

The family must call the SNRHA at least 24 hours prior to the scheduled date of inspection to reschedule the inspection, if necessary.

The SNRHA will reschedule the inspection no more than once unless the resident has a verifiable medical reason which has hindered the inspection. The SNRHA may request verification.

Repairs requested by the family will not require prior notice to the family. Residents are notified in the lease that resident-requested repairs presume permission for the SNRHA to enter. The resident may specify at the time of request for repair or maintenance that they be present. SNRHA will take reasonable measures to comply with the residents request; however known deficiencies must be corrected.

### **Non-Inspection Emergency Entry**

The SNRHA staff will allow access to the unit to proper authorities when issues of health or safety of the tenant are concerned.

### **Family Responsibility to Allow Inspection**

The SNRHA must be allowed to inspect the unit at reasonable times with reasonable notice. If the resident refuses to allow the inspection, the resident will be in violation of the lease.

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<sup>i</sup> 24 CFR §§ 960.205 (b) and 966.4(a)(1)(v)



## Chapter 10

### PET POLICY

[24 CFR 5.309]

#### **INTRODUCTION**

This chapter explains the SNRHA's policies on the keeping of pets and any criteria or standards pertaining to the policy. The rules adopted are reasonably related to the legitimate interest of the SNRHA to provide a decent, safe and sanitary living environment for all tenants, to protecting and preserving the physical condition of the property, and the financial interest of the SNRHA.

The purpose of this policy is to establish the SNRHA's policy and procedures for ownership of pets and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets.

Residents will comply with the dwelling lease, which requires that no animals or pets of any kind be permitted on the premises without prior written approval of the SNRHA.

Nothing in this policy or the dwelling lease limits or impairs the right of persons with disabilities to own animals that are used to assist them.

The SNRHA Pet **Deposits, Fees, and Restrictions** do not apply to Assistance Animals. An Assistance Animal is an animal that is needed as a reasonable accommodation for persons with disabilities.

In accordance with Section 526 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA), SNRHA hereby sets forth rules and regulations concerning pet ownership in its public housing units. Only "common household pets" as defined herein will be permitted in SNRHA owned properties.

A common household pet, for the purposes of SNRHA's conventional housing program: A domesticated animal, such as a dog, cat, bird, or fish that is traditionally kept in the home for pleasure rather than for commercial or breeding purposes. Common household pet does not include reptiles. This definition shall not include animals that are used to assist persons with disabilities.

Residents may own up to two pets as defined in this policy. If one of the pets is a dog or cat, the second pet must be contained in a cage or an aquarium for fish. Each bird or other animal, other than fish, shall be counted as one pet.





**Animals That Assist Persons with Disabilities**

Only rules related to the health of the animal, the responsibility of the animal’s owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

To meet these exclusions, the resident/pet owner must provide SNRHA with the means to verify that:

That there is a person with disabilities in the household; and

That if the animal is needed because of the person’s disability.

**A. MANAGEMENT APPROVAL OF PETS**

All pets must be approved in advance by the SNRHA management. The pet owner must enter into a Pet Agreement with the SNRHA; pay the pet deposit as follows:

**DEPOSIT SCHEDULE:**

| Type of Pet                                                | Deposit |
|------------------------------------------------------------|---------|
| Dog                                                        | \$200   |
| Cat                                                        | \$200   |
| Fish Aquarium                                              | \$50.00 |
| Fish Bowl (Requires no power and no larger than 2 gallons) | \$0     |
| Caged pets (birds, gerbils, hamsters)                      | \$50.00 |
|                                                            |         |

See Sections D and E following for other management requirements.

**B. STANDARDS FOR PETS**

Pet rules as outlined below will not be applied to animals that assist persons with disabilities however rules related to the health of the animal, the responsibility of the animal’s owner to clean up after the animal and prevent the animal from disturbing others will be applied to animals that assist persons with disabilities.

**Types of Pets Allowed**

No pets except the following will be acceptable:



### Dogs

Maximum number: 1  
Maximum adult weight: 30 pounds  
Maximum height: 20" at shoulder at full growth  
Must be spayed or neutered and housebroken  
Must have all required inoculations  
Must be licensed as specified now or in the future by State law and local ordinance

### Cats

Maximum number: 1  
Must be spayed or neutered  
Must have all required inoculations  
Must be trained to use a litter box or other waste receptacle. Cardboard boxes are not acceptable and will not be approved. The resident shall not permit refuse from litter boxes to accumulate, become odorous, to become unsightly, or unsanitary.  
Must be licensed as specified now or in the future by State law or local ordinance

### Birds

Maximum number: 2  
Must be enclosed in a cage at all times

### Fish

Maximum aquarium size: 50 gallons  
Must be maintained on an approved stand

### Rodents (guinea pig, hamster, or gerbil ONLY)

Maximum number: 1  
Must be enclosed in an acceptable cage at all times



## **Types of Pets Not Allowed**

Common household pets permitted in dwelling units do not include:

Exotic pets or barnyard animals are prohibited. Exception may be made for certain species of pigs utilized as bonafide “service animals”. (Snakes and reptiles are considered exotic pets.)

Animals who would be allowed to produce offspring for sale

Wild animals, feral animals, and any other animals that are not amenable to routine human handling

Animals of species commonly used on farms

Non-human primates (unless as an assistive animal to a person with disabilities)

Animals whose climatological needs cannot be met in the unaltered environment of the individual dwelling unit

Pot-bellied pigs

Snakes, spiders, reptiles, and chickens

The following restrictions apply to pets, based on weight, size and inherent dangerousness, including prohibitions against the keeping of:

Any animal whose weight could exceed 30 pounds by adult hood

Dogs of the pit bull, Rottweiler, chow, or boxer breeds

Ferrets or other animals whose natural protective mechanisms pose a risk to small children of serious bites and lacerations

Hedgehogs or other animals whose protective instincts and natural body armor produce a risk to children of serious puncture injuries.

Chicks, turtles or other animals that pose a significant risk of salmonella infection to those who handle them

Pigeons, doves, mynah birds, psittacine birds, and birds of other species that are hosts to the organisms causing psittacosis in humans

Tenants are not permitted to have more than one *type* of pet.



### **C. PETS TEMPORARILY ON THE PREMISES**

Pets which are not owned by a tenant will not be allowed; although service animals of persons with disabilities who are visiting the unit are permitted.

Residents are prohibited from feeding or harboring stray animals.

This rule excludes visiting pet programs sponsored by a humane society or other non-profit organization and approved by the SNRHA.

State or local laws governing pets temporarily in dwelling accommodations shall prevail.

### **D. REGISTRATION, ADMINISTRATION, AND OTHER RESTRICTIONS**

#### **Registration of Pets**

1. Pets must be registered with the SNRHA before they are brought onto the premises. Registration includes certificate signed by a licensed veterinarian or State/local authority that the pet has received all inoculations required by State or local law, and that the pet has no communicable disease(s) and is pest-free. This provision applies to assistive animals for persons with disabilities.
2. Registration must be renewed and will be coordinated with the annual recertification date and proof of license and inoculation will be submitted at least 30 days prior to annual reexamination. This provision applies to assistive animals for persons with disabilities.
3. Dogs and cats must be spayed or neutered. This provision applies to assistive animals for persons with disabilities.
4. Execution of a Pet Agreement with the SNRHA stating that the tenant acknowledges complete responsibility for the care and cleaning of the pet will be required.
5. Approval for the keeping of a pet shall not be extended pending the completion of these requirements.
6. Registration for each animal is to be accomplished by the filing of the following disclosures and forms:
  - a. A health certificate prepared by a veterinarian (including attestations of no communicable disease and of spaying or neutering or of a medical condition precluding spaying or neutering)
  - b. Documentation of current rabies vaccination for species subject to state or local rabies vaccination requirements



- c. Copy of the license issued by the applicable municipality for “ownership” of each animal for whom licensing is a legal requirement
- d. Name, address and telephone number of a veterinarian who will be providing regular care
- e. Name of the adult household member who will be primarily responsible for animal care

### **Refusal to Register Pets**

1. The SNRHA may not refuse to register a pet based on the determination that the pet owner is financially unable to care for the pet. If the SNRHA refuses to register a pet, a written notification will be sent to the pet owner stating the reason for denial and shall be served in accordance with HUD Notice requirements.
2. The SNRHA will refuse to register a pet if:
  - a. The pet is not a common household pet as defined in this policy;  
Keeping the pet would violate any House Pet Rules;
  - b. The pet owner fails to provide complete pet registration information or fails to update the registration annually;
  - c. The SNRHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

A resident who cares for another resident's pet must notify the SNRHA and agree to abide by all of the pet rules in writing.

### **Pet Agreement**

Execution of a Pet Agreement will be required, under which the resident acknowledges:

1. The right of management to enter dwelling unit when there is evidence that an animal left alone is in danger or distress
2. The right of management to seek impoundment and sheltering of any animal found to be maintained in violation of housing rules, pending resolution of any dispute regarding such violation
3. Receipt of a copy of all animal-related requirements and restrictions administered by management



4. In the context of public housing, that failure to abide by any animal-related requirement or restriction constitutes a violation of the “Tenant Obligations” appearing at 24 CFR 966.4(f)(4) and, therefore, grounds for lease termination pursuant to 24 CFR 966.4(k)(2)

### **Other Restrictions**

The following other restrictions also apply:

1. A prohibition on the keeping of animals by any resident convicted of a felony or of a misdemeanor relating to treatment of an animal
2. A prohibition on the keeping of any dog or cat over six months of age who is not spayed or neutered
3. A prohibition against keeping animals in any dwelling unit having no air conditioning in which ambient temperatures may exceed 82 degrees at any time of day or night.
4. A restriction against walking or transporting any animal outside of the dwelling unit without use of a leash no longer than five (5') feet or animal transport enclosure.
5. A prohibition against allowing animals on any premises outside of the dwelling unit unaccompanied by a family member, including homeless animals that are being fed or otherwise supported by residents.
6. A prohibition against the tethering or chaining of animals outside of or within the dwelling unit.
7. A prohibition of feeding any dog and/or cat outside the unit.
8. A restriction against subjecting animals to any surgical procedure, such as de-barking or de-clawing, that is typically performed as a substitute for correcting environmental deficiencies and providing proper supervision, or that can render animals abnormally aggressive
9. A requirement for the prompt removal of animal feces deposited in any common area
10. A requirement for regular removal and replacement of litter used in litter boxes or in animal enclosures maintained within dwelling units
11. A requirement for implementation of effective flea control by measures that produce no toxic hazard to children who may come into contact with treated animals



12. Pets are to be restrained so that maintenance can be performed in the unit. The resident **shall**, whenever an inspection or maintenance is scheduled, either be at home or shall have all animals restrained or caged. If a maintenance person enters a unit where an animal is not restrained, maintenance shall not be performed, and the resident pet owner shall be charged a fee of \$25.00. If the situation occurs again, the pet shall be removed from the premises. The Housing Authority shall not be responsible if any animal escapes from the residence due to its maintenance, inspections, or other activities.

State and local public health and anti-cruelty laws are applicable. All complaints of cruelty and all dog bites will be referred to the relevant animal control or police agency for investigation and enforcement.

#### **E. ADDITIONAL FEES AND DEPOSITS FOR PETS**

SNRHA requires a refundable pet deposit of \$200 for dogs and cats subject to charges for pet associated damage.

SNRHA requires a non-refundable pet fee for dogs of \$50 annually to defray the cost of providing pet waste receptacles and equipment as well as pet waste clean-up costs associated with the overall upkeep of the community. Residents are expected to properly dispose of pet waste.

SNRHA will allow gradual payment of the deposit in accordance with the following:

- An initial payment of \$50 on or prior to the date the pet is properly registered and brought into the apartment; and
- Monthly payments in an amount no less than \$50 until the specified deposit has been paid.

SNRHA will allow gradual payment of the pet fee in accordance with the following:

- An initial payment of \$10.00 due by the effective date of the annual recertification and up to four additional installments of \$10.00.

The SNRHA reserves the right to change or increase the required deposit by amendment to these rules.

The SNRHA will refund the pet deposit to the tenant, less any damage caused by the pet to the dwelling unit, upon removal of the pet or the owner from the unit. Pet fees are non-refundable.



The SNRHA will return the pet deposit to the former tenant or to the person designated by the former tenant in the event of the former tenant's incapacitation or death.

The SNRHA will provide the tenant or designee identified above with a written list of any charges against the pet deposit. If the tenant disagrees with the amount charged to the pet deposit, the SNRHA will provide a meeting to discuss the charges.

All reasonable expenses incurred by the SNRHA as a result of damages directly attributable to the presence of the pet in the community will be the responsibility of the resident, including:

- The cost of repairs and replacements to the resident's dwelling unit;
- Fumigation of the dwelling unit;
- Common areas of the community.

Pet deposits are not a part of rent payable by the resident.

#### **F. ALTERATIONS TO UNIT**

Residents/pet owners shall not alter their unit, patio, premises or common areas to create an enclosure for any animal. Installation of pet doors is prohibited.

#### **G. PET WASTE REMOVAL CHARGE**

A separate pet waste removal charge of \$25 per occurrence will be assessed against the resident for violations of the pet policy.

Pet waste removal charges are not part of rent payable by the resident.

All reasonable expenses incurred by the SNRHA, as the result of damages directly attributable to the presence of the pet will be the responsibility of the resident, including:

The cost of repairs and replacements to the dwelling unit;

Fumigation of the dwelling unit.

If the tenant is in occupancy when such costs occur, the tenant shall be billed for such costs as a current charge.

If such expenses occur as the result of a move-out inspection, they will be deducted from the pet deposit. The resident will be billed for any amount, which exceeds the pet deposit.

The pet deposit will be refunded when the resident moves out or no longer have a pet on the premises, whichever occurs first.

The expense of flea disinfestations shall be the responsibility of the resident.





## **H. PET AREA RESTRICTIONS**

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash and under the control of the resident or other responsible adult individual at all times.

Pets are not permitted in common areas including lobbies, community rooms and laundry areas except for those common areas which are entrances to and exits from the building.

## **I. NOISE**

Pet owners must control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.

## **J. CLEANLINESS REQUIREMENTS**

### **Litter Box Requirements.**

All animal waste or the litter from litter boxes shall be picked up immediately by the pet owner, disposed of in sealed plastic trash bags, and placed in a trash bin.

Litter shall not be disposed of by being flushed through a toilet.

Litter boxes shall be stored inside the resident's dwelling unit.

### **Removal of Waste from Other Locations.**

The Resident/Pet Owner shall be responsible for the removal of waste by placing it in a sealed plastic bag and disposing of it in an outside trash bin.

Any unit occupied by a dog, cat, or rodent will be fumigated at the time the unit is vacated or during regularly scheduled extermination of the unit.

The resident/pet owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

## **K. PET CARE**

No pet (excluding fish) shall be left unattended in any apartment for a period in excess of 10 consecutive hours.

All residents/pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet.



Residents/pet owners must recognize that other residents may have chemical sensitivities or allergies related to pets, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

#### **L. RESPONSIBLE PARTIES**

The resident/pet owner will be required to designate a responsible party for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

#### **M. INSPECTIONS**

The SNRHA may, after reasonable notice to the tenant during reasonable hours, enter and inspect the premises, in addition to other inspections allowed.

#### **N. TERMINATION OF TENANCY**

The SNRHA may initiate procedures for termination of tenancy based on a pet rule violation if:

The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified; and

The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease.

#### **O. PET REMOVAL**

If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation will be reported to the Responsible Party designated by the resident/pet owner. This includes pets that are poorly cared for or have been left unattended for over 10 consecutive hours.

If the responsible party is unwilling or unable to care for the pet, or if the SNRHA after reasonable efforts cannot contact the responsible party, the SNRHA may contact the appropriate State or local agency and request the removal of the pet.

If the pet is removed as a result of any aggressive act on the part of the pet, the pet will not be allowed back on the premises.

#### **P. EMERGENCIES**

The SNRHA will take all necessary steps to insure that symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate State or local entity authorized to remove such animals.



If it is necessary for the SNRHA to place the pet in a shelter facility, the cost will be the responsibility of the tenant/pet owner. Pets that become vicious, display aggressive behavior are subject to referral to appropriate State or Local agency.

## Chapter 11

### RECERTIFICATIONS

[24 CFR 5.613, 24 CFR 5.61524 CFR Part 960 Subpart C,  
5.657, 880.603, 884.218, 886.124, 886.324, 891.410, 891.610,  
891.750, 960.257, 982.516]

#### **INTRODUCTION**

HUD requires that PHA's offer all families the choice of paying income-based rent or flat rent at least annually. Families who choose to pay flat rent **or families who receive a verifiable fixed income** are required to complete a reexamination of income, deductions and allowances at least once every three years. Flat rent **or fixed income** families must still report family composition and community service requirements on an annual basis.

To determine the amount of income-based rent, it is necessary for SNRHA to perform a reexamination of the family's income annually. At the annual reexamination, families who choose to pay income-based rent must report their current household composition, income, deductions and allowances. Between regular annual reexaminations, HUD requires that families report all changes in household composition, but SNRHA decides what other changes must be reported and the procedures for reporting them.

This chapter defines SNRHA's policy for conducting annual reexaminations. It also explains the interim reporting requirements for families, and the standards for timely reporting.

#### **A. ELIGIBILITY FOR CONTINUED OCCUPANCY**

Residents who meet the following criteria will be eligible for continued occupancy:

Qualify as a family as defined in this policy;

Are in full compliance with the resident obligations and responsibilities described in the dwelling lease;

Have provided Social Security numbers on all family members or have certifications on file indicating they have no Social Security number.

Whose family members have submitted required citizenship/eligible immigration status/non-contending documents. Who meet HUD standards on citizenship or immigration status or are paying a pro-rated rent.

Who are in compliance with the SNRHA's community service requirements.

Whose adult family members have passed an annual criminal screening.

#### **Remaining Family Members and Prior Debt**

1. Remaining family members age 18 years or older will be held responsible for arrearages incurred by the former head or spouse. SNRHA will not hold remaining family members (other than the head or spouse) responsible for any portion of the arrearage incurred before the remaining member attained age 18.

Exceptions may be made for extenuating circumstances or hardship.

2. Remaining family members under age 18 shall not be held responsible for the rent arrearages incurred by the former head of household.

## **B. ANNUAL RECERTIFICATIONS**

The terms "annual recertification" and "annual reexamination" are synonymous.

In order to be recertified, families are required to provide current and accurate information on income, assets, allowances and deductions, and family composition. The annual recertification of family income and composition will be conducted the staff.

Families who choose flat rent **and families who receive fixed income** are to be recertified every three years. SNRHA staff will mail annual information packages to families and may schedule an interview if additional information is needed.

Annual recertifications are scheduled; by the anniversary of their admission date.

### Admission Anniversary System:

For families who move in on the first of the month, the annual recertifications will be completed within 12 months of the anniversary of the move-in date. (Example: If family moves in August 1, the annual recertification will be conducted **at most 120 days prior** to be effective on August 1, the following year.)

For families who move in during the month, the annual recertifications will be completed no later than the first of the month in which the family moved in, the following year.

(Example: If family moves in August 15, the effective date of the next annual recertification is August 1.)

When families move to another dwelling unit, the annual recertification date will not change.

**Special Reexaminations:** When it is not possible to estimate family income accurately, a temporary determination will be made with respect to income and a special reexamination will be scheduled every 90 days until a reasonably accurate estimate of income can be made.

Special reexaminations shall be conducted when there is a change in the head of household that requires a remaining family member to take on the responsibilities of a leaseholder.

**Special Reexamination Following Income Disallowance:** When a family qualifies for an earned income disallowance, a special reexamination will occur at the end of the initial 12 month disallowance period and at the end of the **second 12 month disallowance period**.

**Zero/Extremely Low Income Families:** Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete a written no/low income certification every 180 days and undergo an interim recertification every 180 days. (See Other Interim Reporting Issues below).

### **Recertification Notice to the Family**

All families will be notified of their obligation to recertify by staff delivery or first class mail. The written notification shall be sent at least 120 calendar days in advance of the scheduled annual recertification date specifying the date and time of the appointment and the required documents that the tenant will need to supply.

During this reexamination period, the family will be given the option to choose flat rent or income-based rent. SNRHA will provide a form that states what the flat rent would be and what the family's income-based rent would be. The family will be required to make a choice and sign the form prior to the effective date of their reexamination. The form will be retained in the tenant's file.

If the family chooses flat rent, an annual recertification is required to verify community service requirements and family composition. Recertification of income is only required every three years.

Notification of the flat rent and an approximate amount of the income based rent, based on the last certification, and is sent at least 120 days in advance of the scheduled annual certification.

Families that have paid a flat rent for three years must complete a full certification process to determine accurate information regarding family composition and income. The family may choose to pay a flat rent or the income based rent annually.

### **Persons with Disabilities**

If requested as an accommodation by a person with a disability, the SNRHA will provide the notice in an accessible format. The SNRHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

Persons with disabilities, who are unable to come to the SNRHA's office will be granted an accommodation of conducting the interview at the person's home, upon verification that the accommodation requested meets the need presented by the disability.

### **Collection of Information**

The family is required to complete the Application for Continued Occupancy –Personal Declaration. Each adult member who reports no income or very low income will also be required to complete the Personal Declaration Form – No Income Questionnaire. Update form may be used for Interims.

### **Requirements to Attend**

The following family members will be required to attend the recertification interview and sign **the personal declaration** along with other required forms:

- The head of household, spouse, co-head, and

- All adult household members, age 18 and older.

If the head of household is unable to attend the interview, the appointment will be rescheduled one time at the family's request.

### **Failure to Respond to Notification to Recertify**

The written notification will explain which family members are required to attend the recertification interview. The family may call to request another appointment date up to 2 calendar days prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the SNRHA, the SNRHA will reschedule a second appointment.

If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the SNRHA will not schedule a third appointment. If a household fails to complete annual recertification, **they will receive a 30 day notice of lease termination for non-compliance with the recertification process.**

If the family schedules an appointment and completes annual recertification requirements within thirty days of the effective date of the household's annual recertification, the annual recertification will be completed and the household's rent will be based on the income.

Exceptions to these policies may be made by the Asset Manager if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

### **Documents Required From the Family**

In the notification letter to the family, the SNRHA will include instructions for the family to bring the following:

- Application for Continued Occupancy form Personal Declaration Form completed by head of household

- Documentation of income for all family members

- Documentation of assets

- Documentation to substantiate any deductions or allowances

- Documentation of family composition

- Picture identification for adults 18 years of age or older

- Other required documents on new family members, such as SSN or citizenship requirements

- Documentation of community service requirements

- Self-Declaration form when adult members 18 and over are declaring no income or very low income. (Except those 62 years and older/or disabled or enrolled in educational or approved training programs.)

SNRHA will require a print out of utility bills for three months to be submitted for residents claiming zero income.

### **Verification of Information**

All information which affects the families continued eligibility for the program, and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this Policy. Verifications used for recertification must be less than 120 days old on the effective date of the recertification. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine:

The continued eligibility of the resident as a *family* or as the *remaining member* of a family;

The unit size required by the family;

The amount of rent the family should pay.

### **Changes in the Tenant Rent**

If there is any change in rent, including change in family's choice in rent, the lease will be amended, or a new lease will be executed, or a Notice of Rent Adjustment will be issued [24 CFR 966.4(c) & (o)].

#### **Tenant Rent Increases**

If tenant rent increases, a 30-day notice will be mailed to the family prior to the family's annual recertification date.

If less than 30 days are remaining before the family's annual recertification date, the tenant rent increase will be effective on the first of the second month following the thirty day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the recertification processing, there will be a retroactive increase in rent to the family's annual recertification date.

#### **Tenant Rent Decreases**

If tenant rent decreases, it will be effective on the family's annual recertification date.

If the family causes a delay so that the processing of the recertification is not complete by the family's annual recertification date, rent change will be effective on the first day of the month following completion of the recertification processing by the SNRHA.

If tenant rent decreases and the change occurred within a month prior to the Recertification appointment, but the family did not report the change as an interim Adjustment, the decrease will be effective on the recertification anniversary date.

### **C. REPORTING INTERIM CHANGES**

Families must report all changes in household composition and increases in income/assets in writing within 10 calendar days to the SNRHA between annual recertifications. This includes additions due to birth, adoption and court-awarded custody. The family must



obtain SNRHA approval prior to all other additions to the household.

When there is a change in head of household or a new adult household member is added, the head of household will complete an application for continued occupancy – personal declaration or update form and recertify-revify, using the same procedures the SNRHA staff would use for an annual recertification, except for effective dates of changes. In such case, the Interim Recertification Policy would be used.

The annual recertification date will not change as a result of this action.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified prior to the approval by the SNRHA of the family member being added to the lease.

### **Increases in Income to be Reported and Rent Adjustments**

Families paying flat rent are not required to report any increases in income or assets between the recertification periods.

Families paying an income-based rent must report all increases in income/assets of all household members to the SNRHA in writing within 10 calendar days of the occurrence.

Families are required to report the following increases in income:

- Increases in income because a person with income joins the household;
- Increases in household income which comes as a result of a new income source.
- Increases in household income that was not anticipated at the annual recertification period.

Families who receive Social Security, Social Security Disability, pensions or Supplemental Security Income (SSI) are required to report their annual increase when it occurs.

SNRHA will process rent adjustments for all increases in income, which are reported between regularly scheduled recertifications.

Rent increases (except those due to misrepresentation) require 30 days' notice.

### **Decreases in Income and Rent Adjustments**

Residents may report a decrease in income and other changes, such as an increase in allowances or deductions which would reduce the amount of the total tenant payment.

The SNRHA will process the rent adjustment unless the SNRHA confirms that the decrease in income will last less than 30 calendar days.

Decreases in tenant rent will be effective the first day of the month following the month in which the change is reported in writing to the SNRHA. If verification cannot be obtained prior to the end of the month in which the change is reported, the decrease will be made retroactive to the first day of the month following the month in which the change is reported.

### **D. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS**

The SNRHA will not reduce the public housing rent for families whose welfare

assistance is reduced specifically because of:

Fraud; or

Failure to participate in an economic self-sufficiency program; or

Noncompliance with a work activities requirement

However, the SNRHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

The family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

### **Verification before Denying a Request to Reduce Rent**

The SNRHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

### **Cooperation Agreements**

The SNRHA has a written cooperation agreement in place with the local welfare agency which assists the SNRHA in obtaining the necessary information regarding welfare sanctions.

The SNRHA has taken a proactive approach to culminating an effective working relationship between the SNRHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The SNRHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

## **E. OTHER INTERIM REPORTING ISSUES**

**Residents are required to report all changes in family composition or status to SNRHA in writing within 10 calendar days of the occurrence. Failure to report within the 10 calendar days may result in a retroactive rent increase, but not a retroactive credit or rent reduction. In order to qualify for rent reductions, residents must report and verify income decreases promptly.**

An interim recertification will be scheduled for families with zero income or extremely low income every 180 days. Once income is reported recertification will cease until annual recertification time.

An interim reexamination will be scheduled for families with zero or extremely low-income every 180 days. Unless the family has income that is excluded from rent computation, families who report zero income or extremely low income will have the income be re-verified through EIV every 90 days for income changes and are further required to complete

a written no/low income certification every 180 days and undergo an interim recertification every 180 days, until they have a stable income. If any increases in income are indicated in any of the above information or other verification, then the family will be reviewed for an interim and the rent will be adjusted accordingly. Monetary or non-monetary contributions from persons not residing in the dwelling unit for any purpose other than the payment or reimbursement of medical expenses shall be considered income. Families that report zero or extremely low income will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc.

### **SNRHA Errors**

If the SNRHA makes a calculation error at admission to the program or at an annual recertification, an interim recertification will be conducted to correct the error, but the family will not be charged retroactively. Any decrease in rent will be made retroactive.

### **False or Incomplete Information Supplied by Family**

For families whose rent has been based on false or incomplete information supplied by The applicant/resident family, an interim recertification will be conducted upon notice by The SNRHA. Any increase in TTP and tenant rent will be retroactive.

## **F. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)**

### **Standard for Timely Reporting of Changes**

The SNRHA requires that families report interim changes to the SNRHA in writing within ten calendar days of when the change occurs. Any information, document or signature needed from the family which is needed to verify the change must be provided within 3 calendar days of reporting the change.

If the change is not reported within the required time period, or if the family fails to provide signatures, certifications or documentation, (in the time period requested by the SNRHA), it will be considered untimely reporting.

### **Procedures When the Change is Reported in a Timely Manner**

The SNRHA will notify the family of any changes in Tenant Rent to be effective according to the following guidelines:

**Increases in the Tenant Rent** is effective on the first of the month following at least thirty days' notice.

**Decreases in the Tenant Rent** are effective the first of the month following the month in which the change is reported.

The change may be implemented based on documentation provided by the family, pending third party written verification.

### **Procedures when the Change is not Reported by the Tenant in a Timely Manner**

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim recertification processing and the following guidelines will apply:

**Increase in Tenant Rent** will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any underpaid rent, utility reimbursement payment for which they would not have been eligible to receive and may be required to sign a Repayment Agreement in accordance with SNRHA repayment policy.

**Decrease in Tenant Rent** will be effective on the first of the month following completion of processing by the SNRHA and not retroactively.

### **Procedures when the Change is not processed by the SNRHA in a Timely Manner**

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the SNRHA in a timely manner.

Therefore, an increase will be effective after the required 30 days' notice prior to the first of the month after completion of processing by the SNRHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

### **G. REPORTING OF CHANGES IN FAMILY COMPOSITION**

All changes in family composition must be reported within 10 business days of the occurrence in writing.

The members of the family residing in the unit must be approved by the SNRHA. The family must inform the SNRHA and request approval of additional family members other than additions due to birth, adoption, or court-awarded custody before the new member occupies the unit.

The proposed new adult family members will be screened by SNRHA, according to the screening criteria in accordance with the criteria for eligibility and admission, prior to approval.

The SNRHA will not approve the addition of family members other than by birth, adoption, marriage or court-awarded custody where the occupancy standards would require a larger size unit.

An exception will be granted if the family has submitted a Self-Certification of Physical Custody of Minor Child/Children or an Appointment of Temporary Guardian to the SNRHA. If either of these forms has been submitted, the SNRHA will also require that the family has initiated legal proceedings for guardianship or legal custody. SNRHA must receive a court awarded guardianship or custody is received within 365 calendar days. Failure shall result in the deduction being removed; and any income still being received shall be counted.

If an adult family member is declared permanently absent by the head of household, the notice must contain a certification by the head or co-head of household or spouse that the member (who may have been the head of household) removed is permanently absent.

The head of household must provide a statement that the head or co-head of household or

spouse will notify the SNRHA if the removed member returns to the household for a period longer than the visitor period allowed in the lease.

### **Increase in Family Size**

The SNRHA will consider a unit transfer (if needed under the Occupancy Guidelines) for additions to the family in the following cases:

Addition by marriage/or marital-type relation.

Addition of a minor who is a member of the nuclear family who had been living elsewhere.

Addition of a SNRHA-approved live-in attendant. Addition due to birth, adoption or court-awarded custody.

Families who need a larger sized unit because of voluntary additions identified above will be placed on the Transfer List at their next regularly scheduled recertification; unless it creates a health and safety hazard upon approval of the Director of Operations.

### **Definition of Temporarily/Permanently Absent**

The SNRHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. The SNRHA will evaluate absences from the unit in accordance with this policy.

### **Absence of Entire Family**

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the SNRHA will terminate tenancy in accordance with the appropriate lease termination procedures contained in this Policy.

Families are required to notify the SNRHA before they move out of a unit in accordance with the lease and to give the SNRHA information about any family absence from the unit.

Families must notify the SNRHA if they are going to be absent from the unit for more than 14 consecutive days. A person with a disability may request an extension of time as an accommodation.

"Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, the SNRHA may:

Conduct home visit

Write letters to the family at the unit Post

letters on exterior door Telephone the  
family at the unit Interview neighbors  
Verify if utilities are in service  
Check with Post Office for forwarding address  
Contact emergency contact

As a reasonable accommodation for a person with a disability, the SNRHA may approve an extension. (See Absence Due to Medical Reasons below for other reasons to approve an extension.) During the period of absence, the rent and other charges must remain current.

If the absence which resulted in termination of tenancy was due to a person's disability, and the SNRHA can verify that the person was unable to notify the SNRHA in accordance with the lease provisions regarding absences, and if a suitable unit is available, the SNRHA may reinstate the family as an accommodation if requested by the family.

If the dwelling unit is deemed abandoned by the tenant, SNRHA shall take possession of the unit and any of the tenant's possessions remaining in the unit, in accordance with the lease. Property abandoned by the tenant may be disposed of by SNRHA in accordance with Nevada State law, NRS 118A and SNRHA procedures.

#### **Absence of Any Member**

Any member of the household will be considered permanently absent if s/he is away from the unit for three consecutive months except as otherwise provided in this Chapter.

#### **Absence due to Medical Reasons**

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the SNRHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent and removed from the lease. If the verification indicates that the family member will return in less than 180 consecutive days, the family member will not be considered permanently absent, as long as rent and other charges remains current.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the SNRHA's "Absence of Entire Family" policy.

Temporary caretaker request must be provided by the resident and verified by a medical provider. The status must be updated every thirty (30) days. The SNRHA will review the request and verified reasons for the caretaker during an extended medical hardship. Approval of the caretaker to occupy the unit for a period beyond 2 weeks will require prior approval by the Asset Manager.

#### **Absence due to Incarceration**

If a sole member is incarcerated for more than 30 consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for 30 consecutive days. The rent and other charges must remain current during this period.

The SNRHA will determine if the reason for incarceration is for drug-related or criminal activity which would threaten the health, safety and right to peaceful enjoyment of the dwelling unit by other residents. If the offense is drug related or criminal activity that violates the lease and policy, the lease will be terminated.

### **Foster Care and Absences of Children**

If the family includes a child or children temporarily absent from the home due to placement in foster care, the SNRHA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 3 months 180 days from the date of removal of the child(ren), the family will be required to move to a smaller size unit. If all children are removed from the home permanently, the unit size will be reduced in accordance with the SNRHA's occupancy guidelines.

### **Absence of Adult**

If neither parent remains in the household and the SNRHA and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the SNRHA will treat that adult as a visitor for the first 30 calendar days.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the SNRHA will review the status at 30 calendar day intervals.

If the court has not awarded custody or legal guardianship, but the action is in process, SNRHA will secure verification from social services staff or the attorney as to the status. If by the end of that period, court-awarded custody or legal guardianship has been awarded to the guardian, and the guardian qualifies under Tenant Suitability criteria, the lease will be transferred to the guardian.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

SNRHA will transfer the lease to the guardian, in the absence of a court order, if the guardian qualifies under the Tenant Suitability criteria and has been in the unit for more than 30 days and it is reasonable to expect that custody will be granted.

When the SNRHA approves a person to reside in the unit as caretaker for the child/ren, the income should count pending a final disposition. The SNRHA will work with the appropriate service agencies to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 180 days, the person will be considered permanently absent.

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

### **Absence of Spouse or Secondary Wage earner**

The absence of the spouse or secondary wage earner must be verified by third-party documentation unless so verified per 24CFR 5.609(2) all income must be included.

### **Full-Time Students**

Full time students who attend school away from the home will be treated in the following manner:

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of unit size.

If the student is considered temporarily absent from the household, applicable income for that person will be counted. Full time students who attend school away from the home and live with the family during school recess will be considered temporarily absent from the household.

### **Visitors (See Chapter 9, Leasing)**

A visitor/*guest* is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Any adult not included on the HUD 50058 who has been in the unit more than 14 consecutive days, or more than 30 cumulative days in a 12 month period, will be considered to be living in the unit as an unauthorized.

The lease must provide the tenant has the right to exclusive use and occupancy of the leased unit by the members of the household authorized to reside in the unit in accordance with the lease, including reasonable accommodation of their guests [24 CFR 966.4(d)]. The head of household is responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near PHA premises [24 CFR 966.4(f)].

A resident family must notify the SNRHA in writing when overnight guests will be staying in the unit for more than 3 days.

A guest can remain in the unit no longer than 14 consecutive days or a total of 30 cumulative calendar days during any 12-month period.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last 20 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

Former residents who have been evicted are not permitted as overnight guests. Guests who represent the unit address as their residence address for receipt of benefits or other purposes will be considered unauthorized. In addition, guests who remain in the unit beyond the allowable time limit will be considered unauthorized, and their presence constitutes violation of the lease.



Absence of evidence of any other address will be considered verification that the visitor is an unauthorized household member.

Statements from neighbors and/or SNRHA staff will be considered in making the determination.

The SNRHA will consider:

- Statements from neighbors and/or SNRHA staff

- Vehicle license plate verification

- Post Office records

- Driver's license verification

- Law enforcement reports

- Credit reports

- Verification from other public or private sources

- Other reliable information

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, as stated above, the individual will be considered unauthorized and the SNRHA will terminate the family's lease since prior approval was not requested for the addition.

Minors and college students who were part of the family, but who now live away from home during the school year and are not considered members of the household may visit for up to 90 consecutive days per year without being considered a member of the household under the following conditions:

- The head of household has reported to the SNRHA, in writing, that the minor is a visitor.

- The SNRHA has provided the head of household with written permission for the minor to occupy the unit for more than 14 days.

In a joint custody arrangement, if the minor is in the household less than 184 days per year, the minor will be considered to be an eligible visitor and not a family member. If both parents reside in Public Housing or are a Section 8 Program participant, only one parent would be able to claim the child for deductions and for determination for the occupancy standards.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the public housing unit more than 50 percent of the time, are not subject to the time limitations of guests as described above.

### **Required Family Reporting to Management**

The additional person(s), whether a family member or a visitor, must be reported in writing to the manager within 3 calendar days of a stay intended to exceed the visitation period allowed under the lease/ACOP.

**H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF UNIT**

To be considered the remaining member of the tenant family, the person must have been previously approved by the SNRHA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

In order for a minor child to continue to receive assistance as a remaining family member:

The court has to have awarded emancipated minor status to the minor or is legally married; or

The SNRHA has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a transfer to an appropriate unit size per the Occupancy Standards. If the sole eligible member of the household dies, the unit must be returned to the SNRHA within 14 days.

**I. CHANGES IN UNIT SIZE**

The SNRHA shall grant exceptions from the occupancy standards if the family requests and the SNRHA determines the exceptions are justified according to this policy.

The SNRHA will not assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage or court-awarded custody.

The SNRHA will consider the size of the unit and the size of the bedrooms, as well as the number of bedrooms, when an exception is requested.

When an approvable change in the circumstances in a tenant family requires another unit size, the family will be placed on the Transfer List in accordance with the Transfer policy. (See Chapter 5, Occupancy Guidelines.)

**J. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES**

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members. Mixed families are eligible for prorated assistance in accordance with the mixed-family portion of the policy.

**K. UNIT TRANSFERS**

See Chapter 8, Transfer Policy.

## Chapter 14

### COMMUNITY SERVICE

[24 CFR 960.603-960.611]

#### **A. REQUIREMENT**

Each adult resident of the SNRHA shall:

Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or

Participate in an economic self-sufficiency program (defined below) for 8 hours per month.

An individual may not skip a month and then double up the following month, unless special circumstances warrant it. The Director of Operations or designee will make the determination of whether to permit a deviation from the schedule.

Individuals who have special circumstances which they believe will prevent them from completing the required community service hours for a given month, must notify SNRHA in writing immediately. SNRHA will review the request and notify the individual, in writing, of its determination within 10 calendar days. SNRHA may require those individuals to provide documentation to support their claim.

#### **B. EXEMPTIONS**

The SNRHA shall provide an exemption from the community service requirement for any individual who:

Is a family that is currently participating and is in compliance with the Public Housing Family Self-Sufficiency Program. Is 62

years of age or older;

Is a blind or disabled individual, as defined under section 216[i] [I] or 1614 of the Social Security Act, and who is unable to comply with this section, or is a primary caretaker of such individual;

Is engaged in a work activity as defined in section 407[d] of the Social Security Act; SNRHA will consider 20 hours per week as the minimum number of hours needed to qualify for a work activity exemption;

Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is

located, including a State-administered welfare-to-work program; or

Is in a family receiving assistance under a State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such program. **HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore if a tenant is a member of a family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR. (PIH-2015-12 HA)**

The SNRHA will re-verify exemption status annually except in the case of an individual who is 62 years of age or older.

The SNRHA will permit residents to change exemption status during the year if status changes.

### **C. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM**

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, by one of the following:

Participating in the Family Self-Sufficiency Program and being current in the steps outlined in the Individual Training and Services Plan;

Participating in an educational or vocational training program designed to lead to employment, **as long as their educational activities total at least 96 hours per year. A student would not need to be enrolled full time to be in compliance with the CSSR.**

Activities administered through Help of Southern Nevada (HELP).

### **D. ANNUAL DETERMINATIONS**

Requirement – For each public housing resident subject to the requirement of community service, the SNRHA shall, 90 days before the expiration of each lease term **or effective date of recertification**, review and determine the compliance of the resident with the community service requirement.

Such determination shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

If SNRHA has reasonable cause to believe that the certification provided by the family is false or fraudulent, SNRHA has the right to require third-party verification.

## **E. NONCOMPLIANCE**

If the SNRHA determines there is a family member who is subject to the community service requirement and has not complied with the requirement, the SNRHA shall notify the resident of such noncompliance, and that:

The determination of noncompliance is subject to the administrative grievance procedure under the SNRHA's Grievance Procedures; and

Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and

The SNRHA may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of the household, unless the SNRHA enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease.

### **Continued Non-compliance**

If, after the 12 month cure period, the family member is still not compliant, SNRHA must terminate tenancy of the entire family, according to SNRHA's lease, unless the family provides documentation that the non-compliant family member no longer resides in the unit.

If the family reports that a non-compliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before SNRHA will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the non-compliant family member that previously resided with them.

If the family does not request a grievance hearing, or provide such documentation within the required 10 calendar day timeframe, the family's lease and tenancy will automatically terminate at the end of the current lease term without further notice.

### **Ineligibility for Occupancy for Noncompliance**

The SNRHA shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.

## **F. SNRHA RESPONSIBILITY**

The SNRHA will ensure that all community service programs are accessible for persons with disabilities.

The SNRHA will ensure that:

The conditions under which the work is to be performed are not hazardous;

The work is not labor that would be performed by the SNRHA's employees responsible for essential maintenance and property services; or

The work is not otherwise unacceptable.

## **G. SNRHA IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENT**

SNRHA will provide the family with a copy of the Community Service Policy found in Exhibit 14-1 of this chapter, at lease-up, lease renewal, when a family member is determined to be subject to the community service requirement during the lease term, and at any time upon the family's request.

## **H. ELIGIBLE COMMUNITY SERVICE REQUIREMENTS**

All community service performed will be verified by acceptable third part verification and may include:

Community Service with a Certified Resident Council, on site resident Service contractor.

Volunteering in community activities, such as clean up, graffiti removal, painting, neighborhood reduction of criminal activity such as resident patrol and neighborhood watch programs.

Community service with faith based organizations

Any other community service organization that is pre-approved by SNRHA

Public educational facility.

**B1f**

## Homeownership

- (i) SNRHA currently administer a homeownership program under an approved section 5(h) homeownership program [42 U.S.C. 1437c (h)]. SNRHA properties under this program are as follows:

| <b>Public Housing Homeownership Activity Description<br/>(Complete one for each development affected)</b> |
|-----------------------------------------------------------------------------------------------------------|
| 1a. Development name: Scattered Sites                                                                     |
| 1b. Development (project) number: <b>AMP 310</b> (NV39002026/NV39002031/NV39002032)                       |
| 2. Federal Program authority: 5(h)                                                                        |
| 3. Application status: Approved; included in the PHA's Homeownership Plan/Program                         |
| 4. Date Homeownership Plan/Program approved,: <u>(10/01/2001)</u>                                         |
| 5. Number of units affected: <b>93</b> (43+24+29)                                                         |
| 6. Coverage of action: Total development                                                                  |

| <b>Public Housing Homeownership Activity Description<br/>(Complete one for each development)</b> |
|--------------------------------------------------------------------------------------------------|
| 1a. Development name: Scattered Sites                                                            |
| 1b. Development (project) number: <b>AMP 016</b> (NV39013016)                                    |
| 2. Federal Program authority: Section 32                                                         |
| 3. Application status: Approved; included in the PHA's Homeownership Plan/Program                |
| 4. Date Homeownership Plan/Program approved: <u>(08/16/2007)</u>                                 |
| 5. Number of units affected: <b>56</b>                                                           |
| 6. Coverage of action: Partial development                                                       |

- (ii). **Section 8 Tenant Based Assistance**  
 The SNRHA does administer a Section 8 Homeownership program pursuant to Section 8(y) of the S.H.A. of 1937, as implemented by 24 CFR part 982.



**B1g**

**Community Service and Self Sufficiency Programs.**

**A. PHA Coordination with the Welfare (TANF) Agency**

- (i) Cooperative agreements:  
The SNRHA may be entering into a cooperative agreement with the TANF Agency, to share information and/or target supportive services.
- (ii) The SNRHA have coordinated the following efforts with the TANF agency:
  - a. Information sharing regarding mutual clients (for rent determinations and otherwise)

**B. Services and programs offered to residents and participants**

**(i). Self-Sufficiency Policies**

The SNRHA employs the following policies, to enhance the economic and social self-sufficiency of assisted families:

- a. Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
- b. reference/eligibility for public housing homeownership option participation
- c. Preference in requesting transfer to Honolulu Street Family Development

**(ii) Economic and Social self-sufficiency programs**

SNRHA coordinates, promotes and provides the following programs to enhance the economic and social self-sufficiency of residents:

| <b>Services and Programs</b>                                                        |                  |                                                                                  |                                                                            |                                                     |
|-------------------------------------------------------------------------------------|------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------|
| <b>Program Name &amp; Description (including location, if appropriate)</b>          | <b>Est. Size</b> | <b>Allocation Method (waiting list/random selection/specific criteria/other)</b> | <b>Access (development office / PHA main office / other provider name)</b> | <b>Eligibility (PH or HCV participants or both)</b> |
| IDEA Homeownership Program                                                          | 120              | FSS Program                                                                      | Development/open recruitment                                               | BOTH                                                |
| WISH Homeownership Program                                                          | 3                | FSS Program                                                                      | Development/open recruitment                                               | BOTH                                                |
| Transportation                                                                      | 180              | As requested                                                                     | Individual developments                                                    | PH                                                  |
| Youth Career Skills Training                                                        | 160              | Recruitment                                                                      | Service Coordinator                                                        | BOTH                                                |
| Dress for Success– to provide clothes for participants scheduled for job interviews | 180              | As requested                                                                     | FSS Coordinators                                                           | BOTH                                                |
| Continuing Education                                                                | 55               | As requested                                                                     | FSS Program                                                                | BOTH                                                |

|                           |     |              |                                                                                |                 |
|---------------------------|-----|--------------|--------------------------------------------------------------------------------|-----------------|
|                           |     |              | referral                                                                       |                 |
| Debt Management           | 150 | As requested | FSS Program referral                                                           | BOTH            |
| Utility/Rental Assistance | 200 | As requested | FSS Program referral                                                           | Local Residents |
| Pro Bono Legal Services   | 15  | As requested | Senior Law/Nevada Legal Services/Clark County Pro Bono/State Bar of NV Lawyers | BOTH            |
| Health Services           |     |              |                                                                                |                 |

(iii) **Family Self Sufficiency program/s**

a. Participation Description

| <b>Family Self Sufficiency (FSS) Participation</b> |                                                                |                                             |
|----------------------------------------------------|----------------------------------------------------------------|---------------------------------------------|
| Program                                            | Required Number of Participants<br>(start of FY 2005 Estimate) | Actual Number of Participants<br>As of 2016 |
| Public Housing                                     | 346                                                            | 236                                         |
| Section 8                                          | 190                                                            | 127                                         |

SNRHA has outlined in the most recent FSS Action Plan steps to achieve at least the minimum program size.

**C. Welfare Benefit Reductions**

- (i) SNRHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by:
- Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
  - Actively notifying residents of new policy at times in addition to admission and reexamination.
  - Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services

## **Safety and Crime Prevention**

### **A. Need for measures to ensure the safety of public housing residents**

- (i) The SNRHA has the need for measures to ensure the safety of public housing residents for the following reasons:
  - a. High incidence of violent and/or drug-related crime in some or all of the PHA's developments
  - b. People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- (ii) The PHA used the following information to determine the need for actions to improve safety of residents:
  - Analysis of crime statistics over time for crimes committed “in and around” public housing authority
  - Resident reports
  - Police reports
  - Daily Activity Reports provided by contracted on site security
- (iii) The following developments are most affected:  
**Sherman Gardens, Villa Capri, Sherman Gardens Annex, Marble Manor, Vera Johnson ‘B’ and Biegger Estates.**

### **B. Crime and Drug Prevention activities the PHA has undertaken or plans to undertake in the next PHA fiscal year**

- (i) The SNRHA has undertaken or plans to undertake the following crime prevention activities:
  - Contracting with outside and/or resident organizations for the provision of crime-and/or drug-prevention activities
  - Crime Prevention Through Environmental Design
  - Activities targeted to at-risk youth, adults, or seniors
  - Volunteer Resident Patrol/Block Watchers Program
  - Coordination efforts with other multi-family complexes to share information regarding evicted tenants
  - Safe Village Initiative at Sherman Garden Annex
  - Certification of staff in the Crime Free Communities protocol
- (ii) The following developments are most affected:  
**Sherman Gardens, Villa Capri, Sherman Gardens Annex, Marble Manor, Vera Johnson ‘B’ and Biegger Estates**

### **C. Coordination between PHA and the police**

- (i) The SNRHA have the following coordination efforts between and the appropriate police precincts for carrying out crime prevention measures and activities:
  - Police provide crime data to housing authority staff for analysis and action
  - Police regularly testify in and otherwise support eviction cases
  - Police regularly meet with the PHA management and residents
- (ii) The following developments are most affected: (list below)  
**Sherman Gardens, Villa Capri, Sherman Gardens Annex, Marble Manor, Vera Johnson ‘B’ and Biegger Estates.**

### **Pet Policy**

The SNRHA has implemented a policy regarding the ownership of pets in the public housing developments. The policy outlines deposits, acceptable size and weight and number of pets per household. The policy also provides for those residents who have animals as a result of a Reasonable Accommodations based on handicap or disability.

## **Asset Management**

SNRHA is engaging in activities that will contribute to the long-term asset management of its public housing stock, including planning for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs. Examples of these activities include:

- Development-based accounting
- Generally maintenance activities are decentralized

**B 1h**

## **Substantial Deviation - Significant Amendment/Modification**

### **SUBSTANTIAL DEVIATION” AND SIGNIFICANT AMENDMENT OR MODIFICATION**

The Code of Federal Regulations (CFR) at 24 CFR Part 903, Section 7, Public Housing Agency Plan; Final Rule issued on October 21, 1999 is very specific with respect to the information a PHA must provide in its Annual Plan. Part 903 Section 7 I (2) states that a PHA must identify the basic criteria the PHA will use for determining:

- a. A substantial deviation from its Five-Year Plan; and
- b. A significant amendment or modification to its Five-Year Plan and Annual Plan.

Notice PIH 99-51 states that PHAs must define the terms “Substantial Deviation” and “Significant Amendment or Modification” by stating the basic criteria for such definitions in an annual plan that has met full public process and Resident Advisory Board Review.

The Southern Nevada Regional Housing Authority considers the following actions to be Significant Amendments or Modifications:

1. Significant changes to rent or admissions policies or organization of the waiting list with the exception of Federally declared disasters.
2. Additions of non-emergency work items (items not included in the current Annual Statement, Five-Year Action Plan, or Physical Needs Assessment) or change in use of replacement reserve funds under the Capital Fund;
3. Any change with regard to demolition or disposition, designation, Homeownership program or conversion activities.

Furthermore, the Southern Nevada Regional Housing Authority considers the following actions to be excluded from Significant Amendment or Modifications:

1. The decision to convert to either Project Based Rental Assistance (PBRA) or Project Based Voucher (PBV) Assistance.
  - a. Changes to the Capital Fund Budget produced as a result of each approved RAD Conversion, regardless of whether the proposed conversion will include use of additional Capital Funds
  - b. Changes to the construction and rehabilitation plan for each approved RAD conversion; and
  - c. Changes to the financing structure for each approved RAD conversion.

Any substantial deviation from the Mission Statement and/or Goals and Objectives presented in the Five-Year Plan that cause changes in the services provided to residents or significant changes to the Agency’s financial situation will be documented in subsequent Agency Plans.

An exception to this definition will be made for any of the above that are adopted to reflect changes in Federal Law or HUD regulatory requirements; such changes will not be considered significant amendments.



B2a

## **Hope VI or Choice Neighborhoods (CNI)**

SNRHA has not received a HOPE VI revitalization grant however; our agency is planning to apply for a HOPE VI Revitalization or CNI grant in the Plan year for the following:

- Ernie Cragin Terrace **AMP 305** (NV 209 - **vacant lot**)
- Ernie Cragin Terrace **AMP 305** (NV 210 - **vacant lot**)
- Ernie Cragin Terrace **AMP 305** (NV 213 - **vacant lot**)
- Sherman Gardens Annex **AMP 408** (NV206a)
- Sherman Gardens **AMP 408** (NV214)
- Villa Capri **AMP 408** (NV 215)
- Rose Gardens **AMP 403** (NV 703) (Received a CNI Planning Grant in 2015)

**B2b**

## **Mixed Finance Modernization or Development**

Please refer to the following Demolition and/or Disposition Section for proposed SNRHA's Mixed Finance or Development Plans.

**Demolition and/or Disposition**

As a result of the Authority’s extensive redevelopment activities, several of the Authority’s family developments are included as considerations for demolition and/or disposition. It is not expected that all developments be demolished or disposed of, however, revitalization efforts continue to increase and any of all remaining family developments may be considered during the fiscal year. The SNRHA is considering all Public Housing Properties for Demolition or Disposition through Mixed Finance or Conversion under the Rental Assistance Demonstration Program. Landsman Gardens – NV018013003 has been disposed as part of the Rental Assistance Demonstration (RAD) Program process. Vera Johnson B – NV018002411 to be disposed as part of the Mixed Finance process and after construction completion will convert under RAD Program process. Biegger Estates – NV018013406 and Rose Gardens – NV018007403 to be disposed as part of the RAD Program Conversion. Vera Johnson Manor “A” - NV018002406 to be disposed as part of the Mixed Finance process.

**SNRHA has submitted or will be submitting Demolition/Disposition application for the following public housing properties:**

| Demolition/Disposition Activity Description                                                                             |
|-------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Vera Johnson B</b>                                                                             |
| 1b. Development (project) number: <b>AMP 410</b> (NV39P002022b)                                                         |
| 2. Activity type: <b>Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>Planned application</b>                                                                       |
| 4. Date application planned for submission: <b>2014</b>                                                                 |
| 5. Number of units affected: <b>112</b>                                                                                 |
| 6. Coverage of action: <b>Total AMP</b>                                                                                 |
| 7. Timeline for activity: <b>Projected start date: 2015 - Projected end date: 2016</b>                                  |

| Demolition/Disposition Activity Description                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Sherman Annex /Marble Annex/Sherman Gardens/ Villa Capri</b>                                                     |
| 1b. Development (project) number: <b>AMP 408</b> (NV39P002006a/203b/214/215)                                                              |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>Planned application</b>                                                                                         |
| 4. Date application <b>planned for submission: TBD</b>                                                                                    |
| 5. Number of units affected: <b>314</b> (154+20+82+60)                                                                                    |
| 6. Coverage of action: <b>Partial or Total AMP</b>                                                                                        |
| 7. Timeline for activity: <b>Projected start date: TBD- Projected end date: TBD</b>                                                       |

| Demolition/Disposition Activity Description                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Rose Gardens</b>                                                                                                 |
| 1b. Development (project) number: <b>AMP 403</b> (former AMP 320) (NV39P007003)                                                           |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>Planned application</b>                                                                                         |
| 4. Date application planned for submission: <b>2015</b>                                                                                   |
| 5. Number of units affected: <b>120</b>                                                                                                   |
| 6. Coverage of action: <b>Partial AMP</b>                                                                                                 |
| 7. Timeline for activity: <b>Projected start date: 2016 - Projected end date: 2017</b>                                                    |

**Demolition and/or Disposition**

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Biegger Estates</b>                                                                                              |
| 1b. Development (project) number: <b>AMP 406</b> (NV39P013008)                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>Planned application</b>                                                                                         |
| 4. Date application planned for submission: <b>2015</b>                                                                                   |
| 5. Number of units affected: <b>119</b>                                                                                                   |
| 6. Coverage of action: <b>Partial AMP</b>                                                                                                 |
| 7. Timeline for activity: Projected start date: <b>2016</b> Projected end date: <b>2017</b>                                               |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Archie Grant</b>                                                                                                 |
| 1b. Development (project) number: <b>AMP 401</b> (NV39P002005)                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>125</b>                                                                                                   |
| 6. Coverage of action: <b>Partial or Total AMP</b>                                                                                        |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Marion Bennett Plaza</b>                                                                                         |
| 1b. Development (project) number: <b>AMP 401</b> (NV39P018316)                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>65</b>                                                                                                    |
| 6. Coverage of action: <b>Partial or Total AMP</b>                                                                                        |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Lubertha Johnson</b>                                                                                             |
| 1b. Development (project) number: <b>AMP 401</b> (NV39P0181321)                                                                           |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>112</b>                                                                                                   |
| 6. Coverage of action: <b>Partial or Total AMP</b>                                                                                        |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

**Demolition and/or Disposition**

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>James Down Towers</b>                                                                                            |
| 1b. Development (project) number: <b>AMP 402 (NV39P002012)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>200</b>                                                                                                   |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Sartini Plaza</b>                                                                                                |
| 1b. Development (project) number: <b>AMP 402 (NV39P002021)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>220</b>                                                                                                   |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Sartini Plaza Annex</b>                                                                                          |
| 1b. Development (project) number: <b>AMP 402 (NV39P002046)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>39</b>                                                                                                    |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Harry Levy Gardens</b>                                                                                           |
| 1b. Development (project) number: <b>AMP 403 (NV39P002008)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>150</b>                                                                                                   |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

**Demolition and/or Disposition**

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Aida Brents</b>                                                                                                  |
| 1b. Development (project) number: <b>AMP 403</b> (NV39P002024)                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>24</b>                                                                                                    |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Espinoza Terrace</b>                                                                                             |
| 1b. Development (project) number: <b>AMP 404</b> (NV39P013002)                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>100</b>                                                                                                   |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Hampton Court</b>                                                                                                |
| 1b. Development (project) number: <b>AMP 404</b> (NV39P013005)                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>100</b>                                                                                                   |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Schaffer Heights</b>                                                                                             |
| 1b. Development (project) number: <b>AMP 404</b> (NV39P013009)                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>75</b>                                                                                                    |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |



**Demolition and/or Disposition**

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Otto Merida Desert Villas</b>                                                                                    |
| 1b. Development (project) number: <b>AMP 405 (NV39P002048)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>60</b>                                                                                                    |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Simmons Manor</b>                                                                                                |
| 1b. Development (project) number: <b>AMP 406 (NV39P013020)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>61</b>                                                                                                    |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Ernie Cragin Terrace</b>                                                                                         |
| 1b. Development (project) number: <b>AMP 406 (NV39P002004b)</b>                                                                           |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>40</b>                                                                                                    |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Vera Johnson A</b>                                                                                               |
| 1b. Development (project) number: <b>AMP 406 (NV39P002022a)</b>                                                                           |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>76</b>                                                                                                    |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

**Demolition and/or Disposition**

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Hullum Homes</b>                                                                                                 |
| 1b. Development (project) number: <b>AMP 407 (NV39P013007)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>59</b>                                                                                                    |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Jones Gardens</b>                                                                                                |
| 1b. Development (project) number: <b>AMP 407 (NV39P013010)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>90</b>                                                                                                    |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Marble Manor</b>                                                                                                 |
| 1b. Development (project) number: <b>AMP 407 (NV39P002001/02/03a/04a)</b>                                                                 |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>235</b>                                                                                                   |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Marble Manor Annex</b>                                                                                           |
| 1b. Development (project) number: <b>AMP 408 (NV39P002003b)</b>                                                                           |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>20</b>                                                                                                    |
| 6. Coverage of action: Partial AMP                                                                                                        |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

**Demolition and/or Disposition**

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Scattered Sites-Henderson</b>                                                                                    |
| 1b. Development (project) number: <b>AMP 409 (NV39P013016)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>31</b>                                                                                                    |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Scattered Sites</b>                                                                                              |
| 1b. Development (project) number: <b>AMP 409 (NV39P013016)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>99 + 31</b>                                                                                               |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Scattered Sites</b>                                                                                              |
| 1b. Development (project) number: <b>AMP 409 (NV39P002046)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>155</b>                                                                                                   |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

| <b>Demolition/Disposition Activity Description</b>                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. Development name: <b>Scattered Sites</b>                                                                                              |
| 1b. Development (project) number: <b>AMP 409 (NV39P002047)</b>                                                                            |
| 2. Activity type: <b>Demolition and/or Disposition through the Rental Assistance Demonstration (RAD) Program or Mixed Finance process</b> |
| 3. Application status: <b>TBA</b>                                                                                                         |
| 4. Date application planned for submission: <b>TBA</b>                                                                                    |
| 5. Number of units affected: <b>7</b>                                                                                                     |
| 6. Coverage of action: Partial or Total AMP                                                                                               |
| 7. Timeline for activity: Projected start date: <b>TBA</b> Projected end date: <b>TBA</b>                                                 |

B2c

**Designation of Housing for Elderly and Disabled Families**

The SNRHA submitted to HUD on November 15, 2013 an Amendment to the Designated Housing Plan by proposing to designate 16 units as elderly and 49 units as mixed (elderly and disabled families only) at Bennett Plaza, representing a 5.3% change in the number of designated units. Details of the revised Plan are noted below:

**Elderly Population Designation**

| Development Name     | Development Number | Bedroom Type |            |           | Total Units Designated | Total Units in Development |
|----------------------|--------------------|--------------|------------|-----------|------------------------|----------------------------|
|                      |                    | 0-BR         | 1-BR       | 2-BR      |                        |                            |
| Perry Plaza          | NV018013021        |              | 89         | 23        | 112                    | 112                        |
| Espinoza Terrace     | NV018013002        | 60           | 36         | 4         | 100                    | 100                        |
| Harry Levy Gardens   | NV002000306        | 46           | 102        | 2         | 150                    | 150                        |
| Rose Gardens         | NV018007001        | 60           | 60         |           | 120                    | 120                        |
| James Down Towers    | NV018002307        |              | 198        | 2         | 200                    | 200                        |
| Arthur Sartini Plaza | NV018002303        |              | 218        | 2         | 220                    | 220                        |
| Bennett Plaza        | NV018002316        |              | 16         |           | 16                     | 65                         |
| <b>Total</b>         |                    | <b>166</b>   | <b>719</b> | <b>33</b> | <b>918</b>             | <b>967</b>                 |

**Mixed Population Designation**

| Development Name | Development Number | Bedroom Type |           |          | Total Units Designated | Total Units in Development |
|------------------|--------------------|--------------|-----------|----------|------------------------|----------------------------|
|                  |                    | 0-BR         | 1-BR      | 2-BR     |                        |                            |
| Bennett Plaza    | NV018002316        |              | 44        | 5        | 49                     | 65                         |
| <b>Total</b>     |                    |              | <b>44</b> | <b>5</b> | <b>49</b>              | <b>65</b>                  |

This amendment to the plan was reviewed By HUD in accordance with the requirements of Section 7 of the United States Housing Act of 1937. Based on the information available to HUD the plan was approved on January 8, 2014. This plan will be in effect for 5 years from the date of the original approval of May 20, 2011, with an expiration of May 17, 2016. Prior to the expiration, on May 11, 2016, SNRHA submitted a request to extend the designation for an additional 2-year increment.

The Authority may proceed with the designation of Arthur Sartini Annex (a portion of AMP402, consisting of 39 units) as well as Schaffer Heights (a portion of AMP404, consisting of 75 units) as elderly only.

B2d

## **Conversion of Public Housing to Tenant Based Assistance**

There have been no changes to the Conversion Plan. SNRHA anticipates targeting certain Public Housing developments that are up to 60 units to include but not limited to the following: Villa Capri; Sartini Plaza Annex; Hulum Homes and Aida Brents.

**Conversion of Public Housing (RAD)**

**RENTAL ASSISTANCE DEMONSTRATION (RAD) PROGRAM**

Under an innovative new program called Rental Assistance Demonstration (RAD), the U.S. Department of Housing and Urban Development (HUD) is allowing housing authorities to rehabilitate and preserve their aging public housing developments using a variety of public and private affordable housing resources, including tax-exempt bonds supported by project-based rental assistance, Federal Low-Income Housing Tax Credits and Public Housing Capital Funds (CFP) including Replacement Housing Factor (RHF) Funds.

The SNRHA continues with its efforts to convert more public housing assistance under the RAD Program. The SNRHA currently is **not** under a voluntary compliance agreement, consent order or consent decree or final judicial ruling or administrative ruling or decision therefore; there is no negative impact by the conversion activities. Additionally SNRHA certifies that all RAD conversions complies and will continue to comply with all applicable site selection and neighborhood reviews standards and all appropriate procedures have been and will continue to be followed.

Below, please find a table listing out each of the provisions affecting residents’ rights and participation, waiting list and grievance procedures. The table lists out the provisions applicable to the type of conversion (PBV or PBRA) that the PHA is proposing. This list is not a substitute for providing a copy of the relevant tenant protections listed below.

| <b>Project Based Voucher (PBV) Requirements (Section 1.6 of PIH Notice 2012-32, REV-2 and the Joint Housing PIH Notice H-2014-09/ PIH-2014-17)</b> | <b>Project Based Rental Assistance (PBRA) Requirements (Section 1.7 of PIH Notice 2012-32, REV-2 and the Joint Housing PIH Notice H-2014-09/PIH-2014-17)</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Tenant Protections (Under Joint Housing PIH Notice H-2014-09/ PIH-2014-17.)</b>                                                                 |                                                                                                                                                              |
| 1. Right to Return and Relocation Assistance                                                                                                       | 1. Right to Return and Relocation Assistance                                                                                                                 |
| <b>Tenant Protections Under Section 1.6.C (PBV) or Section 1.7.B (PBRA)</b>                                                                        |                                                                                                                                                              |
| 1. No re-screening of tenants upon conversion                                                                                                      | 1. No re-screening of tenants upon conversion;                                                                                                               |
| 2. Under-Occupied Unit                                                                                                                             | 2. Under-Occupied Unit (See Section 1.7)                                                                                                                     |
| 3. Renewal of Lease                                                                                                                                | 3. N/A                                                                                                                                                       |
| 4. Phase-in of tenant rent increase:                                                                                                               | 4. Phase-in of tenant rent increase:                                                                                                                         |
| 5. FSS and ROSS-SC programs;                                                                                                                       | 5. FSS and ROSS-SC programs;                                                                                                                                 |
| 6. Resident Participation and Funding.                                                                                                             | 6. Resident Participation and Funding.                                                                                                                       |
| 7. Termination notification                                                                                                                        | 7. Termination notification                                                                                                                                  |
| 8. Grievance process                                                                                                                               | 8. Grievance process                                                                                                                                         |
| 9. Earned Income Disregard.                                                                                                                        | 9. Earned Income Disregard.                                                                                                                                  |
| 10. Jobs Plus                                                                                                                                      | 10. Jobs Plus                                                                                                                                                |
|                                                                                                                                                    |                                                                                                                                                              |



**Conversion of Public Housing (RAD)**

| <b>Tenant Protections Under Section 1.6.D (PBV) or Section 1.7.C (PBRA)</b> |                                  |
|-----------------------------------------------------------------------------|----------------------------------|
| 1. Establishment of Waiting List                                            | 1. Establishment of Waiting List |
| 2. Choice Mobility                                                          | 2. Choice Mobility               |
|                                                                             |                                  |

**SNRHA RAD Conversion Status is as follows:**

**Project Description**

Vera Johnson Manor “B” (AMP 410)  
503 North Lamb Blvd. Las Vegas, NV 89110  
APN# 140-31-501-017 (9.46 acres)

The SNRHA submitted on 12/2013 a RAD application for Vera Johnson Manor B (AMP 314) anticipating a Conditional Housing Assistance Payment (CHAP) agreement issuance by January 2014. As of March 2015 the CHAP agreement has not been issued for the Project; even though Congress lifted the unit cap of 60,000 to 185,000 units under the RAD Program. The SNRHA submitted in FY 2014 a HOME application and a 9% Tax Credit Application for the Rehabilitation of all 112 units at this site. On April 2014 the City of Las Vegas awarded \$1 million in HOME Funds to Vera Johnson Manor B and in July 2014 the Nevada Housing Division issued a 2014 Reservation Letter for \$1 million annually in 9% Low Income Housing Tax Credits (LIHTC) for Vera Johnson Manor B. In an effort to preserve the HOME Funds and Tax Credit Allocations, the SNRHA proceeded with a Mixed Finance Proposal as an Interim Plan for closing early April 2015. As part of this process SNRHA completed a Section 18 disposition resulting in a reduction of eight (8) public housing units to be set-aside for HOME restricted units for a new total of 104 public housing units. The SNRHA plans to submit the RAD conversion after receiving the CHAP and immediately after the construction and lease-up is complete at Vera Johnson B.

On April 3, 2015-the SHNRA received approval from HUD for the conversion of assistance of 112 public housing units at Development No. NV018002022b, Vera Johnson Manor B (AMP 410). The SNRHA will be submitting a revision to the RAD team to reflect the new total of 104 Public Housing Units for conversion of assistance to Project Based Voucher (PBV) under RAD.

SNRHA will work with HUD to forward needed items to meet any required RAD milestones. However, SNRHA currently does not anticipate converting Vera Johnson Manor B to RAD until construction completion to simplify the conversion.

Vera Johnson Manor “B” entails the acquisition / rehabilitation of an existing 112-unit [104 Public Housing plus 8 HOME restricted units] low-income family development located in Las Vegas, NV. The property was constructed in 1984 under the Federal Low-Income Public Housing program and is owned and operated by the Southern Nevada Regional Housing Authority (SNRHA).

The goals of the rehabilitation include:

- To bring the units up to modern standards including new plumbing, wiring, cabinets, countertops, sinks, tubs and vanities, painting, flooring and appliances;

**Conversion of Public Housing (RAD)**

- To meet and/or exceed energy conservation requirements as detailed in Section 14 of the 2014 Nevada Housing Division Qualified Allocation Plan, and to lower future utility costs for the tenants and the owner; this will include new vinyl dual-pane windows, new exterior doors, additional furring, insulation and duct work, and the addition of gas-fired tankless hot water heaters;
- To increase site security and “defensible space” through landscaping, improved site lighting and security cameras;
- To reduce water consumption through the replacement of some lawn areas with low-maintenance rock and desert landscaping and the addition of low-flow faucets and commodes; and,
- To address remaining site accessibility deficiencies as identified in the physical needs assessment and annual property accessibility audits.

Vera Johnson Manor B opened in 1984 as the 18th family housing development of the former Las Vegas Housing Authority. The site is named in honor of Vera Johnson, former Supervisor Occupancy Specialist at the San Francisco Area of the Department of Housing and Urban Development (HUD).

The development consists of 15 one and two-story wood and block-frame buildings on a 9.46-acre site. The unit mix, in 15 residential buildings, is as follows:

| No. of Units | Public Housing | HOME Restricted | Type                 | SF                |
|--------------|----------------|-----------------|----------------------|-------------------|
| 96           | 91             | 5               | 2 Bedroom/1 Bathroom | 1,073 SF          |
| 16           | 13             | 3               | 3 Bedroom/1 Bathroom | 1,213 SF          |
| <b>112</b>   | <b>104</b>     | <b>8</b>        |                      | <b>122,416 SF</b> |

There are no changes to the number of units or the bedroom distribution of the units proposed as part of the conversion.

The units are arranged in buildings of 5 to 9 units along a series of parking lots entered by way of North Lamb Boulevard. The property contains 138 parking spaces plus 6 parking spaces for disabled persons.

As part of the redevelopment, SNRHA plans to add a community center and work with the Clark County School District and Communities in Schools Nevada to expand its successful Project REACH program to the Learning Center on the Vera Johnson Manor B site. (See below.)

Development Team

Developer: Nevada HAND  
Co-Developer: Southern Nevada Regional Housing Authority and its non-profit affiliate, Affordable Housing Programs, Inc.  
Consultant: EJP Consulting Group, LLC and Praxis Consulting Group, LLC General  
Contractor: HAND Construction  
Property Manager: HAND Property Management  
Architect: SH Architecture

## **Conversion of Public Housing (RAD)**

Vera Johnson Manor B will be owned by a new sole purpose entity, Vera Johnson Family, LLC, a Nevada limited liability company. The 0.01% Managing Member of the LLC will be Vera Johnson Family Manager, LLC, also a Nevada limited liability company. Affordable Housing Programs, Inc. (AHP, Inc.), the non-profit instrumentality of SNRHA, will be the sole manager of the Manager LLC. SNRHA and AHP, Inc. will act as co-developer to the ownership LLC.

### **Project Financing**

The project financing for Vera Johnson Manor B includes 9% Low Income Housing Tax Credits issued through the Nevada Housing Division and HOME Funds from City of Las Vegas.

Under an innovative new program called Rental Assistance Demonstration (RAD), the HUD is allowing housing authorities to convert public housing into subsidized housing with a project-based rental assistance contract. The rental assistance contract—15 years with an option to renew for another 15 years under the Project-Based Voucher approach—will allow SNRHA to borrow funds to cover a portion of the redevelopment effort. The RAD contract rent will be the lesser of 110% of Fair Market Rent less Utility Allowance or \$710 per unit per month.

SNRHA submitted its application for RAD financing to HUD in mid-December 2013.

### **Estimated Project Schedule**

|                          |                        |
|--------------------------|------------------------|
| RAD Application          | December 2013 (actual) |
| NHD 9% LIHTC Application | May 2014 (actual)      |
| Financial Closing        | April 2015             |
| Construction Start       | April 2015 (actual)    |
| Construction Completion  | May 2016               |
| Full Occupancy           | May 2016               |

### **Project Description**

Landsman Gardens (AMP 317)  
750 Major Street, Henderson, NV 89015  
APN# 179-17-503-001 and 003 (11.11 acres)

RAD Conversion Update: Under the Rental Assistance Demonstration the SNRHA converted in 2014 Landsman Gardens a 100-unit family public housing development in the Valley View neighborhood of Henderson, Nevada to Project Based Section 8. Landsman Gardens is the first FHA-financed project in the nation to close under the Rental Assistance Demonstration (RAD) program. Construction was completed December 2014 and units are anticipated to be 100% lease-up March 2015.

Financing for Landsman Gardens includes tax-exempt bonds issued by the Nevada Housing Division and insured under the FHA 221(d)(4) mortgage guarantee program, equity from the sale of 4% Low Income Housing Tax Credits to PNC Real Estate, short-term tax-exempt bonds for construction from Citi Community Capital, public housing capital funds and operating reserves from the SNRHA, HUD HOME funds from the City of Henderson, Federal Home Loan Bank of San Francisco Affordable Housing Program (AHP) funds, sponsored by City National Bank and grant funds from Wells Fargo Housing Foundation.

The property renovations included comprehensive modernization of all the units, site upgrades and included upgrading the site and the on-site Administrative Building and Learning Center where the SNRHA and local service organizations will provide a variety of programs to residents

## Conversion of Public Housing (RAD)

such as after-school activities for youth, financial literacy, and resource referrals to nutrition and wellness programs.

Landsman Gardens is an important housing asset for the Las Vegas Valley that includes a complement of scarce two-, three-, four-, and five-bedroom units, serving large families. Through the RAD program, the development will be preserved in the long term for a new generation of families in need of decent, safe and affordable housing.

### **Project Description**

Biegger Estates (AMP 406)  
5701 Missouri St. #35, Las Vegas, NV. 89122  
APN#:161-28-603-001 (11acres)

RAD Conversion Update: The SNRHA in March 2015 submitted a RAD application for Biegger Estates (AMP 406) the Conditional Housing Assistance Payment (CHAP) agreement was received July 2015) for conversion of assistance to Project Based Voucher (PBV) under RAD. The SNRHA submitted on May 2015 a 9% Tax Credit Application for the Rehabilitation of all 119 units at this site and received a 9% Tax Credit Award Allocation on July 2015. The SNRHA will self-develop this project

Biegger Estates, constructed in 1985 and opened in 1986, as the 8th family housing development of the former Clark County Housing Authority. Property consists of 33 single-story wood frame residential buildings with stucco exteriors on an 11-acre site. The roofs are gable style with asphalt shingles. The unit mix, in 33 residential buildings, is as follows:

| No. of PH Units | Bdrm Distribution    | SF                |
|-----------------|----------------------|-------------------|
| 87              | 2 Bedroom/1 Bathroom | 782 SF            |
| 22              | 3 Bedroom/1 Bathroom | 1,009 SF          |
| 10              | 4 Bedroom/2 Bathroom | 1,116 SF          |
| <b>119</b>      |                      | <b>101,428 SF</b> |

At this time we are not anticipating to change the number of units or the bedroom distribution of the units proposed as part of the conversion.

### **Estimated Project Schedule**

RAD Application: March 2015  
NHD 9% LIHTC Application: May 2015  
Construction Start: May 2016  
Construction Completion: June 2017  
Full Occupancy : August 2017

### **Project Description**

Rose Gardens (AMP 403)  
1632 Yale Street, North Las Vegas, NV.89030  
APN #: 139-22-810-041 (3.85acres)

RAD Conversion Update: The SNRHA submitted in March 2015 a RAD application for Rose Gardens (AMP403) receiving a Conditional Housing Assistance Payment (CHAP) agreement July 2015 for conversion of assistance to Project Based Voucher (PBV) under RAD. The

**Conversion of Public Housing (RAD)**

SNRHA is also planning to submit in FY 2015 early FY 2016 a Bond/4% Tax Credit Application for the Re-development of all 120 units (on-site or off-site). The SNRHA may self-develop or partner with a developer for this project.

Rose Gardens constructed in 1972 acquired and opened in 1975, as the 2th senior housing development of the former City of North Las Vegas Housing Authority. Currently Rose Gardens has an Elderly Population Designation. Property consists of 2 three-story low rise elevator style structure on a 3.85-acre site. The buildings are slab on grade with a wood siding exterior. The unit mix is as follows:

| No. of PH Units | Bdrm Distribution    | SF               |
|-----------------|----------------------|------------------|
| 60              | 0 Bedroom/1 Bathroom | 370 SF           |
| 60              | 1 Bedroom/1 Bathroom | 503 SF           |
| <b>120</b>      |                      | <b>52,380 SF</b> |

At this time we are not anticipating to change the number of units however; we are anticipating to change the bedroom distribution of the units as follows: 70%-85%-1Bdrm units [approx. 600sqft] and 15%-30% 2Bdrm [approx. 775sqft] units, as part of the conversion.

|                                                            |                                                                       |                                                                                    |                                                                                                                                                                     |
|------------------------------------------------------------|-----------------------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Name of Public Housing Project:</u><br><br>ROSE GARDENS | <u>PIC Development ID:</u><br><br>NV018007001                         | <u>Conversion type (i.e., PBV or PBRA):</u><br><br>PBV                             | <u>Transfer of Assistance: Yes</u><br><u>Proposed Location:</u><br>1731 Yale Street. NLV, NV. 89030<br>APN: 139-22-801-002<br><u>No. of Units Transferring:</u> 120 |
| <u>Total Units:</u><br><br>120                             | <u>Pre- RAD Unit Type (i.e., Family, Senior, etc.):</u><br><br>Senior | <u>Post-RAD Unit Type if different (i.e., Family, Senior, etc.):</u><br><br>Senior | <u>Capital Fund allocation of Development:</u><br><br>\$112,549.27                                                                                                  |
| <b>Bedroom Type</b>                                        | <b>Number of Units Pre-Conversion</b>                                 | <b>Number of Units Post-Conversion:</b>                                            | <b>Change in Number of Units per Bedroom Type and Why?</b>                                                                                                          |
| Studio/Efficiency                                          | 60                                                                    | 0                                                                                  |                                                                                                                                                                     |
| One Bedroom                                                | 60                                                                    | 102                                                                                | Unit Reconfiguration                                                                                                                                                |
| Two Bedroom                                                | 0                                                                     | 18                                                                                 | Unit Reconfiguration                                                                                                                                                |
| Three Bedroom                                              | 0                                                                     | 0                                                                                  |                                                                                                                                                                     |
| Four Bedroom                                               | 0                                                                     | 0                                                                                  |                                                                                                                                                                     |
| Five Bedroom                                               | 0                                                                     | 0                                                                                  |                                                                                                                                                                     |
| Six Bedroom                                                | 0                                                                     | 0                                                                                  |                                                                                                                                                                     |
| Total:                                                     | 120                                                                   | 120                                                                                |                                                                                                                                                                     |

**Conversion of Public Housing (RAD)**

|                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (If Performing a Transfer of Assistance) | The property proposed for the transfer of assistance is across the street from Rose Gardens, [former Casa Rosa Public Housing site demolished in July 2010 as approved by HUD and SAC]. This property is also a part of the existing Rose Gardens AMP. The existing units are extremely small 370SF-530SF and very difficult to lease. The proposed units will be more spacious ranging from 600SF-775SF with more amenities. Units will be more attractive and more marketable. It is proposed to relocate the tenants once the construction of the new building is complete at the new location and then demolish the existing Rose Gardens structures. Therefore; the SNRHA is not anticipating any changes in the policies that govern eligibility, admission, selection and occupancy of units at the project after it has been converted. |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Estimated Project Schedule**

RAD Application: March 2015  
Bond 4% LIHTC Application: May 2016  
Construction Start: December 2016  
Construction Completion: March 2018  
Full Occupancy : December 2018

**Next Group of RAD Applications:** RAD portfolio application approved at the 08/21/15 SNRHA Board of Commissioners meeting and submitted to HUD on 11/05/15. Properties included are as follows:

First Group: 1)Otto Merida (AMP405), 2)Lubertha Johnson (AMP401), 3)Bennett Plaza (AMP401), 4)Espinoza Terrace (404), 5)Hullum Homes (AMP407), 6)Jones Gardens (AMP407), 7)Sartini Plaza (AMP402) & 8)Sartini Annex (AMP402), 9)Archie Grant (South Parcel) (AMP401) and 10)Ernie Cragin Terrace (AMP406) totaling 844 public housing units.

Second Group: 1)Schaffer Heights (AMP404), 2)Aida Brents (AMP403), 3)Levy Gardens(403), 4)James Down Towers (AMP402), 5)Hampton Court (Amp404), 6)Simmons (AMP406) and 7)Sherman Gardens Annex (408) totaling 564 public housing units.

The RAD portfolio is pending HUD review and issuance of Commitment to enter into a Housing Assistance Payment contract (CHAP) for Group 1.

RAD applications are now broken down in six categories, SNRHA portfolio award is listed under Category 6 - “Uncategorized” (application review not completed) total units over the 185,000 cap is 10,046 units as of 11/30/15. We are last in our category with a waitlist of 3,344. RAD will provide monthly updates.

FYI: President’s Budget for 2016 has requested Congress to eliminate the cap on the number of units to be converted.

B2e

## **Occupancy by Over-Income Families**

At this time SNRHA does not admit families who are over income at time of initial lease up. SNRHA is reviewing the impact of Over-Income Families (if any) on its Public Housing Program and will formulate a Policy (if needed) in compliance with Notice PIH 2011-7 and 24 CFR960.503 and 24CFR 903-7(b) to address this issue.



## **Occupancy by Police Officers**

In order to provide an increased sense of security for public housing residents, the SNRHA may allow public housing units to be occupied by police officers.

Police officers will not be required to be income eligible to qualify for admission to the SNRHA's public housing program.

## **Non-Smoking Policies**

### **N. SMOKE FREE HOUSING**

In order to provide a healthier environment for our residents, the Board of Commissioners has adopted a Smoke Free Housing Policy. The purpose of this policy is to provide a healthier environment for our residents and eliminate the harmful effects of secondhand smoke, fire danger and damage to apartments due to smoke. Secondhand smoke is particularly dangerous to children and people with respiratory disease. It is the third leading cause of preventable death in the United States. In 2006, the US Surgeon General stated that there is no safe level of second hand smoke.

#### **Definition of Smoke/Smoking:**

The term “smoke” and “smoking” means inhaling, exhaling, breathing or carrying any lighted cigar, cigarette or other tobacco product on similar lighted product in any manner or in any form.

#### **Smoke-Free Apartments:**

The premises listed below have been designated as smoke-free living environments:

- Lubertha Johnson Senior Development

With 45 days written notice and a signed lease addendum for all current residents, future properties may be designated smoke free at the discretion of SNRHA.

Residents, staff and guests are prohibited from smoking on these properties owned and managed by SNRHA, including the apartment rented by the resident, the building in which the dwelling unit is located, and all common areas inside and outside the building up to 15 feet from each building and 50 feet from the buildings entry.

#### **The Southern Nevada Regional Housing Authority Not a Guarantor of Smoke-Free Environment**

The adoption of a smoke free living environment and the efforts to designate a property as smoke-free does not make SNRHA a guarantor of resident’s health or of the smoke free condition of the resident’s apartment and common areas. However, SNRHA shall take reasonable steps to enforce the smoke-free terms of its leases and to make the property smoke-free. SNRHA will post smoke free properties with “No Smoking” signs inside and outside the buildings and may, at its sole option, consider designating smoking areas at any or all of the properties.

#### **Smoking on the Property as a Lease Violation**

If a resident smells tobacco smoke anywhere in the building, they should report this to the office as soon as possible. Management will seek the source of the smoke and take appropriate action. A resident will be in violation of his/her lease if the resident or any guest is determined to be smoking on SNRHA property. Three (3) violations of SNRHA’s Smoke Free Policy may result in eviction. All applicants/residents acknowledge receipt of this Policy and Smoke-Free Lease Addendum in writing at the time of application and/or next rent recertification.

## **Project-Based Vouchers**

SNRHA shall use project-based vouchers as required to leverage funds to expand affordable housing. SNRHA shall not utilize more than 50 vouchers as they become available for this purpose.

- Identify method to leverage funding resources; including using up to the allowable 20% of HCV tenant based vouchers, for project based, starting in 2014 or as they become available. SNRHA may Project Base up to 20% of its Vouchers. The general locations for future projects will be outside of areas of high concentration of poverty and as defined in the applicable RFP. Future decisions will be in compliance with this. Project Basing will be consistent with the Agencies efforts and the community to increase affordable housing resources.
- SNRHA will identify certain public housing and affordable housing sites/units for project-based assistance

**B2f**

## Units with Approved Vacancies for Modernization

The following information updates the agency plan to provide detailed information regarding units scheduled from comprehensive modernization and/or modernization/ energy upgrades, for the public housing properties previously identified in the Capital Funds Program Grants.

Units scheduled for construction work that will required PIC unit status update to “Undergoing Modernization” are listed in the following tables:

| <b>SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY<br/>UNITS SCHEDULED FOR MODERNIZATION<br/>CFP 2015 – CFP 2020</b>                                                                                                                                                                                                                                                                                    |             |                      |                             |                      |       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------|-----------------------------|----------------------|-------|
| AMP No.                                                                                                                                                                                                                                                                                                                                                                                            | Unit Number | Unit Address         | Scope of Work               | Estimated Completion | Count |
| <b>VERA JOHNSON B - Rental Assistance Demonstration (RAD) Demonstration application submitted December, 2013. Anticipated approval by or before November 2014. On schedule to submit a 9% Low Income Housing Tax Credit proposal by May 2, 2014. Deadline. SNRHA is partnering with a developer for this project. Estimated Construction NTP Date: May 2015. Anticipated Completion: July 2016</b> |             |                      |                             |                      |       |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299077      | 505 N. LAMB BLVD # 1 | Comprehensive Modernization | 07/31/16             | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299078      | 505 N. LAMB BLVD # 2 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299079      | 505 N. LAMB BLVD # 3 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299080      | 505 N. LAMB BLVD # 4 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299081      | 505 N. LAMB BLVD # 5 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299082      | 505 N. LAMB BLVD # 6 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299083      | 507 N. LAMB BLVD # 1 | Comprehensive Modernization | 07/31/16             | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299084      | 507 N. LAMB BLVD # 2 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299085      | 507 N. LAMB BLVD # 3 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299086      | 507 N. LAMB BLVD # 4 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299087      | 507 N. LAMB BLVD # 5 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299088      | 507 N. LAMB BLVD # 6 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299089      | 507 N. LAMB BLVD # 7 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299090      | 507 N. LAMB BLVD # 8 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299091      | 507 N. LAMB BLVD # 9 | Comprehensive Modernization | 06/30/16             | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299092      | 509 N. LAMB BLVD # 1 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299093      | 509 N. LAMB BLVD # 2 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299094      | 509 N. LAMB BLVD # 3 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299095      | 509 N. LAMB BLVD # 4 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299096      | 509 N. LAMB BLVD # 5 | Comprehensive Modernization | 06/30/16             | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299097      | 511 N. LAMB BLVD # 1 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299098      | 511 N. LAMB BLVD # 2 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299099      | 511 N. LAMB BLVD # 3 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299100      | 511 N. LAMB BLVD # 4 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299101      | 511 N. LAMB BLVD # 5 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299102      | 511 N. LAMB BLVD # 6 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299103      | 511 N. LAMB BLVD # 7 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299104      | 511 N. LAMB BLVD # 8 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299105      | 511 N. LAMB BLVD # 9 | Comprehensive Modernization | 1                    |       |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299106      | 513 N. LAMB BLVD # 1 | Comprehensive Modernization | 05/31/16             | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299107      | 513 N. LAMB BLVD # 2 | Comprehensive Modernization |                      | 1     |
| 314                                                                                                                                                                                                                                                                                                                                                                                                | 299108      | 513 N. LAMB BLVD # 3 | Comprehensive Modernization |                      | 1     |

### Units with Approved Vacancies for Modernization

|     |        |                      |                             |          |          |
|-----|--------|----------------------|-----------------------------|----------|----------|
| 314 | 299109 | 513 N. LAMB BLVD # 4 | Comprehensive Modernization |          | 1        |
| 314 | 299110 | 513 N. LAMB BLVD # 5 | Comprehensive Modernization |          | 1        |
| 314 | 299111 | 513 N. LAMB BLVD # 6 | Comprehensive Modernization |          | 1        |
| 314 | 299112 | 513 N. LAMB BLVD # 7 | Comprehensive Modernization |          | 1        |
| 314 | 299113 | 513 N. LAMB BLVD # 8 | Comprehensive Modernization |          | 1        |
| 314 | 299114 | 515 N. LAMB BLVD # 1 | Comprehensive Modernization | 05/31/16 | 1        |
| 314 | 299115 | 515 N. LAMB BLVD # 2 | Comprehensive Modernization |          | 1        |
| 314 | 299116 | 515 N. LAMB BLVD # 3 | Comprehensive Modernization |          | 1        |
| 314 | 299117 | 515 N. LAMB BLVD # 4 | Comprehensive Modernization |          | 1        |
| 314 | 299118 | 515 N. LAMB BLVD # 5 | Comprehensive Modernization |          | 1        |
| 314 | 299119 | 515 N. LAMB BLVD # 6 | Comprehensive Modernization |          | 1        |
| 314 | 299120 | 515 N. LAMB BLVD # 7 | Comprehensive Modernization |          | 1        |
| 314 | 299121 | 515 N. LAMB BLVD # 8 | Comprehensive Modernization |          | 1        |
| 314 | 299122 | 515 N. LAMB BLVD # 9 | Comprehensive Modernization |          | 1        |
| 314 | 299123 | 517 N. LAMB BLVD # 1 | Comprehensive Modernization |          | 04/30/16 |
| 314 | 299124 | 517 N. LAMB BLVD # 2 | Comprehensive Modernization | 1        |          |
| 314 | 299125 | 517 N. LAMB BLVD # 3 | Comprehensive Modernization | 1        |          |
| 314 | 299126 | 517 N. LAMB BLVD # 4 | Comprehensive Modernization | 1        |          |
| 314 | 299127 | 517 N. LAMB BLVD # 5 | Comprehensive Modernization | 1        |          |
| 314 | 299128 | 517 N. LAMB BLVD # 6 | Comprehensive Modernization | 1        |          |
| 314 | 299129 | 519 N. LAMB BLVD # 1 | Comprehensive Modernization | 04/30/16 | 1        |
| 314 | 299130 | 519 N. LAMB BLVD # 2 | Comprehensive Modernization |          | 1        |
| 314 | 299131 | 519 N. LAMB BLVD # 3 | Comprehensive Modernization |          | 1        |
| 314 | 299132 | 519 N. LAMB BLVD # 4 | Comprehensive Modernization |          | 1        |
| 314 | 299133 | 519 N. LAMB BLVD # 5 | Comprehensive Modernization |          | 1        |
| 314 | 299134 | 521 N. LAMB BLVD # 1 | Comprehensive Modernization | 03/31/16 | 1        |
| 314 | 299135 | 521 N. LAMB BLVD # 2 | Comprehensive Modernization |          | 1        |
| 314 | 299136 | 521 N. LAMB BLVD # 3 | Comprehensive Modernization |          | 1        |
| 314 | 299137 | 521 N. LAMB BLVD # 4 | Comprehensive Modernization |          | 1        |
| 314 | 299138 | 521 N. LAMB BLVD # 5 | Comprehensive Modernization |          | 1        |
| 314 | 299139 | 521 N. LAMB BLVD # 6 | Comprehensive Modernization |          | 1        |
| 314 | 299140 | 521 N. LAMB BLVD # 7 | Comprehensive Modernization |          | 1        |
| 314 | 299141 | 521 N. LAMB BLVD # 8 | Comprehensive Modernization | 1        |          |
| 314 | 299142 | 521 N. LAMB BLVD # 9 | Comprehensive Modernization | 1        |          |
| 314 | 299143 | 523 N. LAMB BLVD # 1 | Comprehensive Modernization | 03/31/16 | 1        |
| 314 | 299144 | 523 N. LAMB BLVD # 2 | Comprehensive Modernization |          | 1        |
| 314 | 299145 | 523 N. LAMB BLVD # 3 | Comprehensive Modernization |          | 1        |
| 314 | 299146 | 523 N. LAMB BLVD # 4 | Comprehensive Modernization |          | 1        |
| 314 | 299147 | 523 N. LAMB BLVD # 5 | Comprehensive Modernization |          | 1        |
| 314 | 299148 | 523 N. LAMB BLVD # 6 | Comprehensive Modernization |          | 1        |
| 314 | 299149 | 523 N. LAMB BLVD # 7 | Comprehensive Modernization |          | 1        |
| 314 | 299150 | 523 N. LAMB BLVD # 8 | Comprehensive Modernization | 1        |          |
| 314 | 299151 | 525 N. LAMB BLVD # 1 | Comprehensive Modernization | 02/29/16 | 1        |
| 314 | 299152 | 525 N. LAMB BLVD # 2 | Comprehensive Modernization |          | 1        |
| 314 | 299153 | 525 N. LAMB BLVD # 3 | Comprehensive Modernization |          | 1        |
| 314 | 299154 | 525 N. LAMB BLVD # 4 | Comprehensive Modernization |          | 1        |
| 314 | 299155 | 525 N. LAMB BLVD # 5 | Comprehensive Modernization |          | 1        |
| 314 | 299156 | 525 N. LAMB BLVD # 6 | Comprehensive Modernization |          | 1        |

### Units with Approved Vacancies for Modernization

|     |        |                      |                             |          |            |
|-----|--------|----------------------|-----------------------------|----------|------------|
| 314 | 299157 | 527 N. LAMB BLVD # 1 | Comprehensive Modernization | 02/29/16 | 1          |
| 314 | 299158 | 527 N. LAMB BLVD # 2 | Comprehensive Modernization |          | 1          |
| 314 | 299159 | 527 N. LAMB BLVD # 3 | Comprehensive Modernization |          | 1          |
| 314 | 299160 | 527 N. LAMB BLVD # 4 | Comprehensive Modernization |          | 1          |
| 314 | 299161 | 527 N. LAMB BLVD # 5 | Comprehensive Modernization |          | 1          |
| 314 | 299162 | 527 N. LAMB BLVD # 6 | Comprehensive Modernization |          | 1          |
| 314 | 299163 | 529 N. LAMB BLVD # 1 | Comprehensive Modernization | 01/31/16 | 1          |
| 314 | 299164 | 529 N. LAMB BLVD # 2 | Comprehensive Modernization |          | 1          |
| 314 | 299165 | 529 N. LAMB BLVD # 3 | Comprehensive Modernization |          | 1          |
| 314 | 299166 | 529 N. LAMB BLVD # 4 | Comprehensive Modernization |          | 1          |
| 314 | 299167 | 529 N. LAMB BLVD # 5 | Comprehensive Modernization |          | 1          |
| 314 | 299168 | 529 N. LAMB BLVD # 6 | Comprehensive Modernization |          | 1          |
| 314 | 299169 | 529 N. LAMB BLVD # 7 | Comprehensive Modernization |          | 1          |
| 314 | 299170 | 529 N. LAMB BLVD # 8 | Comprehensive Modernization |          | 1          |
| 314 | 299171 | 531 N. LAMB BLVD # 1 | Comprehensive Modernization | 01/31/16 | 1          |
| 314 | 299172 | 531 N. LAMB BLVD # 2 | Comprehensive Modernization |          | 1          |
| 314 | 299173 | 531 N. LAMB BLVD # 3 | Comprehensive Modernization |          | 1          |
| 314 | 299174 | 531 N. LAMB BLVD # 4 | Comprehensive Modernization |          | 1          |
| 314 | 299175 | 531 N. LAMB BLVD # 5 | Comprehensive Modernization |          | 1          |
| 314 | 299176 | 531 N. LAMB BLVD # 6 | Comprehensive Modernization | 01/31/16 | 1          |
| 314 | 299177 | 531 N. LAMB BLVD # 7 | Comprehensive Modernization |          | 1          |
| 314 | 299178 | 531 N. LAMB BLVD # 8 | Comprehensive Modernization |          | 1          |
| 314 | 299179 | 531 N. LAMB BLVD # 9 | Comprehensive Modernization | 12/31/15 | 1          |
| 314 | 299180 | 533 N. LAMB BLVD # 1 | Comprehensive Modernization |          | 1          |
| 314 | 299181 | 533 N. LAMB BLVD # 2 | Comprehensive Modernization |          | 1          |
| 314 | 299182 | 533 N. LAMB BLVD # 3 | Comprehensive Modernization |          | 1          |
| 314 | 299183 | 533 N. LAMB BLVD # 4 | Comprehensive Modernization |          | 1          |
| 314 | 299184 | 533 N. LAMB BLVD # 5 | Comprehensive Modernization |          | 1          |
| 314 | 299185 | 533 N. LAMB BLVD # 6 | Comprehensive Modernization |          | 1          |
| 314 | 299186 | 533 N. LAMB BLVD # 7 | Comprehensive Modernization |          | 1          |
| 314 | 299187 | 533 N. LAMB BLVD # 8 | Comprehensive Modernization |          | 1          |
| 314 | 299188 | 533 N. LAMB BLVD # 9 | Comprehensive Modernization |          | 1          |
|     |        |                      |                             |          | <b>112</b> |

| AMP No                                                                                                                                                                                                                                                                                                                        | Unit Number | Unit Address      | Scope of Work               | Estimated Completion | Count |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------|-----------------------------|----------------------|-------|
| <b>Vera Johnson A: A/E Contract presented at the December 2014 Board Meeting.-A/E Design completed in 2015. SNRHA proceeding with a 9% Tax Credit application May 2016 to assist with the financing of the construction and will be disposing the property through a Mixed Finance process. Estimated timeframe 2016-2018</b> |             |                   |                             |                      |       |
| 313                                                                                                                                                                                                                                                                                                                           | 222001      | 1200 E HARRIS # 1 | Comprehensive Modernization | 05/25/17             | 1     |
| 313                                                                                                                                                                                                                                                                                                                           | 222002      | 1200 E HARRIS # 2 | Comprehensive Modernization |                      | 1     |
| 313                                                                                                                                                                                                                                                                                                                           | 222003      | 1210 E HARRIS # 1 | Comprehensive Modernization |                      | 1     |
| 313                                                                                                                                                                                                                                                                                                                           | 222004      | 1210 E HARRIS # 2 | Comprehensive Modernization |                      | 1     |
| 313                                                                                                                                                                                                                                                                                                                           | 222005      | 1220 E HARRIS # 1 | Comprehensive Modernization |                      | 1     |
| 313                                                                                                                                                                                                                                                                                                                           | 222006      | 1220 E HARRIS # 2 | Comprehensive Modernization |                      | 1     |
| 313                                                                                                                                                                                                                                                                                                                           | 222007      | 1300 E HARRIS # 1 | Comprehensive Modernization |                      | 1     |
| 313                                                                                                                                                                                                                                                                                                                           | 222008      | 1300 E HARRIS # 2 | Comprehensive Modernization |                      | 1     |

**Units with Approved Vacancies for Modernization**

|     |        |                    |                             |   |
|-----|--------|--------------------|-----------------------------|---|
| 313 | 222009 | 1300 E HARRIS # 3  | Comprehensive Modernization | 1 |
| 313 | 222010 | 1300 E HARRIS # 4  | Comprehensive Modernization | 1 |
| 313 | 222011 | 1300 E HARRIS # 5  | Comprehensive Modernization | 1 |
| 313 | 222012 | 1300 E HARRIS # 6  | Comprehensive Modernization | 1 |
| 313 | 222013 | 1300 E HARRIS # 7  | Comprehensive Modernization | 1 |
| 313 | 222014 | 1300 E HARRIS # 8  | Comprehensive Modernization | 1 |
| 313 | 222015 | 1300 E HARRIS # 9  | Comprehensive Modernization | 1 |
| 313 | 222016 | 1300 E HARRIS # 10 | Comprehensive Modernization | 1 |
| 313 | 222017 | 1310 E HARRIS # 1  | Comprehensive Modernization | 1 |
| 313 | 222018 | 1310 E HARRIS # 2  | Comprehensive Modernization | 1 |
| 313 | 222019 | 1310 E HARRIS # 3  | Comprehensive Modernization | 1 |
| 313 | 222020 | 1310 E HARRIS # 4  | Comprehensive Modernization | 1 |
| 313 | 222021 | 1310 E HARRIS # 5  | Comprehensive Modernization | 1 |
| 313 | 222022 | 1310 E HARRIS # 6  | Comprehensive Modernization | 1 |
| 313 | 222023 | 1310 E HARRIS # 7  | Comprehensive Modernization | 1 |
| 313 | 222024 | 1310 E HARRIS # 8  | Comprehensive Modernization | 1 |
| 313 | 222025 | 1310 E HARRIS # 9  | Comprehensive Modernization | 1 |
| 313 | 222026 | 1310 E HARRIS # 10 | Comprehensive Modernization | 1 |
| 313 | 222027 | 1400 E HARRIS # 1  | Comprehensive Modernization | 1 |
| 313 | 222028 | 1400 E HARRIS # 2  | Comprehensive Modernization | 1 |
| 313 | 222029 | 1400 E HARRIS # 3  | Comprehensive Modernization | 1 |
| 313 | 222030 | 1400 E HARRIS # 4  | Comprehensive Modernization | 1 |
| 313 | 222031 | 1400 E HARRIS # 5  | Comprehensive Modernization | 1 |
| 313 | 222032 | 1400 E HARRIS # 6  | Comprehensive Modernization | 1 |
| 313 | 222033 | 1400 E HARRIS # 7  | Comprehensive Modernization | 1 |
| 313 | 222034 | 1400 E HARRIS # 8  | Comprehensive Modernization | 1 |
| 313 | 222035 | 1400 E HARRIS # 9  | Comprehensive Modernization | 1 |
| 313 | 222036 | 1400 E HARRIS # 10 | Comprehensive Modernization | 1 |
| 313 | 222037 | 1420 E HARRIS # 1  | Comprehensive Modernization | 1 |
| 313 | 222038 | 1420 E HARRIS # 2  | Comprehensive Modernization | 1 |
| 313 | 222039 | 1420 E HARRIS # 3  | Comprehensive Modernization | 1 |
| 313 | 222040 | 1420 E HARRIS # 4  | Comprehensive Modernization | 1 |
| 313 | 222041 | 1420 E HARRIS # 5  | Comprehensive Modernization | 1 |
| 313 | 222042 | 1420 E HARRIS # 6  | Comprehensive Modernization | 1 |
| 313 | 222043 | 1420 E HARRIS # 7  | Comprehensive Modernization | 1 |
| 313 | 222044 | 1420 E HARRIS # 8  | Comprehensive Modernization | 1 |
| 313 | 222045 | 1420 E HARRIS # 9  | Comprehensive Modernization | 1 |
| 313 | 222046 | 1420 E HARRIS # 10 | Comprehensive Modernization | 1 |
| 313 | 222047 | 1500 E HARRIS # 1  | Comprehensive Modernization | 1 |
| 313 | 222048 | 1500 E HARRIS # 2  | Comprehensive Modernization | 1 |
| 313 | 222049 | 1500 E HARRIS # 3  | Comprehensive Modernization | 1 |

09/31/17



### Units with Approved Vacancies for Modernization

|     |        |                    |                             |          |           |
|-----|--------|--------------------|-----------------------------|----------|-----------|
| 313 | 222050 | 1500 E HARRIS # 4  | Comprehensive Modernization |          | 1         |
| 313 | 222051 | 1500 E HARRIS # 5  | Comprehensive Modernization |          | 1         |
| 313 | 222052 | 1500 E HARRIS # 6  | Comprehensive Modernization |          | 1         |
| 313 | 222053 | 1500 E HARRIS # 7  | Comprehensive Modernization |          | 1         |
| 313 | 222054 | 1500 E HARRIS # 8  | Comprehensive Modernization |          | 1         |
| 313 | 222055 | 1500 E HARRIS # 9  | Comprehensive Modernization |          | 1         |
| 313 | 222056 | 1500 E HARRIS # 10 | Comprehensive Modernization |          | 1         |
| 313 | 222057 | 1600 E HARRIS # 1  | Comprehensive Modernization | 01/11/18 | 1         |
| 313 | 222058 | 1600 E HARRIS # 2  | Comprehensive Modernization |          | 1         |
| 313 | 222059 | 1600 E HARRIS # 3  | Comprehensive Modernization |          | 1         |
| 313 | 222060 | 1600 E HARRIS # 4  | Comprehensive Modernization |          | 1         |
| 313 | 222061 | 1600 E HARRIS # 5  | Comprehensive Modernization |          | 1         |
| 313 | 222062 | 1600 E HARRIS # 6  | Comprehensive Modernization |          | 1         |
| 313 | 222063 | 1600 E HARRIS # 7  | Comprehensive Modernization |          | 1         |
| 313 | 222064 | 1600 E HARRIS # 8  | Comprehensive Modernization |          | 1         |
| 313 | 222065 | 1600 E HARRIS # 9  | Comprehensive Modernization | 01/11/18 | 1         |
| 313 | 222066 | 1600 E HARRIS # 10 | Comprehensive Modernization |          | 1         |
| 313 | 222067 | 1610 E HARRIS # 1  | Comprehensive Modernization |          | 1         |
| 313 | 222068 | 1610 E HARRIS # 2  | Comprehensive Modernization |          | 1         |
| 313 | 222069 | 1610 E HARRIS # 3  | Comprehensive Modernization |          | 1         |
| 313 | 222070 | 1610 E HARRIS # 4  | Comprehensive Modernization |          | 1         |
| 313 | 222071 | 1610 E HARRIS # 5  | Comprehensive Modernization |          | 1         |
| 313 | 222072 | 1610 E HARRIS # 6  | Comprehensive Modernization |          | 1         |
| 313 | 222073 | 1610 E HARRIS # 7  | Comprehensive Modernization |          | 1         |
| 313 | 222074 | 1610 E HARRIS # 8  | Comprehensive Modernization |          | 1         |
| 313 | 222075 | 1610 E HARRIS # 9  | Comprehensive Modernization | 1        |           |
| 313 | 222076 | 1610 E HARRIS # 10 | Comprehensive Modernization | 1        |           |
|     |        |                    |                             |          | <b>76</b> |

| AMP                                                                                                                                                | Unit   | Unit Address         | Scope Of work             | Estimated Completion | Count |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--------|----------------------|---------------------------|----------------------|-------|
| <b>SCATTERED SITE UNITS - A/E &amp; Energy Consultants Contracts will be required. Work to be completed in phases and as permitted by funding.</b> |        |                      |                           |                      |       |
| 319                                                                                                                                                | 00200F | 200 FULLERTON AVE    | Modernization/Energy Upg. | 2030                 | 1     |
| 319                                                                                                                                                | 00212F | 212 FULLERTON AVE    | Modernization/Energy Upg. | 2030                 | 1     |
| 319                                                                                                                                                | 00220F | 220 FULLERTON AVE    | Modernization/Energy Upg. | 2030                 | 1     |
| 319                                                                                                                                                | 00234F | 234 FULLERTON AVE    | Modernization/Energy Upg. | 2030                 | 1     |
| 319                                                                                                                                                | 00235C | 235 CONCHO DR        | Modernization/Energy Upg. | 2030                 | 1     |
| 319                                                                                                                                                | 00247F | 247 FULLERTON AVE    | Modernization/Energy Upg. | 2030                 | 1     |
| 319                                                                                                                                                | 00248W | 248 WINONA CT        | Modernization/Energy Upg. | 2030                 | 1     |
| 319                                                                                                                                                | 00251W | 251 WINONA DR        | Modernization/Energy Upg. | 2030                 | 1     |
| 319                                                                                                                                                | 00369M | 369 MANZANITA STREET | Modernization/Energy Upg. | 2030                 | 1     |

### Units with Approved Vacancies for Modernization

|     |        |                      |                           |      |           |
|-----|--------|----------------------|---------------------------|------|-----------|
| 319 | 00408D | 408 DAFFODIL DR      | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00424D | 424 DAFFODIL DR      | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00428B | 428 BOTTLE BRUSH WAY | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00447B | 447 BELL AVE         | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00450C | 450 CRESTWAY RD      | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00452C | 452 CRESTWAY RD      | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00467B | 467 BELL AVE         | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00501B | 501 BASTANCHURY AVE  | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00508D | 508 DUTCHMAN AVE     | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00518H | 518 HOLICK AVE       | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00525B | 525 BARRET           | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00529Z | 529 ZUBER AVE        | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00531H | 531 HOLICK AVE       | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00533H | 533 HOLICK AVE       | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00536V | 536 VAN DORNUM       | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00548R | 548 ROLLY STREET     | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00549E | 549 ENGEL AVE        | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 00937M | 937 MAJOR            | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01003D | 1003 DRIFTWOOD CT    | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01003W | 1003 WOODSIDE CT     | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01006B | 1006 BROOKSIDE CT    | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01015T | 1015 TIMBERLINE CT   | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01449P | 1449 PRICE STREET    | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01453P | 1453 PRICE STREET    | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01601C | 1601 CHESTNUT STREET | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01713C | 1713 CHESTNUT STREET | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01728C | 1728 CARITA          | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01833M | 1833 MARGARITA       | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01931R | 1931 RED SAND CT     | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01940D | 1940 DUNNAM STREET   | Modernization/Energy Upg. | 2030 | 1         |
| 319 | 01941D | 1941 DUNNAM STREET   | Modernization/Energy Upg. | 2030 | 1         |
|     |        |                      |                           |      | <b>40</b> |
| 318 | 00049P | 49 PARRISH           | Modernization/Energy Upg. | 2030 | 1         |
| 318 | 00066P | 66 PARRISH           | Modernization/Energy Upg. | 2030 | 1         |
| 318 | 00138P | 138 PARRISH          | Modernization/Energy Upg. | 2030 | 1         |
| 318 | 00436L | 436 LINN LANE        | Modernization/Energy Upg. | 2030 | 1         |
| 318 | 00489B | 489 BATTLE MOUNTAIN  | Modernization/Energy Upg. | 2030 | 1         |
| 318 | 00732B | 732 BETTY LANE       | Modernization/Energy Upg. | 2030 | 1         |
| 318 | 01173C | 1173 CHRISTY LANE    | Modernization/Energy Upg. | 2030 | 1         |
| 318 | 01253E | 1253 EBBETTS PASS    | Modernization/Energy Upg. | 2030 | 1         |

### Units with Approved Vacancies for Modernization

|     |        |                      |                           |      |   |
|-----|--------|----------------------|---------------------------|------|---|
| 318 | 01288C | 1288 CHRISTY LANE    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01320P | 1320 PLEASANT BROOK  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01325N | 1325 NAY COURT       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01373B | 1373 BRADHURST       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01388C | 1388 CHRISTY LANE    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01488C | 1488 CHRISTY LANE    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01502M | 1502 MAPLE LEAF      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01527C | 1527 CHRISTY LANE    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01608S | 1608 STARRIDGE WAY   | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01678S | 1678 STARRIDGE       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01687C | 1687 CHRISTY LANE    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01688L | 1688 LABRADOR DRIVE  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01831S | 1831 SKYWOOD         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01838V | 1838 VENALYNNE       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01868W | 1868 WINTERWOOD      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01877C | 1877 CORVETTE        | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01881C | 1881 CORVETTE        | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01901T | 1901 TURLEROCK ST    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01910C | 1910 CITROEN         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01933S | 1933 SPINDRIFT CT    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 01956P | 1956 PASADENA        | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02091B | 2091 BOWSTRING DRIVE | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02253S | 2253 SIERRA SUNRISE  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02262S | 2262 SABROSO         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02289S | 2289 SIERRA SUNRISE  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02296S | 2296 SIERRA SUNRISE  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02334S | 2334 SABROSO         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02339S | 2339 SABROSO         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02363S | 2363 SABROSO         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02429P | 2429 PINE CREEK      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02459P | 2459 PINE CREEK      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02551O | 2551 OAK GLEN WAY    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02580O | 2580 OAK GLEN WAY    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02751S | 2751 SANDY LANE      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02823P | 2823 PISCES          | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 02860B | 2860 BEACONFALLS     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03250R | 3250 RIO GRANDE      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03620W | 3620 WALNUT          | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03624S | 3624 SAN FRANCISCO   | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03624W | 3624 WHISPERING NTV  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03651B | 3651 BRIARCLIFF      | Modernization/Energy Upg. | 2030 | 1 |

### Units with Approved Vacancies for Modernization

|     |        |                  |                           |      |   |
|-----|--------|------------------|---------------------------|------|---|
| 318 | 03664L | 3664 LONE OAK    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03680N | 3680 NEW HORIZON | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03744B | 3744 BRIARCLIFF  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03754B | 3754 BRIARCLIFF  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03761G | 3761 GEIST       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03780K | 3780 KELLOGG     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03828K | 3828 KELLOGG     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03874J | 3874 JONTUE      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03876K | 3876 KELLOGG     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03877K | 3877 KELLOGG     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03884L | 3884 LINCOLN     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03896T | 3896 TATIANA     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03908T | 3908 TATIANA     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03909J | 3909 JONTUE      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03915J | 3915 JONTUE      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03926S | 3926 STEINBECK   | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03934J | 3934 JONTUE      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03950W | 3950 WOODSIDE    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03951L | 3951 LINCOLN     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03964W | 3964 WHITEHORSE  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03974B | 3974 BADILLO     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03987G | 3987 GULLIVER    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 03992L | 3992 LINCOLN     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04041B | 4041 BRIGHT STAR | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04089S | 4089 STUDIO      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04149S | 4149 STUDIO      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04187B | 4187 BORATKO     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04190S | 4190 STUDIO      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04201C | 4201 CALIMESA    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04230S | 4230 STUDIO      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04237B | 4237 BORATKO     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04249W | 4249 WENDY LANE  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04251C | 4251 CALIMESA    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04254T | 4254 TOLKIEN     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04270S | 4270 STUDIO      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04282P | 4282 PARAMOUNT   | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04292P | 4292 PARAMOUNT   | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04336F | 4336 FABERGE     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04343F | 4343 FABERGE     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04347B | 4347 BORATKO     | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04372S | 4372 SHALIMAR    | Modernization/Energy Upg. | 2030 | 1 |

### Units with Approved Vacancies for Modernization

|     |        |                      |                           |      |   |
|-----|--------|----------------------|---------------------------|------|---|
| 318 | 04399W | 4399 WENDY           | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04409F | 4409 FABERGE         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04427F | 4427 FAIRMONT CIRCLE | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04439M | 4439 MICHIGAN        | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04469F | 4469 FABERGE         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04469M | 4469 MICHIGAN        | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04496P | 4496 PUREZA          | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04658A | 4658 ALEXANDER       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04673B | 4673 BUMBLEBEE CIR   | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 04747I | 4747 IMPERIAL        | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05225S | 5225 SANDSTONE       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05241G | 5241 GAINSMILL ST    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05260B | 5260 BLOSSOM         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05307W | 5307 WELLESLEY       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05308P | 5308 PLAINVIEW       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05330P | 5330 PLAINFIELD      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05347S | 5347 SIGNET CT       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05360S | 5360 SIGNET CT.      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05365S | 5365 SIGNET COURT    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05421E | 5421 EASTBROOK       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05423P | 5423 POMEROY CIRCLE  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05459R | 5459 REQUA           | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05469E | 5469 EASTBROOK       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05503W | 5503 WHITE CAP       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05526B | 5526 BLUE SEA        | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05545W | 5545 WHITE CAP       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05606B | 5606 BIG SEA         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05607B | 5607 BIG SEA         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05611B | 5611 BIG SEA         | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05632G | 5632 GAZEBO WAY      | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05661O | 5661 ODESSA          | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05671W | 5671 WHITE CAP       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05714B | 5714 BALLINGER       | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05721O | 5721 ODESSA          | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05723F | 5723 FORSYTHE DRIVE  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05750B | 5750 BLUE SEA        | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05756B | 5756 BLUE SEA        | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 05819E | 5819 EMERALD CANYON  | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 06360P | 6360 PINE HILL ST    | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 06368P | 6368 PINEHILL        | Modernization/Energy Upg. | 2030 | 1 |
| 318 | 06380P | 6380 PINEHILL        | Modernization/Energy Upg. | 2030 | 1 |

### Units with Approved Vacancies for Modernization

|     |        |                        |                           |      |            |
|-----|--------|------------------------|---------------------------|------|------------|
| 318 | 06382D | 6382 DALLASWOOD LN     | Modernization/Energy Upg. | 2030 | 1          |
| 318 | 06752T | 6752 TIFFOLLO          | Modernization/Energy Upg. | 2030 | 1          |
| 318 | 06777A | 6777 ARROYO            | Modernization/Energy Upg. | 2030 | 1          |
| 318 | 06781L | 6781 LA RONDA          | Modernization/Energy Upg. | 2030 | 1          |
| 318 | 06871J | 6871 JUDSON AVE.       | Modernization/Energy Upg. | 2030 | 1          |
| 318 | 06880A | 6880 ARROYO            | Modernization/Energy Upg. | 2030 | 1          |
| 318 | 07325V | 7325 VIREO DR          | Modernization/Energy Upg. | 2030 | 1          |
|     |        |                        |                           |      | <b>138</b> |
| 310 | 226005 | 3933 NEW HOPE WAY      | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226006 | 2933 BRADY AV          | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226010 | 4449 COOL VALLY DR     | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226011 | 2624 DEMETRIUS AVE     | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226014 | 17 MINNESOTA STREET    | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226015 | 1532 ARTHUR AV         | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226017 | 3624 PARK OLIVER DR    | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226018 | 4044 LA BREA CT        | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226024 | 1001 NEWPORT ST        | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226025 | 47 NORTH SANDHILL ROAD | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226028 | 59 NORTH SANDHILL ROAD | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226032 | 583 REEF DRIVE         | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226033 | 1128 NASSAU DRIVE      | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226037 | 701 NORTH 22ND STREET  | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226041 | 917 NORTH 22ND STREET  | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 226042 | 2000 WENDELL AVE       | Modernization/Energy Upg. | 2030 | 1          |
|     |        |                        |                           |      | <b>16</b>  |
| 310 | 230004 | 1433 PATRIOT           | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230005 | 3625 BROOKDALE         | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230007 | 121 DAISSETTA          | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230009 | 3629 PARK OLIVER       | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230011 | 221 BEECHGATE          | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230012 | 3601 SEQUOIA           | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230013 | 908 SCARLETT RIDGE     | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230015 | 221 OAKFORD            | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230017 | 6724 SHEFFIELD         | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230023 | 732 LINCOLN            | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230025 | 4617 CURDSEN           | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230026 | 6617 GAZELLE           | Modernization/Energy Upg. | 2030 | 1          |
| 310 | 230027 | 1705 AMBOY             | Modernization/Energy Upg. | 2030 | 1          |
|     |        |                        |                           |      | <b>13</b>  |

### Units with Approved Vacancies for Modernization

|     |        |                        |                           |      |           |
|-----|--------|------------------------|---------------------------|------|-----------|
| 310 | 232001 | 551 BAY BERRY          | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232002 | 4109 HARRIS            | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232004 | 6636 ESCALON           | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232006 | 4805 LANCEWOOD         | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232007 | 4737 CONCORD VILLAGE   | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232008 | 4613 BRISTOL MANOR     | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232009 | 7005 CORNFLOWER        | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232013 | 2348 BRISTOL BRUSH     | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232015 | 736 TAFT               | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232016 | 6712 WENATCHEE DR      | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232017 | 7924 FANCIFUL          | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232019 | 1929 RIDGEFIELD        | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232020 | 4204 TIMPANI DR        | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232022 | 1840 RIDGEFIELD        | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232023 | 507 PRESCOTT           | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232026 | 1105 PARLIAMENT        | Modernization/Energy Upg. | 2030 | 1         |
| 310 | 232028 | 6541 MIRAGRANDE        | Modernization/Energy Upg. | 2030 | 1         |
|     |        |                        |                           |      | <b>17</b> |
| 311 | 246001 | 2309 BRISTOL VIEW      | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246002 | 1020 BIRD SPRINGS      | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246003 | 7133 LARKVALE          | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246004 | 3213 TERRA BELLA       | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246005 | 1232 SILVER PROSPECT   | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246006 | 505 LIGHT BEAM         | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246007 | 736 LINCOLN            | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246008 | 7289 GOLDEN STAR       | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246009 | 3809 VALLEY FORGE      | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246010 | 9313 CHILLY POND       | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246011 | 409 TOBLER             | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246012 | 4116 HAZELRIDGE        | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246013 | 4832 MONTEBELLO        | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246014 | 4128 COMPASS ROSE      | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246015 | 2328 BRISTOL BRUSH     | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246016 | 1445 LILAC BREEZE      | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246017 | 6512 RAIN FOREST       | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246018 | 9144 GREEN FROST DRIVE | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246019 | 5517 TINCUP DRIVE      | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246020 | 2245 FLORISSANT DRIVE  | Modernization/Energy Upg. | 2030 | 1         |
| 311 | 246021 | 5321 LAMBROOK DRIVE    | Modernization/Energy Upg. | 2030 | 1         |

### Units with Approved Vacancies for Modernization

|     |        |                           |                           |      |   |
|-----|--------|---------------------------|---------------------------|------|---|
| 311 | 246022 | 6724 CHEHALIS CIRCLE      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246023 | 4216 ESTABAN CT           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246024 | 7624 VELVET CANYON        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246025 | 1913 HARVEST DRIVE        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246026 | 6545 LEMITAR DRIVE        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246027 | 3217 POINT LOBOS DRIVE    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246028 | 8244 WILLETA AVE          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246029 | 9124 BUCKSPRINGS DRIVE    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246030 | 501 LIGHT BEAM            | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246031 | 2304 BRISTOL BRUSH WAY    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246032 | 2808 WHISTLING VINE       | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246033 | 7937 COPPER CANYON ROAD   | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246034 | 7433 SAYBROOK POINT DRIVE | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246035 | 8352 COVE LANDING         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246036 | 8100 SICKLE LANE          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246037 | 917 ROCKAWAY              | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246038 | 9149 SPARKLEWOOD COURT    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246039 | 1233 SILVER PROSPECT      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246040 | 529 CROFT WAY             | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246041 | 4145 COMPASS ROSE WAY     | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246042 | 732 TAFT COURT            | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246043 | 3209 TERRA BELLA          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246044 | 9178 JEWEL CRYSTAL COURT  | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246045 | 6320 COPPER FIELD         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246046 | 109 LUCY THOMPSON         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246047 | 709 MARIE FENLON DRIVE    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246048 | 3229 POINT LOBOS DRIVE    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246049 | 4241 TIMPANI DRIVE        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246050 | 6309 GREYHAWK AVENUE      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246051 | 5517 LIVERPOOL            | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246052 | 7412 LATTIMORE            | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246053 | 4037 HAZELRIDGE           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246054 | 6225 BURNT HILLS DRIVE    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246055 | 4116 BROWNDDEER           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246056 | 4120 HAZELRIDGE           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246057 | 6517 CAPRICORN            | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246058 | 2328 REDDON CIRCLE        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246059 | 1721 VILLA VISTA WAY      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246060 | 9305 Dancing Daffodil     | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246061 | 4540 ARROWROOT AVE        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246062 | 1313 LUCIA DRIVE          | Modernization/Energy Upg. | 2030 | 1 |



### Units with Approved Vacancies for Modernization

|     |        |                           |                           |      |   |
|-----|--------|---------------------------|---------------------------|------|---|
| 311 | 246063 | 4009 BROADRIVER           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246064 | 6329 CARMEN BLVD          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246065 | 2213 WILHELMINA           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246066 | 8249 WILLETA AVE          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246067 | 8004 MOUNT ROYAL COURT    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246068 | 4233 TIMPANI DRIVE        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246069 | 1437 BLUSHING BRIDE ST    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246070 | 4056 HAZELRIDGE           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246071 | 416 SARAJANE LANE         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246072 | 628 THRUSH DRIVE          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246073 | 9161 SPARKLEWOOD          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246074 | 7504 CRYSTAL ISLE WAY     | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246075 | 7209 LONESOME CIRCLE      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246076 | 3512 GOLDEN PEDAL         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246077 | 6596 SOCORRO DRIVE        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246078 | 1828 NAVAJO LAKE WAY      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246079 | 2713 COFFEE POT COURT     | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246080 | 6708 PAINTED CANYON COURT | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246081 | 1833 VILLA VISTA WAY      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246082 | 5428 KETTERING PLACE      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246083 | 2820 WHISTLING VINES      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246084 | 6368 CANYON DAWN          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246085 | 449 WARMSIDE DRIVE        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246086 | 4016 COMPASS ROSE WAY     | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246087 | 2809 WINDSTORM AVE        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246088 | 8332 SAN GRAIL CT         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246089 | 7417 SAYBROOK POINT DRIVE | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246090 | 6700 SHEFFIELD            | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246091 | 3901 PROCLAMATION PLACE   | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246092 | 3328 HYANNIS CIR          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246093 | 1305 LITTLE DIPPER ST     | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246094 | 6336 GREYHAWK AVE         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246095 | 6604 LEMITAR              | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246097 | 1300 SunPoint Drive       | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246098 | 7748 BROTHERS BAY CT      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246099 | 1880 ANN GRETA DR         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246100 | 6912 DELOREAN CIRCLE      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246101 | 6376 VIOLET BLOSSOM DRIVE | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246102 | 4404 NARIT DRIVE          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246103 | 6825 SHEFFIELD DR         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246104 | 7717 PARAKEET AVE         | Modernization/Energy Upg. | 2030 | 1 |

### Units with Approved Vacancies for Modernization

|     |        |                           |                           |      |   |
|-----|--------|---------------------------|---------------------------|------|---|
| 311 | 246105 | 6253 SPANISH MOSS         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246106 | 208 COCONUT GROVE         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246107 | 8440 STAPLETON AVE        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246108 | 7820 TOMICH AVE           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246109 | 3429 Trilogy Dr           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246110 | 1344 WHEATLAND WY         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246111 | 7000 CORNFLOWER DR        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246112 | 1125 CORAL ISLE           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246113 | 1961 COSTELLO             | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246114 | 8200 Carmen               | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246115 | 7708 VELVET CANYON AVE    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246116 | 9304 JUMPIN JUNIPER AVE   | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246117 | 9352 RED ROSE AVE         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246118 | 907 VANTAGE POINT ROAD    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246119 | 6732 THEUS CIRCLE         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246120 | 6936 MANISTEE COURT       | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246121 | 1708 Golden Sky Drive     | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246122 | 3405 MISTY EVENING STREET | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246123 | 6609 OUIDA WAY            | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246124 | 5505 LIVERPOOL            | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246125 | 4132 GLENFIELD CIRCLE     | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246126 | 6532 Wild River           | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246127 | 6217 Caprino Avenue       | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246128 | 6644 Messenger            | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246129 | 7137 Village Shore        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246130 | 7124 Desert Clover        | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246131 | 9513 Sweet Sage Avenue    | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246132 | 4433 MOSSY ROCK COURT     | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246133 | 1408 DRESDEN DOLL         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246134 | 6741 BREMERTON CR         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246135 | 4116 Talavera Court       | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246136 | 4124 TALAVERA COURT       | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246137 | 5521 CLEARY COURT         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246138 | 2020 JADE HILLS COURT     | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246139 | 6220 LA MADRE WAY         | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246140 | 1201 RAINBOW MEADOWS DRIV | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246141 | 5320 RANCHER AVENUE       | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246142 | 9512 Fox Forest Ave       | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246143 | 532 RIVER BED STREET      | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246144 | 5101 YELLOW DAWN          | Modernization/Energy Upg. | 2030 | 1 |
| 311 | 246145 | 6568 SWEETZER WAY         | Modernization/Energy Upg. | 2030 | 1 |

### Units with Approved Vacancies for Modernization

|     |        |                            |                           |      |            |
|-----|--------|----------------------------|---------------------------|------|------------|
| 311 | 246146 | 7005 BALLROOM COURT        | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 246147 | 5708 ROYAL CASTLE LANE     | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 246148 | 7257 CREST PEAK AVENUE     | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 246149 | 5701 GRAND ENTRIES DRIVE   | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 246150 | 8524 LAST POINT AVENUE     | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 246151 | 6600 WOODSWORTH AVENUE     | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 246152 | 8133 HYDRA LANE            | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 246153 | 6653 PROSPECT CLAIM COURT  | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 246154 | 4521 Soda Ash Ave          | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 246155 | 4572 MORNING JEWEL AVENUE  | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 246156 | 1236 LUCKY GOLD COURT      | Modernization/Energy Upg. | 2030 | 1          |
|     |        |                            |                           |      | <b>155</b> |
| 311 | 247001 | 2712 RISING LEGEND WAY     | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 247002 | 2349 HEATHER MEADOWS COURT | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 247003 | 1425 HELEN BELLE DRIVE     | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 247004 | 740 CONCRETE COURT         | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 247005 | 4801 LINKWOOD DRIVE        | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 247006 | 4568 ROSS AVE              | Modernization/Energy Upg. | 2030 | 1          |
| 311 | 247007 | 4420 BRISTOL MANOR DR      | Modernization/Energy Upg. | 2030 | 1          |
|     |        |                            |                           |      | <b>7</b>   |
|     |        |                            |                           |      | <b>386</b> |

| AMP No.                                                                                                                                                                                                                             | Unit Number | Unit Address        | Scope of Work               | Estimated Completion | Count |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------|-----------------------------|----------------------|-------|
| <b>Bigger Estates - Rental Assistance Demonstration (RAD) Program application or Mixed Finance application to be submitted 2015. Anticipated approval 2015. Estimated Construction NTP Date: 2016. Anticipated Completion: 2017</b> |             |                     |                             |                      |       |
| 406                                                                                                                                                                                                                                 | 00BE1A      | 5701 MISSOURI # 1-A | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE1B      | 5701 MISSOURI # 1-B | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE1C      | 5701 MISSOURI # 1-C | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE1D      | 5701 MISSOURI # 1-D | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE2A      | 5701 MISSOURI # 2-A | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE2B      | 5701 MISSOURI # 2-B | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE2C      | 5701 MISSOURI # 2-C | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE2D      | 5701 MISSOURI # 2-D | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE3A      | 5701 MISSOURI # 3-A | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE3B      | 5701 MISSOURI # 3-B | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE3C      | 5701 MISSOURI # 3-C | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE3D      | 5701 MISSOURI # 3-D | Comprehensive Modernization | 2017                 | 1     |
| 406                                                                                                                                                                                                                                 | 00BE4A      | 5701 MISSOURI # 4-A | Comprehensive Modernization | 2017                 | 1     |

### Units with Approved Vacancies for Modernization

|     |        |                      |                             |      |   |
|-----|--------|----------------------|-----------------------------|------|---|
| 406 | 00BE4B | 5701 MISSOURI # 4-B  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE4C | 5701 MISSOURI # 4-C  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE5A | 5701 MISSOURI # 5-A  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE5B | 5701 MISSOURI # 5-B  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE5C | 5701 MISSOURI # 5-C  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE5D | 5701 MISSOURI # 5-D  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE6A | 5701 MISSOURI # 6-A  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE6B | 5701 MISSOURI # 6-B  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE6C | 5701 MISSOURI # 6-C  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE6D | 5701 MISSOURI # 6-D  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE7A | 5701 MISSOURI # 7-A  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE7B | 5701 MISSOURI # 7-B  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE7C | 5701 MISSOURI # 7-C  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE7D | 5701 MISSOURI # 7-D  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE8A | 5701 MISSOURI # 8-A  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE8B | 5701 MISSOURI # 8-B  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE8C | 5701 MISSOURI # 8-C  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE9A | 5701 MISSOURI # 9-A  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE9B | 5701 MISSOURI # 9-B  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE9C | 5701 MISSOURI # 9-C  | Comprehensive Modernization | 2017 | 1 |
| 406 | 00BE9D | 5701 MISSOURI # 9-D  | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE10A | 5701 MISSOURI # 10-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE10B | 5701 MISSOURI # 10-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE10C | 5701 MISSOURI # 10-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE10D | 5701 MISSOURI # 10-D | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE11A | 5701 MISSOURI # 11-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE11B | 5701 MISSOURI # 11-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE11C | 5701 MISSOURI # 11-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE11D | 5701 MISSOURI # 11-D | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE12A | 5701 MISSOURI # 12-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE12B | 5701 MISSOURI # 12-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE12C | 5701 MISSOURI # 12-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE12D | 5701 MISSOURI # 12-D | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE13A | 5701 MISSOURI # 13-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE13B | 5701 MISSOURI # 13-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE13C | 5701 MISSOURI # 13-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE14A | 5701 MISSOURI # 14-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE14B | 5701 MISSOURI # 14-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE14C | 5701 MISSOURI # 14-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE15A | 5701 MISSOURI # 15-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE15B | 5701 MISSOURI # 15-B | Comprehensive Modernization | 2017 | 1 |

### Units with Approved Vacancies for Modernization

|     |        |                      |                             |      |   |
|-----|--------|----------------------|-----------------------------|------|---|
| 406 | 0BE15C | 5701 MISSOURI # 15-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE15D | 5701 MISSOURI # 15-D | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE16A | 5701 MISSOURI # 16-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE16B | 5701 MISSOURI # 16-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE16C | 5701 MISSOURI # 16-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE16D | 5701 MISSOURI # 16-D | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE17A | 5701 MISSOURI # 17-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE17B | 5701 MISSOURI # 17-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE17C | 5701 MISSOURI # 17-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE18A | 5701 MISSOURI # 18-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE18B | 5701 MISSOURI # 18-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE18C | 5701 MISSOURI # 18-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE18D | 5701 MISSOURI # 18-D | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE19A | 5701 MISSOURI # 19-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE19B | 5701 MISSOURI # 19-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE19C | 5701 MISSOURI # 19-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE19D | 5701 MISSOURI # 19-D | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE20A | 5701 MISSOURI # 20-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE20B | 5701 MISSOURI # 20-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE20C | 5701 MISSOURI # 20-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE21A | 5701 MISSOURI # 21-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE21B | 5701 MISSOURI # 21-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE21C | 5701 MISSOURI # 21-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE22A | 5701 MISSOURI # 22-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE22B | 5701 MISSOURI # 22-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE22C | 5701 MISSOURI # 22-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE22D | 5701 MISSOURI # 22-D | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE23A | 5701 MISSOURI # 23-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE23B | 5701 MISSOURI # 23-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE23C | 5701 MISSOURI # 23-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE24A | 5701 MISSOURI # 24-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE24B | 5701 MISSOURI # 24-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE24C | 5701 MISSOURI # 24-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE24D | 5701 MISSOURI # 24-D | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE25A | 5701 MISSOURI # 25-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE25B | 5701 MISSOURI # 25-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE25C | 5701 MISSOURI # 25-C | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE25D | 5701 MISSOURI # 25-D | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE26A | 5701 MISSOURI # 26-A | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE26B | 5701 MISSOURI # 26-B | Comprehensive Modernization | 2017 | 1 |
| 406 | 0BE27A | 5701 MISSOURI # 27-A | Comprehensive Modernization | 2017 | 1 |

**Units with Approved Vacancies for Modernization**

|     |        |                      |                             |      |            |
|-----|--------|----------------------|-----------------------------|------|------------|
| 406 | 0BE27B | 5701 MISSOURI # 27-B | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE27C | 5701 MISSOURI # 27-C | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE27D | 5701 MISSOURI # 27-D | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE28A | 5701 MISSOURI # 28-A | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE28B | 5701 MISSOURI # 28-B | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE28C | 5701 MISSOURI # 28-C | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE28D | 5701 MISSOURI # 28-D | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE29A | 5701 MISSOURI # 29-A | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE29B | 5701 MISSOURI # 29-B | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE29C | 5701 MISSOURI # 29-C | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE29D | 5701 MISSOURI # 29-D | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE30A | 5701 MISSOURI # 30-A | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE30B | 5701 MISSOURI # 30-B | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE30C | 5701 MISSOURI # 30-C | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE31A | 5701 MISSOURI # 31-A | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE31B | 5701 MISSOURI # 31-B | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE31C | 5701 MISSOURI # 31-C | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE32A | 5701 MISSOURI # 32-A | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE32B | 5701 MISSOURI # 32-B | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE32C | 5701 MISSOURI # 32-C | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE32D | 5701 MISSOURI # 32-D | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE33A | 5701 MISSOURI # 33-A | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE33B | 5701 MISSOURI # 33-B | Comprehensive Modernization | 2017 | 1          |
| 406 | 0BE33C | 5701 MISSOURI # 33-C | Comprehensive Modernization | 2017 | 1          |
|     |        |                      |                             |      | <b>119</b> |

| AMP No.                                                                                                                                                                                                                           | Unit Number | Unit Address       | Scope of Work | Estimated Completion | Count |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------|---------------|----------------------|-------|
| <b>Rose Gardens - Rental Assistance Demonstration (RAD) Program application or Mixed Finance application to be submitted 2015. Anticipated approval 2015. Estimated Construction NTP Date: 2016. Anticipated Completion: 2017</b> |             |                    |               |                      |       |
| 403                                                                                                                                                                                                                               | 730101      | 1632 YALE ST # 101 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730102      | 1632 YALE ST # 102 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730103      | 1632 YALE ST # 103 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730104      | 1632 YALE ST # 104 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730105      | 1632 YALE ST # 105 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730106      | 1632 YALE ST # 106 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730107      | 1632 YALE ST # 107 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730108      | 1632 YALE ST # 108 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730109      | 1632 YALE ST # 109 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730110      | 1632 YALE ST # 110 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730111      | 1632 YALE ST # 111 | Redevelopment | 2017                 | 1     |
| 403                                                                                                                                                                                                                               | 730112      | 1632 YALE ST #112  | Redevelopment | 2017                 | 1     |

### Units with Approved Vacancies for Modernization

|     |        |                    |               |      |   |
|-----|--------|--------------------|---------------|------|---|
| 403 | 730113 | 1632 YALE ST #113  | Redevelopment | 2017 | 1 |
| 403 | 730114 | 1632 YALE ST #114  | Redevelopment | 2017 | 1 |
| 403 | 730115 | 1632 YALE ST # 115 | Redevelopment | 2017 | 1 |
| 403 | 730116 | 1632 YALE ST # 116 | Redevelopment | 2017 | 1 |
| 403 | 730117 | 1632 YALE ST # 117 | Redevelopment | 2017 | 1 |
| 403 | 730118 | 1632 YALE ST # 118 | Redevelopment | 2017 | 1 |
| 403 | 730119 | 1632 YALE ST # 119 | Redevelopment | 2017 | 1 |
| 403 | 730120 | 1632 YALE ST # 120 | Redevelopment | 2017 | 1 |
| 403 | 730121 | 1632 YALE ST # 121 | Redevelopment | 2017 | 1 |
| 403 | 730122 | 1632 YALE ST # 122 | Redevelopment | 2017 | 1 |
| 403 | 730123 | 1632 YALE ST # 123 | Redevelopment | 2017 | 1 |
| 403 | 730124 | 1632 YALE ST # 124 | Redevelopment | 2017 | 1 |
| 403 | 730125 | 1632 YALE ST # 125 | Redevelopment | 2017 | 1 |
| 403 | 730126 | 1632 YALE ST # 126 | Redevelopment | 2017 | 1 |
| 403 | 730127 | 1632 YALE ST # 127 | Redevelopment | 2017 | 1 |
| 403 | 730128 | 1632 YALE ST # 128 | Redevelopment | 2017 | 1 |
| 403 | 730129 | 1632 YALE ST # 129 | Redevelopment | 2017 | 1 |
| 403 | 730130 | 1632 YALE ST # 130 | Redevelopment | 2017 | 1 |
| 403 | 730131 | 1632 YALE ST # 131 | Redevelopment | 2017 | 1 |
| 403 | 730132 | 1632 YALE ST # 132 | Redevelopment | 2017 | 1 |
| 403 | 730133 | 1632 YALE ST # 133 | Redevelopment | 2017 | 1 |
| 403 | 730134 | 1632 YALE ST# 134  | Redevelopment | 2017 | 1 |
| 403 | 730135 | 1632 YALE ST # 135 | Redevelopment | 2017 | 1 |
| 403 | 730136 | 1632 YALE ST #136  | Redevelopment | 2017 | 1 |
| 403 | 730137 | 1632 YALE ST # 137 | Redevelopment | 2017 | 1 |
| 403 | 730138 | 1632 YALE ST # 138 | Redevelopment | 2017 | 1 |
| 403 | 730139 | 1632 YALE ST # 139 | Redevelopment | 2017 | 1 |
| 403 | 730140 | 1632 YALE ST # 140 | Redevelopment | 2017 | 1 |
| 403 | 730201 | 1632 YALE ST # 201 | Redevelopment | 2017 | 1 |
| 403 | 730202 | 1632 YALE ST # 202 | Redevelopment | 2017 | 1 |
| 403 | 730203 | 1632 YALE ST # 203 | Redevelopment | 2017 | 1 |
| 403 | 730204 | 1632 YALE ST # 204 | Redevelopment | 2017 | 1 |
| 403 | 730205 | 1632 YALE ST # 205 | Redevelopment | 2017 | 1 |
| 403 | 730206 | 1632 YALE ST # 206 | Redevelopment | 2017 | 1 |
| 403 | 730207 | 1632 YALE ST # 207 | Redevelopment | 2017 | 1 |
| 403 | 730208 | 1632 YALE ST # 208 | Redevelopment | 2017 | 1 |
| 403 | 730209 | 1632 YALE ST # 209 | Redevelopment | 2017 | 1 |
| 403 | 730210 | 1632 YALE ST # 210 | Redevelopment | 2017 | 1 |
| 403 | 730211 | 1632 YALE ST # 211 | Redevelopment | 2017 | 1 |
| 403 | 730212 | 1632 YALE ST # 212 | Redevelopment | 2017 | 1 |
| 403 | 730213 | 1632 YALE ST # 213 | Redevelopment | 2017 | 1 |

**Units with Approved Vacancies for Modernization**

|     |        |                    |               |      |   |
|-----|--------|--------------------|---------------|------|---|
| 403 | 730214 | 1632 YALE ST # 214 | Redevelopment | 2017 | 1 |
| 403 | 730215 | 1632 YALE ST # 215 | Redevelopment | 2017 | 1 |
| 403 | 730216 | 1632 YALE ST # 216 | Redevelopment | 2017 | 1 |
| 403 | 730217 | 1632 YALE ST # 217 | Redevelopment | 2017 | 1 |
| 403 | 730218 | 1632 YALE ST # 218 | Redevelopment | 2017 | 1 |
| 403 | 730219 | 1632 YALE ST # 219 | Redevelopment | 2017 | 1 |
| 403 | 730220 | 1632 YALE ST # 220 | Redevelopment | 2017 | 1 |
| 403 | 730221 | 1632 YALE ST # 221 | Redevelopment | 2017 | 1 |
| 403 | 730222 | 1632 YALE ST # 222 | Redevelopment | 2017 | 1 |
| 403 | 730223 | 1632 YALE ST # 223 | Redevelopment | 2017 | 1 |
| 403 | 730224 | 1632 YALE ST # 224 | Redevelopment | 2017 | 1 |
| 403 | 730225 | 1632 YALE ST # 225 | Redevelopment | 2017 | 1 |
| 403 | 730226 | 1632 YALE ST # 226 | Redevelopment | 2017 | 1 |
| 403 | 730227 | 1632 YALE ST # 227 | Redevelopment | 2017 | 1 |
| 403 | 730228 | 1632 YALE ST # 228 | Redevelopment | 2017 | 1 |
| 403 | 730229 | 1632 YALE ST # 229 | Redevelopment | 2017 | 1 |
| 403 | 730230 | 1632 YALE ST # 230 | Redevelopment | 2017 | 1 |
| 403 | 730231 | 1632 YALE ST # 231 | Redevelopment | 2017 | 1 |
| 403 | 730232 | 1632 YALE ST # 232 | Redevelopment | 2017 | 1 |
| 403 | 730233 | 1632 YALE ST # 233 | Redevelopment | 2017 | 1 |
| 403 | 730234 | 1632 YALE ST# 234  | Redevelopment | 2017 | 1 |
| 403 | 730235 | 1632 YALE ST # 235 | Redevelopment | 2017 | 1 |
| 403 | 730236 | 1632 YALE ST # 236 | Redevelopment | 2017 | 1 |
| 403 | 730237 | 1632 YALE ST # 237 | Redevelopment | 2017 | 1 |
| 403 | 730238 | 1632 YALE ST # 238 | Redevelopment | 2017 | 1 |
| 403 | 730239 | 1632 YALE ST # 239 | Redevelopment | 2017 | 1 |
| 403 | 730240 | 1632 YALE ST # 240 | Redevelopment | 2017 | 1 |
| 403 | 730301 | 1632 YALE ST # 301 | Redevelopment | 2017 | 1 |
| 403 | 730302 | 1632 YALE ST # 302 | Redevelopment | 2017 | 1 |
| 403 | 730303 | 1632 YALE ST # 303 | Redevelopment | 2017 | 1 |
| 403 | 730304 | 1632 YALE ST # 304 | Redevelopment | 2017 | 1 |
| 403 | 730305 | 1632 YALE ST # 305 | Redevelopment | 2017 | 1 |
| 403 | 730306 | 1632 YALE ST # 306 | Redevelopment | 2017 | 1 |
| 403 | 730307 | 1632 YALE ST # 307 | Redevelopment | 2017 | 1 |
| 403 | 730308 | 1632 YALE ST # 308 | Redevelopment | 2017 | 1 |
| 403 | 730309 | 1632 YALE ST # 309 | Redevelopment | 2017 | 1 |
| 403 | 730310 | 1632 YALE ST # 310 | Redevelopment | 2017 | 1 |
| 403 | 730311 | 1632 YALE ST # 311 | Redevelopment | 2017 | 1 |
| 403 | 730312 | 1632 YALE ST # 312 | Redevelopment | 2017 | 1 |
| 403 | 730313 | 1632 YALE ST # 313 | Redevelopment | 2017 | 1 |
| 403 | 730314 | 1632 YALE ST # 314 | Redevelopment | 2017 | 1 |



**Units with Approved Vacancies for Modernization**

|     |        |                    |               |      |            |
|-----|--------|--------------------|---------------|------|------------|
| 403 | 730315 | 1632 YALE ST # 315 | Redevelopment | 2017 | 1          |
| 403 | 730316 | 1632 YALE ST # 316 | Redevelopment | 2017 | 1          |
| 403 | 730317 | 1632 YALE ST # 317 | Redevelopment | 2017 | 1          |
| 403 | 730318 | 1632 YALE ST # 318 | Redevelopment | 2017 | 1          |
| 403 | 730319 | 1632 YALE ST # 319 | Redevelopment | 2017 | 1          |
| 403 | 730320 | 1632 YALE ST # 320 | Redevelopment | 2017 | 1          |
| 403 | 730321 | 1632 YALE ST # 321 | Redevelopment | 2017 | 1          |
| 403 | 730322 | 1632 YALE ST # 322 | Redevelopment | 2017 | 1          |
| 403 | 730323 | 1632 YALE ST # 323 | Redevelopment | 2017 | 1          |
| 403 | 730324 | 1632 YALE ST # 324 | Redevelopment | 2017 | 1          |
| 403 | 730325 | 1632 YALE ST # 325 | Redevelopment | 2017 | 1          |
| 403 | 730326 | 1632 YALE ST # 326 | Redevelopment | 2017 | 1          |
| 403 | 730327 | 1632 YALE ST # 327 | Redevelopment | 2017 | 1          |
| 403 | 730328 | 1632 YALE ST # 328 | Redevelopment | 2017 | 1          |
| 403 | 730329 | 1632 YALE ST # 329 | Redevelopment | 2017 | 1          |
| 403 | 730330 | 1632 YALE ST # 330 | Redevelopment | 2017 | 1          |
| 403 | 730331 | 1632 YALE ST # 331 | Redevelopment | 2017 | 1          |
| 403 | 730332 | 1632 YALE ST # 332 | Redevelopment | 2017 | 1          |
| 403 | 730333 | 1632 YALE ST # 333 | Redevelopment | 2017 | 1          |
| 403 | 730334 | 1632 YALE ST# 334  | Redevelopment | 2017 | 1          |
| 403 | 730335 | 1632 YALE ST # 335 | Redevelopment | 2017 | 1          |
| 403 | 730336 | 1632 YALE ST # 336 | Redevelopment | 2017 | 1          |
| 403 | 730337 | 1632 YALE ST # 337 | Redevelopment | 2017 | 1          |
| 403 | 730338 | 1632 YALE ST # 338 | Redevelopment | 2017 | 1          |
| 403 | 730339 | 1632 YALE ST # 339 | Redevelopment | 2017 | 1          |
| 403 | 730340 | 1632 YALE ST # 340 | Redevelopment | 2017 | 1          |
|     |        |                    |               |      | <b>120</b> |

**B3**

**PHA Certifications of Compliance with the PHA Plans and Related Regulations:  
Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the  5-Year and/or  Annual PHA Plan for the PHA fiscal year beginning 10/1/2016, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes a policy for site based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.

12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA provides assurance as part of this certification that:
  - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
  - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
  - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

Southern Nevada Regional Housing Authority


NV-18

PHA Name

PHA Number/HA Code

- 5-Year PHA Plan for Fiscal Years 20<sup>17</sup> - 20<sup>21</sup>
- Annual PHA Plan for Fiscal Years 20<sup>17</sup> - 20<sup>21</sup>

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

|                                                                                                  |                                                            |
|--------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| Name of Authorized Official<br><p style="text-align: center;">Tim O'Callaghan</p>                | Title<br><p style="text-align: center;">Board Chairman</p> |
| Signature<br> | Date<br><p style="text-align: center;">7/13/16</p>         |

**Civil Rights Certification**

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 Expires 4/30/2011

**Civil Rights Certification****Annual Certification and Board Resolution**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioner, I approve the submission of the Plan for the PHA of which this document is a part and make the following certification and agreement with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing.


Southern Nevada Regional Housing Authority

NV-18

PHA Name

PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

|                                                                                                  |                         |
|--------------------------------------------------------------------------------------------------|-------------------------|
| Name of Authorized Official<br>Tim O'Callaghan                                                   | Title<br>Board Chairman |
| Signature<br> | Date<br>7/13/16         |

**B4**

**SOUTHERN NEVADA REGIONAL  
HOUSING AUTHORITY**

**BASIC FINANCIAL STATEMENTS AND  
SUPPLEMENTARY INFORMATION**

**YEAR ENDED SEPTEMBER 30, 2015**

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
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## INDEPENDENT AUDITORS' REPORT

Board of Commissioners  
Southern Nevada Regional Housing Authority  
Las Vegas, Nevada

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the enterprise fund and the aggregate discretely presented component units of the Southern Nevada Regional Housing Authority (the Authority), as of and for the year ended September 30, 2015, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditors' Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditors consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### **Opinions**

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the enterprise fund and the aggregate discretely presented component units of the Authority as of September 30, 2015, and the respective changes in its financial position and, when applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### **Emphasis of a Matter**

During fiscal year ended September 30, 2015, the Authority adopted GASB Statement No. 68, *Accounting and Financial Reporting for Pensions* and the related GASB Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date – an Amendment of GASB Statement No. 68*. As a result of the implementation of these standards, the Authority reported a restatement for the change in accounting principle (see Note 2). Our auditors' opinion was not modified with respect to the restatement.

### **Other Matters**

#### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on pages 4 through 10, Schedule of Authority's Proportionate Share of Net Pension Liability on page 37, and Schedule of Authority's Contribution on page 38 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

#### *Other Information*

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Authority's basic financial statements. The schedule of expenditures of federal awards, financial data schedules, project financial data schedules and statement and certification of program costs are presented for purposes of additional analysis and are not a required part of the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and is not a required part of the basic financial statements.

The financial data schedules, project financial data schedules, statement and certification of program costs and schedule of expenditures of federal awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America.

Board of Commissioners  
Southern Nevada Regional Housing Authority

In our opinion, the financial data schedules, project financial data schedules, statement and certification of program costs and schedule of expenditures of federal awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

**Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated June 27, 2016 on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Authority's internal control over financial reporting and compliance.



**CliftonLarsonAllen LLP**

Baltimore, Maryland  
June 27, 2016

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
SEPTEMBER 30, 2015**

This section of the Southern Nevada Regional Housing Authority's (the Authority) financial report presents management's analysis of the Authority's financial performance during the year ended September 30, 2015.

**FINANCIAL HIGHLIGHTS AND CONCLUSIONS**

At September 30, 2015, total assets were \$190,821,177, deferred outflow of resources was \$964,466, liabilities were \$40,320,452, and deferred inflow of resources was \$5,236,196; thus total net position was \$146,228,995. Total revenues and expenses were \$144,134,223 and \$152,717,683, respectively.

**REQUIRED FINANCIAL STATEMENTS**

The financial statements of the Authority report information using accounting methods similar to those used by private sector companies (Enterprise Fund).

The Statement of Net Position (Balance Sheet) includes all of the Authority's assets and liabilities and provides information about the amounts and investments in assets and the obligations to Authority creditors. It also provides a basis of assessing the liquidity and financial flexibility of the Authority. Over time, increases or decreases in net position may serve as a useful indicator of the financial health of the Authority.

The current year's revenues, expenses, and changes in net position are accounted for in the Statement of Revenues, Expenses and Changes in Net Position. This statement reports the Authority's operating and non-operating revenue, by major sources, along with operating and non-operating expenses and capital contributions.

The Statement of Cash Flows provides information about the Authority's cash receipts and disbursements during the reporting period. The statement reports net changes in cash resulting from operations, investing activities and capital related activities.

**FINANCIAL ANALYSIS OF THE AUTHORITY**

The Statement of Net Position and the Statement of Revenues, Expenses and Changes in Net Position report information about the Authority's activities and are summarized in the following sections.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
SEPTEMBER 30, 2015**

To begin our analysis, a summary of the Authority's Statement of Net Position is presented in Table I.

**Statement of Net Position  
TABLE I**

|                                                 | September 30,<br>2015 | September 30,<br>2014 |
|-------------------------------------------------|-----------------------|-----------------------|
| Current and Other Assets                        | \$ 23,403,513         | \$ 22,707,454         |
| Capital Assets                                  | 150,244,644           | 158,915,607           |
| Noncurrent Assets                               | 17,173,020            | 17,171,983            |
| Total Assets                                    | <u>\$ 190,821,177</u> | <u>\$ 198,795,044</u> |
| Deferred Outflow of Resources                   | 964,466               | -                     |
| Current Liabilities                             | \$ 4,481,650          | \$ 4,774,688          |
| Noncurrent Liabilities                          | 35,838,802            | 10,036,370            |
| Total Liabilities                               | <u>40,320,452</u>     | <u>14,811,058</u>     |
| Deferred Inflow of Resources                    | 5,236,196             | -                     |
| Invested in Capital Assets, Net of Related Debt | 147,798,155           | 156,439,397           |
| Restricted Net Assets                           | 6,753,824             | 6,878,128             |
| Unrestricted Net Assets                         | (8,322,984)           | 20,666,461            |
| Total Net Position                              | <u>146,228,995</u>    | <u>183,983,986</u>    |
| Total Liabilities & Net Position                | <u>\$ 191,785,643</u> | <u>\$ 198,795,044</u> |

**Total Assets** decreased by \$7,973,867 from FY 2014. Other Noncurrent Assets increased by \$1,037.

**Current and Other Assets** increased by \$696,059 from \$22,707,454 to \$23,403,513 for the year. The increase was attributed primarily to development costs advanced in relation to the Vera B mixed finance project via the Capital Fund Program.

The Authority's **Capital Assets** decreased by \$8,670,963 during FY 2015 due to the disposition of assets and current year depreciation exceeding the additions to capital outlay. See footnote 6 for further details.

While the Statement of Net Position shows the change in financial position, the Statement of Revenues, Expenses, and Changes in Net Position is designed to show the results of operations of the financial position for the year.

**Current Liabilities** decrease \$293,038 (6.1%) as invoices in FY 2015 were paid more timely than in prior years. See footnote 9 for further details regarding long term debt.

Deferred Outflow of Resources, Deferred Inflow of Resources, and Noncurrent Liabilities increased due to the implementation of GASB 68.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
SEPTEMBER 30, 2015**

Table II provides a statement of these results.

**Statement of Revenues, Expenses and Changes in Net Position  
TABLE II**

|                                     | September 30,<br>2015 | September 30,<br>2014 |
|-------------------------------------|-----------------------|-----------------------|
| Tenant Revenue                      | \$ 11,369,321         | \$ 11,013,410         |
| Governmental Grants                 | 130,462,324           | 134,600,678           |
| Mortgage Interest Income            | 125,101               | 125,101               |
| Investment Income                   | 22,534                | 270                   |
| Other Revenue                       | 2,154,943             | 7,562,956             |
| Total Revenue                       | 144,134,223           | 153,302,415           |
| Administration                      | 17,407,270            | 16,850,559            |
| Tenant Services                     | 3,191,893             | 2,957,739             |
| Utilities                           | 3,506,311             | 3,479,564             |
| Maintenance                         | 10,768,964            | 10,547,651            |
| Protective Services                 | 605,434               | 542,654               |
| General Expense                     | 2,984,953             | 2,332,177             |
| Housing Assistance Payments         | 102,627,517           | 102,846,805           |
| Depreciation                        | 10,334,459            | 10,245,364            |
| Interest Expense                    | 265,958               | 419,678               |
| Extraordinary Maintenance           | 1,024,924             | 1,116,011             |
| Total Expenses                      | 152,717,683           | 151,338,202           |
| Change In Net Position              | (8,583,460)           | 1,964,213             |
| Beginning Net Position, as restated | 154,812,455           | 182,019,773           |
| Ending Net Position                 | \$ 146,228,995        | \$ 183,983,986        |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
SEPTEMBER 30, 2015**

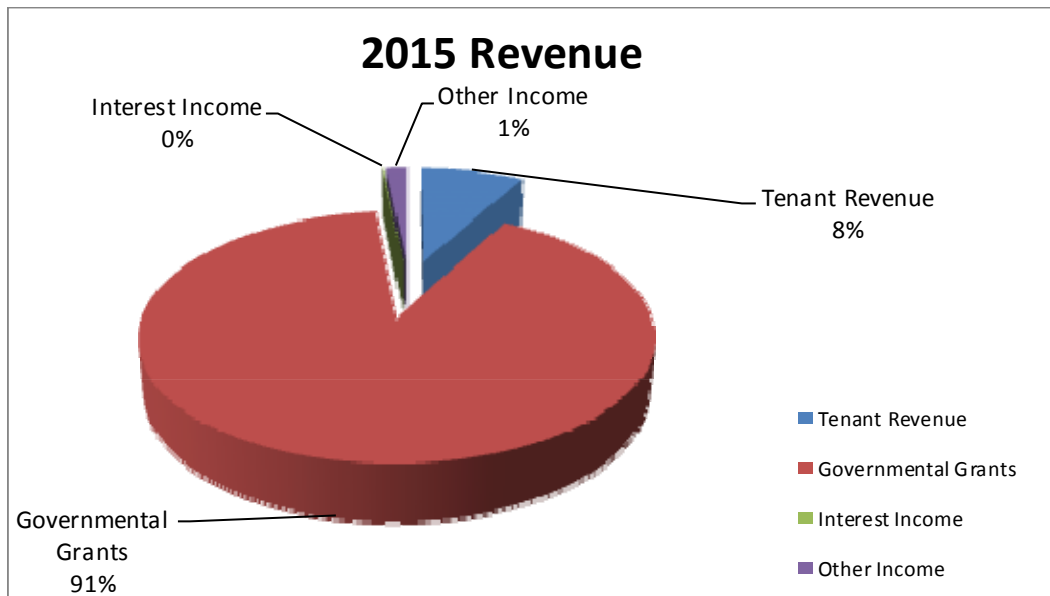
Table III provides a Statement of Revenues, Expenses and Changes in Net Position by program.

**Statement of Revenues, Expenses and Changes in Net Position – By Program  
TABLE III**

|                               | LRPH & CFP            | HCVP                | Business Activity   | Other Programs    | Elimination        | Total                 |
|-------------------------------|-----------------------|---------------------|---------------------|-------------------|--------------------|-----------------------|
| Tenant Revenue                | \$ 5,477,017          | \$ -                | \$ 5,892,304        | \$ -              | \$ -               | \$ 11,369,321         |
| Governmental Grants           | 17,083,332            | 109,152,214         | -                   | 4,226,778         | -                  | 130,462,324           |
| Interest Income               | 16,167                | 9,359               | 80,999              | 41,110            | -                  | 147,635               |
| Other Income                  | 364,612               | 331,918             | 835,325             | 8,220,996         | (7,597,908)        | 2,154,943             |
| <b>Total Revenue</b>          | <b>22,941,128</b>     | <b>109,493,491</b>  | <b>6,808,628</b>    | <b>12,488,884</b> | <b>(7,597,908)</b> | <b>144,134,223</b>    |
| Administration                | 7,792,294             | 7,909,219           | 2,057,121           | 7,246,544         | (7,597,908)        | 17,407,270            |
| Tenant Service                | 423,964               | 205,293             | 62,151              | 2,500,485         | -                  | 3,191,893             |
| Utilities                     | 2,657,842             | 21,860              | 723,529             | 103,080           | -                  | 3,506,311             |
| Maintenance                   | 8,137,636             | 54,932              | 2,330,217           | 246,179           | -                  | 10,768,964            |
| General Expense               | 3,266,843             | 316,396             | 1,112,351           | 185,679           | -                  | 4,881,269             |
| HAP                           | -                     | 101,281,311         | -                   | 1,346,206         | -                  | 102,627,517           |
| Depreciation                  | 8,649,941             | 67,272              | 1,468,540           | 148,706           | -                  | 10,334,459            |
| <b>Total Expense</b>          | <b>30,928,520</b>     | <b>109,856,283</b>  | <b>7,753,909</b>    | <b>11,776,879</b> | <b>(7,597,908)</b> | <b>152,717,683</b>    |
| <b>Change in Net Position</b> | <b>\$ (7,987,392)</b> | <b>\$ (362,792)</b> | <b>\$ (945,281)</b> | <b>\$ 712,005</b> | <b>\$ -</b>        | <b>\$ (8,583,460)</b> |

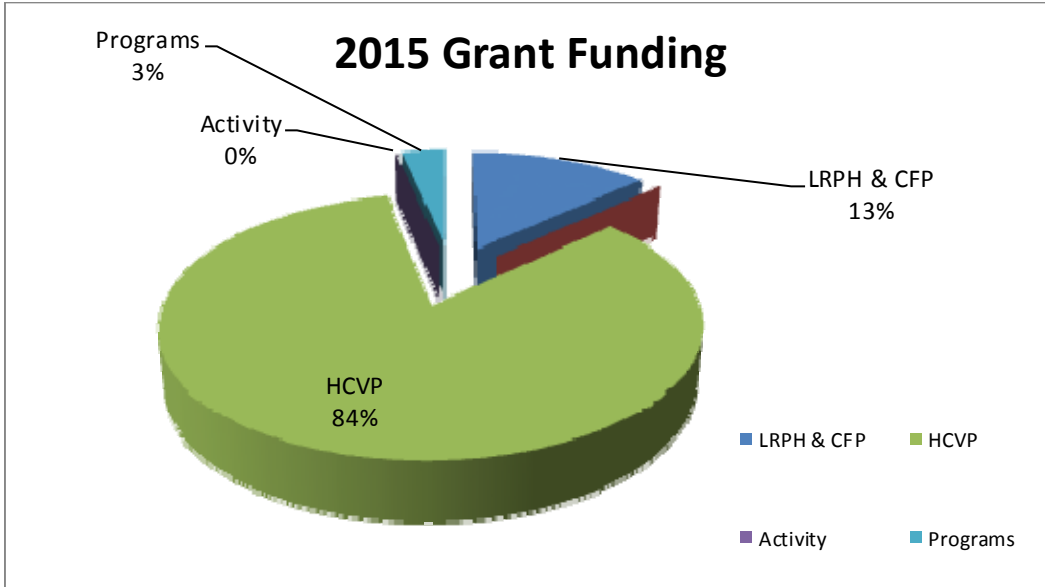
**REVENUES**

In reviewing the Statement of Revenues, Expenses, and Changes in Net Position, you will find that 91% of the Authority's revenues are derived from grants from the Department of Housing and Urban Development and other governmental agencies. The Authority receives revenue from tenants for dwelling rental charges and miscellaneous charges of 8% of total revenue. Other Revenue including interest from investments comprises the remaining 1%.



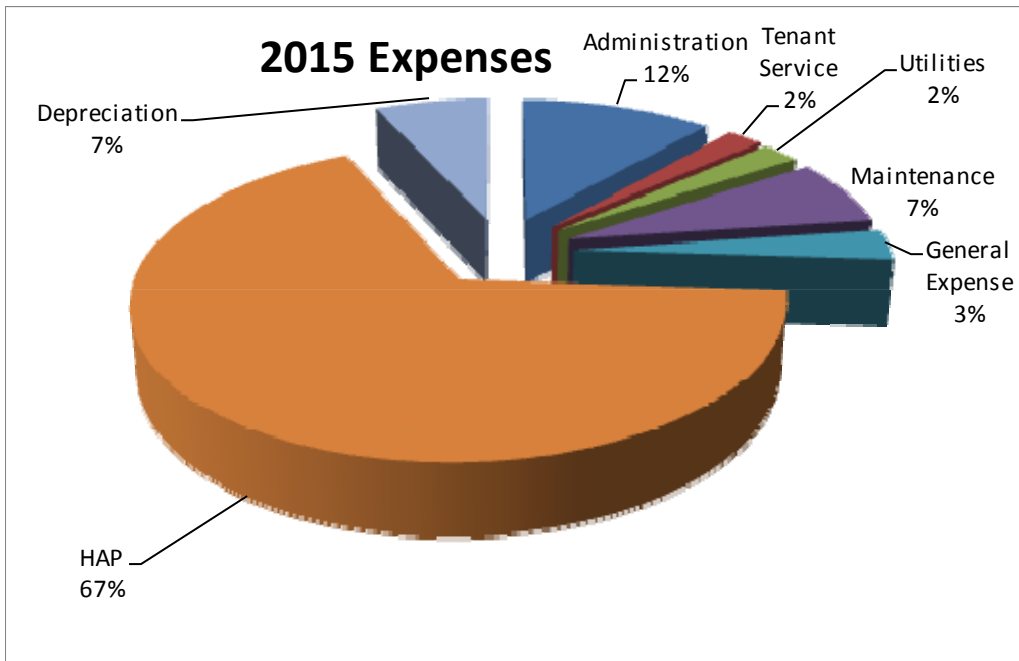
**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
SEPTEMBER 30, 2015**

**GRANT REVENUE**



**EXPENSES**

The highlights of the expenses for the current period are as follows:





**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
SEPTEMBER 30, 2015**

**CAPITAL ASSETS**

At September 30, 2015 the Authority had invested \$150,244,644 in various capital assets as listed in the following schedule.

**Combined Statement of Capital Assets  
TABLE IV**

|                           | September 30,<br>2015 | September 30,<br>2014 |
|---------------------------|-----------------------|-----------------------|
| Land                      | \$ 20,733,653         | \$ 20,750,503         |
| Construction in Process   | -                     | 679,432               |
| Building and Improvements | 288,592,434           | 286,595,577           |
| Furniture and Equipment   | 4,898,186             | 4,832,959             |
|                           | <u>314,224,273</u>    | <u>312,858,471</u>    |
| Accumulated Depreciation  | (163,979,629)         | (153,942,864)         |
| Total Capital Assets      | <u>\$ 150,244,644</u> | <u>\$ 158,915,607</u> |

**LONG-TERM DEBT ACTIVITY**

The Notes to Financial Statements, Note 9, gives the details of the long-term debt activity. During the year the Authority acquired no new debt obligations. The total notes payable outstanding at September 30, 2015 was \$7,194,178.

A summary of the Authority's debt as of September 30, 2015 was as follows:

|                   | 2015                | 2014                |
|-------------------|---------------------|---------------------|
| Current Portion   | \$ 301,494          | \$ 286,167          |
| Long-term Portion | 6,892,684           | 7,194,163           |
| Total             | <u>\$ 7,194,178</u> | <u>\$ 7,480,330</u> |

**ECONOMIC FACTORS AND EVENTS AFFECTING OPERATIONS**

Several factors may affect the financial position of the Authority in the subsequent fiscal year. These factors include:

The 2015 prorated funding level was 85.36% compared to the prior year of 88.79%, which is an increase of 3.86%. The 2016 prorated operating subsidy funding level is anticipated to be approximately 89%. The funding proration for the Housing Assistance Payment (HAP) 2015 was 101.25%; whereas the Administrative Fee proration was 81%. The HCV's funding for 2016 is at 99.58% for HAP, but the Administrative Fee proration remains at 81%. Overall, HUD's funding had been consistently lower than 100% forcing the Authority to use operating reserves. The Authority continues to find strategies to enhance its revenue stream and control expenses.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
SEPTEMBER 30, 2015**

The Authority continues to comply with the HUD requirements of asset-based management since regionalization of the Authority. The Authority has developed and maintained a system of budgeting and accounting for each asset management project (AMP) in a manner that will allow for analysis of the actual revenues and expenses associated with each property.

**CONCLUSIONS**

Overall, the Authority demonstrates a sound financial position. It has a management team committed to the mission of providing safe and decent housing to those in need. As the environment changes, the Authority will continue to seek ways to remain a viable organization and continue to operate at the highest standards established by the Real Estate Assessment Center and the Department of Housing and Urban Development.

**REQUEST FOR INFORMATION**

Should additional information be required or questions arise regarding this financial report, contact our office in writing at the following address:

Southern Nevada Regional Housing Authority  
Attention: Director of Finance  
5390 E. Flamingo Road  
Las Vegas, Nevada 89122-5338

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**STATEMENT OF NET POSITION**  
**SEPTEMBER 30, 2015**

|                                                               | Enterprise<br>Fund | Discretely<br>Presented<br>Component<br>Unit |
|---------------------------------------------------------------|--------------------|----------------------------------------------|
| <b>CURRENT ASSETS</b>                                         |                    |                                              |
| Cash and Cash Equivalents                                     | \$ 2,353,145       | \$ 41,559                                    |
| Restricted Cash                                               | 8,648,494          | 110,233                                      |
| Investments                                                   | 6,872,451          | -                                            |
| Accounts Receivable, Net                                      | 1,330,827          | 1,000,193                                    |
| Accounts Receivable - HUD                                     | 191,202            | -                                            |
| Prepaid Expenses                                              | 2,891,058          | -                                            |
| Inventories, Net                                              | 1,116,336          | -                                            |
| Total Current Assets                                          | 23,403,513         | 1,151,985                                    |
| <b>NONCURRENT ASSETS</b>                                      |                    |                                              |
| Notes Receivable, Net of Allowance of \$1,526,383             | 13,831,647         | -                                            |
| Capital Assets, Net                                           | 150,244,644        | 20,264,341                                   |
| Notes Receivable, Other                                       | 3,340,000          | -                                            |
| Investment in Joint Venture                                   | 1,373              | -                                            |
| Total Noncurrent Assets                                       | 167,417,664        | 20,264,341                                   |
| Total Assets                                                  | 190,821,177        | 21,416,326                                   |
| <b>DEFERRED OUTFLOW OF RESOURCES</b>                          |                    |                                              |
| Employer Pension Contributions Subsequent to Measurement Date | 964,466            | -                                            |
| <b>CURRENT LIABILITIES</b>                                    |                    |                                              |
| Accounts Payable                                              | \$ 2,638,398       | \$ 17,413                                    |
| Accrued Liabilities                                           | 1,056,865          | 1,335                                        |
| Accrued Compensated Absences, Current Portion                 | 359,165            | -                                            |
| Unearned Revenue                                              | 125,728            | 41,440                                       |
| Current Portion of Long-term Debt                             | 301,494            | -                                            |
| Total Current Liabilities                                     | 4,481,650          | 60,188                                       |
| <b>NONCURRENT LIABILITIES</b>                                 |                    |                                              |
| Long-term Debt, Less Current Portion                          | 6,892,684          | 19,415,991                                   |
| Accrued Compensated Absences, Noncurrent Portion              | 1,436,387          | -                                            |
| Net Pension Liability                                         | 26,608,483         | -                                            |
| Other Noncurrent Liabilities                                  | 901,248            | -                                            |
| Total Noncurrent Liabilities                                  | 35,838,802         | 19,415,991                                   |
| Total Liabilities                                             | 40,320,452         | 19,476,179                                   |
| <b>DEFERRED INFLOW OF RESOURCES</b>                           |                    |                                              |
| Unamortized Pension Net Difference                            | 5,236,196          | -                                            |
| <b>NET POSITION</b>                                           |                    |                                              |
| Net Investment in Capital Assets                              | 147,798,155        | 848,350                                      |
| Restricted Net Position                                       | 6,753,824          | -                                            |
| Unrestricted Net Position                                     | (8,322,984)        | 1,091,797                                    |
| Total Net Position                                            | \$ 146,228,995     | \$ 1,940,147                                 |

See accompanying Notes to Financial Statements.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**STATEMENT OF REVENUES, EXPENSES, AND**  
**CHANGES IN NET POSITION**  
**YEAR ENDED SEPTEMBER 30, 2015**

|                                                     | Enterprise<br>Fund | Discretely<br>Presented<br>Component<br>Unit |
|-----------------------------------------------------|--------------------|----------------------------------------------|
| <b>OPERATING REVENUES</b>                           |                    |                                              |
| Tenant Revenue                                      | \$ 11,369,321      | \$ 939,146                                   |
| HUD Subsidies                                       | 126,914,171        | -                                            |
| Mortgage Interest Income                            | 125,101            | -                                            |
| Other Revenue                                       | 2,193,843          | 1,663                                        |
| Other Governmental Grants                           | 2,767,834          | 614,976                                      |
| Total Operating Revenues                            | 143,370,270        | 1,555,785                                    |
| <b>OPERATING EXPENSES</b>                           |                    |                                              |
| Administration                                      | 17,407,270         | 107,038                                      |
| Tenant Services                                     | 3,191,893          | -                                            |
| Utilities                                           | 3,506,311          | 75,894                                       |
| Maintenance                                         | 10,768,964         | 41,627                                       |
| Protective Services                                 | 605,434            | 13,490                                       |
| General Expenses                                    | 2,984,953          | 112,595                                      |
| Housing Assistance Payments                         | 102,627,517        | -                                            |
| Total Operating Expenses                            | 141,092,342        | 350,644                                      |
| Operating Income Before Depreciation                | 2,277,928          | 1,205,141                                    |
| Depreciation                                        | 10,334,459         | -                                            |
| Total Operating Loss                                | (8,056,531)        | 1,205,141                                    |
| <b>NON-OPERATING REVENUES (EXPENSES)</b>            |                    |                                              |
| Loss on Disposal of Assets                          | (38,900)           | -                                            |
| Investment Income                                   | 22,534             | 4                                            |
| Interest Expense                                    | (265,958)          | (95,848)                                     |
| Extraordinary Maintenance                           | (1,024,924)        | (17,500)                                     |
| Total Non-operating Revenues (Expenses)             | (1,307,248)        | (113,344)                                    |
| Loss Before Capital Contributions                   | (9,363,779)        | 1,091,797                                    |
| Capital Contributions                               | 780,319            | -                                            |
| <b>CHANGE IN NET POSITION</b>                       | (8,583,460)        | 1,091,797                                    |
| Total Net Position - Beginning of Year, as Restated | 154,812,455        | 848,350                                      |
| <b>TOTAL NET POSITION - END OF YEAR</b>             | \$ 146,228,995     | \$ 1,940,147                                 |

See accompanying Notes to Financial Statements.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
STATEMENT OF CASH FLOWS  
YEAR ENDED SEPTEMBER 30, 2015**

|                                                         | <u>Enterprise<br/>Fund</u> |
|---------------------------------------------------------|----------------------------|
| <b>CASH FLOWS FROM OPERATING ACTIVITIES</b>             |                            |
| Rental Receipts                                         | \$ 11,137,378              |
| HUD Subsidies                                           | 127,511,389                |
| Charges for Services                                    | 125,101                    |
| Other Governmental Grants                               | 2,767,834                  |
| Other Revenue                                           | 2,193,843                  |
| Administration and General                              | (16,676,442)               |
| Housing Operations and Tenant Services                  | (21,057,555)               |
| Housing Assistance Payments                             | (102,627,517)              |
| Net Cash Provided by Operating Activities               | <u>3,374,031</u>           |
| <b>CASH FLOWS FROM CAPITAL FINANCING ACTIVITIES</b>     |                            |
| Acquisition of Fixed Assets                             | (1,754,702)                |
| Extraordinary Maintenance                               | (1,024,924)                |
| Proceeds from Sale of Assets                            | 52,306                     |
| Payment of Notes Payable                                | (286,152)                  |
| Capital Contribution from HUD                           | 780,319                    |
| Net Cash Used by Capital Financing Activities           | <u>(2,233,153)</u>         |
| <b>CASH FLOWS FROM INVESTING ACTIVITIES</b>             |                            |
| Net Purchases of Investments                            | (286,118)                  |
| Interest Income                                         | 22,534                     |
| Interest Expense                                        | (265,958)                  |
| Net Cash Used by Investing Activities                   | <u>(529,542)</u>           |
| <b>NET INCREASE IN CASH AND CASH EQUIVALENTS</b>        | 611,336                    |
| Cash and Cash Equivalents - Beginning of Year           | <u>10,390,303</u>          |
| <b>CASH AND CASH EQUIVALENTS - END OF YEAR</b>          | <u>\$ 11,001,639</u>       |
| <b>CASH FLOWS FROM OPERATING ACTIVITIES</b>             |                            |
| Operating Loss                                          | \$ (8,056,531)             |
| Adjustments to Reconcile Cash and Cash Equivalents      |                            |
| Provided by Operating Activities:                       |                            |
| Depreciation                                            | 10,334,459                 |
| Provisions for Bad Debt                                 | 524,391                    |
| Effects of Changes in Operating Assets and Liabilities: |                            |
| Accounts Receivable                                     | (222,589)                  |
| Accounts Receivable - HUD                               | 597,218                    |
| Prepaid Expenses                                        | (753,372)                  |
| Inventories                                             | 55,746                     |
| Investment in Joint Venture                             | (1,036)                    |
| Net Deferred Outflow / Inflow of Resources - Pension    | 1,708,682                  |
| Accounts Payable                                        | (807,545)                  |
| Accrued Liabilities                                     | 672,158                    |
| Accrued Compensated Absences                            | (818,396)                  |
| Unearned Revenue                                        | (9,354)                    |
| Other Liabilities                                       | 150,200                    |
| Net Cash Provided by Operating Activities               | <u>\$ 3,374,031</u>        |

See accompanying Notes to Financial Statements.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The Southern Nevada Regional Housing Authority (the Authority or SNRHA) was established effective January 1, 2010, in accordance with Nevada State law for the purpose of consolidating three housing authorities located in Southern Nevada. Las Vegas Housing Authority, Housing Authority of Clark County, and North Las Vegas Housing Authority were combined to form the Authority. On October 20, 2009, the Authority requested to enter into an Annual Contributions Contract (ACC) with the U.S. Department of Housing and Urban Development (HUD) effective January 1, 2010 to be the administrator of the housing and housing related programs described herein.

The Authority is a public body and a body corporate and politically organized under the laws of the State of Nevada as a tax-exempt quasi-governmental entity under the United States Housing Act of 1937 for the purpose of providing adequate housing for qualified low-income individuals. The Authority is not subject to Federal or State income taxes and is not required to file Federal or State income tax returns.

**Reporting Entity**

The accompanying combined financial statements include the accounts of all Authority operations for the year ended September 30, 2015. The criteria for including organizations as component units with the Authority's reporting entity, as set forth in Section 2100 of GASB's *Governmental Accounting and Financial Reporting Standards*, include the following:

- The organization is legally separate (can sue and be sued in its own name)
- The Authority holds the corporate powers of the organization
- The Authority appoints the voting majority
- The organization has the potential to impose a financial benefit/burden on the Authority
- There is fiscal dependency by the organization on the Authority

On the basis of application of these criteria, the Authority is a legally separate entity that is fiscally independent of other governments, and there are no other entities that are to be reported as component units of the Authority, except as noted below, nor is the Authority to be included in the City of Las Vegas, or Clark County's financial reports, therefore the Authority reports independently.

**Development Corporations**

The Development Corporations (the Corporations) operate exclusively for nonprofit purposes and were created to assist in carrying out housing projects for persons of eligible income. Housing projects undertaken, financed, or assisted by the Corporations and their related expenditures must be approved by the Authority. The Corporations are legally separate from the Authority, and are included as blended component units, since the Authority can significantly influence the programs, projects, or activities of, or the level of service performed by the Authority, and their boards of directors are substantially the same as the Authority.

The following Development Corporations are included as blended component units of the Authority:

- Affordable Housing Program, Inc.
- Honolulu Street Family Housing, Inc.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
SEPTEMBER 30, 2015**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Real Estate Limited Partnerships**

Landsman Family, LLC (the Company) – was formed on December 10, 2012 as a limited liability company under the laws of the State of Nevada, for the purpose of acquiring, owning, operating and financing a rental housing project known as Landsman Gardens (the project). The Company's partnership interests are held by third parties unrelated to the Authority, with the exception of the managing member, Landsman Family Manager, LLC, a Nevada Limited Liability Company, which is wholly owned by Affordable Housing Program, Inc., which is a blended component of the Authority. The Authority has certain rights and responsibilities, which enables it to impose its will on the Company. In accordance with GASB Statement No. 61, the Company is included as a discretely presented component unit in the financial statements.

**Basis of Presentation**

The Authority's accounts are maintained in accordance with the principles of enterprise fund accounting to ensure the observance of limitations and restrictions on the resources available, including those imposed by HUD. The funds of the Authority are all considered proprietary fund types and consolidate into one enterprise fund. The Authority is required to follow all statements of the Governmental Accounting Standards Board (GASB). GASB Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*, was issued to incorporate GASB and AICPA guidance into GASB authoritative literature. The more significant of the government's accounting policies are described below.

A fund is an independent fiscal and accounting entity with a self-balancing set of accounts comprised of its assets, liabilities, net position, revenues, and expenses. The funds maintained by the Authority allow compliance and financial accountability by separate functions and activities.

A summary of each significant program administered by the Authority included in the financial statements is provided below to assist the reader in interpreting the financial statements. These programs do not constitute all programs subsidized by HUD and operated by the Authority.

Low Income Public Housing programs provide subsidy funding annually, by a formula for Housing Modernization and Housing Operations Programs. These programs support public housing operations by way of an annual contributions contract with HUD, ACC# NV018. Under this contract, the Authority develops, modernizes and manages public housing developments. Funding is provided by eligible residents who are charged monthly rent based on family size, family income, and other determinants, as well as by the subsidies provided by HUD.

Housing Choice Voucher programs (HCVP) include the Voucher, VASH, Mainstream and Disaster Housing programs. Under these programs, rental assistance payments are made by the Authority primarily to landlords on behalf of eligible families. These programs are funded by the annual contributions contract with HUD, ACC# NV018.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

Capital Funding Programs (CFP) provide funds annually, by a formula, to public housing authorities (PHA) for capital and management activities, including modernization and development of public housing. Section 519 of the Quality Housing and Work Responsibility Act of 1998 (Public law 105-276) amends Section 9 of the U.S. Housing Act of 1937 to provide for a Capital Fund Program to be established by HUD for the purpose of making assistance available to PHAs to carry out capital, management, development and other activities. It also requires HUD to develop a formula (through a negotiated rulemaking process) for determining the amount of assistance to be provided and a mechanism to reward performance. The CFP funds, which are allocated annually, represent the major source of funding for capital and management activities at PHA's.

Resident Opportunity & Supportive Services Program provides reliable transportation for all elderly and disabled residents of the service area and contracts for housekeeping and personal assistance for residents who meet certain criteria. The program also provides for a service coordinator who implements and coordinates the program. Funding for this program is provided by grants from HUD.

Business Activities - The Non-aided Housing Program is funded with other than federal financing and is used to account for various activities of the Authority. In addition to dwelling rents, this fund is used to account for fees charged to nonprofit organizations for managing their low-income housing projects and fees paid by other funds for services provided and for the use of facilities owned by the Non-aided Housing Program.

Component Units – The Authority has two blended component units - Affordable Housing Program, Inc. and Honolulu Street Family Housing, Inc. Both of these corporations share the same board as the Authority and are considered to be blended component units. Separate stand alone financial statements for the component units are not prepared.

**Basis of Accounting and Measurement Focus**

The Authority uses the accrual basis of accounting for the proprietary funds. Under this method, revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flow takes place. All assets and liabilities associated with the operation of these funds are included on the Statement of Net Position.

**Budgets and Budgetary Accounting**

The Authority is required by contractual agreements to adopt annual, appropriated operating budgets for all its programs receiving expenditure awards. All budgets are prepared on a HUD basis, which is materially consistent with generally accepted accounting principles (GAAP). The Authority prepares its budget annually. The Board of Commissioners adopts the budget through passage of a budget resolution prior to the beginning of the fiscal year.

**Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, revenues and expenses in the financial statements and in the disclosures of contingent assets and liabilities. Actual results could differ from those estimates.



**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Cash and Cash Equivalents**

Cash and cash equivalents includes amounts in demand deposit accounts and short-term investments with an initial maturity date of three months or less for purposes of measuring cash flows. Restricted cash is included for purposes of reporting cash flows.

**Investments**

Investments of the Authority consist of those permitted by the Nevada Government Code including obligations of the U.S. government and federal agencies. The Authority's investments are carried at fair value based upon quoted market prices, as required by generally accepted accounting principles. The Authority adjusts the carrying value of its investments to reflect their fair value at each fiscal period end, and it includes the effects of those adjustments in income for that fiscal period. The Authority classifies its investments as current or non-current based on the maturity dates. Short-term investments have maturities within one year.

**Accounts Receivable**

Tenant and other accounts receivable are carried at the amount considered collectible by management. The Authority periodically reviews accounts receivable and determines whether an allowance for doubtful accounts is necessary. Other accounts receivable consists of amounts due from HUD and State and Local governments for grant income.

**Inventories**

Inventory is valued at the lower of cost or market on a first-in, first-out basis. Inventory consists of expendable maintenance supplies held for consumption. Inventory at September 30, 2015 is shown net of an allowance for obsolete inventories of \$25,512.

**Prepaid Expenses**

Payments made to vendors for services that will benefit periods beyond September 30, 2015 are recorded as prepaid expenses.

**Capital Assets**

Capital assets include all land and site improvements thereon; all dwelling and non-dwelling structures, including fixtures permanently attached thereto or installed in a fixed position; and all items of nonexpendable equipment acquired and held for the projects that cost \$5,000 or more and have an estimated useful life of at least one year. It also includes items of expendable equipment paid for from funds provided for the development of the projects.

Capital assets are valued at historical cost. Donated capital assets are recorded at fair market value on the date received. Interest expense incurred during the development period is capitalized.

Maintenance, minor repairs and replacements are recorded as expenses; extraordinary replacements of property resulting in property betterments are charged to the property accounts.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
SEPTEMBER 30, 2015**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Capital Assets (Continued)**

Depreciation is charged to operations using the straight-line method based on the estimated useful life of the related asset. The estimated useful lives of the various asset categories are as follows:

|                         |                |
|-------------------------|----------------|
| Buildings               | 30 to 40 years |
| Improvements            | 15 years       |
| Furniture and Equipment | 2 to 10 years  |

Proceeds from the sale of property acquired or significantly improved with HUD or State funds are refunded to HUD or the State as required by contract.

**Income Taxes**

The Authority is exempt from Federal and State income taxes and Nevada franchise taxes.

**Compensated Absences**

Compensated absences are absences for which the employees will be paid, i.e., sick leave, vacation, and other approved leaves. In accordance with GASB Statement No. 16, *Accounting for Compensated Absences*, the Authority accrues the liability for those absences that the employee has earned the rights to the benefits. Accrued amounts are based on the current salary rates. Full-time, permanent employees are granted vacation and sick leave benefits in varying amounts to specified maximums depending on tenure with the Authority. Vacation and sick pay is recorded as an expense and related liability in the year earned by the employees.

The policy of the Authority is to accumulate earned but unused annual vacation benefits, which will be paid to employees upon separation from Authority service. Vested or accumulated vacation is earned at a rate ranging from 10 days per year for the first year of service, up to a maximum of 20 days per year after 14 years of service. The maximum permissible accumulation is 200 hours. At termination, employees are paid for any accumulated vacation leave. Sick leave is accumulated at the rate of one day per month and may be accumulated to a maximum of 20 days. Accumulations in excess of 20 days are forfeited. The value of unused sick leave is not payable upon separation from the Authority. Vacation pay is recorded as an expense and related liability in the year earned by the employee.

**Grant Restrictions**

The Authority has received loans and grants from HUD to build and improve housing projects. The grants require that only individuals and families that meet various income, age and employment standards be housed or aided.

**Revenue Recognition**

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the Authority are charged to customers for rents, HUD

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Revenue Recognition (Continued)**

grants received for operations, other operating fund grants and operating miscellaneous income. Operating expenses include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses. Capital grant funds are added to the Net Position below the non-operating revenue and expense.

**Net Position Classifications**

Generally accepted accounting principles require the classification of net position into three components as described below:

Net Investment in Capital Assets: This component of Net Position consists of all capital assets, reduced by depreciation and the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.

Restricted Net Position: This component of net position consists of restricted assets when constraints are placed on the asset by creditors (such as debt covenants), grantors, contributors, laws, regulations, etc.

Unrestricted Net Position: This component consists of net position that does not meet the definition of "Net Position Invested in Capital Assets," or "Restricted Net Position."

**New Accounting Pronouncements**

In fiscal year 2015, the Commission implemented GASB Statement Nos. 68, 70 and 71 as follows:

Statement No. 68, *Accounting and Financial Reporting for Pensions – an Amendment of GASB Statement No.27* - The objective of this Statement is to improve accounting and financial reporting by state and local government employers for the pension in which they are involved. See notes 2 and 12 for further details about the restatement required to establish the entity's net pension liability.

GASB Statement No. 70, *Accounting and Financial Reporting for Nonexchange Financial Guarantees* required a government that extends a nonexchange financial guarantee to recognize a liability when qualitative factors and historical data, if any, indicate that it is more-likely-than-not that the government will be required to make a payment on the guarantee. The implementation of this standard did not have an effect on the Authority's 2015 financial statements.

Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date—an Amendment of GASB Statement No. 68* – The objective of this statement is to address the application of transition provisions of Statement No. 68 related to contributions made to a defined benefit pension plan after the measurement date of the entity's beginning net pension liability. See notes 2 and 12 for further details about the restatement required to establish the entity's net pension liability.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
SEPTEMBER 30, 2015**

**NOTE 2 CHANGES IN ACCOUNTING PRINCIPLES**

In accordance with GASB Nos. 68 and 71, which was adopted effective October 1, 2014, the Authority restated the October 1, 2014 net position as follows:

|                                                                                                                                                                      |                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Net position October 1, 2014, as previously stated                                                                                                                   | \$ 183,983,986 |
| Cumulative effect of application of GASB 68, net pension liability                                                                                                   | (32,500,640)   |
| Cumulative effect of application of GASB 71, deferred outflow of resources for Board contributions made to the plan during the fiscal year ending September 30, 2015 | 3,329,109      |
| Net Position October 1, 2014, as Restated                                                                                                                            | \$ 154,812,455 |

**NOTE 3 CASH, CASH EQUIVALENTS, AND INVESTMENTS**

Nevada law NRS 356.360 requires banks and savings and loan institutions participating in the Nevada Collateral Pool to pledge government securities with a market value of 102% of the amount of uninsured balances of public money held by the depository. Under Nevada law this collateral is held in a separate investment pool by another institution in the depository's name.

Cash, restricted cash, and investments are classified in the financial statements based on whether or not their use is restricted under the terms of the Authority's debt instruments or agency agreements. The Authority's carrying amount of cash and cash equivalents as of September 30, 2015 was \$11,001,639, and the bank balance was \$12,152,143.

**Cash**

Cash and cash equivalents are maintained on deposit in demand accounts with Wells Fargo and BNY Mellon. Of the amounts deposited into the bank, \$500,000 is covered by the Federal Deposit Insurance Corporation. The remaining \$10,501,724 is properly collateralized by the financial institution in accordance with the regulations of the Nevada Collateral Pool.

**Investment Policy**

The Nevada Government Code allows the Authority to invest in the following, provided ratings of the issuers are acceptable to the Authority and approved percentages and maturities are not exceeded. The table below also identifies certain provisions of the Nevada Government Code. The Authority has no documented investment policy of its own.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 3 CASH, CASH EQUIVALENTS, AND INVESTMENTS (CONTINUED)**

| Authorized Investment Type                        | Maximum Maturity | Minimum Credit Quality | Maximum in Portfolio | Maximum Investment One Issuer |
|---------------------------------------------------|------------------|------------------------|----------------------|-------------------------------|
| Repurchase Agreements                             | N/A              | N/A                    | N/A                  | N/A                           |
| U.S. Treasury Bond, Notes & Bills                 | N/A              | N/A                    | N/A                  | N/A                           |
| U.S. Agency & U.S. Government Bankers Acceptances | N/A              | N/A                    | N/A                  | N/A                           |
| Negotiable Certificates of Deposit                | 270 days         | N/A                    | 40.00%               | 30.00%                        |
| Time Certificates of Deposit                      | N/A              | AA                     | 30.00%               | N/A                           |
| Medium Term Corporate Notes                       | N/A              | N/A                    | 30.00%               | N/A                           |
| Money Market Mutual Funds                         | 5 years          | N/A                    | 30.00%               | N/A                           |
| Reverse Repurchase Agreements                     | N/A              | AAA                    | 20.00%               | N/A                           |
|                                                   | N/A              | N/A                    | N/A                  | N/A                           |

At September 30, 2015, the Authority had the following investments:

| Investment Type              | Fair Value   | Maturity (yrs) |              |
|------------------------------|--------------|----------------|--------------|
|                              |              | Less than 1    | 1 to 5       |
| U.S. Treasury Notes          | \$ 504,765   | \$ 504,765     | \$ -         |
| Other U.S. Agency securities | 6,367,686    | 1,652,789      | 4,714,897    |
| Total                        | \$ 6,872,451 | \$ 2,157,554   | \$ 4,714,897 |

**Interest Rate Risk**

Fair value of an investment fluctuates with interest rates and increasing interest rates could cause fair value to decline below the original cost. The Authority follows the Nevada Government Code investment policy which does not limit the weighted average maturity of its investment portfolio.

**Credit Risk**

The Authority does not have a formal policy on credit risk. The Federal Code of Regulations, Part 85, Subpart C, (24 CFR 85.20) for cash management and investments permits investments in the following types of investments: direct U.S. obligations, U.S. agency obligations, repurchase agreements, and money market mutual funds. All investments of the Authority meet these guidelines. As of September 30, 2015 the Authority's investments were rated AAA by Moody's and AA+ by Standard & Poor's.

**Custodial Risk**

For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the Authority will not be able to recover the value of its investment or collateral securities that are in the possession of an outside party. As of September 30, 2015, the Authority held investments in U.S. Treasuries and other federal agency securities which were held by the Authority's custodian in the Authority's name.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
SEPTEMBER 30, 2015**

**NOTE 3 CASH, CASH EQUIVALENTS, AND INVESTMENTS (CONTINUED)**

**Concentration of Credit Risk**

The Authority is required to disclose investments that represent a concentration of five percent or more of investments in any issuer held by individual Authority funds in the securities of issuers other than U.S. Treasury securities, mutual funds and external investment pools. The Authority's policy does not set a limit on the amount that may be invested in any single issuer. At September 30, 2015, investments in Federal Home Loan Mortgage Corporation notes represented approximately 50 percent of total investments.

**Restricted Cash**

Restricted cash consisted of the following at September 30, 2015:

|                                      |                     |
|--------------------------------------|---------------------|
| HCVP Housing Assistance Payments     | \$ 1,390,398        |
| HCVP Family Self-Sufficiency Escrows | 687,858             |
| Tenant Security Deposits             | 1,206,693           |
| Public Housing - Turnkey Sales       | 5,141,361           |
| Restricted Cash - Miscellaneous      | 222,184             |
| Total                                | <u>\$ 8,648,494</u> |

**NOTE 4 ACCOUNTS RECEIVABLE**

Accounts receivable at September 30, 2015 consisted of the following:

|                                                                     |                     |
|---------------------------------------------------------------------|---------------------|
| Tenants (Net of Allowance of \$71,525)                              | \$ 91,024           |
| Accounts Receivable - PHA Project (Net of Allowance of \$216,500)   | -                   |
| Accounts Receivable - HUD                                           | 191,202             |
| Accounts Receivable - Other Government                              | 867,143             |
| Fraud Recovery (Net of Allowance of \$1,457,109)                    | 206,281             |
| Accrued Interest Receivable                                         | 40,389              |
| Accounts Receivable - Miscellaneous (Net of Allowance of \$592,048) | 125,990             |
| Total Accounts Receivable                                           | <u>\$ 1,522,029</u> |

**NOTE 5 NOTES RECEIVABLE**

The Authority is an affiliate to the Managing Member of Honolulu Family Street Housing LLC with a low-income tax credit development on the site of the former Ernie Cragin Annex 3, where 54 housing units built in the 1970s were razed in 2005. The 8.13-acre site is located at East Charleston Boulevard and Honolulu Street. The 60-unit mixed finance development is financed utilizing \$8,905,576 of Capital Fund Program Replacement Housing funds, \$8.579 million raised through tax credits from the state, \$360,000 of FHLB grant, and \$490,159 in Housing Authority reserves.

While these units are not owned by the Authority, they are part of the PHA's Annual Contributions Contract and are eligible to receive low-income public housing subsidy. The Authority has entered into a 90-year ground lease (at \$1 per year) with the project's owner, Honolulu Street Family Housing, LLC and has retained the right of first refusal to purchase the units at the end of the tax-credit compliance period.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 5 NOTES RECEIVABLE (CONTINUED)**

The Authority has established Honolulu Street Family Housing Inc. (HSFH Inc.) to act as managing member of the LLC. HSFH Inc. is also a 0.01 percent partner in the LLC. In addition, Affordable Housing Program Inc. (AHP), a wholly-owned component unit of the Authority, was designated as the developer of the property. As of September 30, 2015, the cumulative note receivable principal balances totaled \$13,831,647, with total accrued interest of \$1,526,383, for which all was reduced by an allowance equal to the accrued interest.

All notes receivable originated with the former Housing Authority of the City of Las Vegas and were transferred to the Authority upon consolidation. There were no new amounts loaned during the fiscal period. As of September 30, 2015, notes receivable consisted of the following:

Business Activities

|                                                                                                                              |                             |
|------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| Note receivable - 1st leasehold loan, dated March 1, 2006<br><i>(Interest rate - 4.68%; Due 3/1/2061)</i>                    | \$ 212,359                  |
| Note receivable - 2nd leasehold loan, dated March 1, 2006<br><i>(Interest rate - 4.68%; Due 3/1/2061)</i>                    | 1,511,441                   |
| Note receivable - 3rd leasehold loan, dated March 1, 2006<br><i>(Interest rate - 1.00%; Due 3/1/2061)</i>                    | 3,750,000                   |
| Note receivable - 4th leasehold loan (Sect 8 Reserves), loaned July 30, 2008<br><i>(Interest rate - 1.00%; Due 8/1/2062)</i> | 332,759                     |
| Note receivable - 5th leasehold loan (Scat Site Funds), loaned July 9, 2008<br><i>(Interest rate - 4.83%; Due 1/1/2061)</i>  | 288,770                     |
| Note receivable - Federal Home Loan, loaned September 10, 2007<br><i>(Interest rate - 1.00%; Due 9/10/2062)</i>              | 360,000                     |
| Note receivable - Seller's Note 1, loaned December 5, 2013<br><i>(Interest rate - 3.32%, Due 4/1/2055)</i>                   | 2,976,000                   |
| Note receivable - Seller's Note 2, loaned December 5, 2013<br><i>(Interest rate - 3.32%, Due 4/1/2055)</i>                   | 4,400,318                   |
| Accrued interest on notes receivable - long-term from inception                                                              | 1,526,383                   |
| Less: allowance for accrued interest on notes receivable - long-term from inception                                          | <u>(1,526,383)</u>          |
| Total notes receivable                                                                                                       | <u><u>\$ 13,831,647</u></u> |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 6 CAPITAL ASSETS**

The following is a summary of the Authority's changes in capital assets for the year ended September 30, 2015:

|                                   | Balance<br>September 30,<br>2014 | Additions             | Deletions          | CIP<br>Capitalization | Balance<br>September 30,<br>2015 |
|-----------------------------------|----------------------------------|-----------------------|--------------------|-----------------------|----------------------------------|
| Land                              | \$ 20,750,503                    | \$ 22,050             | \$ (38,900)        | \$ -                  | \$ 20,733,653                    |
| Construction in Process           | 679,432                          | -                     | -                  | (679,432)             | -                                |
| Total Assets not<br>Depreciated   | <u>21,429,935</u>                | <u>22,050</u>         | <u>(38,900)</u>    | <u>(679,432)</u>      | <u>20,733,653</u>                |
| Buildings and Improvements        | 286,595,577                      | 1,667,425             | (350,000)          | 679,432               | 288,592,434                      |
| Furniture and Equipment           | 4,832,959                        | 65,227                | -                  | -                     | 4,898,186                        |
| Total Property and<br>Equipment   | <u>291,428,536</u>               | <u>1,732,652</u>      | <u>(350,000)</u>   | <u>679,432</u>        | <u>293,490,620</u>               |
| Less: Accumulated<br>Depreciation | <u>(153,942,864)</u>             | <u>(10,334,459)</u>   | <u>297,694</u>     | -                     | <u>(163,979,629)</u>             |
| Net Book Value                    | <u>\$ 158,915,607</u>            | <u>\$ (8,579,757)</u> | <u>\$ (91,206)</u> | <u>\$ -</u>           | <u>\$ 150,244,644</u>            |

**NOTE 7 ACCOUNTS PAYABLE**

Accounts payable at September 30, 2015 consist of the following:

|                                     |                     |
|-------------------------------------|---------------------|
| Vendor and Contractors Payable      | \$ 884,026          |
| Tenant Security Deposits            | 993,422             |
| Accounts Payable - Other Government | 398,535             |
| Accounts Payable - Other            | 362,415             |
| Total Accounts Payable              | <u>\$ 2,638,398</u> |

**NOTE 8 LONG-TERM LIABILITIES**

Following is a summary of changes in long-term liabilities for the year ended September 30, 2015:

|                                      | Balance<br>September 30,<br>2014 | Additions         | Payments            | Balance<br>September 30,<br>2015 | Due in<br>One<br>Year |
|--------------------------------------|----------------------------------|-------------------|---------------------|----------------------------------|-----------------------|
| FSS Escrows Payable                  | \$ 751,048                       | \$ 480,719        | \$ 330,519          | \$ 901,248                       | \$ -                  |
| Net Pension Liability                | 32,500,640                       | -                 | 5,892,157           | 26,608,483                       | -                     |
| Compensated Absences -<br>Noncurrent | <u>2,613,948</u>                 | <u>130,352</u>    | <u>948,748</u>      | <u>1,795,552</u>                 | <u>359,165</u>        |
| Total Long-Term Liabilities          | <u>\$ 35,865,636</u>             | <u>\$ 611,071</u> | <u>\$ 7,171,424</u> | <u>\$ 29,305,283</u>             | <u>\$ 359,165</u>     |



**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
SEPTEMBER 30, 2015**

**NOTE 9 LONG-TERM DEBT**

Notes and mortgages payable at September 30, 2015 consist of the following:

|                                     | Balance<br>September 30,<br>2014 | Additions    | Payments          | Balance<br>September 30,<br>2015 | Due in<br>One<br>Year |
|-------------------------------------|----------------------------------|--------------|-------------------|----------------------------------|-----------------------|
| Mortgage Note Payable - Wells Fargo | \$ 2,225,394                     | \$ -         | \$ 171,046        | \$ 2,054,348                     | \$ 174,250            |
| Operating Note - Wells Fargo        | 1,103,526                        | -            | 56,600            | 1,046,926                        | 66,520                |
| City of Las Vegas - Senator Apts I  | 1,670,000                        | -            | -                 | 1,670,000                        | -                     |
| City of Las Vegas - Senator Apts II | 1,670,000                        | -            | -                 | 1,670,000                        | -                     |
| Note Payable - Bank of Nevada       | 360,711                          | 52           | -                 | 360,763                          | -                     |
| Note Payable - Phone Loan           | 199,845                          | -            | 48,910            | 150,935                          | 50,334                |
| Home Rental Income Fund             | 250,854                          | -            | 9,648             | 241,206                          | 10,390                |
| Total Notes and Mortgages Payable   | <u>\$ 7,480,330</u>              | <u>\$ 52</u> | <u>\$ 286,204</u> | <u>\$ 7,194,178</u>              | <u>\$ 301,494</u>     |

**Mortgage Note Payable – Wells Fargo:** The capital projects mortgage note payable with Wells Fargo requires monthly payments of \$13,524 which includes both principal and interest. The loan bears interest at 0.2449% and matures on February 16, 2028. The loan is secured by a first deed of trust on the property referred to as Howard Canon Center and Robert Gordon Plaza.

**Operating Note – Wells Fargo:** The operating note payable with Wells Fargo requires monthly payments of \$4,410 which includes both principal and interest. The loan bears interest at 1.508% and matures on May 16, 2027. The loan is secured by a first deed of trust on the property referred to as Howard Canon Center and Robert Gordon Plaza.

**City of Las Vegas – Senator Apartments I:** On February 15, 2006, the Affordable Housing Program, Inc. (the Corporation) entered into a loan agreement with the City of Las Vegas for \$1,670,000, \$168,295 in HOME funds and \$1,501,705 in low income housing tax funds (LIHTF) to be used for the construction of the Senator Richard Bryan Apartments I. The Corporation then lent the funds to the Senator Richard Bryan Limited Partnership. Both loans are non-interest bearing and no payments of principal will be due on or before February 15, 2036 so long as the property is maintained as low-income and is in compliance with the HOME/Low Income Housing Tax Credit program. HOME funds are recapturable upon sale or transfer of title of the property during the 20-year HOME period of affordability. The LIHTF money is recapturable upon the sale or transfer of title of the property in perpetuity.

**City of Las Vegas – Senator Apartments II:** On January 16, 2008, the Affordable Housing Program, Inc. (the Corporation) entered into a loan agreement with the City of Las Vegas for \$1,670,000, \$693,000 in HOME funds and \$977,000 in low income housing tax funds (LIHTF) to be used for the construction of the Senator Richard Bryan Apartments II. The Corporation then lent the funds to the Senator Richard Bryan Limited Partnership. Both loans are non-interest bearing and no payments of principal will be due on or before January 16, 2038 so long as the property is maintained as low-income and is in compliance with the HOME/Low Income Housing Tax Credit program. HOME funds are recapturable upon sale or transfer of title of the property during the 20-year HOME period of affordability. The LIHTF money is recapturable upon the sale or transfer of title of the property in perpetuity.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 9 LONG-TERM DEBT (CONTINUED)**

**Note Payable – Bank of Nevada:** On September 10, 2007 the Affordable Housing Program, Inc. (the Corporation) entered into a loan agreement with the Bank of Nevada (formally the Federal Home Loan Bank of San Francisco) for \$360,000 to be used for construction. The Corporation then lent the funds to the Honolulu Street Housing LLC. The loan bears interest at a rate of 1.0% per annum and is due upon maturity. The loan is scheduled to mature on September 10, 2062.

**Note Payable – Phone Loan:** The note payable with Key Government Finance (Home Rental income fund) requires monthly payments of \$745 which includes both principal and interest. The loan bears interest at 7.55% and matures on June 1, 2029. The loan was used to acquire a new phone system and is unsecured.

**Home Rental Income Fund:** The Authority entered into an agreement with Key Government Finance, Inc. for a loan of \$254,795 at 2.87% per annum for a new phone system. The note is payable by the Authority and is unsecured. The monthly payment is \$4,286 including principal and interest. Final maturity date is anticipated for August 1, 2018. The remaining balance at September 30, 2015 is \$241,206.

The following is a schedule of debt payment requirements to maturity:

| Year ending September 30 | Principal           | Interest          | Total<br>Required<br>Payments |
|--------------------------|---------------------|-------------------|-------------------------------|
| 2016                     | \$ 301,494          | \$ 41,083         | \$ 342,577                    |
| 2017                     | 327,719             | 37,269            | 364,988                       |
| 2018                     | 325,602             | 33,260            | 358,862                       |
| 2019                     | 281,742             | 29,978            | 311,720                       |
| 2020                     | 290,760             | 27,199            | 317,959                       |
| 2021-2025                | 1,472,079           | 90,633            | 1,562,712                     |
| 2026-2030                | 494,021             | 16,459            | 510,480                       |
| Thereafter               | 3,700,761           | -                 | 3,700,761                     |
| Total                    | <u>\$ 7,194,178</u> | <u>\$ 275,881</u> | <u>\$ 7,470,059</u>           |

Notes and mortgages payable for Landsman Family, LLC, the discretely presented component unit, consist of the following at September 30, 2015:

|                                    | Balance<br>September 30,<br>2014 | Additions           | Payments    | Balance<br>September 30,<br>2015 | Due in<br>One<br>Year |
|------------------------------------|----------------------------------|---------------------|-------------|----------------------------------|-----------------------|
| Building Loan Agreement - PNC Bank | \$ 3,878,253                     | \$ 107,147          | \$ -        | \$ 3,985,400                     | \$ -                  |
| City of Henderson Loan             | 100,000                          | -                   | -           | 100,000                          | -                     |
| Nevada Housing Division Note       | 1,784,095                        | 3,855,178           | -           | 5,639,273                        | -                     |
| Nevada Housing Division Note       | 2,315,000                        | -                   | -           | 2,315,000                        | -                     |
| SNRHA Sellers Note                 | 2,976,000                        | -                   | -           | 2,976,000                        | -                     |
| SNRHA Sellers Note                 | 4,400,318                        | -                   | -           | 4,400,318                        | -                     |
| Total notes and mortgages payable  | <u>\$ 15,453,666</u>             | <u>\$ 3,962,325</u> | <u>\$ -</u> | <u>\$ 19,415,991</u>             | <u>\$ -</u>           |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
SEPTEMBER 30, 2015**

**NOTE 9 LONG-TERM DEBT (CONTINUED)**

**Building Loan Agreement – PNC Bank:** The building loan agreement with Wells Fargo provides construction draws up \$3,985,000 and requires monthly payments to commence once construction is complete. The loan bears interest at 4.9% and matures on March 1, 2055. The loan is secured by a first deed of trust on the property referred to as Landsman Garden Apartments.

**City of Henderson Loan:** The loan is a non-interest bearing loan that matures on April 1, 2055. The loan is secured by a deed of trust on the property referred to as Landsman Garden Apartments and is subordinate to the PNC loan.

**Nevada Housing Division Note:** the Nevada Housing Division issued \$5,700,000 in Multi-Unit Housing Revenue Bonds, Series 2013C-2 for Landsman Garden Apartments. The proceeds are being loaned to Landsman Family, LLC under a promissory note with interest at the daily LIBOR rate plus 1.75%. Advances at September 30, 2015 were \$5,639,273. The loan matures on December 15, 2015.

**Nevada Housing Division Note:** the Nevada Housing Division issued \$6,300,000 in Multi-Unit Housing Revenue Bonds, Series 2013C-1 for Landsman Garden Apartments. The proceeds are being loaned to Landsman Family, LLC under a promissory note with interest at .63%. Advances at September 30, 2015 were \$2,315,000.

**Southern Nevada Regional Housing Authority Acquisition Note:** The loan bears interest at 3.32% and matures on April 1, 2055. The loan is secured by an acquisition deed of trust on the property referred to as Landsman Garden Apartments.

**Southern Nevada Regional Housing Authority Note:** The loan provides up to \$6,715,317 and bears interest at 3.32%. The loan matures on April 1, 2055. The loan is secured by a deed of trust on the property referred to as Landsman Garden Apartments.

**NOTE 10 RESTRICTED NET POSITION**

|                                                    |              |
|----------------------------------------------------|--------------|
| Restricted for HAP (Net Restricted Assets)         | \$ 1,390,394 |
| Restricted for Tenant Security Deposits            | 213,271      |
| Restricted Proceeds From Sales of Turnkey Projects | 5,150,159    |
| Total Restricted Net Position                      | \$ 6,753,824 |

**NOTE 11 OPERATING LEASE**

The Authority entered into a lease agreement on March 14, 2003 with the Resources for Community Development (RCD) to lease land to RCD until March 14, 2078. Total rental income under the lease agreement is \$1 per year for the entire term of the loan.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 12 EMPLOYEES RETIREMENT PLAN**

Plan Description

The Authority contributes to the State of Nevada Public Employees Retirement System (the System), a multi-employer, cost sharing defined benefit plan. The System was established in 1948 by the legislature and is governed by the Public Employees' Retirement Board, whose seven members are appointed by the Governor. The System is administered to provide a reasonable base income to qualified employees who have been employed by a public employer and whose earnings capacities have been removed or substantially impaired by age or disability.

Benefits Provided

Benefits, as required by the Nevada Revised Statutes (NRS or statute), are determined by the number of years of accredited service at time of retirement and the member's highest average compensation in any 36 consecutive months with special provisions for members entering the System on or after January 1, 2010. Benefit payments to which participants or their beneficiaries may be entitled under the plan include pension benefits, disability benefits, and survivor benefits.

Monthly benefit allowances for members are computed as 2.5% of average compensation for each accredited year of service prior to July 1, 2001. For service earned on and after July 1, 2001, this multiplier is 2.67% of average compensation. For members entering the System on or after January 1, 2010, there is a 2.5% multiplier. The System offers several alternatives to the unmodified service retirement allowance which, in general, allow the retired employee to accept a reduced service retirement allowance payable monthly during his or her lifetime and various optional monthly payments to a named beneficiary after his or her death.

Post-retirement increases are provided by authority of NRS 286.575-.579.

Contributions

The Authority, for establishing and amending the obligation to make contributions and member contribution rates, is set by statute. New hires, in agencies which did not elect the Employer-Pay Contribution (EPC) plan prior to July 1, 1983, have the option of selecting one of two contribution plans. Contributions are shared equally by employer and employee. Employees can take a reduced salary and have contributions made by the employer (EPC) or can make contributions by a payroll deduction matched by the employer.

The System's basic funding policy provides for periodic contributions at a level pattern of cost as a percentage of salary throughout an employee's working lifetime in order to accumulate sufficient assets to pay benefits when due.

The System receives an actuarial valuation on an annual basis indicating the contribution rates required to fund the System on an actuarial reserve basis. Contributions actually made are in accordance with the required rates established by the Nevada Legislature. These statutory rates are increased/decreased pursuant to NRS 286.421 and 286.450.

The actuary funding method used is the Entry Age Normal Cost Method. It is intended to meet the funding objective and result in a relatively level long-term contributions requirement as a percentage of salary.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 12 EMPLOYEES RETIREMENT PLAN (CONTINUED)**

For the fiscal year ended June 30, 2014 and June 30, 2015 the Statutory Employer/employee matching rate was 13.25% for Regular and the Employer-pay contribution (EPC) rate was 25.75%.

Net Pension Liability

The Authority's net pension liability (NPL) of \$26,608,483 was measured as of June 30, 2015, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The net pension liability is allocated among all employers which includes the State and participating agencies.

Actuarial Assumptions

|                            |                                                                                                      |
|----------------------------|------------------------------------------------------------------------------------------------------|
| Inflation rate             | 3.50%                                                                                                |
| Payroll Growth             | 5.00%                                                                                                |
| Investment rate of return  | 8.00%                                                                                                |
| Productivity pay increase  | 0.75%                                                                                                |
| Projected salary increases | Regular: 4.60% to 9.75%, depending on services<br>Rates include inflation and productivity increases |
| Consumer Price Index       | 3.50%                                                                                                |
| Other assumptions          | Same as those used in the June 20, 2015 funding<br>Actuarial valuation                               |

Actuarial Cost Method

The Entry Age Normal actuarial funding method is used to determine costs. Under this funding method, the total employer contribution rate consists of two elements: the normal cost rate and the unfunded actuarial liability (UAL) rate.

The individual entry age normal method is used to determine liabilities. Under the individual entry age normal method, a normal cost rate is calculated for each employee. This rate is determined by taking the value, as of age at entry into the plan, of the member's projected future benefits, and dividing it by the value, also as of the member's entry age, of his or her expected future salary. The normal cost for each employee is the product of his or her pay and his or her normal cost rate. The normal cost for the group is the sum of the normal costs for all members.

Experience gains and losses, i.e. decreases or increases in liabilities and/or in assets when actual experience differs from the actuarial assumptions, affect the unfunded actuarial accrued liability.

Asset Valuation Method

The actuarial valuation employs a technique for determining the actuarial value of assets which dampens the swing in the market value. The specific technique adopted in this valuation is a 5-year smoothed market.

Amortization

The net pension liability of the System is amortized over separate 30-year period amortization layers based on the valuations during which each separate layer previously established.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
SEPTEMBER 30, 2015**

**NOTE 12 EMPLOYEES RETIREMENT PLAN (CONTINUED)**

Significant actuarial assumptions employed by the actuary for funding purposes as of June 30, 2015 and June 30, 2014 are as follows:

*Investment Rate of Return* – 8.0% per annum, compounded annually including 3.5% for inflation.

*Salary Increases, Merit and Inflation* – 3.50% to 5.50% per year

*Mortality Rates* – For active members and non-disabled retirees, the RP2000 Tables projected forward to 2015 using Scale AA are used; for all recipients of disability benefits, the Revenue Ruling 96-7 Disabled Mortality Table for Males and Females is used.

The long-term expected rate of return on pension plan assets was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major class of assets. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of June 30, 2015 are summarized in the following table.

| Asset Class           | Target Allocation | Long Term Expected Real Rate of Return |
|-----------------------|-------------------|----------------------------------------|
| Domestic Equity       | 42%               | 5.50%                                  |
| International Equity  | 18%               | 5.75%                                  |
| Domestic Fixed Income | 30%               | 0.25%                                  |
| Private Markets       | 10%               | 6.80%                                  |

\*As of June 30, 2015, PERS' long-term inflation assumption was 3.5%

*Discount Rate*

The discount rate used to measure the collective total pension liability was 8.00% for 2014 for the System. The projection of cash flows used to determine the discount rate assumed that the plan member contributions will be made at the current contribution rate and that employer and non-employer entity contributions will be made at contractually required rates, actuarially determined. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments to current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

*Sensitivity of the Authority's proportionate share of the net pension liability to changes in the discount rate*

The following presents the Authority's proportionate share of the net pension liability calculated using the discount rate of 8.00%, as well as what the Authority share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (7.00 percent) or 1-percentage-point higher (9.00 percent) than the current rate:

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
NOTES TO FINANCIAL STATEMENTS  
SEPTEMBER 30, 2015**

**NOTE 12 EMPLOYEES RETIREMENT PLAN (CONTINUED)**

|                                    | 1% Decrease in<br>Discount Rate<br>(7.00%) | Discount Rate<br>(8.00%) | 1% Increase in<br>Discount Rate<br>(9.00%) |
|------------------------------------|--------------------------------------------|--------------------------|--------------------------------------------|
| Total System Net Pension Liability | \$ 40,546,000                              | \$ 26,608,483            | \$ 15,018,465                              |

*Pension expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions*

For the year ended September 30, 2015, the Authority recognized pension expense of \$3,584,069. At September 30, 2015, the Authority reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

|                                                                                                             | Deferred<br>Outflows<br>of Resources | Deferred<br>Inflows<br>of Resources |
|-------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------|
| Differences between expected and actual experience                                                          | \$ -                                 | \$ 2,001,419                        |
| Changes of assumptions                                                                                      | -                                    | -                                   |
| Net difference between projected and actual earnings on investments                                         | -                                    | 1,441,292                           |
| Changes in proportion and differences between actual contributions and proportionate share of contributions | 41,020                               | 1,793,485                           |
| Total                                                                                                       | \$ 41,020                            | \$ 5,236,196                        |

The \$923,446 reported as deferred outflows of resources related to pensions resulting from the Authority contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended September 30, 2016. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

| Year Ended June 30 | Amount       |
|--------------------|--------------|
| 2016               | \$ (781,522) |
| 2017               | (781,522)    |
| 2018               | (781,522)    |
| 2019               | (781,522)    |
| 2020               | (781,522)    |
| Thereafter         | (1,328,586)  |

**Additional Financial and Actuarial Information**

Additional financial and actuarial information with respect to the System can be found in the NvPERS' 2014 Comprehensive Annual Financial Report available online at [www.nvpers.org](http://www.nvpers.org) or by contacting the System at (775) 687-4200.

**NOTE 13 ECONOMIC DEPENDENCY**

The Authority is economically dependent on annual contributions and grants from HUD. The Authority operated at a loss prior to receiving the contributions.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 14 COMMITMENTS AND CONTINGENCIES**

Amounts received or receivable from HUD are subject to audit and adjustment by grantor agencies. If expenses are disallowed as a result of these audits, the claims for reimbursement to the grantor agency would become a liability of the Authority. In the opinion of management, any such adjustments would not be significant.

The Authority is involved in various legal proceedings and litigation arising in the normal course of business. Management does not believe that the settlement of any such claims or litigation will have a material adverse effect on the Authority's financial position or results of operations.

**NOTE 15 RISK MANAGEMENT**

The Authority is exposed to all common perils associated with the ownership and rental of real estate properties. A risk management program has been established to minimize loss occurrence and to transfer risk through various levels of insurance. Property, casualty, employee dishonesty and public officials' liability forms are used to cover the respective perils. Commercial carriers insure all common perils such as business auto, computer and other miscellaneous policies.

**NOTE 16 FUTURE ACCOUNTING PRONOUNCEMENTS**

GASB routinely issues standards that will become effective in future years. The following is a list of standards that have been issued that management has determined may have an impact on future financial statements of the Authority.

GASB Statement No. 72, *Fair Value Measurement and Application*, addresses accounting and financial reporting issues related to fair value measurements. This Statement is not expected to have an impact on the Authority.

GASB Statement No. 73, *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans*. This statement is effective for fiscal years beginning either after June 15, 2015 or June 15, 2016. This Statement is not expected to have an impact on the Authority.

GASB Statement No. 74, *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans*. This statement is effective for fiscal years beginning after June 15, 2016. This Statement is not expected to have an impact on the Authority.

GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*. This statement is effective for fiscal years beginning after June 15, 2017. This Statement is not expected to have an impact on the Authority.

GASB Statement No. 76, *The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments*, identifies, in the context of the current governmental financial reporting environment, the hierarchy of generally accepted accounting principles (GAAP). This Statement is not expected to have an impact on the Authority.



**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 16 FUTURE ACCOUNTING PRONOUNCEMENTS (CONTINUED)**

GASB Statement No. 77, *Tax Abatement Disclosures*. This Statement is effective for reporting periods beginning after December 15, 2015. This Statement is not expected to have an impact on the Authority.

GASB Statement No. 78, *Pensions Provided through Certain Multiple-Employer Defined Benefit Pension Plans*. This Statement is effective for reporting periods beginning after December 15, 2015. This Statement is not expected to have an impact on the Authority.

GASB Statement No. 80, *Blending Requirements for Certain Component Units – an amendment of GASB Statement No. 14*. This Statement is effective for reporting periods beginning after June 15, 2016. This Statement is not expected to have an impact on the Authority.

GASB Statement No. 81, *Irrevocable Split-Interest Agreements*. This Statement is effective for reporting periods beginning after December 15, 2016. This Statement is not expected to have an impact on the Authority.

GASB Statement No. 82, *Pension Issues – an amendment of GASB Statements No. 67, No. 68, and No. 73*. This Statement is effective for reporting periods beginning after June 15, 2016. This Statement is not expected to have an impact on the Authority.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 17 CONDENSED COMBINING INFORMATION FOR BLENDED COMPONENT UNITS**

Condensed combining information for the Authority's two blended component units as of and for the year ended September 30, 2015 is provided as follows:

**Condensed Statement of Net Position**

|                                  | Blended Component Units  |                                |                       | Total                 |
|----------------------------------|--------------------------|--------------------------------|-----------------------|-----------------------|
|                                  | Affordable               | Honolulu                       | Primary               |                       |
|                                  | Housing<br>Program, Inc. | Street Family<br>Housing, Inc. |                       |                       |
| <b>ASSETS</b>                    |                          |                                |                       |                       |
| Current Assets                   | \$ 438,013               | \$ -                           | \$ 22,965,500         | \$ 23,403,513         |
| Noncurrent Assets                | 7,450,000                | 1,373                          | 9,721,647             | 17,173,020            |
| Capital Assets                   | -                        | -                              | 150,244,644           | 150,244,644           |
| Total Assets                     | <u>\$ 7,888,013</u>      | <u>\$ 1,373</u>                | <u>\$ 182,931,791</u> | <u>\$ 190,821,177</u> |
| Deferred Outflow of Resources    | -                        | -                              | 964,466               | 964,466               |
| <b>LIABILITIES</b>               |                          |                                |                       |                       |
| Interprogram Liabilities         | \$ 77,648                | \$ -                           | \$ (77,648)           | \$ -                  |
| Other Current Liabilities        | -                        | -                              | 4,481,650             | 4,481,650             |
| Noncurrent Liabilities           | 3,700,000                | 763                            | 32,138,039            | 35,838,802            |
| Total Liabilities                | <u>\$ 3,777,648</u>      | <u>\$ 763</u>                  | <u>\$ 36,542,041</u>  | <u>\$ 40,320,452</u>  |
| Deferred Inflow of Resources     | -                        | -                              | 5,236,196             | 5,236,196             |
| <b>NET POSITION</b>              |                          |                                |                       |                       |
| Net Investment in Capital Assets | \$ -                     | \$ -                           | \$ 147,798,155        | \$ 147,798,155        |
| Restricted                       | -                        | -                              | 6,753,824             | 6,753,824             |
| Unrestricted                     | 4,110,365                | 610                            | (12,433,959)          | (8,322,984)           |
| Total Net Position               | <u>\$ 4,110,365</u>      | <u>\$ 610</u>                  | <u>\$ 142,118,020</u> | <u>\$ 146,228,995</u> |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2015**

**NOTE 17 CONDENSED COMBINING INFORMATION FOR BLENDED COMPONENT UNITS  
(CONTINUED)**

**Condensed Statement of Revenues, Expenses and Changes in Net Position**

|                                         | Blended Component Units |               |                       | Total                 |
|-----------------------------------------|-------------------------|---------------|-----------------------|-----------------------|
|                                         | Affordable              | Honolulu      | Primary               |                       |
|                                         | Housing                 | Street Family |                       |                       |
|                                         | Program, Inc.           | Housing, Inc. | Government            |                       |
| <b>Operating Revenues</b>               |                         |               |                       |                       |
| Tenant Revenues                         | \$ -                    | \$ -          | \$ 11,369,321         | \$ 11,369,321         |
| HUD Subsidies                           | -                       | -             | 126,914,171           | 126,914,171           |
| Other Revenues                          | 309,791                 | 1,022         | 4,775,965             | 5,086,778             |
| Total Operating Revenues                | 309,791                 | 1,022         | 143,059,457           | 143,370,270           |
| <b>Operating Expenses</b>               |                         |               |                       |                       |
| Administration                          | -                       | -             | 17,407,270            | 17,407,270            |
| Tenant Services                         | -                       | -             | 3,191,893             | 3,191,893             |
| Utilities                               | -                       | -             | 3,506,311             | 3,506,311             |
| Maintenance                             | -                       | -             | 10,768,964            | 10,768,964            |
| General Expenses                        | 41,100                  | -             | 3,549,287             | 3,590,387             |
| Housing Assistance Payments             | -                       | -             | 102,627,517           | 102,627,517           |
| Depreciation                            | -                       | -             | 10,334,459            | 10,334,459            |
| Total Operating Expenses                | 41,100                  | -             | 151,385,701           | 151,426,801           |
| Revenue Over/(Under) Operating expenses | 268,691                 | 1,022         | (8,326,244)           | (8,056,531)           |
| Non-Operating Revenue (Expense)         | (268,641)               | -             | (1,038,607)           | (1,307,248)           |
| Capital Contributions                   | -                       | -             | 780,319               | 780,319               |
| Change in Net Position                  | 50                      | 1,022         | (8,584,532)           | (8,583,460)           |
| Net Position - Beginning of Year        | 4,110,315               | (412)         | 150,702,552           | 154,812,455           |
| <b>Net Position - End of Year</b>       | <b>\$ 4,110,365</b>     | <b>\$ 610</b> | <b>\$ 142,118,020</b> | <b>\$ 146,228,995</b> |

**Condensed Statement of Cash Flows**

|                                          | Blended Component Units |               |                      | Total                |
|------------------------------------------|-------------------------|---------------|----------------------|----------------------|
|                                          | Affordable              | Honolulu      | Primary              |                      |
|                                          | Housing                 | Street Family |                      |                      |
|                                          | Program, Inc.           | Housing, Inc. | Government           |                      |
| <b>Net Cash Provided By:</b>             |                         |               |                      |                      |
| Operating Activities                     | \$ 77,698               | \$ -          | \$ 3,296,333         | \$ 3,374,031         |
| Capital and Related Financing Activities | -                       | -             | (286,152)            | (286,152)            |
| Investing Activities                     | -                       | -             | (529,542)            | (529,542)            |
| Net Increase/(Decrease) in Cash          | 77,698                  | -             | 2,480,639            | 2,558,337            |
| Cash - Beginning of Year                 | 360,315                 | -             | 10,029,988           | 10,390,303           |
| <b>Cash - End of Year</b>                | <b>\$ 438,013</b>       | <b>\$ -</b>   | <b>\$ 12,510,627</b> | <b>\$ 12,948,640</b> |

**REQUIRED SUPPLEMENTARY INFORMATION**

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
REQUIRED SUPPLEMENTARY INFORMATION  
SCHEDULE OF AUTHORITY'S PROPORTIONATE SHARE OF NET PENSION LIABILITY  
SEPTEMBER 30, 2015**

|                                                                                                              |    |            |
|--------------------------------------------------------------------------------------------------------------|----|------------|
| Authority's proportionation of the net pension liability                                                     |    | 0.232197%  |
| Authority's proportionate share of the net pension liability                                                 | \$ | 26,608,483 |
| Authority's covered employee payroll                                                                         |    | 22,612,901 |
| Authority's proportionate share of the net pension liability as a percentage of its covered employee payroll |    | 117.7%     |
| Plan fiduciary net position as a percentage of the total pension liability                                   |    | 74%        |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
REQUIRED SUPPLEMENTARY INFORMATION  
SCHEDULE OF AUTHORITY'S CONTRIBUTION  
SEPTEMBER 30, 2015**

|                                                                      |                  |
|----------------------------------------------------------------------|------------------|
| Contractually required contribution                                  | \$ 3,584,069     |
| Contributions in relation to the contractually required contribution | <u>3,584,069</u> |
| Contribution deficiency (excess)                                     | <u>\$ -</u>      |
| <br>                                                                 |                  |
| SNRHA's covered-employee payroll                                     | \$ 22,612,901    |
| <br>                                                                 |                  |
| Contributions as a percentage of covered-employee payroll            | 15.85%           |

\*The Authority implemented GASB 68 during fiscal year 2015. As such, only one year of information is available.

**SUPPLEMENTAL INFORMATION**

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
FINANCIAL DATA SCHEDULE  
SEPTEMBER 30, 2015**

| Line Item #                    | Account Description                                   | Project Total         | Housing Choice Vouchers | Mainstream Vouchers | Component Units     | State/Local      | Business Activities  | Resident Opportunity Support Svcs | PIH Family Self-Sufficiency Program | Housing Counseling Assistance Program |
|--------------------------------|-------------------------------------------------------|-----------------------|-------------------------|---------------------|---------------------|------------------|----------------------|-----------------------------------|-------------------------------------|---------------------------------------|
| <b>CURRENT ASSETS</b>          |                                                       |                       |                         |                     |                     |                  |                      |                                   |                                     |                                       |
| Cash:                          |                                                       |                       |                         |                     |                     |                  |                      |                                   |                                     |                                       |
| 111                            | Unrestricted                                          | \$ 1,701,364          | \$ 181,276              | \$ -                | \$ 438,013          | \$ 32,492        | \$ -                 | \$ -                              | \$ -                                | \$ -                                  |
| 113                            | Other restricted                                      | 5,141,361             | 2,078,256               | 33,317              | -                   | -                | 188,867              | -                                 | -                                   | -                                     |
| 114                            | Tenant security deposits                              | 854,981               | -                       | -                   | -                   | -                | 351,712              | -                                 | -                                   | -                                     |
| 100                            | Total cash                                            | 7,697,706             | 2,259,532               | 33,317              | 438,013             | 32,492           | 540,579              | -                                 | -                                   | -                                     |
| Accounts and notes receivable: |                                                       |                       |                         |                     |                     |                  |                      |                                   |                                     |                                       |
| 121                            | PHA projects                                          | -                     | 216,500                 | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 122                            | HUD other projects                                    | 130,425               | -                       | -                   | -                   | -                | -                    | -                                 | 53,945                              | 6,832                                 |
| 124                            | Other government                                      | 12,874                | -                       | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 125                            | Miscellaneous                                         | 26,447                | 617,994                 | 7,898               | -                   | 8,620            | 6,402                | -                                 | -                                   | -                                     |
| 126                            | Tenants                                               | 126,395               | -                       | -                   | -                   | -                | 36,154               | -                                 | -                                   | -                                     |
| 126.1                          | Allowance for doubtful accounts - tenants             | (59,577)              | -                       | -                   | -                   | -                | (11,948)             | -                                 | -                                   | -                                     |
| 126.2                          | Allowance for doubtful accounts -other                | -                     | (798,250)               | (7,898)             | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 128                            | Fraud recovery                                        | 51,485                | 1,611,905               | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 128.1                          | Allowance for doubtful accounts - fraud               | (13,191)              | (1,443,918)             | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 129                            | Accrued interest receivable                           | 26,186                | 12,448                  | -                   | -                   | -                | 1,755                | -                                 | -                                   | -                                     |
| 120                            | Total receivables, net of allowances                  | 301,044               | 216,679                 | -                   | -                   | 8,620            | 32,363               | -                                 | 53,945                              | 6,832                                 |
| 131                            | Investments - unrestricted                            | 4,846,406             | 995,640                 | 1,030,405           | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 132                            | Investments - restricted                              | -                     | -                       | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
|                                | Total current investments                             | 4,846,406             | 995,640                 | 1,030,405           | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 142                            | Prepaid expenses and other assets                     | 2,798,296             | -                       | -                   | -                   | -                | 50,343               | -                                 | -                                   | -                                     |
| 143                            | Inventories                                           | 749,104               | -                       | -                   | -                   | -                | 218,469              | -                                 | -                                   | -                                     |
| 143.1                          | Allowance for obsolete inventories                    | -                     | -                       | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 144                            | Interprogram - due from                               | 2,462,079             | -                       | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 150                            | Total current assets                                  | 18,854,635            | 3,471,851               | 1,063,722           | 438,013             | 41,112           | 841,754              | -                                 | 53,945                              | 6,832                                 |
| <b>NONCURRENT ASSETS</b>       |                                                       |                       |                         |                     |                     |                  |                      |                                   |                                     |                                       |
| Fixed assets:                  |                                                       |                       |                         |                     |                     |                  |                      |                                   |                                     |                                       |
| 161                            | Land                                                  | 17,273,050            | -                       | -                   | -                   | -                | 3,244,784            | -                                 | -                                   | -                                     |
| 162                            | Buildings                                             | 213,978,885           | -                       | -                   | -                   | -                | 47,737,813           | -                                 | -                                   | -                                     |
| 163                            | Furniture, equipment & machinery - dwellings          | -                     | -                       | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 164                            | Furniture, equipment & machinery - admin.             | 1,824,840             | 512,720                 | -                   | -                   | -                | 361,537              | -                                 | -                                   | -                                     |
| 165                            | Leasehold improvements                                | 17,170,699            | 1,238,468               | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 166                            | Accumulated depreciation                              | (138,964,480)         | (665,074)               | -                   | -                   | -                | (18,749,107)         | -                                 | -                                   | -                                     |
| 167                            | Construction in progress                              | -                     | -                       | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 168                            | Infrastructure                                        | 3,431,176             | -                       | -                   | -                   | -                | 664,005              | -                                 | -                                   | -                                     |
| 160                            | Total fixed assets, net of accumulated depreciation   | 114,714,170           | 1,086,114               | -                   | -                   | -                | 33,259,032           | -                                 | -                                   | -                                     |
| 171                            | Notes, loans and mortgages receivable - noncurrent    | 7,665,088             | 332,759                 | -                   | 4,110,000           | -                | 1,723,800            | -                                 | -                                   | -                                     |
| 174                            | Other assets                                          | -                     | -                       | -                   | 3,340,000           | -                | -                    | -                                 | -                                   | -                                     |
| 176                            | Investment in joint ventures                          | -                     | -                       | -                   | 1,373               | -                | -                    | -                                 | -                                   | -                                     |
| 180                            | Total noncurrent assets                               | 122,379,258           | 1,418,873               | -                   | 7,451,373           | -                | 34,982,832           | -                                 | -                                   | -                                     |
| 200                            | Deferred Outflow of Resources                         | 374,226               | 268,372                 | -                   | -                   | -                | 97,866               | -                                 | -                                   | -                                     |
| 190                            | <b>Total Assets and Deferred Outflow of Resources</b> | <b>\$ 141,608,119</b> | <b>\$ 5,159,096</b>     | <b>\$ 1,063,722</b> | <b>\$ 7,889,386</b> | <b>\$ 41,112</b> | <b>\$ 35,922,452</b> | <b>\$ -</b>                       | <b>\$ 53,945</b>                    | <b>\$ 6,832</b>                       |



**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
FINANCIAL DATA SCHEDULE  
SEPTEMBER 30, 2015**

| Line<br>Item #                 | Account Description                                   | Home Investment<br>Partnerships | Community<br>Development<br>Block Grant /<br>State's Program | Community<br>Development<br>Block<br>Grant/Entitlement<br>Grants | Other Federal<br>Program | COCC         | Elimination    | SNRHA<br>Proprietary Fund<br>Total | Discretely<br>Presented<br>Component Unit | Total          |
|--------------------------------|-------------------------------------------------------|---------------------------------|--------------------------------------------------------------|------------------------------------------------------------------|--------------------------|--------------|----------------|------------------------------------|-------------------------------------------|----------------|
| <b>CURRENT ASSETS</b>          |                                                       |                                 |                                                              |                                                                  |                          |              |                |                                    |                                           |                |
| Cash:                          |                                                       |                                 |                                                              |                                                                  |                          |              |                |                                    |                                           |                |
| 111                            | Unrestricted                                          | \$ -                            | \$ -                                                         | \$ -                                                             | \$ -                     | \$ -         | \$ -           | \$ 2,353,145                       | \$ 41,559                                 | \$ 2,394,704   |
| 113                            | Other restricted                                      | -                               | -                                                            | -                                                                | -                        | -            | -              | 7,441,801                          | 96,043                                    | 7,537,844      |
| 114                            | Tenant security deposits                              | -                               | -                                                            | -                                                                | -                        | -            | -              | 1,206,693                          | 14,190                                    | 1,220,883      |
| 100                            | Total cash                                            | -                               | -                                                            | -                                                                | -                        | -            | -              | 11,001,639                         | 151,792                                   | 11,153,431     |
| Accounts and notes receivable: |                                                       |                                 |                                                              |                                                                  |                          |              |                |                                    |                                           |                |
| 121                            | PHA projects                                          | -                               | -                                                            | -                                                                | -                        | -            | -              | 216,500                            | -                                         | 216,500        |
| 122                            | HUD other projects                                    | -                               | -                                                            | -                                                                | -                        | -            | -              | 191,202                            | -                                         | 191,202        |
| 124                            | Other government                                      | 255,512                         | -                                                            | 212,401                                                          | 386,356                  | -            | -              | 867,143                            | -                                         | 867,143        |
| 125                            | Miscellaneous                                         | 50,677                          | -                                                            | -                                                                | -                        | -            | -              | 718,038                            | 976,087                                   | 1,694,125      |
| 126                            | Tenants                                               | -                               | -                                                            | -                                                                | -                        | -            | -              | 162,549                            | 24,106                                    | 186,655        |
| 126.1                          | Allowance for doubtful accounts - tenants             | -                               | -                                                            | -                                                                | -                        | -            | -              | (71,525)                           | -                                         | (71,525)       |
| 126.2                          | Allowance for doubtful accounts -other                | (2,400)                         | -                                                            | -                                                                | -                        | -            | -              | (808,548)                          | -                                         | (808,548)      |
| 128                            | Fraud recovery                                        | -                               | -                                                            | -                                                                | -                        | -            | -              | 1,663,390                          | -                                         | 1,663,390      |
| 128.1                          | Allowance for doubtful accounts - fraud               | -                               | -                                                            | -                                                                | -                        | -            | -              | (1,457,109)                        | -                                         | (1,457,109)    |
| 129                            | Accrued interest receivable                           | -                               | -                                                            | -                                                                | -                        | -            | -              | 40,389                             | -                                         | 40,389         |
| 120                            | Total receivables, net of allowances                  | 303,789                         | -                                                            | 212,401                                                          | 386,356                  | -            | -              | 1,522,029                          | 1,000,193                                 | 2,522,222      |
| 131                            | Investments - unrestricted                            | -                               | -                                                            | -                                                                | -                        | -            | -              | 6,872,451                          | -                                         | 6,872,451      |
| 132                            | Investments - restricted                              | -                               | -                                                            | -                                                                | -                        | -            | -              | -                                  | -                                         | -              |
|                                | Total current investments                             | -                               | -                                                            | -                                                                | -                        | -            | -              | 6,872,451                          | -                                         | 6,872,451      |
| 142                            | Prepaid expenses and other assets                     | -                               | -                                                            | 2,000                                                            | -                        | 40,419       | -              | 2,891,058                          | -                                         | 2,891,058      |
| 143                            | Inventories                                           | -                               | -                                                            | -                                                                | -                        | 174,275      | -              | 1,141,848                          | -                                         | 1,141,848      |
| 143.1                          | Allowance for obsolete inventories                    | -                               | -                                                            | -                                                                | -                        | (25,512)     | -              | (25,512)                           | -                                         | (25,512)       |
| 144                            | Interprogram - due from                               | -                               | -                                                            | -                                                                | -                        | 1,434,351    | (3,896,430)    | -                                  | -                                         | -              |
| 150                            | Total current assets                                  | 303,789                         | -                                                            | 214,401                                                          | 386,356                  | 1,623,533    | (3,896,430)    | 23,403,513                         | 1,151,985                                 | 24,555,498     |
| <b>NONCURRENT ASSETS</b>       |                                                       |                                 |                                                              |                                                                  |                          |              |                |                                    |                                           |                |
| Fixed assets:                  |                                                       |                                 |                                                              |                                                                  |                          |              |                |                                    |                                           |                |
| 161                            | Land                                                  | -                               | -                                                            | -                                                                | -                        | 215,819      | -              | 20,733,653                         | 1,360,000                                 | 22,093,653     |
| 162                            | Buildings                                             | -                               | -                                                            | -                                                                | -                        | 4,306,730    | -              | 266,023,428                        | -                                         | 266,023,428    |
| 163                            | Furniture, equipment & machinery - dwellings          | -                               | -                                                            | -                                                                | -                        | -            | -              | -                                  | -                                         | -              |
| 164                            | Furniture, equipment & machinery - admin.             | -                               | -                                                            | -                                                                | -                        | 2,199,089    | -              | 4,898,186                          | -                                         | 4,898,186      |
| 165                            | Leasehold improvements                                | -                               | -                                                            | -                                                                | -                        | 64,658       | -              | 18,473,825                         | -                                         | 18,473,825     |
| 166                            | Accumulated depreciation                              | -                               | -                                                            | -                                                                | -                        | (5,600,968)  | -              | (163,979,629)                      | -                                         | (163,979,629)  |
| 167                            | Construction in progress                              | -                               | -                                                            | -                                                                | -                        | -            | -              | -                                  | 18,904,341                                | 18,904,341     |
| 168                            | Infrastructure                                        | -                               | -                                                            | -                                                                | -                        | -            | -              | 4,095,181                          | -                                         | 4,095,181      |
| 160                            | Total fixed assets, net of accumulated depreciation   | -                               | -                                                            | -                                                                | -                        | 1,185,328    | -              | 150,244,644                        | 20,264,341                                | 170,508,985    |
| 171                            | Notes, loans and mortgages receivable - noncurrent    | -                               | -                                                            | -                                                                | -                        | -            | -              | 13,831,647                         | -                                         | 13,831,647     |
| 174                            | Other assets                                          | -                               | -                                                            | -                                                                | -                        | -            | -              | 3,340,000                          | -                                         | 3,340,000      |
| 176                            | Investment in joint ventures                          | -                               | -                                                            | -                                                                | -                        | -            | -              | 1,373                              | -                                         | 1,373          |
| 180                            | Total noncurrent assets                               | -                               | -                                                            | -                                                                | -                        | 1,185,328    | -              | 167,417,664                        | 20,264,341                                | 187,682,005    |
| 200                            | Deferred Outflow of Resources                         | -                               | -                                                            | -                                                                | -                        | 224,002      | -              | 964,466                            | -                                         | 964,466        |
| 190                            | <b>Total Assets and Deferred Outflow of Resources</b> | \$ 303,789                      | \$ -                                                         | \$ 214,401                                                       | \$ 386,356               | \$ 3,032,863 | \$ (3,896,430) | \$ 191,785,643                     | \$ 21,416,326                             | \$ 213,201,969 |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
FINANCIAL DATA SCHEDULE  
SEPTEMBER 30, 2015**

| Line Item #                   | Account Description                                   | Project Total         | Housing Choice Vouchers | Mainstream Vouchers | Component Units     | State/Local      | Business Activities  | Resident Opportunity Support Svcs | PIH Family Self-Sufficiency Program | Housing Counseling Assistance Program |
|-------------------------------|-------------------------------------------------------|-----------------------|-------------------------|---------------------|---------------------|------------------|----------------------|-----------------------------------|-------------------------------------|---------------------------------------|
| <b>CURRENT LIABILITIES</b>    |                                                       |                       |                         |                     |                     |                  |                      |                                   |                                     |                                       |
| 311                           | Bank overdraft                                        | \$ -                  | \$ -                    | \$ -                | \$ -                | \$ -             | \$ -                 | \$ -                              | \$ -                                | \$ -                                  |
| 312                           | Accounts payable <= 90 days                           | 573,436               | 123,336                 | -                   | -                   | -                | 147,909              | -                                 | -                                   | -                                     |
| 321                           | Accrued wage/payroll taxes payable                    | 157,110               | 94,897                  | -                   | -                   | -                | 41,454               | -                                 | 19,890                              | 853                                   |
| 322                           | Accrued compensated absences - current portion        | 159,981               | 79,425                  | -                   | -                   | -                | 40,168               | -                                 | -                                   | -                                     |
| 332                           | Accounts payable- PHA projects                        | -                     | 347,735                 | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 333                           | Accounts payable - other government                   | 398,535               | -                       | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 341                           | Tenant security deposits                              | 641,706               | 4                       | -                   | -                   | -                | 351,712              | -                                 | -                                   | -                                     |
| 342                           | Deferred revenues                                     | 34,163                | 83                      | -                   | -                   | 41,112           | 50,370               | -                                 | -                                   | -                                     |
| 343                           | Current portion of LT debt - capital projects / mortg | 50,334                | -                       | -                   | -                   | -                | 190,640              | -                                 | -                                   | -                                     |
| 344                           | Current portion of LT debt - operating                | -                     | -                       | -                   | -                   | -                | 60,520               | -                                 | -                                   | -                                     |
| 345                           | Other current liabilities                             | 14,486                | -                       | -                   | -                   | -                | 194                  | -                                 | -                                   | -                                     |
| 346                           | Accrued liabilities - other                           | 615,600               | -                       | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 347                           | Interprogram (due to)                                 | 450,601               | -                       | -                   | 77,648              | -                | 2,435,021            | -                                 | 34,055                              | 5,979                                 |
| 310                           | Total current liabilities                             | <u>3,095,952</u>      | <u>645,480</u>          | <u>-</u>            | <u>77,648</u>       | <u>41,112</u>    | <u>3,317,988</u>     | <u>-</u>                          | <u>53,945</u>                       | <u>6,832</u>                          |
| <b>NONCURRENT LIABILITIES</b> |                                                       |                       |                         |                     |                     |                  |                      |                                   |                                     |                                       |
| 351                           | LT debt, net of current - capital projects/mortg      | 100,600               | -                       | -                   | -                   | -                | 2,104,915            | -                                 | -                                   | -                                     |
| 352                           | LT debt, net of current - operating borrowings        | -                     | -                       | -                   | -                   | -                | 986,406              | -                                 | -                                   | -                                     |
| 353                           | Non-current liabilities - other                       | 213,390               | 687,858                 | -                   | -                   | -                | -                    | -                                 | -                                   | -                                     |
| 354                           | Accrued compensated absences - noncurrent             | 639,658               | 317,700                 | -                   | -                   | -                | 160,666              | -                                 | -                                   | -                                     |
| 355                           | Loan liability - noncurrent                           | 0                     | 0                       | -                   | 3,700,763           | -                | 0                    | -                                 | -                                   | -                                     |
| 357                           | Accrued pension and OPEB liability                    | 10,324,403            | 7,404,055               | -                   | -                   | -                | 2,700,051            | -                                 | -                                   | -                                     |
| 350                           | Total noncurrent liabilities                          | <u>11,278,051</u>     | <u>8,409,613</u>        | <u>-</u>            | <u>3,700,763</u>    | <u>-</u>         | <u>5,952,038</u>     | <u>-</u>                          | <u>-</u>                            | <u>-</u>                              |
| 300                           | Total liabilities                                     | <u>14,374,003</u>     | <u>9,055,093</u>        | <u>-</u>            | <u>3,778,411</u>    | <u>41,112</u>    | <u>9,270,026</u>     | <u>-</u>                          | <u>53,945</u>                       | <u>6,832</u>                          |
| 400                           | Deferred Inflow of Resources                          | <u>2,031,709</u>      | <u>1,457,020</u>        | <u>-</u>            | <u>-</u>            | <u>-</u>         | <u>531,332</u>       | <u>-</u>                          | <u>-</u>                            | <u>-</u>                              |
| <b>EQUITY</b>                 |                                                       |                       |                         |                     |                     |                  |                      |                                   |                                     |                                       |
| 508.1                         | Invested in capital assets, net of related debt       | 114,563,236           | 1,086,114               | -                   | -                   | -                | 30,963,477           | -                                 | -                                   | -                                     |
| 511.1                         | Restricted net position                               | 5,141,246             | 1,390,394               | 33,317              | -                   | -                | 188,867              | -                                 | -                                   | -                                     |
| 512.1                         | Unrestricted net position                             | 5,497,925             | (7,829,525)             | 1,030,405           | 4,110,975           | -                | (5,031,250)          | -                                 | -                                   | -                                     |
| 513                           | Total equity/net position                             | <u>125,202,407</u>    | <u>(5,353,017)</u>      | <u>1,063,722</u>    | <u>4,110,975</u>    | <u>-</u>         | <u>26,121,094</u>    | <u>-</u>                          | <u>-</u>                            | <u>-</u>                              |
| 600                           | Total Liabilities and Equity/Net Position             | <u>\$ 141,608,119</u> | <u>\$ 5,159,096</u>     | <u>\$ 1,063,722</u> | <u>\$ 7,889,386</u> | <u>\$ 41,112</u> | <u>\$ 35,922,452</u> | <u>\$ -</u>                       | <u>\$ 53,945</u>                    | <u>\$ 6,832</u>                       |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
FINANCIAL DATA SCHEDULE  
SEPTEMBER 30, 2015**

| Line Item #                   | Account Description                                   | Home Investment | Community                                 | Community                                  | Other Federal | COCC         | Elimination    | SNRHA            | Discretely               | Total          |
|-------------------------------|-------------------------------------------------------|-----------------|-------------------------------------------|--------------------------------------------|---------------|--------------|----------------|------------------|--------------------------|----------------|
|                               |                                                       | Partnerships    | Development Block Grant / State's Program | Development Block Grant/Entitlement Grants |               |              |                | Proprietary Fund | Presented Component Unit |                |
| <b>CURRENT LIABILITIES</b>    |                                                       |                 |                                           |                                            |               |              |                |                  |                          |                |
| 311                           | Bank overdraft                                        | \$ -            | \$ -                                      | \$ -                                       | \$ -          | \$ -         | \$ -           | \$ -             | \$ -                     | \$ -           |
| 312                           | Accounts payable <= 90 days                           | -               | -                                         | -                                          | 752           | 38,593       | -              | 884,026          | 2,516                    | 886,542        |
| 321                           | Accrued wage/payroll taxes payable                    | 1,380           | -                                         | 103                                        | 9,185         | 116,393      | -              | 441,265          | 1,335                    | 442,600        |
| 322                           | Accrued compensated absences - current portion        | -               | -                                         | -                                          | -             | 79,591       | -              | 359,165          | -                        | 359,165        |
| 332                           | Account payable - PHA projects                        | -               | -                                         | -                                          | -             | -            | -              | 347,735          | -                        | 347,735        |
| 333                           | Accounts payable - other government                   | -               | -                                         | -                                          | -             | -            | -              | 398,535          | -                        | 398,535        |
| 341                           | Tenant security deposits                              | -               | -                                         | -                                          | -             | -            | -              | 993,422          | 14,190                   | 1,007,612      |
| 342                           | Deferred revenues                                     | -               | -                                         | -                                          | -             | -            | -              | 125,728          | 41,440                   | 167,168        |
| 343                           | Current portion of LT debt - capital projects / mortg | -               | -                                         | -                                          | -             | -            | -              | 240,974          | -                        | 240,974        |
| 344                           | Current portion of LT debt - operating                | -               | -                                         | -                                          | -             | -            | -              | 60,520           | -                        | 60,520         |
| 345                           | Other current liabilities                             | -               | -                                         | -                                          | -             | -            | -              | 14,680           | 707                      | 15,387         |
| 346                           | Accrued liabilities - other                           | -               | -                                         | -                                          | -             | -            | -              | 615,600          | -                        | 615,600.00     |
| 347                           | Interprogram (due to)                                 | 302,409         | -                                         | 214,298                                    | 376,419       | -            | (3,896,430)    | -                | -                        | -              |
| 310                           | Total current liabilities                             | 303,789         | -                                         | 214,401                                    | 386,356       | 234,577      | (3,896,430)    | 4,481,650        | 60,188                   | 4,541,838      |
| <b>NONCURRENT LIABILITIES</b> |                                                       |                 |                                           |                                            |               |              |                |                  |                          |                |
| 351                           | LT debt, net of current - capital projects/mortg      | -               | -                                         | -                                          | -             | -            | -              | 2,205,515        | 19,415,991               | 21,621,506     |
| 352                           | LT debt, net of current - operating borrowings        | -               | -                                         | -                                          | -             | -            | -              | 986,406          | -                        | 986,406        |
| 353                           | Non-current liabilities - other                       | -               | -                                         | -                                          | -             | -            | -              | 901,248          | -                        | 901,248        |
| 354                           | Accrued compensated absences - noncurrent             | -               | -                                         | -                                          | -             | 318,363      | -              | 1,436,387        | -                        | 1,436,387      |
| 355                           | Loan liability - noncurrent                           | -               | -                                         | -                                          | -             | -            | -              | 3,700,763        | -                        | 3,700,763      |
| 357                           | Accrued pension and OPEB liability                    | -               | -                                         | -                                          | -             | 6,179,974    | -              | 26,608,483       | -                        | 26,608,483     |
| 350                           | Total noncurrent liabilities                          | -               | -                                         | -                                          | -             | 6,498,337    | -              | 35,838,802       | 19,415,991               | 55,254,793     |
| 300                           | Total liabilities                                     | 303,789         | -                                         | 214,401                                    | 386,356       | 6,732,914    | (3,896,430)    | 40,320,452       | 19,476,179               | 59,796,631     |
| 400                           | Deferred Inflow of Resources                          | -               | -                                         | -                                          | -             | 1,216,135    | -              | 5,236,196        | -                        | 5,236,196      |
| <b>EQUITY</b>                 |                                                       |                 |                                           |                                            |               |              |                |                  |                          |                |
| 508.1                         | Invested in capital assets, net of related debt       | -               | -                                         | -                                          | -             | 1,185,328    | -              | 147,798,155      | 848,350                  | 148,646,505    |
| 511.1                         | Restricted net position                               | -               | -                                         | -                                          | -             | -            | -              | 6,753,824        | -                        | 6,753,824      |
| 512.1                         | Unrestricted net position                             | -               | -                                         | -                                          | -             | (6,101,514)  | -              | (8,322,984)      | 1,091,797                | (7,231,187)    |
| 513                           | Total equity/net position                             | -               | -                                         | -                                          | -             | (4,916,186)  | -              | 146,228,995      | 1,940,147                | 148,169,142    |
| 600                           | Total Liabilities and Equity/Net Position             | \$ 303,789      | \$ -                                      | \$ 214,401                                 | \$ 386,356    | \$ 3,032,863 | \$ (3,896,430) | \$ 191,785,643   | \$ 21,416,326            | \$ 213,201,969 |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Item #                             | Account Description                               | Project Total | Housing Choice<br>Vouchers | Mainstream<br>Vouchers | Component Units | State/Local | Business Activities | Resident Opportunity<br>Support Svcs | PIH Family Self-<br>Sufficiency Program | Housing Counseling<br>Assistance Program |
|------------------------------------|---------------------------------------------------|---------------|----------------------------|------------------------|-----------------|-------------|---------------------|--------------------------------------|-----------------------------------------|------------------------------------------|
| <b>REVENUE</b>                     |                                                   |               |                            |                        |                 |             |                     |                                      |                                         |                                          |
| 70300                              | Net tenant rental revenue                         | \$ 5,142,283  | \$ -                       | \$ -                   | \$ -            | \$ -        | \$ 5,524,023        | \$ -                                 | \$ -                                    | \$ -                                     |
| 70400                              | Tenant revenue - other                            | 334,734       | -                          | -                      | -               | -           | 366,281             | -                                    | -                                       | -                                        |
| 70500                              | Total tenant revenue                              | 5,477,017     | -                          | -                      | -               | -           | 5,892,304           | -                                    | -                                       | -                                        |
| 70600                              | HUD PHA operating grants                          | 16,303,013    | 109,152,214                | 743,451                | -               | -           | -                   | 53,620                               | 643,689                                 | 18,184                                   |
| 70610                              | Capital grants                                    | 780,319       | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 70710                              | Management fee                                    | -             | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 70720                              | Asset management fee                              | -             | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 70730                              | Bookkeeping fee                                   | -             | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 70740                              | Front line service fee                            | -             | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 70800                              | Other governmental grants                         | -             | -                          | -                      | 268,641         | -           | -                   | -                                    | -                                       | -                                        |
| 71100                              | Investment income - unrestricted                  | 16,167        | 6,031                      | -                      | 10              | -           | 326                 | -                                    | -                                       | -                                        |
| 71200                              | Mortgage interest income                          | -             | 3,328                      | -                      | 41,100          | -           | 80,673              | -                                    | -                                       | -                                        |
| 71300                              | Proceeds from disposition of assets held for sale | -             | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 71400                              | Fraud recovery                                    | 4,577         | 97,978                     | 842                    | -               | -           | -                   | -                                    | -                                       | -                                        |
| 71500                              | Other revenue                                     | 398,935       | 233,940                    | -                      | 1,062           | -           | 835,325             | -                                    | -                                       | -                                        |
| 71600                              | Gain or loss on the sale of fixed assets          | (38,900)      | -                          | -                      | -               | -           | 0                   | -                                    | -                                       | -                                        |
| 72000                              | Investment income - restricted                    | -             | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 70000                              | Total revenue                                     | 22,941,128    | 109,493,491                | 744,293                | 310,813         | -           | 6,808,628           | 53,620                               | 643,689                                 | 18,184                                   |
| <b>EXPENSES</b>                    |                                                   |               |                            |                        |                 |             |                     |                                      |                                         |                                          |
| Administrative:                    |                                                   |               |                            |                        |                 |             |                     |                                      |                                         |                                          |
| 91100                              | Administrative salaries                           | 1,563,582     | 3,183,968                  | -                      | -               | -           | 582,934             | -                                    | -                                       | -                                        |
| 91200                              | Auditing fees                                     | 60,871        | 17,088                     | -                      | -               | -           | 13,106              | -                                    | -                                       | -                                        |
| 91300                              | Management fee                                    | 2,369,545     | 1,004,654                  | -                      | -               | -           | 673,382             | -                                    | -                                       | -                                        |
| 91310                              | Bookkeeping fee                                   | 237,721       | 918,382                    | -                      | -               | -           | 91,448              | -                                    | -                                       | -                                        |
| 91400                              | Advertising and marketing                         | 560           | 175                        | -                      | -               | -           | 3,350               | -                                    | -                                       | -                                        |
| 91500                              | Employee benefit contributions - administrative   | 916,254       | 1,872,975                  | -                      | -               | -           | 342,740             | -                                    | -                                       | -                                        |
| 91600                              | Office expenses                                   | 151,991       | 491,540                    | -                      | -               | -           | 42,369              | -                                    | -                                       | -                                        |
| 91700                              | Legal expense                                     | 24,675        | 37,017                     | -                      | -               | -           | 21,522              | -                                    | -                                       | -                                        |
| 91800                              | Travel                                            | 9,807         | 19,025                     | -                      | -               | -           | 15,659              | 317                                  | -                                       | -                                        |
| 91900                              | Other                                             | 2,121,248     | 364,395                    | -                      | -               | -           | 270,611             | -                                    | -                                       | -                                        |
| 91000                              | Total administrative                              | 7,456,254     | 7,909,219                  | -                      | -               | -           | 2,057,121           | 317                                  | -                                       | -                                        |
| 92000                              | Asset management fee                              | 336,040       | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| Tenant services:                   |                                                   |               |                            |                        |                 |             |                     |                                      |                                         |                                          |
| 92100                              | Salaries                                          | 182,683       | 114,316                    | -                      | -               | -           | 18,383              | 35,766                               | 438,312                                 | 12,710                                   |
| 92200                              | Relocation costs                                  | 54,691        | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 92300                              | Employee benefit contributions                    | 140,113       | 90,054                     | -                      | -               | -           | 10,687              | 16,062                               | 205,377                                 | 5,474                                    |
| 92400                              | Other                                             | 46,477        | 923                        | -                      | -               | -           | 33,081              | 1,475                                | -                                       | -                                        |
| 92500                              | Total tenant services                             | 423,964       | 205,293                    | -                      | -               | -           | 62,151              | 53,303                               | 643,689                                 | 18,184                                   |
| Utilities:                         |                                                   |               |                            |                        |                 |             |                     |                                      |                                         |                                          |
| 93100                              | Water                                             | 1,101,963     | -                          | -                      | -               | -           | 310,769             | -                                    | -                                       | -                                        |
| 93200                              | Electricity                                       | 801,016       | 19,754                     | -                      | -               | -           | 179,158             | -                                    | -                                       | -                                        |
| 93300                              | Gas                                               | 141,160       | 65                         | -                      | -               | -           | 8,185               | -                                    | -                                       | -                                        |
| 93400                              | Fuel                                              | -             | -                          | -                      | -               | -           | 76                  | -                                    | -                                       | -                                        |
| 93600                              | Sewer                                             | 613,703       | 2,041                      | -                      | -               | -           | 225,341             | -                                    | -                                       | -                                        |
| 93800                              | Other utilities expense                           | -             | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 93000                              | Total utilities                                   | 2,657,842     | 21,860                     | -                      | -               | -           | 723,529             | -                                    | -                                       | -                                        |
| Ordinary maintenance & operations: |                                                   |               |                            |                        |                 |             |                     |                                      |                                         |                                          |
| 94100                              | Labor                                             | 3,116,328     | 2,040                      | -                      | -               | -           | 719,939             | -                                    | -                                       | -                                        |
| 94200                              | Materials and other                               | 856,236       | 26,411                     | -                      | -               | -           | 377,813             | -                                    | -                                       | -                                        |
| 94300                              | Contracts                                         | 2,388,290     | 25,186                     | -                      | -               | -           | 808,319             | -                                    | -                                       | -                                        |
| 94500                              | Employee benefits contribution                    | 1,776,782     | 1,295                      | -                      | -               | -           | 424,146             | -                                    | -                                       | -                                        |
| 94000                              | Total ordinary maintenance & operations           | 8,137,636     | 54,932                     | -                      | -               | -           | 2,330,217           | -                                    | -                                       | -                                        |
| Protective services:               |                                                   |               |                            |                        |                 |             |                     |                                      |                                         |                                          |
| 95100                              | Labor                                             | -             | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 95200                              | Other contract costs                              | -             | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 95300                              | Other                                             | 536,789       | 3,373                      | -                      | -               | -           | 58,743              | -                                    | -                                       | -                                        |
| 95500                              | Employee benefit contributions                    | -             | -                          | -                      | -               | -           | -                   | -                                    | -                                       | -                                        |
| 95000                              | Total protective services                         | 536,789       | 3,373                      | -                      | -               | -           | 58,743              | -                                    | -                                       | -                                        |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line Item #                        | Account Description                               | Community Development Block  |                         | Community Development Block |        | Other Federal Grants | COCC      | Elimination | SNRHA Proprietary Fund Total | Discretely Presented Component Unit | Total         |
|------------------------------------|---------------------------------------------------|------------------------------|-------------------------|-----------------------------|--------|----------------------|-----------|-------------|------------------------------|-------------------------------------|---------------|
|                                    |                                                   | Home Investment Partnerships | Grant / State's Program | Grant/Entitlement Grants    | Grants |                      |           |             |                              |                                     |               |
| <b>REVENUE</b>                     |                                                   |                              |                         |                             |        |                      |           |             |                              |                                     |               |
| 70300                              | Net tenant rental revenue                         | \$ -                         | \$ -                    | \$ -                        | \$ -   | \$ -                 | \$ -      | \$ -        | \$ 10,666,306                | \$ 939,146                          | \$ 11,605,452 |
| 70400                              | Tenant revenue - other                            | -                            | -                       | -                           | -      | -                    | -         | -           | 703,015                      | -                                   | 703,015       |
| 70500                              | Total tenant revenue                              | -                            | -                       | -                           | -      | -                    | -         | -           | 11,369,321                   | 939,146                             | 12,308,467    |
| 70600                              | HUD PHA operating grants                          | -                            | -                       | -                           | -      | -                    | -         | -           | 126,914,171                  | -                                   | 126,914,171   |
| 70610                              | Capital grants                                    | -                            | -                       | -                           | -      | -                    | -         | -           | 780,319                      | -                                   | 780,319       |
| 70710                              | Management fee                                    | -                            | -                       | -                           | -      | -                    | 4,001,995 | (4,001,995) | -                            | -                                   | -             |
| 70720                              | Asset management fee                              | -                            | -                       | -                           | -      | -                    | 336,040   | (336,040)   | -                            | -                                   | -             |
| 70730                              | Bookkeeping fee                                   | -                            | -                       | -                           | -      | -                    | 1,247,551 | (1,247,551) | -                            | -                                   | -             |
| 70740                              | Front line service fee                            | -                            | -                       | -                           | -      | -                    | 1,964,626 | (1,964,626) | -                            | -                                   | -             |
| 70800                              | Other governmental grants                         | 1,102,840                    | -                       | 231,944                     | -      | 1,164,409            | -         | -           | 2,767,834                    | 614,976                             | 3,382,810     |
| 71100                              | Investment income - unrestricted                  | -                            | -                       | -                           | -      | -                    | -         | -           | 22,534                       | 4                                   | 22,538        |
| 71200                              | Mortgage interest income                          | -                            | -                       | -                           | -      | -                    | -         | -           | 125,101                      | -                                   | 125,101       |
| 71300                              | Proceeds from disposition of assets held for sale | -                            | -                       | -                           | -      | -                    | -         | -           | -                            | -                                   | -             |
| 71400                              | Fraud recovery                                    | -                            | -                       | -                           | -      | -                    | -         | -           | 103,397                      | -                                   | 103,397       |
| 71500                              | Other revenue                                     | -                            | -                       | -                           | -      | -                    | 668,880   | (47,696)    | 2,090,446                    | 1,663                               | 2,092,109     |
| 71600                              | Gain or loss on the sale of fixed assets          | -                            | -                       | -                           | -      | -                    | -         | -           | (38,900)                     | -                                   | (38,900)      |
| 72000                              | Investment income - restricted                    | -                            | -                       | -                           | -      | -                    | -         | -           | -                            | -                                   | -             |
| 70000                              | Total revenue                                     | 1,102,840                    | -                       | 231,944                     | -      | 1,164,409            | 8,219,092 | (7,597,908) | 144,134,223                  | 1,555,789                           | 145,690,012   |
| <b>EXPENSES</b>                    |                                                   |                              |                         |                             |        |                      |           |             |                              |                                     |               |
| Administrative:                    |                                                   |                              |                         |                             |        |                      |           |             |                              |                                     |               |
| 91100                              | Administrative salaries                           | 41,060                       | -                       | 3,452                       | -      | -                    | 3,442,239 | -           | 8,817,235                    | 61,020                              | 8,878,255     |
| 91200                              | Auditing fees                                     | -                            | -                       | 68                          | -      | -                    | 17,088    | -           | 108,221                      | -                                   | 108,221       |
| 91300                              | Management fee                                    | -                            | -                       | -                           | -      | -                    | -         | (4,047,581) | -                            | -                                   | -             |
| 91310                              | Bookkeeping fee                                   | -                            | -                       | -                           | -      | -                    | -         | (1,247,551) | -                            | -                                   | -             |
| 91400                              | Advertising and marketing                         | -                            | -                       | -                           | -      | -                    | 34,569    | -           | 38,654                       | -                                   | 38,654        |
| 91500                              | Employee benefit contributions - administrative   | 18,276                       | -                       | 2,062                       | -      | -                    | 1,934,990 | -           | 5,087,297                    | 24,965                              | 5,112,262     |
| 91600                              | Office expenses                                   | -                            | -                       | -                           | -      | -                    | 668,164   | -           | 1,354,064                    | -                                   | 1,354,064     |
| 91700                              | Legal expense                                     | -                            | -                       | -                           | -      | -                    | 489,290   | -           | 572,504                      | 14,206                              | 586,710       |
| 91800                              | Travel                                            | -                            | -                       | -                           | -      | -                    | 35,332    | -           | 80,140                       | -                                   | 80,140        |
| 91900                              | Other                                             | -                            | -                       | -                           | -      | -                    | 559,637   | (1,966,736) | 1,349,155                    | 6,847                               | 1,356,002     |
| 91000                              | Total administrative                              | 59,336                       | -                       | 5,582                       | -      | -                    | 7,181,309 | (7,261,868) | 17,407,270                   | 107,038                             | 17,514,308    |
| 92000                              | Asset management fee                              | -                            | -                       | -                           | -      | -                    | -         | (336,040)   | -                            | -                                   | -             |
| Tenant services:                   |                                                   |                              |                         |                             |        |                      |           |             |                              |                                     |               |
| 92100                              | Salaries                                          | -                            | -                       | -                           | -      | 415,625              | 436,472   | -           | 1,654,267                    | -                                   | 1,654,267     |
| 92200                              | Relocation costs                                  | -                            | -                       | -                           | -      | -                    | -         | -           | 54,691                       | -                                   | 54,691        |
| 92300                              | Employee benefit contributions                    | -                            | -                       | -                           | -      | 188,977              | 185,855   | -           | 842,599                      | -                                   | 842,599       |
| 92400                              | Other                                             | -                            | -                       | -                           | -      | 544,914              | 13,466    | -           | 640,336                      | -                                   | 640,336       |
| 92500                              | Total tenant services                             | -                            | -                       | -                           | -      | 1,149,516            | 635,793   | -           | 3,191,893                    | -                                   | 3,191,893     |
| Utilities:                         |                                                   |                              |                         |                             |        |                      |           |             |                              |                                     |               |
| 93100                              | Water                                             | -                            | -                       | -                           | -      | -                    | 48,586    | -           | 1,461,318                    | 55,917                              | 1,517,235     |
| 93200                              | Electricity                                       | -                            | -                       | -                           | -      | -                    | 48,768    | -           | 1,048,696                    | 4,713                               | 1,053,409     |
| 93300                              | Gas                                               | -                            | -                       | -                           | -      | -                    | 1,926     | -           | 151,336                      | 81                                  | 151,417       |
| 93400                              | Fuel                                              | -                            | -                       | -                           | -      | -                    | -         | -           | 76                           | -                                   | 76            |
| 93600                              | Sewer                                             | -                            | -                       | -                           | -      | -                    | 3,800     | -           | 844,885                      | 15,183                              | 860,068       |
| 93800                              | Other utilities expense                           | -                            | -                       | -                           | -      | -                    | -         | -           | -                            | -                                   | -             |
| 93000                              | Total utilities                                   | -                            | -                       | -                           | -      | -                    | 103,080   | -           | 3,506,311                    | 75,894                              | 3,582,205     |
| Ordinary maintenance & operations: |                                                   |                              |                         |                             |        |                      |           |             |                              |                                     |               |
| 94100                              | Labor                                             | 2,063                        | -                       | -                           | -      | -                    | 35,192    | -           | 3,875,562                    | 14,319                              | 3,889,881     |
| 94200                              | Materials and other                               | -                            | -                       | -                           | -      | -                    | 42,617    | -           | 1,303,077                    | 9,215                               | 1,312,292     |
| 94300                              | Contracts                                         | -                            | -                       | -                           | -      | -                    | 138,748   | -           | 3,360,543                    | 12,238                              | 3,372,781     |
| 94500                              | Employee benefits contribution                    | 841                          | -                       | -                           | -      | -                    | 26,718    | -           | 2,229,782                    | 5,855                               | 2,235,637     |
| 94000                              | Total ordinary maintenance & operations           | 2,904                        | -                       | -                           | -      | -                    | 243,275   | -           | 10,768,964                   | 41,627                              | 10,810,591    |
| Protective services:               |                                                   |                              |                         |                             |        |                      |           |             |                              |                                     |               |
| 95100                              | Labor                                             | -                            | -                       | -                           | -      | -                    | -         | -           | -                            | -                                   | -             |
| 95200                              | Other contract costs                              | -                            | -                       | -                           | -      | -                    | -         | -           | -                            | 13,490                              | 13,490        |
| 95300                              | Other                                             | -                            | -                       | -                           | -      | -                    | 6,529     | -           | 605,434                      | -                                   | 605,434       |
| 95500                              | Employee benefit contributions                    | -                            | -                       | -                           | -      | -                    | -         | -           | -                            | -                                   | -             |
| 95000                              | Total protective services                         | -                            | -                       | -                           | -      | -                    | 6,529     | -           | 605,434                      | 13,490                              | 618,924       |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line Item #                             | Account Description                                         | Project Total         | Housing Choice Vouchers | Mainstream Vouchers | Component Units  | State/Local | Business Activities | Resident Opportunity Support Svcs | PIH Family Sufficiency Program | Housing Counseling Assistance Program |
|-----------------------------------------|-------------------------------------------------------------|-----------------------|-------------------------|---------------------|------------------|-------------|---------------------|-----------------------------------|--------------------------------|---------------------------------------|
| <b>EXPENSES (Continued)</b>             |                                                             |                       |                         |                     |                  |             |                     |                                   |                                |                                       |
| Insurance premiums:                     |                                                             |                       |                         |                     |                  |             |                     |                                   |                                |                                       |
| 96110                                   | Property insurance                                          | \$ 298,258            | \$ -                    | \$ -                | \$ -             | \$ -        | \$ 107,644          | \$ -                              | \$ -                           | \$ -                                  |
| 96120                                   | Liability insurance                                         | 132,505               | 72,070                  | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 96130                                   | Workmen's compensation                                      | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 96140                                   | All other insurance                                         | 123,315               | 46,164                  | -                   | -                | -           | 35,204              | -                                 | -                              | -                                     |
| 96100                                   | Total insurance premiums                                    | <u>554,078</u>        | <u>118,234</u>          | <u>-</u>            | <u>-</u>         | <u>-</u>    | <u>175,905</u>      | <u>-</u>                          | <u>-</u>                       | <u>-</u>                              |
| Other general expenses                  |                                                             |                       |                         |                     |                  |             |                     |                                   |                                |                                       |
| 96200                                   | Other general expenses                                      | 894,635               | 78,225                  | 1,261               | -                | -           | 193,208             | -                                 | -                              | -                                     |
| 96210                                   | Compensated absences                                        | 18,833                | 111,519                 | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 96300                                   | Payments in lieu of taxes                                   | 180,256               | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 96400                                   | Bad debt - tenants rent                                     | 272,925               | -                       | -                   | -                | -           | 112,851             | -                                 | -                              | -                                     |
| 96600                                   | Bad debt - other                                            | 13,514                | 3,328                   | -                   | 41,100           | -           | 80,673              | -                                 | -                              | -                                     |
| 96800                                   | Severance expense                                           | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 96000                                   | Total other general expenses                                | <u>1,380,163</u>      | <u>193,072</u>          | <u>1,261</u>        | <u>41,100</u>    | <u>-</u>    | <u>386,732</u>      | <u>-</u>                          | <u>-</u>                       | <u>-</u>                              |
| Interest expense and amortization costs |                                                             |                       |                         |                     |                  |             |                     |                                   |                                |                                       |
| 96710                                   | Interest on mortgage/bonds payable                          | -                     | -                       | -                   | -                | -           | 223,699             | -                                 | -                              | -                                     |
| 96720                                   | Interest on notes payable                                   | 1,631                 | 1,717                   | -                   | -                | -           | 37,280              | -                                 | -                              | -                                     |
| 96730                                   | Amortization of bond issue costs                            | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 96700                                   | Total interest expense and amortization costs               | <u>1,631</u>          | <u>1,717</u>            | <u>-</u>            | <u>-</u>         | <u>-</u>    | <u>260,979</u>      | <u>-</u>                          | <u>-</u>                       | <u>-</u>                              |
| 96900                                   | Total operating expenses                                    | <u>21,484,397</u>     | <u>8,507,700</u>        | <u>1,261</u>        | <u>41,100</u>    | <u>-</u>    | <u>6,055,377</u>    | <u>53,620</u>                     | <u>643,689</u>                 | <u>18,184</u>                         |
| 97000                                   | Excess of operating revenue over operating expenses         | <u>1,456,731</u>      | <u>100,985,791</u>      | <u>743,032</u>      | <u>269,713</u>   | <u>-</u>    | <u>753,251</u>      | <u>-</u>                          | <u>-</u>                       | <u>-</u>                              |
| 97100                                   | Extraordinary maintenance                                   | 794,182               | -                       | -                   | -                | -           | 229,992             | -                                 | -                              | -                                     |
| 97200                                   | Casualty losses - non capitalized                           | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 97300                                   | Housing assistance payments                                 | -                     | 101,281,311             | 668,305             | -                | -           | -                   | -                                 | -                              | -                                     |
| 97350                                   | HAP portability in                                          | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 97400                                   | Depreciation Expense                                        | <u>8,649,941</u>      | <u>67,272</u>           | <u>-</u>            | <u>-</u>         | <u>-</u>    | <u>1,468,540</u>    | <u>-</u>                          | <u>-</u>                       | <u>-</u>                              |
| 90000A                                  | Total other expenses                                        | <u>9,444,123</u>      | <u>101,348,583</u>      | <u>668,305</u>      | <u>-</u>         | <u>-</u>    | <u>1,698,532</u>    | <u>-</u>                          | <u>-</u>                       | <u>-</u>                              |
| 90000                                   | Total expenses                                              | <u>30,928,520</u>     | <u>109,856,283</u>      | <u>669,566</u>      | <u>41,100</u>    | <u>-</u>    | <u>7,753,909</u>    | <u>53,620</u>                     | <u>643,689</u>                 | <u>18,184</u>                         |
| Other financing sources (uses):         |                                                             |                       |                         |                     |                  |             |                     |                                   |                                |                                       |
| 10010                                   | Operating transfer in                                       | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 10020                                   | Operating transfer out                                      | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 10040                                   | Operating transfer out - component unit                     | -                     | -                       | -                   | (268,641)        | -           | 75,177              | -                                 | -                              | -                                     |
| 10091                                   | Inter project excess cash transfer in                       | 287,878               | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 10092                                   | Inter project excess cash transfer out                      | (287,878)             | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 10093                                   | Transfer from program and project - in                      | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 10094                                   | Transfer from program and project - out                     | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 10100                                   | Total other financing sources (uses)                        | <u>-</u>              | <u>-</u>                | <u>-</u>            | <u>(268,641)</u> | <u>-</u>    | <u>75,177</u>       | <u>-</u>                          | <u>-</u>                       | <u>-</u>                              |
| 10000                                   | <b>EXCESS (DEFICIENCY) OF REVENUE OVER (UNDER) EXPENSES</b> | <u>\$ (7,987,392)</u> | <u>\$ (362,792)</u>     | <u>\$ 74,727</u>    | <u>\$ 1,072</u>  | <u>\$ -</u> | <u>\$ (870,104)</u> | <u>\$ -</u>                       | <u>\$ -</u>                    | <u>\$ -</u>                           |
| <b>Memo Account Information</b>         |                                                             |                       |                         |                     |                  |             |                     |                                   |                                |                                       |
| 11020                                   | Required annual debt principal payments                     | \$ 48,911             | \$ -                    | \$ -                | \$ -             | \$ -        | \$ 237,256          | \$ -                              | \$ -                           | \$ -                                  |
| 11030                                   | Beginning equity                                            | 144,508,689           | 3,127,027               | 988,995             | 4,109,903        | -           | 29,169,055          | -                                 | -                              | -                                     |
| 11040                                   | Prior period adjustments, equity transfers & correction     | (11,318,890)          | (8,117,252)             | -                   | -                | -           | (2,177,857)         | -                                 | -                              | -                                     |
| 11170                                   | Administrative fee equity                                   | -                     | (6,743,415)             | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 11180                                   | Housing assistance payments equity                          | -                     | 1,390,398               | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 11190                                   | Unit months available                                       | 33,798                | 130,956                 | 1,140               | -                | -           | 12,756              | -                                 | -                              | -                                     |
| 11210                                   | Unit months leased                                          | 32,055                | 122,451                 | 1,003               | -                | -           | 12,193              | -                                 | -                              | -                                     |
| 11270                                   | Excess cash                                                 | 5,394,606             | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 11610                                   | Land purchases                                              | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 11620                                   | Building purchases                                          | 780,319               | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 11630                                   | Furniture & equipment - dwelling purchases                  | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 11640                                   | Furniture & equipment - administrative purchases            | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |
| 11650                                   | Leasehold improvements                                      | -                     | -                       | -                   | -                | -           | -                   | -                                 | -                              | -                                     |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line Item #                             | Account Description                                         | Home Investment Partnerships | Community Development Block Grant / State's Program | Community Development Block Grant/Entitlement Grants | Other Federal Grants | COCC         | Elimination | SNRHA Proprietary Fund Total | Discretely Presented Component Unit | Total          |
|-----------------------------------------|-------------------------------------------------------------|------------------------------|-----------------------------------------------------|------------------------------------------------------|----------------------|--------------|-------------|------------------------------|-------------------------------------|----------------|
| <b>EXPENSES (Continued)</b>             |                                                             |                              |                                                     |                                                      |                      |              |             |                              |                                     |                |
| Insurance premiums:                     |                                                             |                              |                                                     |                                                      |                      |              |             |                              |                                     |                |
| 96110                                   | Property insurance                                          | \$ -                         | \$ -                                                | \$ -                                                 | \$ -                 | \$ 5,851     | \$ -        | \$ 411,753                   | \$ 33,963                           | \$ 445,716     |
| 96120                                   | Liability insurance                                         | -                            | -                                                   | -                                                    | 3,204                | 2,585        | -           | 243,421                      | -                                   | 243,421        |
| 96130                                   | Workmen's compensation                                      | -                            | -                                                   | -                                                    | -                    | 104          | -           | 104                          | 1,697                               | 1,801          |
| 96140                                   | All other insurance                                         | -                            | -                                                   | -                                                    | 11,689               | 42,333       | -           | 258,705                      | -                                   | 258,705        |
| 96100                                   | Total insurance premiums                                    | -                            | -                                                   | -                                                    | 14,893               | 50,873       | -           | 913,983                      | 35,660                              | 949,643        |
| Other general expenses                  |                                                             |                              |                                                     |                                                      |                      |              |             |                              |                                     |                |
| 96200                                   | Other general expenses                                      | -                            | -                                                   | -                                                    | -                    | 68,642       | -           | 1,235,971                    | 66,477                              | 1,302,448      |
| 96210                                   | Compensated absences                                        | -                            | -                                                   | -                                                    | -                    | -            | -           | 130,352                      | -                                   | 130,352        |
| 96300                                   | Payments in lieu of taxes                                   | -                            | -                                                   | -                                                    | -                    | -            | -           | 180,256                      | 10,458                              | 190,714        |
| 96400                                   | Bad debt - tenants rent                                     | -                            | -                                                   | -                                                    | -                    | -            | -           | 385,776                      | -                                   | 385,776        |
| 96600                                   | Bad debt - other                                            | -                            | -                                                   | -                                                    | -                    | -            | -           | 138,615                      | -                                   | 138,615        |
| 96800                                   | Severance expense                                           | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 96000                                   | Total other general expenses                                | -                            | -                                                   | -                                                    | -                    | 68,642       | -           | 2,070,970                    | 76,935                              | 2,147,905      |
| Interest expense and amortization costs |                                                             |                              |                                                     |                                                      |                      |              |             |                              |                                     |                |
| 96710                                   | Interest on mortgage/bonds payable                          | -                            | -                                                   | -                                                    | -                    | -            | -           | 223,699                      | 95,848                              | 319,547        |
| 96720                                   | Interest on notes payable                                   | -                            | -                                                   | -                                                    | -                    | 1,631        | -           | 42,259                       | -                                   | 42,259         |
| 96730                                   | Amortization of bond issue costs                            | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 96700                                   | Total interest expense and amortization costs               | -                            | -                                                   | -                                                    | -                    | 1,631        | -           | 265,958                      | 95,848                              | 361,806        |
| 96900                                   | Total operating expenses                                    | 62,240                       | -                                                   | 5,582                                                | 1,164,409            | 8,291,132    | (7,597,908) | 38,730,783                   | 446,492                             | 39,177,275     |
| 97000                                   | Excess of operating revenue over operating expenses         | 1,040,600                    | -                                                   | 226,362                                              | -                    | (72,040)     | -           | 105,403,440                  | 1,109,297                           | 106,512,737    |
| 97100                                   | Extraordinary maintenance                                   | -                            | -                                                   | 250                                                  | -                    | 500          | -           | 1,024,924                    | 17,500                              | 1,042,424      |
| 97200                                   | Casualty losses - non capitalized                           | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 97300                                   | Housing assistance payments                                 | 677,901                      | -                                                   | -                                                    | -                    | -            | -           | 102,627,517                  | -                                   | 102,627,517    |
| 97350                                   | HAP portability in                                          | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 97400                                   | Depreciation expense                                        | -                            | -                                                   | -                                                    | -                    | 148,706      | -           | 10,334,459                   | -                                   | 10,334,459     |
| 90000A                                  | Total other expenses                                        | 677,901                      | -                                                   | 250                                                  | -                    | 149,206      | -           | 113,986,900                  | 17,500                              | 114,004,400    |
| 90000                                   | Total expenses                                              | 740,141                      | -                                                   | 5,832                                                | 1,164,409            | 8,440,338    | (7,597,908) | 152,717,683                  | 463,992                             | 153,181,675    |
| Other financing sources (uses):         |                                                             |                              |                                                     |                                                      |                      |              |             |                              |                                     |                |
| 10010                                   | Operating transfer in                                       | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 10020                                   | Operating transfer out                                      | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 10040                                   | Operating transfer out - component unit                     | -                            | 193,464                                             | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 10091                                   | Inter project excess cash transfer in                       | -                            | -                                                   | -                                                    | -                    | -            | (287,878)   | -                            | -                                   | -              |
| 10092                                   | Inter project excess cash transfer out                      | -                            | -                                                   | -                                                    | -                    | -            | 287,878     | -                            | -                                   | -              |
| 10093                                   | Transfer from program and project - in                      | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 10094                                   | Transfer from program and project - out                     | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 10100                                   | Total other financing sources (uses)                        | -                            | 193,464                                             | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 10000                                   | <b>EXCESS (DEFICIENCY) OF REVENUE OVER (UNDER) EXPENSES</b> | \$ 362,699                   | \$ 193,464                                          | \$ 226,112                                           | \$ -                 | \$ (221,246) | \$ -        | \$ (8,583,460)               | \$ 1,091,797                        | \$ (7,491,663) |
| <b>Memo Account Information</b>         |                                                             |                              |                                                     |                                                      |                      |              |             |                              |                                     |                |
| 11020                                   | Required annual debt principal payments                     | \$ -                         | \$ -                                                | \$ -                                                 | \$ -                 | \$ -         | \$ -        | \$ 286,167                   | \$ 16,247                           | \$ 302,414     |
| 11030                                   | Beginning equity                                            | -                            | -                                                   | -                                                    | -                    | 2,080,317    | -           | 183,983,986                  | 848,350                             | 184,832,336    |
| 11040                                   | Prior period adjustments, equity transfers & correction     | (362,699)                    | (193,464)                                           | (226,112)                                            | -                    | (6,775,257)  | -           | (29,171,531)                 | -                                   | (29,171,531)   |
| 11170                                   | Administrative fee equity                                   | -                            | -                                                   | -                                                    | -                    | -            | -           | (6,743,415)                  | -                                   | (6,743,415)    |
| 11180                                   | Housing assistance payments equity                          | -                            | -                                                   | -                                                    | -                    | -            | -           | 1,390,398                    | -                                   | 1,390,398      |
| 11190                                   | Unit months available                                       | -                            | -                                                   | -                                                    | -                    | -            | -           | 178,650                      | 1,100                               | 179,750        |
| 11210                                   | Unit months leased                                          | -                            | -                                                   | -                                                    | -                    | -            | -           | 167,702                      | 846                                 | 168,548        |
| 11270                                   | Excess cash                                                 | -                            | -                                                   | -                                                    | -                    | -            | -           | 5,394,606                    | -                                   | 5,394,606      |
| 11610                                   | Land purchases                                              | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 11620                                   | Building purchases                                          | -                            | -                                                   | -                                                    | -                    | -            | -           | 780,319                      | -                                   | 780,319        |
| 11630                                   | Furniture & equipment - dwelling purchases                  | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 11640                                   | Furniture & equipment - administrative purchases            | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |
| 11650                                   | Leasehold improvements                                      | -                            | -                                                   | -                                                    | -                    | -            | -           | -                            | -                                   | -              |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
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| Line Item #                    | Accounts Description                                        | AMP 2301    | AMP 2302    | AMP 2303    | AMP 2304    | AMP 2305          | AMP 2306    | AMP 2307    | AMP 2308    | AMP 2309    | AMP 2310            |
|--------------------------------|-------------------------------------------------------------|-------------|-------------|-------------|-------------|-------------------|-------------|-------------|-------------|-------------|---------------------|
| <b>CURRENT ASSETS</b>          |                                                             |             |             |             |             |                   |             |             |             |             |                     |
| Cash:                          |                                                             |             |             |             |             |                   |             |             |             |             |                     |
| 111                            | Unrestricted                                                | \$ -        | \$ -        | \$ -        | \$ -        | \$ -              | \$ -        | \$ -        | \$ -        | \$ -        | \$ 22,907           |
| 112                            | Cash - restricted - modernization and development           | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 113                            | Other restricted                                            | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 114                            | Tenant security deposits                                    | -           | -           | -           | -           | -                 | -           | -           | -           | -           | 30,758              |
| 115                            | Cash - restricted for payment of current liabilities        | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 100                            | Total cash                                                  | -           | -           | -           | -           | -                 | -           | -           | -           | -           | 53,665              |
| Accounts and notes receivable: |                                                             |             |             |             |             |                   |             |             |             |             |                     |
| 121                            | PHA projects                                                | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 122                            | HUD other projects                                          | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 124                            | Other government                                            | -           | -           | -           | -           | 12,874            | -           | -           | -           | -           | -                   |
| 125                            | Miscellaneous                                               | -           | -           | -           | -           | -                 | -           | -           | -           | -           | 439                 |
| 126                            | Tenants                                                     | -           | -           | -           | -           | -                 | -           | -           | -           | -           | 2,237               |
| 126.1                          | Allowance for doubtful accounts - tenants                   | -           | -           | -           | -           | -                 | -           | -           | -           | -           | (539)               |
| 126.2                          | Allowance for doubtful accounts - other                     | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 127                            | Notes, loans, & mortgage receivable - current               | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 128                            | Fraud recovery                                              | -           | -           | -           | -           | -                 | -           | -           | -           | -           | 871                 |
| 128.1                          | Allowance for doubtful accounts - fraud                     | -           | -           | -           | -           | -                 | -           | -           | -           | -           | (555)               |
| 129                            | Accrued interest receivable                                 | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 120                            | Total receivables, net of allowances for uncollectibles     | -           | -           | -           | -           | 12,874            | -           | -           | -           | -           | 2,453               |
| 131                            | Investments - unrestricted                                  | -           | -           | -           | -           | -                 | -           | -           | -           | -           | 75,815              |
| 132                            | Investments - restricted                                    | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
|                                | Total current investments                                   | -           | -           | -           | -           | -                 | -           | -           | -           | -           | 75,815              |
| 142                            | Prepaid expenses and other assets                           | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 143                            | Inventories                                                 | -           | -           | -           | -           | -                 | -           | -           | -           | -           | 21,476              |
| 143.1                          | Allowance for obsolete inventories                          | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 144                            | Interprogram - due from                                     | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 145                            | Assets held for sale                                        | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 150                            | Total current assets                                        | -           | -           | -           | -           | 12,874            | -           | -           | -           | -           | 153,409             |
| <b>NONCURRENT ASSETS</b>       |                                                             |             |             |             |             |                   |             |             |             |             |                     |
| Fixed assets:                  |                                                             |             |             |             |             |                   |             |             |             |             |                     |
| 161                            | Land                                                        | -           | -           | -           | -           | 377,779           | -           | -           | -           | -           | 3,350,964           |
| 162                            | Buildings                                                   | -           | -           | -           | -           | -                 | -           | -           | -           | -           | 15,432,780          |
| 163                            | Furniture, equipment & mach - dwellings                     | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 164                            | Furniture, equipment & mach - administration                | -           | -           | -           | -           | 248,124           | -           | -           | -           | -           | 7,025               |
| 165                            | Leasehold improvements                                      | -           | -           | -           | -           | 326,022           | -           | -           | -           | -           | 59,827              |
| 166                            | Accumulated depreciation                                    | -           | -           | -           | -           | (334,833)         | -           | -           | -           | -           | (9,852,019)         |
| 167                            | Construction in progress                                    | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 168                            | Infrastructure                                              | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 160                            | Total fixed assets, net of accumulated depreciation         | -           | -           | -           | -           | 617,092           | -           | -           | -           | -           | 8,998,577           |
| 171                            | Notes, loans, and mortgage receivable - noncurrent          | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 172                            | Notes, loans, and mortgage receivable - noncurrent-past due | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 173                            | Grants receivable - noncurrent                              | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 174                            | Other assets                                                | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 176                            | Investments in joint ventures                               | -           | -           | -           | -           | -                 | -           | -           | -           | -           | -                   |
| 180                            | Total noncurrent assets                                     | -           | -           | -           | -           | 617,092           | -           | -           | -           | -           | 8,998,577           |
| 200                            | Deferred Outflow of Resources                               | -           | -           | -           | -           | -                 | -           | -           | -           | -           | 2,702               |
| 290                            | <b>TOTAL ASSETS AND DEFERRED OUTFLOW OF RESOURCES</b>       | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 629,966</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 9,154,688</b> |



**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
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| Line Item #                    | Accounts Description                                          | AMP 2311    | AMP 2312    | AMP 2313    | AMP 2314    | AMP 2315    | AMP 2316    | AMP 2401             | AMP 2402            | AMP 2403            | AMP 2404            |
|--------------------------------|---------------------------------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|----------------------|---------------------|---------------------|---------------------|
| <b>CURRENT ASSETS</b>          |                                                               |             |             |             |             |             |             |                      |                     |                     |                     |
| Cash:                          |                                                               |             |             |             |             |             |             |                      |                     |                     |                     |
| 111                            | Unrestricted                                                  | \$ -        | \$ -        | \$ -        | \$ -        | \$ -        | \$ -        | \$ 81,904            | \$ 301,720          | \$ 239,682          | \$ 47,331           |
| 112                            | Cash - restricted - modernization and development             | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 113                            | Other restricted                                              | -           | -           | -           | -           | -           | -           | -                    | 38                  | -                   | 716                 |
| 114                            | Tenant security deposits                                      | -           | -           | -           | -           | -           | -           | 55,790               | 78,788              | 53,749              | 85,040              |
| 115                            | Cash - restricted for payment of current liabilities          | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 100                            | Total cash                                                    | -           | -           | -           | -           | -           | -           | 137,694              | 380,546             | 293,431             | 133,087             |
| Accounts and notes receivable: |                                                               |             |             |             |             |             |             |                      |                     |                     |                     |
| 121                            | PHA projects                                                  | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 122                            | HUD other projects                                            | -           | -           | -           | -           | -           | -           | 42,391               | -                   | -                   | 11,342              |
| 124                            | Other government                                              | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 125                            | Miscellaneous                                                 | -           | -           | -           | -           | -           | -           | 518                  | 2,091               | 1,931               | 3,189               |
| 126                            | Tenants                                                       | -           | -           | -           | -           | -           | -           | 14,013               | 2,500               | 3,444               | 4,870               |
| 126.1                          | Allowance for doubtful accounts - tenants                     | -           | -           | -           | -           | -           | -           | (7,262)              | (925)               | (2,207)             | (1,369)             |
| 126.2                          | Allowance for doubtful accounts - other                       | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 127                            | Notes, loans, & mortgage receivable - current                 | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 128                            | Fraud recovery                                                | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | 7,891               |
| 128.1                          | Allowance for doubtful accounts - fraud                       | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 129                            | Accrued interest receivable                                   | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 120                            | Total receivables, net of allowances for uncollectibles       | -           | -           | -           | -           | -           | -           | 49,660               | 3,666               | 3,168               | 25,923              |
| 131                            | Investments - unrestricted                                    | -           | -           | -           | -           | -           | -           | 254,137              | 1,149,474           | 793,268             | 158,958             |
| 132                            | Investments - restricted                                      | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
|                                | Total current investments                                     | -           | -           | -           | -           | -           | -           | 254,137              | 1,149,474           | 793,268             | 158,958             |
| 142                            | Prepaid expenses and other assets                             | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 143                            | Inventories                                                   | -           | -           | -           | -           | -           | -           | 47,725               | 133,055             | 43,356              | 91,558              |
| 143.1                          | Allowance for obsolete inventories                            | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 144                            | Interprogram - due from                                       | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 145                            | Assets held for sale                                          | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 150                            | Total current assets                                          | -           | -           | -           | -           | -           | -           | 489,216              | 1,666,741           | 1,133,223           | 409,526             |
| <b>NONCURRENT ASSETS</b>       |                                                               |             |             |             |             |             |             |                      |                     |                     |                     |
| Fixed assets:                  |                                                               |             |             |             |             |             |             |                      |                     |                     |                     |
| 161                            | Land                                                          | -           | -           | -           | -           | -           | -           | 1,169,424            | 1,265,660           | 372,806             | 624,705             |
| 162                            | Buildings                                                     | -           | -           | -           | -           | -           | -           | 46,471,849           | 9,935,204           | 21,768,097          | 18,008,198          |
| 163                            | Furniture, equipment & mach - dwellings                       | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 164                            | Furniture, equipment & mach - administration                  | -           | -           | -           | -           | -           | -           | 57,383               | 122,076             | 317,846             | 131,084             |
| 165                            | Leasehold improvements                                        | -           | -           | -           | -           | -           | -           | 264,496              | 2,101,489           | 1,469,595           | 2,571,242           |
| 166                            | Accumulated depreciation                                      | -           | -           | -           | -           | -           | -           | (18,147,491)         | (6,840,973)         | (17,519,471)        | (13,995,522)        |
| 167                            | Construction in progress                                      | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 168                            | Infrastructure                                                | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 160                            | Total fixed assets, net of accumulated depreciation           | -           | -           | -           | -           | -           | -           | 29,815,661           | 6,583,456           | 6,408,873           | 7,339,707           |
| 171                            | Notes, loans, and mortgage receivable - non current           | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 172                            | Notes, loans, and mortgage receivable - non current- past due | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 173                            | Grants receivable - non current                               | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 174                            | Other assets                                                  | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 176                            | Investments in joint ventures                                 | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 180                            | Total noncurrent assets                                       | -           | -           | -           | -           | -           | -           | 29,815,661           | 6,583,456           | 6,408,873           | 7,339,707           |
| 200                            | Deferred Outflow of Resources                                 | -           | -           | -           | -           | -           | -           | 37,525               | 44,444              | 40,851              | 40,479              |
| 290                            | <b>TOTAL ASSETS AND DEFERRED OUTFLOW OF RESOURCES</b>         | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 30,342,402</b> | <b>\$ 8,294,641</b> | <b>\$ 7,582,947</b> | <b>\$ 7,789,712</b> |

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| Line Item #                    | Accounts Description                                          | AMP 2405            | AMP 2406             | AMP 2407             | AMP 2408            | AMP 2409             | AMP 2410            | AMP 3003            | AMP3005     | AMP 3007    |
|--------------------------------|---------------------------------------------------------------|---------------------|----------------------|----------------------|---------------------|----------------------|---------------------|---------------------|-------------|-------------|
| <b>CURRENT ASSETS</b>          |                                                               |                     |                      |                      |                     |                      |                     |                     |             |             |
| Cash:                          |                                                               |                     |                      |                      |                     |                      |                     |                     |             |             |
| 111                            | Unrestricted                                                  | \$ 6,309            | \$ 83,571            | \$ 213,057           | \$ 165,598          | \$ 147,013           | \$ 52,267           | \$ 1,000            | \$ -        | \$ -        |
| 112                            | Cash - restricted - modernization and development             | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 113                            | Other restricted                                              | -                   | -                    | 234                  | 9,979               | 821,919              | -                   | 2,415               | -           | -           |
| 114                            | Tenant security deposits                                      | 120                 | 94,575               | 108,024              | 146,924             | 141,375              | 26,569              | 4,353               | -           | -           |
| 115                            | Cash - restricted for payment of current liabilities          | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 100                            | Total cash                                                    | <u>6,429</u>        | <u>178,146</u>       | <u>321,315</u>       | <u>322,501</u>      | <u>1,110,307</u>     | <u>78,836</u>       | <u>7,768</u>        | <u>-</u>    | <u>-</u>    |
| Accounts and notes receivable: |                                                               |                     |                      |                      |                     |                      |                     |                     |             |             |
| 121                            | PHA projects                                                  | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 122                            | HUD other projects                                            | -                   | 20,323               | 18,882               | -                   | 15,129               | 22,358              | -                   | -           | -           |
| 124                            | Other government                                              | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 125                            | Miscellaneous                                                 | 2,885               | 3,079                | 3,262                | 3,578               | 4,526                | 250                 | -                   | -           | -           |
| 126                            | Tenants                                                       | -                   | 17,744               | 22,147               | 20,390              | 33,356               | 1,146               | -                   | -           | -           |
| 126.1                          | Allowance for doubtful accounts - tenants                     | -                   | (9,492)              | (9,026)              | (9,789)             | (16,728)             | (837)               | -                   | -           | -           |
| 126.2                          | Allowance for doubtful accounts - other                       | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 127                            | Notes, loans, & mortgage receivable - current                 | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 128                            | Fraud recovery                                                | -                   | 20,129               | 1,211                | 7,730               | 8,057                | 5,596               | -                   | -           | -           |
| 128.1                          | Allowance for doubtful accounts - fraud                       | -                   | (7,727)              | (35)                 | (535)               | (2,225)              | (2,114)             | -                   | -           | -           |
| 129                            | Accrued interest receivable                                   | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 120                            | Total receivables, net of allowances for uncollectibles       | <u>2,885</u>        | <u>44,056</u>        | <u>36,441</u>        | <u>21,374</u>       | <u>42,115</u>        | <u>26,399</u>       | <u>-</u>            | <u>-</u>    | <u>-</u>    |
| 131                            | Investments - unrestricted                                    | 21,147              | 276,601              | 705,188              | 548,071             | 486,564              | 172,984             | -                   | -           | -           |
| 132                            | Investments - restricted                                      | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
|                                | Total current investments                                     | <u>21,147</u>       | <u>276,601</u>       | <u>705,188</u>       | <u>548,071</u>      | <u>486,564</u>       | <u>172,984</u>      | <u>-</u>            | <u>-</u>    | <u>-</u>    |
| 142                            | Prepaid expenses and other assets                             | -                   | -                    | -                    | -                   | -                    | 924,686             | 1,754,905           | -           | -           |
| 143                            | Inventories                                                   | -                   | 61,479               | 142,476              | 120,412             | 56,527               | 28,313              | -                   | -           | -           |
| 143.1                          | Allowance for obsolete inventories                            | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 144                            | Interprogram - due from                                       | -                   | -                    | -                    | -                   | 44,969               | -                   | -                   | -           | -           |
| 145                            | Assets held for sale                                          | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 150                            | Total current assets                                          | <u>30,461</u>       | <u>560,282</u>       | <u>1,205,420</u>     | <u>1,012,358</u>    | <u>1,740,482</u>     | <u>1,231,218</u>    | <u>1,762,673</u>    | <u>-</u>    | <u>-</u>    |
| <b>NONCURRENT ASSETS</b>       |                                                               |                     |                      |                      |                     |                      |                     |                     |             |             |
| Fixed assets:                  |                                                               |                     |                      |                      |                     |                      |                     |                     |             |             |
| 161                            | Land                                                          | 63,239              | 1,852,913            | 602,195              | 509,173             | 5,539,476            | -                   | -                   | -           | -           |
| 162                            | Buildings                                                     | -                   | 18,813,579           | 38,960,188           | 2,930,733           | 39,356,882           | 729,027             | -                   | -           | -           |
| 163                            | Furniture, equipment & mach - dwellings                       | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 164                            | Furniture, equipment & mach - administration                  | -                   | 159,895              | 248,493              | 167,740             | 63,035               | 87,401              | -                   | -           | -           |
| 165                            | Leasehold improvements                                        | -                   | 2,939,152            | 1,955,192            | 1,076,195           | 3,371,358            | 339,905             | -                   | -           | -           |
| 166                            | Accumulated depreciation                                      | (1,373,410)         | (13,097,866)         | (32,648,931)         | (2,202,439)         | (21,582,687)         | (418,875)           | -                   | -           | -           |
| 167                            | Construction in progress                                      | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 168                            | Infrastructure                                                | <u>3,431,176</u>    | <u>-</u>             | <u>-</u>             | <u>-</u>            | <u>-</u>             | <u>-</u>            | <u>-</u>            | <u>-</u>    | <u>-</u>    |
| 160                            | Total fixed assets, net of accumulated depreciation           | <u>2,121,005</u>    | <u>10,667,673</u>    | <u>9,117,137</u>     | <u>2,481,402</u>    | <u>26,748,064</u>    | <u>737,458</u>      | <u>-</u>            | <u>-</u>    | <u>-</u>    |
| 171                            | Notes, loans, and mortgage receivable - non current           | -                   | -                    | -                    | -                   | -                    | -                   | 7,376,318           | -           | -           |
| 172                            | Notes, loans, and mortgage receivable - non current- past due | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 173                            | Grants receivable - non current                               | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 174                            | Other assets                                                  | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 176                            | Investments in joint ventures                                 | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 180                            | Total noncurrent assets                                       | <u>2,121,005</u>    | <u>10,667,673</u>    | <u>9,117,137</u>     | <u>2,481,402</u>    | <u>26,748,064</u>    | <u>737,458</u>      | <u>7,376,318</u>    | <u>-</u>    | <u>-</u>    |
| 200                            | Deferred Outflow of Resources                                 | -                   | 49,099               | 56,299               | 49,198              | 53,629               | -                   | -                   | -           | -           |
| 290                            | <b>TOTAL ASSETS AND DEFERRED OUTFLOW OF RESOURCES</b>         | <u>\$ 2,151,466</u> | <u>\$ 11,277,054</u> | <u>\$ 10,378,856</u> | <u>\$ 3,542,958</u> | <u>\$ 28,542,175</u> | <u>\$ 1,968,676</u> | <u>\$ 9,138,991</u> | <u>\$ -</u> | <u>\$ -</u> |

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| Line Item #                    | Accounts Description                                          | AMP 3008    | AMP 3009    | AMP 3010    | AMP 3016          | AMP 3020    | AMP 3021    | AMP 7001    | Fund 200 'Other Projects' | Project Totals        |
|--------------------------------|---------------------------------------------------------------|-------------|-------------|-------------|-------------------|-------------|-------------|-------------|---------------------------|-----------------------|
| <b>CURRENT ASSETS</b>          |                                                               |             |             |             |                   |             |             |             |                           |                       |
| Cash:                          |                                                               |             |             |             |                   |             |             |             |                           |                       |
| 111                            | Unrestricted                                                  | \$ -        | \$ -        | \$ -        | \$ 61,698         | \$ -        | \$ -        | \$ -        | \$ 277,307                | \$ 1,701,364          |
| 112                            | Cash - restricted - modernization and development             | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 113                            | Other restricted                                              | -           | -           | -           | -                 | -           | -           | -           | 4,306,060                 | 5,141,361             |
| 114                            | Tenant security deposits                                      | -           | -           | -           | 28,916            | -           | -           | -           | -                         | 854,981               |
| 115                            | Cash - restricted for payment of current liabilities          | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 100                            | Total cash                                                    | -           | -           | -           | 90,614            | -           | -           | -           | 4,583,367                 | 7,697,706             |
| Accounts and notes receivable: |                                                               |             |             |             |                   |             |             |             |                           |                       |
| 121                            | PHA projects                                                  | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 122                            | HUD other projects                                            | -           | -           | -           | -                 | -           | -           | -           | -                         | 130,425               |
| 124                            | Other government                                              | -           | -           | -           | -                 | -           | -           | -           | -                         | 12,874                |
| 125                            | Miscellaneous                                                 | -           | -           | -           | 699               | -           | -           | -           | -                         | 26,447                |
| 126                            | Tenants                                                       | -           | -           | -           | 4,548             | -           | -           | -           | -                         | 126,395               |
| 126.1                          | Allowance for doubtful accounts - tenants                     | -           | -           | -           | (1,403)           | -           | -           | -           | -                         | (59,577)              |
| 126.2                          | Allowance for doubtful accounts - other                       | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 127                            | Notes, loans, & mortgage receivable - current                 | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 128                            | Fraud recovery                                                | -           | -           | -           | -                 | -           | -           | -           | -                         | 51,485                |
| 128.1                          | Allowance for doubtful accounts - fraud                       | -           | -           | -           | -                 | -           | -           | -           | -                         | (13,191)              |
| 129                            | Accrued interest receivable                                   | -           | -           | -           | -                 | -           | -           | -           | 26,186                    | 26,186                |
| 120                            | Total receivables, net of allowances for uncollectibles       | -           | -           | -           | 3,844             | -           | -           | -           | 26,186                    | 301,044               |
| 131                            | Investments - unrestricted                                    | -           | -           | -           | 204,199           | -           | -           | -           | -                         | 4,846,406             |
| 132                            | Investments - restricted                                      | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
|                                | Total current investments                                     | -           | -           | -           | 204,199           | -           | -           | -           | -                         | 4,846,406             |
| 142                            | Prepaid expenses and other assets                             | -           | -           | -           | -                 | -           | -           | -           | 118,705                   | 2,798,296             |
| 143                            | Inventories                                                   | -           | -           | -           | 2,727             | -           | -           | -           | -                         | 749,104               |
| 143.1                          | Allowance for obsolete inventories                            | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 144                            | Interprogram - due from                                       | -           | -           | -           | -                 | -           | -           | -           | 2,417,110                 | 2,462,079             |
| 145                            | Assets held for sale                                          | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 150                            | Total current assets                                          | -           | -           | -           | 301,384           | -           | -           | -           | 7,145,368                 | 18,854,635            |
| <b>NONCURRENT ASSETS</b>       |                                                               |             |             |             |                   |             |             |             |                           |                       |
| Fixed assets:                  |                                                               |             |             |             |                   |             |             |             |                           |                       |
| 161                            | Land                                                          | -           | -           | -           | -                 | -           | -           | -           | 1,544,716                 | 17,273,050            |
| 162                            | Buildings                                                     | -           | -           | -           | -                 | -           | -           | -           | 1,572,348                 | 213,978,885           |
| 163                            | Furniture, equipment & mach - dwellings                       | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 164                            | Furniture, equipment & mach - administration                  | -           | -           | -           | -                 | -           | -           | -           | 214,738                   | 1,824,840             |
| 165                            | Leasehold improvements                                        | -           | -           | -           | -                 | -           | -           | -           | 696,226                   | 17,170,699            |
| 166                            | Accumulated depreciation                                      | -           | -           | -           | -                 | -           | -           | -           | (949,963)                 | (138,964,480)         |
| 167                            | Construction in progress                                      | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 168                            | Infrastructure                                                | -           | -           | -           | -                 | -           | -           | -           | -                         | 3,431,176             |
| 160                            | Total fixed assets, net of accumulated depreciation           | -           | -           | -           | -                 | -           | -           | -           | 3,078,065                 | 114,714,170           |
| 171                            | Notes, loans, and mortgage receivable - non current           | -           | -           | -           | -                 | -           | -           | -           | 288,770                   | 7,665,088             |
| 172                            | Notes, loans, and mortgage receivable - non current- past due | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 173                            | Grants receivable - non current                               | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 174                            | Other assets                                                  | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 176                            | Investments in joint ventures                                 | -           | -           | -           | -                 | -           | -           | -           | -                         | -                     |
| 180                            | Total noncurrent assets                                       | -           | -           | -           | -                 | -           | -           | -           | 3,366,835                 | 122,379,258           |
| 200                            | Deferred Outflow of Resources                                 | -           | -           | -           | -                 | -           | -           | -           | -                         | 374,226               |
| 290                            | <b>TOTAL ASSETS AND DEFERRED OUTFLOW OF RESOURCES</b>         | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 301,384</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 10,512,203</b>      | <b>\$ 141,608,119</b> |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
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| Line Item #                    | Accounts Description                                                     | AMP 2301 | AMP 2302 | AMP 2303 | AMP 2304 | AMP 2305   | AMP 2306 | AMP 2307 | AMP 2308 | AMP 2309 | AMP 2310     |
|--------------------------------|--------------------------------------------------------------------------|----------|----------|----------|----------|------------|----------|----------|----------|----------|--------------|
| <b>CURRENT LIABILITIES</b>     |                                                                          |          |          |          |          |            |          |          |          |          |              |
| 311                            | Bank overdraft                                                           | \$ -     | \$ -     | \$ -     | \$ -     | \$ -       | \$ -     | \$ -     | \$ -     | \$ -     | \$ -         |
| 312                            | Accounts payable < 90 days                                               | -        | -        | -        | -        | 19,818     | -        | -        | -        | -        | 5,844        |
| 313                            | Accounts payable > 90 days past due                                      | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 321                            | Accrued wage/payroll taxes payable                                       | -        | -        | -        | -        | -          | -        | -        | -        | -        | 417          |
| 322                            | Accrued compensated absences - current portion                           | -        | -        | -        | -        | -          | -        | -        | -        | -        | 13,051       |
| 324                            | Accrued contingency liability                                            | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 325                            | Accrued interest payable                                                 | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 331                            | Accounts payable - HUD PHA programs                                      | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 332                            | Accounts payable - PHA projects                                          | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 333                            | Accounts payable - other gov.                                            | -        | -        | -        | -        | -          | -        | -        | -        | -        | 13,278       |
| 341                            | Tenant security deposits                                                 | -        | -        | -        | -        | -          | -        | -        | -        | -        | 12,558       |
| 342                            | Deferred revenues                                                        | -        | -        | -        | -        | -          | -        | -        | -        | -        | 1,733        |
| 343                            | Current portion of LT debt - capital projects / mortg                    | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 344                            | Current portion of LT debt - operating                                   | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 345                            | Other current liabilities                                                | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 346                            | Accrued liabilities - other                                              | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 347                            | Inter program - due to                                                   | -        | -        | -        | -        | 174,516    | -        | -        | -        | -        | -            |
| 348                            | Loan liability - current                                                 | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 310                            | Total current liabilities                                                | -        | -        | -        | -        | 194,334    | -        | -        | -        | -        | 46,881       |
| <b>NON-CURRENT LIABILITIES</b> |                                                                          |          |          |          |          |            |          |          |          |          |              |
| 351                            | Long term debt, net of current - capital                                 | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 352                            | Long term debt, net of current - operating                               | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 353                            | Non current liabilities                                                  | -        | -        | -        | -        | -          | -        | -        | -        | -        | 18,200       |
| 354                            | Accrued compensated absences - non-current                               | -        | -        | -        | -        | -          | -        | -        | -        | -        | 52,204       |
| 355                            | Loan liability - non current                                             | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 356                            | FASB 5 liabilities                                                       | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 357                            | Accrued pension and OPEB liabilities                                     | -        | -        | -        | -        | -          | -        | -        | -        | -        | 74,546       |
| 350                            | Total non-current liabilities                                            | -        | -        | -        | -        | -          | -        | -        | -        | -        | 144,950      |
| 300                            | Total liabilities                                                        | -        | -        | -        | -        | 194,334    | -        | -        | -        | -        | 191,831      |
| 400                            | Deferred Inflow of Resources                                             | -        | -        | -        | -        | -          | -        | -        | -        | -        | 14,669       |
| <b>EQUITY</b>                  |                                                                          |          |          |          |          |            |          |          |          |          |              |
| 508.1                          | Invested in capital assets                                               | -        | -        | -        | -        | 617,092    | -        | -        | -        | -        | 8,998,577    |
| 509.2                          | Fund balance reserved                                                    | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 511.2                          | Unreserved, designated fund balance                                      | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 511.1                          | Restricted net assets                                                    | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 512.1                          | Unrestricted net assets                                                  | -        | -        | -        | -        | (181,460)  | -        | -        | -        | -        | (50,389)     |
| 512.2                          | Unreserved undesignated fund balance                                     | -        | -        | -        | -        | -          | -        | -        | -        | -        | -            |
| 513                            | Total equity/net assets                                                  | -        | -        | -        | -        | 435,632    | -        | -        | -        | -        | 8,948,188    |
| 600                            | <b>Total Liabilities, Deferred Inflows of Resources and Equity - Net</b> | \$ -     | \$ -     | \$ -     | \$ -     | \$ 629,966 | \$ -     | \$ -     | \$ -     | \$ -     | \$ 9,154,688 |

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| Line Item #                    | Accounts Description                                                     | AMP 2311    | AMP 2312    | AMP 2313    | AMP 2314    | AMP 2315    | AMP 2316    | AMP 2401             | AMP 2402            | AMP 2403            | AMP 2404            |
|--------------------------------|--------------------------------------------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|----------------------|---------------------|---------------------|---------------------|
| <b>CURRENT LIABILITIES</b>     |                                                                          |             |             |             |             |             |             |                      |                     |                     |                     |
| 311                            | Bank overdraft                                                           | \$ -        | \$ -        | \$ -        | \$ -        | \$ -        | \$ -        | \$ -                 | \$ -                | \$ -                | \$ -                |
| 312                            | Accounts payable < 90 days                                               | -           | -           | -           | -           | -           | -           | 78,502               | 35,752              | 38,608              | 32,890              |
| 313                            | Accounts payable > 90 days past due                                      | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 321                            | Accrued wage/payroll taxes payable                                       | -           | -           | -           | -           | -           | -           | 18,879               | 19,707              | 17,250              | 14,351              |
| 322                            | Accrued compensated absences - current portion                           | -           | -           | -           | -           | -           | -           | 10,535               | 13,196              | 11,105              | 17,822              |
| 324                            | Accrued contingency liability                                            | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 325                            | Accrued interest payable                                                 | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 331                            | Accounts payable - HUD PHA programs                                      | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 332                            | Accounts payable - PHA projects                                          | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 333                            | Accounts payable - other gov.                                            | -           | -           | -           | -           | -           | -           | 53,431               | 159,484             | 54,788              | -                   |
| 341                            | Tenant security deposits                                                 | -           | -           | -           | -           | -           | -           | 55,790               | 78,788              | 53,749              | 66,747              |
| 342                            | Deferred revenues                                                        | -           | -           | -           | -           | -           | -           | 1,317                | 4,633               | 1,108               | 727                 |
| 343                            | Current portion of LT debt - capital projects / mortg                    | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 344                            | Current portion of LT debt - operating                                   | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 345                            | Other current liabilities                                                | -           | -           | -           | -           | -           | -           | -                    | 38                  | -                   | 716                 |
| 346                            | Accrued liabilities - other                                              | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 347                            | Inter program - due to                                                   | -           | -           | -           | -           | -           | -           | 19,781               | -                   | -                   | -                   |
| 348                            | Loan liability - current                                                 | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 310                            | Total current liabilities                                                | -           | -           | -           | -           | -           | -           | 238,235              | 311,598             | 176,608             | 133,253             |
| <b>NON-CURRENT LIABILITIES</b> |                                                                          |             |             |             |             |             |             |                      |                     |                     |                     |
| 351                            | Long term debt, net of current - capital                                 | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 352                            | Long term debt, net of current - operating                               | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 353                            | Non current liabilities                                                  | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | 18,344              |
| 354                            | Accrued compensated absences - non-current                               | -           | -           | -           | -           | -           | -           | 42,140               | 52,786              | 44,421              | 71,286              |
| 355                            | Loan liability - non current                                             | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 356                            | FASB 5 liabilities                                                       | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 357                            | Accrued pension and OPEB liabilities                                     | -           | -           | -           | -           | -           | -           | 1,035,272            | 1,226,140           | 1,127,047           | 1,116,787           |
| 350                            | Total non-current liabilities                                            | -           | -           | -           | -           | -           | -           | 1,077,412            | 1,278,926           | 1,171,468           | 1,206,417           |
| 300                            | Total liabilities                                                        | -           | -           | -           | -           | -           | -           | 1,315,647            | 1,590,524           | 1,348,076           | 1,339,670           |
| 400                            | Deferred Inflow of Resources                                             | -           | -           | -           | -           | -           | -           | 203,727              | 241,288             | 221,789             | 219,770             |
| <b>EQUITY</b>                  |                                                                          |             |             |             |             |             |             |                      |                     |                     |                     |
| 508.1                          | Invested in capital assets                                               | -           | -           | -           | -           | -           | -           | 29,815,661           | 6,583,456           | 6,408,873           | 7,339,707           |
| 509.2                          | Fund balance reserved                                                    | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 511.2                          | Unreserved, designated fund balance                                      | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 511.1                          | Restricted net assets                                                    | -           | -           | -           | -           | -           | -           | -                    | 38                  | -                   | 665                 |
| 512.1                          | Unrestricted net assets                                                  | -           | -           | -           | -           | -           | -           | (992,633)            | (120,665)           | (395,791)           | (1,110,100)         |
| 512.2                          | Unreserved undesignated fund balance                                     | -           | -           | -           | -           | -           | -           | -                    | -                   | -                   | -                   |
| 513                            | Total equity/net assets                                                  | -           | -           | -           | -           | -           | -           | 28,823,028           | 6,462,829           | 6,013,082           | 6,230,272           |
| 600                            | <b>Total Liabilities, Deferred Inflows of Resources and Equity - Net</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 30,342,402</b> | <b>\$ 8,294,641</b> | <b>\$ 7,582,947</b> | <b>\$ 7,789,712</b> |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY**  
**PROJECT FINANCIAL DATA SCHEDULE**  
**SEPTEMBER 30, 2015**

| Line Item #                    | Accounts Description                                                     | AMP 2405            | AMP 2406             | AMP 2407             | AMP 2408            | AMP 2409             | AMP 2410            | AMP 3003            | AMP3005     | AMP 3007    |
|--------------------------------|--------------------------------------------------------------------------|---------------------|----------------------|----------------------|---------------------|----------------------|---------------------|---------------------|-------------|-------------|
| <b>CURRENT LIABILITIES</b>     |                                                                          |                     |                      |                      |                     |                      |                     |                     |             |             |
| 311                            | Bank overdraft                                                           | \$ -                | \$ -                 | \$ -                 | \$ -                | \$ -                 | \$ -                | \$ -                | \$ -        | \$ -        |
| 312                            | Accounts payable < 90 days                                               | -                   | 148,885              | 72,210               | 28,451              | 43,294               | 19,891              | -                   | -           | -           |
| 313                            | Accounts payable > 90 days past due                                      | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 321                            | Accrued wage/payroll taxes payable                                       | -                   | 20,789               | 20,665               | 19,405              | 25,308               | 339                 | -                   | -           | -           |
| 322                            | Accrued compensated absences - current portion                           | -                   | 21,708               | 27,541               | 26,784              | 14,941               | 3,298               | -                   | -           | -           |
| 324                            | Accrued contingency liability                                            | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 325                            | Accrued interest payable                                                 | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 331                            | Accounts payable - HUD PHA programs                                      | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 332                            | Accounts payable - PHA projects                                          | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 333                            | Accounts payable - other gov.                                            | -                   | 8,275                | 38,859               | 13,625              | 46,822               | 9,973               | -                   | -           | -           |
| 341                            | Tenant security deposits                                                 | -                   | 79,170               | 89,931               | 73,630              | 107,485              | 2,555               | 4,353               | -           | -           |
| 342                            | Deferred revenues                                                        | -                   | 4,062                | 3,767                | 2,042               | 11,028               | 738                 | -                   | -           | -           |
| 343                            | Current portion of LT debt - capital projects / mortg                    | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 344                            | Current portion of LT debt - operating                                   | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 345                            | Other current liabilities                                                | -                   | -                    | 234                  | 9,979               | 120                  | -                   | 2,415               | -           | -           |
| 346                            | Accrued liabilities - other                                              | -                   | -                    | -                    | -                   | -                    | -                   | 615,600             | -           | -           |
| 347                            | Inter program - due to                                                   | -                   | 5,218                | -                    | -                   | 4,500                | 43,177              | 158,440             | -           | -           |
| 348                            | Loan liability - current                                                 | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 310                            | Total current liabilities                                                | -                   | <u>288,107</u>       | <u>253,207</u>       | <u>173,916</u>      | <u>253,498</u>       | <u>79,971</u>       | <u>780,808</u>      | -           | -           |
| <b>NON-CURRENT LIABILITIES</b> |                                                                          |                     |                      |                      |                     |                      |                     |                     |             |             |
| 351                            | Long term debt, net of current - capital                                 | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 352                            | Long term debt, net of current - operating                               | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 353                            | Non current liabilities                                                  | 120                 | 15,406               | 18,134               | 73,316              | 33,890               | 24,014              | -                   | -           | -           |
| 354                            | Accrued compensated absences - non-current                               | -                   | 86,831               | 110,166              | 107,136             | 59,495               | 13,193              | -                   | -           | -           |
| 355                            | Loan liability - non current                                             | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 356                            | FASB 5 liabilities                                                       | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 357                            | Accrued pension and OPEB liabilities                                     | -                   | <u>1,354,582</u>     | <u>1,553,215</u>     | <u>1,357,285</u>    | <u>1,479,529</u>     | -                   | -                   | -           | -           |
| 350                            | Total non-current liabilities                                            | <u>120</u>          | <u>1,456,819</u>     | <u>1,681,515</u>     | <u>1,537,737</u>    | <u>1,572,914</u>     | <u>37,207</u>       | -                   | -           | -           |
| 300                            | Total liabilities                                                        | <u>120</u>          | <u>1,744,926</u>     | <u>1,934,722</u>     | <u>1,711,653</u>    | <u>1,826,412</u>     | <u>117,178</u>      | <u>780,808</u>      | -           | -           |
| 400                            | Deferred Inflow of Resources                                             | -                   | <u>266,565</u>       | <u>305,653</u>       | <u>267,096</u>      | <u>291,152</u>       | -                   | -                   | -           | -           |
| <b>EQUITY</b>                  |                                                                          |                     |                      |                      |                     |                      |                     |                     |             |             |
| 508.1                          | Invested in capital assets                                               | 2,121,005           | 10,667,673           | 9,117,137            | 2,481,402           | 26,748,064           | 737,458             | -                   | -           | -           |
| 509.2                          | Fund balance reserved                                                    | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 511.2                          | Unreserved, designated fund balance                                      | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 511.1                          | Restricted net assets                                                    | -                   | (1)                  | 193                  | 9,957               | 821,919              | -                   | 2,415               | -           | -           |
| 512.1                          | Unrestricted net assets                                                  | 30,341              | (1,402,109)          | (978,849)            | (927,150)           | (1,145,372)          | 1,114,040           | 8,355,768           | -           | -           |
| 512.2                          | Unreserved undesignated fund balance                                     | -                   | -                    | -                    | -                   | -                    | -                   | -                   | -           | -           |
| 513                            | Total equity/net assets                                                  | <u>2,151,346</u>    | <u>9,265,563</u>     | <u>8,138,481</u>     | <u>1,564,209</u>    | <u>26,424,611</u>    | <u>1,851,498</u>    | <u>8,358,183</u>    | -           | -           |
| 600                            | <b>Total Liabilities, Deferred Inflows of Resources and Equity - Net</b> | <u>\$ 2,151,466</u> | <u>\$ 11,277,054</u> | <u>\$ 10,378,856</u> | <u>\$ 3,542,958</u> | <u>\$ 28,542,175</u> | <u>\$ 1,968,676</u> | <u>\$ 9,138,991</u> | <u>\$ -</u> | <u>\$ -</u> |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
PROJECT FINANCIAL DATA SCHEDULE  
SEPTEMBER 30, 2015**

| Line<br>Item #                 | Accounts Description                                                     | AMP 3008    | AMP 3009    | AMP 3010    | AMP 3016          | AMP 3020    | AMP 3021    | AMP 7001    | Fund 200<br>'Other Projects' | Project Totals        |
|--------------------------------|--------------------------------------------------------------------------|-------------|-------------|-------------|-------------------|-------------|-------------|-------------|------------------------------|-----------------------|
| <b>CURRENT LIABILITIES</b>     |                                                                          |             |             |             |                   |             |             |             |                              |                       |
| 311                            | Bank overdraft                                                           | \$ -        | \$ -        | \$ -        | \$ -              | \$ -        | \$ -        | \$ -        | \$ -                         | \$ -                  |
| 312                            | Accounts payable < 90 days                                               | -           | -           | -           | 3,715             | -           | -           | -           | 45,576                       | 573,436               |
| 313                            | Accounts payable > 90 days past due                                      | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 321                            | Accrued wage/payroll taxes payable                                       | -           | -           | -           | -                 | -           | -           | -           | -                            | 157,110               |
| 322                            | Accrued compensated absences - current portion                           | -           | -           | -           | -                 | -           | -           | -           | -                            | 159,981               |
| 324                            | Accrued contingency liability                                            | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 325                            | Accrued interest payable                                                 | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 331                            | Accounts payable - HUD PHA programs                                      | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 332                            | Accounts payable - PHA projects                                          | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 333                            | Accounts payable - other gov.                                            | -           | -           | -           | -                 | -           | -           | -           | -                            | 398,535               |
| 341                            | Tenant security deposits                                                 | -           | -           | -           | 16,950            | -           | -           | -           | -                            | 641,706               |
| 342                            | Deferred revenues                                                        | -           | -           | -           | 3,008             | -           | -           | -           | -                            | 34,163                |
| 343                            | Current portion of LT debt - capital projects / mortg                    | -           | -           | -           | -                 | -           | -           | -           | 50,334                       | 50,334                |
| 344                            | Current portion of LT debt - operating                                   | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 345                            | Other current liabilities                                                | -           | -           | -           | -                 | -           | -           | -           | 984                          | 14,486                |
| 346                            | Accrued liabilities - other                                              | -           | -           | -           | -                 | -           | -           | -           | -                            | 615,600               |
| 347                            | Inter program - due to                                                   | -           | -           | -           | 44,969            | -           | -           | -           | -                            | 450,601               |
| 348                            | Loan liability - current                                                 | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 310                            | Total current liabilities                                                | -           | -           | -           | 68,642            | -           | -           | -           | 96,894                       | 3,095,952             |
| <b>NON-CURRENT LIABILITIES</b> |                                                                          |             |             |             |                   |             |             |             |                              |                       |
| 351                            | Long term debt, net of current - capital                                 | -           | -           | -           | -                 | -           | -           | -           | 100,600                      | 100,600               |
| 352                            | Long term debt, net of current - operating                               | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 353                            | Non current liabilities                                                  | -           | -           | -           | 11,966            | -           | -           | -           | -                            | 213,390               |
| 354                            | Accrued compensated absences - non-current                               | -           | -           | -           | -                 | -           | -           | -           | -                            | 639,658               |
| 355                            | Loan liability - non current                                             | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 356                            | FASB 5 liabilities                                                       | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 357                            | Accrued pension and OPEB liabilities                                     | -           | -           | -           | -                 | -           | -           | -           | -                            | 10,324,403            |
| 350                            | Total non-current liabilities                                            | -           | -           | -           | 11,966            | -           | -           | -           | 100,600                      | 11,278,051            |
| 300                            | Total liabilities                                                        | -           | -           | -           | 80,608            | -           | -           | -           | 197,494                      | 14,374,003            |
| 400                            | Deferred Inflow of Resources                                             | -           | -           | -           | -                 | -           | -           | -           | -                            | 2,031,709             |
| <b>EQUITY</b>                  |                                                                          |             |             |             |                   |             |             |             |                              |                       |
| 508.1                          | Invested in capital assets                                               | -           | -           | -           | -                 | -           | -           | -           | 2,927,131                    | 114,563,236           |
| 509.2                          | Fund balance reserved                                                    | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 511.2                          | Unreserved, designated fund balance                                      | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 511                            | Restricted net assets                                                    | -           | -           | -           | -                 | -           | -           | -           | 4,306,060                    | 5,141,246             |
| 512.1                          | Unrestricted net assets                                                  | -           | -           | -           | 220,776           | -           | -           | -           | 3,081,518                    | 5,497,925             |
| 512.2                          | Unreserved undesignated fund balance                                     | -           | -           | -           | -                 | -           | -           | -           | -                            | -                     |
| 513                            | Total equity/net assets                                                  | -           | -           | -           | 220,776           | -           | -           | -           | 10,314,709                   | 125,202,407           |
| 600                            | <b>Total Liabilities, Deferred Inflows of Resources and Equity - Net</b> | <u>\$ -</u> | <u>\$ -</u> | <u>\$ -</u> | <u>\$ 301,384</u> | <u>\$ -</u> | <u>\$ -</u> | <u>\$ -</u> | <u>\$ 10,512,203</u>         | <u>\$ 141,608,119</u> |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
PROJECT FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line Item #                        | Accounts Description                              | AMP 2301 | AMP 2302 | AMP 2303 | AMP 2304 | AMP 2305 | AMP 2306 | AMP 2307 | AMP 2308 | AMP 2309 | AMP 2310  |
|------------------------------------|---------------------------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|-----------|
| <b>REVENUE</b>                     |                                                   |          |          |          |          |          |          |          |          |          |           |
| 70300                              | Net tenant rental revenue                         | \$ -     | \$ -     | \$ -     | \$ -     | \$ -     | \$ -     | \$ -     | \$ -     | \$ -     | \$ 83,907 |
| 70400                              | Tenant revenue - other                            | -        | -        | -        | -        | -        | -        | -        | -        | -        | 2,433     |
| 70500                              | Total tenant revenue                              | -        | -        | -        | -        | -        | -        | -        | -        | -        | 86,340    |
| 70600                              | HUD PHA operating grants                          | -        | -        | -        | -        | -        | -        | -        | -        | -        | 244,458   |
| 70610                              | Capital grants                                    | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 70710                              | Management fee                                    | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 70720                              | Asset management fee                              | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 70730                              | Bookkeeping fee                                   | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 70740                              | Front line service fee                            | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 70750                              | Other fees                                        | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 70700                              | Total fee revenue                                 | -        | -        | -        | -        | -        | -        | -        | -        | -        | 244,458   |
| 70800                              | Other government grants                           | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 71100                              | Investment income - unrestricted                  | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 71200                              | Mortgage interest income                          | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 71300                              | Proceeds from disposition of assets held for sale | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 71310                              | Cost of sale of assets                            | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 71400                              | Fraud recovery                                    | -        | -        | -        | -        | -        | -        | -        | -        | -        | 1,168     |
| 71500                              | Other revenue                                     | -        | -        | -        | -        | 8,685    | -        | -        | -        | -        | 5,433     |
| 71600                              | Gain or loss on sale of capital assets            | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 72000                              | Investment income - restricted                    | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 70000                              | Total revenue                                     | -        | -        | -        | -        | 8,685    | -        | -        | -        | -        | 337,399   |
| <b>EXPENSES</b>                    |                                                   |          |          |          |          |          |          |          |          |          |           |
| Administrative:                    |                                                   |          |          |          |          |          |          |          |          |          |           |
| 91100                              | Administrative salaries                           | -        | -        | -        | -        | -        | -        | -        | -        | -        | 9,771     |
| 91200                              | Auditing fees                                     | -        | -        | -        | -        | -        | -        | -        | -        | -        | 1,229     |
| 91300                              | Management fee                                    | -        | -        | -        | -        | -        | -        | -        | -        | -        | 33,181    |
| 91310                              | Bookkeeping fee                                   | -        | -        | -        | -        | -        | -        | -        | -        | -        | 4,013     |
| 91400                              | Advertising and marketing                         | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 91500                              | Employee benefit contributions - administrative   | -        | -        | -        | -        | -        | -        | -        | -        | -        | 5,019     |
| 91600                              | Office expenses                                   | -        | -        | -        | -        | -        | -        | -        | -        | -        | 7,745     |
| 91700                              | Legal expense                                     | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 91800                              | Travel                                            | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 91810                              | Allocated overhead                                | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 91900                              | Other fees                                        | -        | -        | -        | -        | -        | -        | -        | -        | -        | 46,249    |
| 91000                              | Total administrative                              | -        | -        | -        | -        | -        | -        | -        | -        | -        | 107,207   |
| 92000                              | Asset management fee                              | -        | -        | -        | -        | -        | -        | -        | -        | -        | 5,520     |
| Tenant services:                   |                                                   |          |          |          |          |          |          |          |          |          |           |
| 92100                              | Salaries                                          | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 92200                              | Relocation costs                                  | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 92300                              | Employee benefit contributions                    | -        | -        | -        | -        | -        | -        | -        | -        | -        | 244       |
| 92400                              | Other                                             | -        | -        | -        | -        | -        | -        | -        | -        | -        | 2,358     |
| 92500                              | Total tenant services                             | -        | -        | -        | -        | -        | -        | -        | -        | -        | 2,602     |
| Utilities:                         |                                                   |          |          |          |          |          |          |          |          |          |           |
| 93100                              | Water                                             | -        | -        | -        | -        | 86,849   | -        | -        | -        | -        | 27,479    |
| 93200                              | Electricity                                       | -        | -        | -        | -        | -        | -        | -        | -        | -        | 465       |
| 93300                              | Gas                                               | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 93400                              | Fuel                                              | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 93500                              | Labor                                             | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 93600                              | Sewer                                             | -        | -        | -        | -        | -        | -        | -        | -        | -        | 11,085    |
| 93800                              | Other utilities expense                           | -        | -        | -        | -        | -        | -        | -        | -        | -        | -         |
| 93000                              | Total utilities                                   | -        | -        | -        | -        | 86,849   | -        | -        | -        | -        | 39,029    |
| Ordinary maintenance & operations: |                                                   |          |          |          |          |          |          |          |          |          |           |
| 94100                              | Labor                                             | -        | -        | -        | -        | 967      | -        | -        | -        | -        | 28,766    |
| 94200                              | Materials and other                               | -        | -        | -        | -        | -        | -        | -        | -        | -        | 27,685    |
| 94300                              | Contracts                                         | -        | -        | -        | -        | 3,412    | -        | -        | -        | -        | 52,155    |
| 94500                              | Employee benefits contribution                    | -        | -        | -        | -        | 376      | -        | -        | -        | -        | 14,738    |
| 94000                              | Total ordinary maintenance & operations           | -        | -        | -        | -        | 4,755    | -        | -        | -        | -        | 123,344   |



**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
PROJECT FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line<br>Item #                     | Accounts Description                              | AMP 2311 | AMP 2312 | AMP 2313 | AMP 2314 | AMP 2315 | AMP 2316 | AMP 2401   | AMP 2402     | AMP 2403   | AMP 2404   |
|------------------------------------|---------------------------------------------------|----------|----------|----------|----------|----------|----------|------------|--------------|------------|------------|
| <b>REVENUE</b>                     |                                                   |          |          |          |          |          |          |            |              |            |            |
| 70300                              | Net tenant rental revenue                         | \$ -     | \$ -     | \$ -     | \$ -     | \$ -     | \$ -     | \$ 641,777 | \$ 1,210,500 | \$ 754,601 | \$ 553,835 |
| 70400                              | Tenant revenue - other                            | -        | -        | -        | -        | -        | -        | 22,098     | 28,259       | 16,645     | 33,007     |
| 70500                              | Total tenant revenue                              | -        | -        | -        | -        | -        | -        | 663,875    | 1,238,759    | 771,246    | 586,842    |
| 70600                              | HUD PHA operating grants                          | -        | -        | -        | -        | -        | -        | 1,817,611  | 1,888,293    | 1,184,294  | 1,214,380  |
| 70610                              | Capital grants                                    | -        | -        | -        | -        | -        | -        | 27,211     | -            | -          | 197,626    |
| 70710                              | Management fee                                    | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 70720                              | Asset management fee                              | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 70730                              | Bookkeeping fee                                   | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 70740                              | Front line service fee                            | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 70750                              | Other fees                                        | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 70700                              | Total fee revenue                                 | -        | -        | -        | -        | -        | -        | 1,844,822  | 1,888,293    | 1,184,294  | 1,412,006  |
| 70800                              | Other government grants                           | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 71100                              | Investment income - unrestricted                  | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 71200                              | Mortgage interest income                          | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 71300                              | Proceeds from disposition of assets held for sale | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 71310                              | Cost of sale of assets                            | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 71400                              | Fraud recovery                                    | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 71500                              | Other revenue                                     | -        | -        | -        | -        | -        | -        | -          | 6,469        | 29,844     | 59,252     |
| 71600                              | Gain or loss on sale of capital assets            | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 72000                              | Investment income - restricted                    | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 70000                              | Total revenue                                     | -        | -        | -        | -        | -        | -        | 2,508,697  | 3,133,521    | 1,985,384  | 2,058,100  |
| <b>EXPENSES</b>                    |                                                   |          |          |          |          |          |          |            |              |            |            |
| Administrative:                    |                                                   |          |          |          |          |          |          |            |              |            |            |
| 91100                              | Administrative salaries                           | -        | -        | -        | -        | -        | -        | 271,578    | 183,752      | 172,218    | 148,522    |
| 91200                              | Auditing fees                                     | -        | -        | -        | -        | -        | -        | 6,487      | 9,858        | 6,315      | 5,907      |
| 91300                              | Management fee                                    | -        | -        | -        | -        | -        | -        | 560,791    | 331,435      | 203,053    | 194,371    |
| 91310                              | Bookkeeping fee                                   | -        | -        | -        | -        | -        | -        | 25,515     | 40,080       | 24,555     | 23,505     |
| 91400                              | Advertising and marketing                         | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 91500                              | Employee benefit contributions - administrative   | -        | -        | -        | -        | -        | -        | 147,586    | 110,849      | 101,939    | 90,863     |
| 91600                              | Office expenses                                   | -        | -        | -        | -        | -        | -        | 12,249     | 14,875       | 12,769     | 14,549     |
| 91700                              | Legal expense                                     | -        | -        | -        | -        | -        | -        | 17,429     | 3,176        | -          | -          |
| 91800                              | Travel                                            | -        | -        | -        | -        | -        | -        | 5,341      | 3,197        | 150        | 67         |
| 91810                              | Allocated overhead                                | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 91900                              | Other fees                                        | -        | -        | -        | -        | -        | -        | 240,874    | 301,788      | 229,724    | 207,474    |
| 91000                              | Total administrative                              | -        | -        | -        | -        | -        | -        | 1,287,850  | 999,010      | 750,723    | 685,258    |
| 92000                              | Asset management fee                              | -        | -        | -        | -        | -        | -        | 36,240     | 55,080       | 35,280     | 33,000     |
| Tenant services:                   |                                                   |          |          |          |          |          |          |            |              |            |            |
| 92100                              | Salaries                                          | -        | -        | -        | -        | -        | -        | 32,233     | 80,300       | 40,419     | 29,567     |
| 92200                              | Relocation costs                                  | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 92300                              | Employee benefit contributions                    | -        | -        | -        | -        | -        | -        | 21,926     | 50,686       | 26,903     | 20,430     |
| 92400                              | Other                                             | -        | -        | -        | -        | -        | -        | 7,003      | 9,986        | 2,542      | 3,650      |
| 92500                              | Total tenant services                             | -        | -        | -        | -        | -        | -        | 61,162     | 140,972      | 69,864     | 53,647     |
| Utilities:                         |                                                   |          |          |          |          |          |          |            |              |            |            |
| 93100                              | Water                                             | -        | -        | -        | -        | -        | -        | 123,241    | 99,348       | 55,125     | 120,156    |
| 93200                              | Electricity                                       | -        | -        | -        | -        | -        | -        | 113,262    | 247,990      | 225,293    | 43,436     |
| 93300                              | Gas                                               | -        | -        | -        | -        | -        | -        | 22,799     | 49,835       | 46,840     | 2,696      |
| 93400                              | Fuel                                              | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 93500                              | Labor                                             | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 93600                              | Sewer                                             | -        | -        | -        | -        | -        | -        | 60,350     | 96,936       | 71,379     | 66,760     |
| 93800                              | Other utilities expense                           | -        | -        | -        | -        | -        | -        | -          | -            | -          | -          |
| 93000                              | Total utilities                                   | -        | -        | -        | -        | -        | -        | 319,652    | 494,109      | 398,637    | 233,048    |
| Ordinary maintenance & operations: |                                                   |          |          |          |          |          |          |            |              |            |            |
| 94100                              | Labor                                             | -        | -        | -        | -        | -        | -        | 256,565    | 278,999      | 292,332    | 320,751    |
| 94200                              | Materials and other                               | -        | -        | -        | -        | -        | -        | 49,307     | 55,954       | 59,259     | 104,540    |
| 94300                              | Contracts                                         | -        | -        | -        | -        | -        | -        | 271,856    | 432,071      | 245,343    | 166,870    |
| 94500                              | Employee benefits contribution                    | -        | -        | -        | -        | -        | -        | 147,064    | 163,088      | 169,566    | 184,548    |
| 94000                              | Total ordinary maintenance & operations           | -        | -        | -        | -        | -        | -        | 724,792    | 930,112      | 766,500    | 776,709    |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
PROJECT FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line Item #                        | Accounts Description                              | AMP 2405 | AMP 2406   | AMP 2407   | AMP 2408   | AMP 2409   | AMP 2410  | AMP 3003 | AMP3005 | AMP 3007 |
|------------------------------------|---------------------------------------------------|----------|------------|------------|------------|------------|-----------|----------|---------|----------|
| <b>REVENUE</b>                     |                                                   |          |            |            |            |            |           |          |         |          |
| 70300                              | Net tenant rental revenue                         | \$ -     | \$ 376,882 | \$ 512,826 | \$ 226,745 | \$ 591,270 | \$ 84,861 | \$ -     | \$ -    | \$ -     |
| 70400                              | Tenant revenue - other                            | -        | 71,649     | 55,038     | 45,354     | 41,366     | 14,071    | -        | -       | -        |
| 70500                              | Total tenant revenue                              | -        | 448,531    | 567,864    | 272,099    | 632,636    | 98,932    | -        | -       | -        |
| 70600                              | HUD PHA operating grants                          | 306,521  | 1,916,685  | 2,447,164  | 1,996,621  | 1,429,484  | 1,501,529 | 165,279  | -       | -        |
| 70610                              | Capital grants                                    | -        | 555,482    | -          | -          | -          | -         | -        | -       | -        |
| 70710                              | Management fee                                    | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 70720                              | Asset management fee                              | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 70730                              | Bookkeeping fee                                   | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 70740                              | Front line service fee                            | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 70750                              | Other fees                                        | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 70700                              | Total fee revenue                                 | 306,521  | 2,472,167  | 2,447,164  | 1,996,621  | 1,429,484  | 1,501,529 | 165,279  | -       | -        |
| 70800                              | Other government grants                           | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 71100                              | Investment income - unrestricted                  | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 71200                              | Mortgage interest income                          | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 71300                              | Proceeds from disposition of assets held for sale | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 71310                              | Cost of sale of assets                            | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 71400                              | Fraud recovery                                    | -        | -          | -          | -          | 3,409      | -         | -        | -       | -        |
| 71500                              | Other revenue                                     | 4,770    | 66,553     | 36,796     | 99,445     | 23,956     | 4,115     | 40,083   | -       | -        |
| 71600                              | Gain or loss on sale of capital assets            | -        | -          | -          | -          | -          | -         | (38,900) | -       | -        |
| 72000                              | Investment income - restricted                    | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 70000                              | Total revenue                                     | 311,291  | 2,987,251  | 3,051,824  | 2,368,165  | 2,089,485  | 1,604,576 | 166,462  | -       | -        |
| <b>EXPENSES</b>                    |                                                   |          |            |            |            |            |           |          |         |          |
| Administrative:                    |                                                   |          |            |            |            |            |           |          |         |          |
| 91100                              | Administrative salaries                           | 336      | 205,432    | 195,276    | 153,521    | 182,422    | 32,145    | 8,609    | -       | -        |
| 91200                              | Auditing fees                                     | -        | 6,359      | 8,249      | 6,853      | 7,207      | 2,407     | -        | -       | -        |
| 91300                              | Management fee                                    | -        | 203,674    | 267,120    | 218,931    | 211,985    | 68,161    | 41,864   | -       | -        |
| 91310                              | Bookkeeping fee                                   | -        | 24,630     | 32,303     | 26,475     | 25,635     | 6,780     | -        | -       | -        |
| 91400                              | Advertising and marketing                         | -        | -          | -          | 14         | -          | 546       | -        | -       | -        |
| 91500                              | Employee benefit contributions - administrative   | 78       | 118,889    | 114,971    | 95,082     | 111,055    | 15,660    | 4,263    | -       | -        |
| 91600                              | Office expenses                                   | 3        | 11,415     | 14,303     | 14,089     | 45,544     | 3,834     | -        | -       | -        |
| 91700                              | Legal expense                                     | -        | 306        | -          | 3,692      | -          | 72        | -        | -       | -        |
| 91800                              | Travel                                            | -        | 225        | 179        | 383        | 265        | -         | -        | -       | -        |
| 91810                              | Allocated overhead                                | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 91900                              | Other fees                                        | -        | 223,470    | 288,667    | 300,224    | 217,395    | 55,486    | 209      | -       | -        |
| 91000                              | Total administrative                              | 417      | 794,400    | 921,068    | 819,264    | 801,508    | 185,091   | 54,945   | -       | -        |
| 92000                              | Asset management fee                              | -        | 35,520     | 46,080     | 37,680     | 35,040     | 10,840    | -        | -       | -        |
| Tenant services:                   |                                                   |          |            |            |            |            |           |          |         |          |
| 92100                              | Salaries                                          | -        | 133        | -          | -          | 31         | -         | -        | -       | -        |
| 92200                              | Relocation costs                                  | -        | -          | -          | -          | -          | 54,691    | -        | -       | -        |
| 92300                              | Employee benefit contributions                    | -        | 4,741      | 5,319      | 4,707      | 5,157      | -         | -        | -       | -        |
| 92400                              | Other                                             | 25       | 1,047      | 2,403      | 882        | 11,870     | 2,291     | 969      | -       | -        |
| 92500                              | Total tenant services                             | 25       | 5,921      | 7,722      | 5,589      | 17,058     | 56,982    | 969      | -       | -        |
| Utilities:                         |                                                   |          |            |            |            |            |           |          |         |          |
| 93100                              | Water                                             | -        | 93,154     | 188,115    | 144,459    | 115,479    | 24,309    | 24,127   | -       | -        |
| 93200                              | Electricity                                       | -        | 38,273     | 54,687     | 47,347     | 8,823      | 14,376    | 7,064    | -       | -        |
| 93300                              | Gas                                               | -        | 4,297      | 9,276      | 2,455      | 2,266      | 696       | -        | -       | -        |
| 93400                              | Fuel                                              | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 93500                              | Labor                                             | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 93600                              | Sewer                                             | -        | 51,785     | 67,881     | 64,366     | 95,331     | 16,696    | 11,020   | -       | -        |
| 93800                              | Other utilities expense                           | -        | -          | -          | -          | -          | -         | -        | -       | -        |
| 93000                              | Total utilities                                   | -        | 187,509    | 319,959    | 258,627    | 221,899    | 56,077    | 42,211   | -       | -        |
| Ordinary maintenance & operations: |                                                   |          |            |            |            |            |           |          |         |          |
| 94100                              | Labor                                             | -        | 413,160    | 515,961    | 456,504    | 482,593    | 69,730    | -        | -       | -        |
| 94200                              | Materials and other                               | -        | 87,332     | 183,625    | 75,274     | 174,468    | 29,241    | -        | -       | -        |
| 94300                              | Contracts                                         | -        | 281,769    | 365,931    | 207,120    | 311,348    | 36,824    | 3,380    | -       | -        |
| 94500                              | Employee benefits contribution                    | -        | 235,208    | 291,855    | 260,068    | 275,641    | 34,630    | -        | -       | -        |
| 94000                              | Total ordinary maintenance & operations           | -        | 1,017,469  | 1,357,372  | 998,966    | 1,244,050  | 170,425   | 3,380    | -       | -        |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
PROJECT FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line<br>Item #                     | Accounts Description                              | AMP 3008 | AMP 3009 | AMP 3010 | AMP 3016   | AMP 3020 | AMP 3021 | AMP 7001 | Fund 200 'Other<br>Projects' | Project Totals  |
|------------------------------------|---------------------------------------------------|----------|----------|----------|------------|----------|----------|----------|------------------------------|-----------------|
| <b>REVENUE</b>                     |                                                   |          |          |          |            |          |          |          |                              |                 |
| 70300                              | Net tenant rental revenue                         | \$ -     | \$ -     | \$ -     | \$ 105,079 | \$ -     | \$ -     | \$ -     | \$ -                         | \$ 5,142,283.00 |
| 70400                              | Tenant revenue - other                            | -        | -        | -        | 4,814      | -        | -        | -        | -                            | 334,734         |
| 70500                              | Total tenant revenue                              | -        | -        | -        | 109,893    | -        | -        | -        | -                            | 5,477,017       |
| 70600                              | HUD PHA operating grants                          | -        | -        | -        | 190,694    | -        | -        | -        | -                            | 16,303,013      |
| 70610                              | Capital grants                                    | -        | -        | -        | -          | -        | -        | -        | -                            | 780,319         |
| 70710                              | Management fee                                    | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 70720                              | Asset management fee                              | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 70730                              | Bookkeeping fee                                   | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 70740                              | Front line service fee                            | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 70750                              | Other fees                                        | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 70700                              | Total fee revenue                                 | -        | -        | -        | 190,694    | -        | -        | -        | -                            | 17,083,332      |
| 70800                              | Other government grants                           | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 71100                              | Investment income - unrestricted                  | -        | -        | -        | -          | -        | -        | -        | 16,167                       | 16,167          |
| 71200                              | Mortgage interest income                          | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 71300                              | Proceeds from disposition of assets held for sale | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 71310                              | Cost of sale of assets                            | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 71400                              | Fraud recovery                                    | -        | -        | -        | -          | -        | -        | -        | -                            | 4,577           |
| 71500                              | Other revenue                                     | -        | -        | -        | 5          | -        | -        | -        | 13,529                       | 398,935         |
| 71600                              | Gain or loss on sale of capital assets            | -        | -        | -        | -          | -        | -        | -        | -                            | (38,900)        |
| 72000                              | Investment income - restricted                    | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 70000                              | Total revenue                                     | -        | -        | -        | 300,592    | -        | -        | -        | 29,696                       | 22,941,128      |
| <b>EXPENSES</b>                    |                                                   |          |          |          |            |          |          |          |                              |                 |
| Administrative:                    |                                                   |          |          |          |            |          |          |          |                              |                 |
| 91100                              | Administrative salaries                           | -        | -        | -        | -          | -        | -        | -        | -                            | 1,563,582       |
| 91200                              | Auditing fees                                     | -        | -        | -        | -          | -        | -        | -        | -                            | 60,871          |
| 91300                              | Management fee                                    | -        | -        | -        | 34,979     | -        | -        | -        | -                            | 2,369,545       |
| 91310                              | Bookkeeping fee                                   | -        | -        | -        | 4,230      | -        | -        | -        | -                            | 237,721         |
| 91400                              | Advertising and marketing                         | -        | -        | -        | -          | -        | -        | -        | -                            | 560             |
| 91500                              | Employee benefit contributions - administrative   | -        | -        | -        | -          | -        | -        | -        | -                            | 916,254         |
| 91600                              | Office expenses                                   | -        | -        | -        | 616        | -        | -        | -        | -                            | 151,991         |
| 91700                              | Legal expense                                     | -        | -        | -        | -          | -        | -        | -        | -                            | 24,675          |
| 91800                              | Travel                                            | -        | -        | -        | -          | -        | -        | -        | -                            | 9,807           |
| 91810                              | Allocated overhead                                | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 91900                              | Other fees                                        | -        | -        | -        | 858        | -        | -        | -        | 8,830                        | 2,121,248       |
| 91000                              | Total administrative                              | -        | -        | -        | 40,683     | -        | -        | -        | 8,830                        | 7,456,254       |
| 92000                              | Asset management fee                              | -        | -        | -        | 5,760      | -        | -        | -        | -                            | 336,040         |
| Tenant services:                   |                                                   |          |          |          |            |          |          |          |                              |                 |
| 92100                              | Salaries                                          | -        | -        | -        | -          | -        | -        | -        | -                            | 182,683         |
| 92200                              | Relocation costs                                  | -        | -        | -        | -          | -        | -        | -        | -                            | 54,691          |
| 92300                              | Employee benefit contributions                    | -        | -        | -        | -          | -        | -        | -        | -                            | 140,113         |
| 92400                              | Other                                             | -        | -        | -        | 1,451      | -        | -        | -        | -                            | 46,477          |
| 92500                              | Total tenant services                             | -        | -        | -        | 1,451      | -        | -        | -        | -                            | 423,964         |
| Utilities:                         |                                                   |          |          |          |            |          |          |          |                              |                 |
| 93100                              | Water                                             | -        | -        | -        | 122        | -        | -        | -        | -                            | 1,101,963       |
| 93200                              | Electricity                                       | -        | -        | -        | -          | -        | -        | -        | -                            | 801,016         |
| 93300                              | Gas                                               | -        | -        | -        | -          | -        | -        | -        | -                            | 141,160         |
| 93400                              | Fuel                                              | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 93500                              | Labor                                             | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 93600                              | Sewer                                             | -        | -        | -        | 114        | -        | -        | -        | -                            | 613,703         |
| 93800                              | Other utilities expense                           | -        | -        | -        | -          | -        | -        | -        | -                            | -               |
| 93000                              | Total utilities                                   | -        | -        | -        | 236        | -        | -        | -        | -                            | 2,657,842       |
| Ordinary maintenance & operations: |                                                   |          |          |          |            |          |          |          |                              |                 |
| 94100                              | Labor                                             | -        | -        | -        | -          | -        | -        | -        | -                            | 3,116,328       |
| 94200                              | Materials and other                               | -        | -        | -        | 9,551      | -        | -        | -        | -                            | 856,236         |
| 94300                              | Contracts                                         | -        | -        | -        | 10,211     | -        | -        | -        | -                            | 2,388,290       |
| 94500                              | Employee benefits contribution                    | -        | -        | -        | -          | -        | -        | -        | -                            | 1,776,782       |
| 94000                              | Total ordinary maintenance & operations           | -        | -        | -        | 19,762     | -        | -        | -        | -                            | 8,137,636       |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
PROJECT FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line Item # | Accounts Description                                                | AMP 2301    | AMP 2302     | AMP 2303    | AMP 2304    | AMP 2305     | AMP 2306    | AMP 2307    | AMP 2308    | AMP 2309    | AMP 2310     |
|-------------|---------------------------------------------------------------------|-------------|--------------|-------------|-------------|--------------|-------------|-------------|-------------|-------------|--------------|
|             | Protective services:                                                |             |              |             |             |              |             |             |             |             |              |
| 95100       | Labor                                                               | \$ -        | \$ -         | \$ -        | \$ -        | \$ -         | \$ -        | \$ -        | \$ -        | \$ -        | \$ -         |
| 95200       | Other contract costs                                                | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 95300       | Other                                                               | -           | -            | -           | -           | -            | -           | -           | -           | -           | 213          |
| 95500       | Employee benefit contributions                                      | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 95000       | Total protective services                                           | -           | -            | -           | -           | -            | -           | -           | -           | -           | 213          |
| 96110       | Property insurance                                                  | -           | -            | -           | -           | -            | -           | -           | -           | -           | 7,090        |
| 96120       | Liability insurance                                                 | -           | -            | -           | -           | -            | -           | -           | -           | -           | 1,978        |
| 96130       | Workmen's compensation                                              | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 96140       | All other insurance                                                 | -           | -            | -           | -           | -            | -           | -           | -           | -           | 8,180        |
| 96100       | Total insurance premiums                                            | -           | -            | -           | -           | -            | -           | -           | -           | -           | 17,248       |
|             | General expenses:                                                   |             |              |             |             |              |             |             |             |             |              |
| 96200       | Other general expenses                                              | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 96210       | Compensated absences                                                | -           | -            | -           | -           | -            | -           | -           | -           | -           | 13,249       |
| 96300       | Payments in lieu of taxes                                           | -           | -            | -           | -           | -            | -           | -           | -           | -           | 5,816        |
| 96400       | Bad debt - tenant rents                                             | -           | -            | -           | -           | -            | -           | -           | -           | -           | 10,814       |
| 96500       | Bad debt - mortgages                                                | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 96600       | Bad debt - other                                                    | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 96800       | Severance expense                                                   | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 96000       | Total general expenses                                              | -           | -            | -           | -           | -            | -           | -           | -           | -           | 29,879       |
| 96710       | Interest of mortgage (or bonds) payable                             | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 96720       | Interest on notes payable (short and long term)                     | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 96730       | Amortization of bond issue costs                                    | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 96700       | Total interest expense and amortization cost                        | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 96900       | Total operating expenses                                            | -           | -            | -           | -           | 91,604       | -           | -           | -           | -           | 325,042      |
| 97000       | Excess of operating revenue over operating expenses                 | -           | -            | -           | -           | (82,919)     | -           | -           | -           | -           | 12,357       |
| 97100       | Extraordinary maintenance                                           | -           | -            | -           | -           | 12,531       | -           | -           | -           | -           | 12,078       |
| 97200       | Casualty losses - non capitalized                                   | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 97300       | Housing assistance payments                                         | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 97350       | HAP portability-in                                                  | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 97400       | Depreciation expense                                                | -           | -            | -           | -           | 22,024       | -           | -           | -           | -           | 429,906      |
| 97500       | Fraud losses                                                        | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 97600       | Capital outlays - governmental funds                                | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 97700       | Debt principal payment - governmental funds                         | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 97800       | Dwelling units rent expense                                         | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 90000       | Total expenses                                                      | -           | -            | -           | -           | 126,159      | -           | -           | -           | -           | 767,026      |
|             | Other financing sources (uses):                                     |             |              |             |             |              |             |             |             |             |              |
| 10091       | Inter project excess cash transfer in                               | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 10092       | Inter project excess cash transfer out                              | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 10093       | Transfers between program and project - in                          | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |
| 10000       | <b>EXCESS (DEFICIENCY) OF REVENUE OVER (UNDER) EXPENSES</b>         | \$ -        | \$ -         | \$ -        | \$ -        | \$ (117,474) | \$ -        | \$ -        | \$ -        | \$ -        | \$ (429,627) |
|             | <b>Memo Account Information</b>                                     |             |              |             |             |              |             |             |             |             |              |
| 11020       | Required annual debt principal payments                             | \$ -        | \$ -         | \$ -        | \$ -        | \$ -         | \$ -        | \$ -        | \$ -        | \$ -        | \$ -         |
| 11030       | Beginning equity                                                    | 1,398,901   | 12,861,332   | 5,205,239   | 1,262,299   | 553,106      | 4,811,364   | 3,163,907   | 7,076,501   | 1,436,984   | 9,459,540    |
| 11040       | Prior period adjustments, equity transfers and correction of errors | (1,398,901) | (12,861,332) | (5,205,239) | (1,262,299) | -            | (4,811,364) | (3,163,907) | (7,076,501) | (1,436,984) | (81,725)     |
| 11190       | Unit months available                                               | -           | -            | -           | -           | -            | -           | -           | -           | -           | 552          |
| 11210       | Number of unit months leased                                        | -           | -            | -           | -           | -            | -           | -           | -           | -           | 535          |
| 11270       | Excess cash                                                         | -           | -            | -           | -           | (189,093)    | -           | -           | -           | -           | 58,434       |
| 11620       | Building purchases                                                  | -           | -            | -           | -           | -            | -           | -           | -           | -           | -            |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
PROJECT FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line Item #                            | Accounts Description                                                | AMP 2311     | AMP 2312    | AMP 2313    | AMP 2314  | AMP 2315    | AMP 2316    | AMP 2401       | AMP 2402     | AMP 2403     | AMP 2404     |
|----------------------------------------|---------------------------------------------------------------------|--------------|-------------|-------------|-----------|-------------|-------------|----------------|--------------|--------------|--------------|
| <b>Protective services:</b>            |                                                                     |              |             |             |           |             |             |                |              |              |              |
| 95100                                  | Labor                                                               | \$ -         | \$ -        | \$ -        | \$ -      | \$ -        | \$ -        | \$ -           | \$ -         | \$ -         | \$ -         |
| 95200                                  | Other contract costs                                                | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 95300                                  | Other                                                               | -            | -           | -           | -         | -           | -           | 103,784        | 47,304       | 61,415       | 35,750       |
| 95500                                  | Employee benefit contributions                                      | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 95000                                  | Total protective services                                           | -            | -           | -           | -         | -           | -           | 103,784        | 47,304       | 61,415       | 35,750       |
| 96110                                  | Property insurance                                                  | -            | -           | -           | -         | -           | -           | 36,383         | 20,738       | 23,970       | 24,921       |
| 96120                                  | Liability insurance                                                 | -            | -           | -           | -         | -           | -           | 11,709         | 16,708       | 10,740       | 10,647       |
| 96130                                  | Workmen's compensation                                              | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 96140                                  | All other insurance                                                 | -            | -           | -           | -         | -           | -           | 7,396          | 6,479        | 9,824        | 17,200       |
| 96100                                  | Total insurance premiums                                            | -            | -           | -           | -         | -           | -           | 55,488         | 43,925       | 44,534       | 52,768       |
| <b>General expenses:</b>               |                                                                     |              |             |             |           |             |             |                |              |              |              |
| 96200                                  | Other general expenses                                              | -            | -           | -           | -         | -           | -           | 767            | 1,090        | -            | -            |
| 96210                                  | Compensated absences                                                | -            | -           | -           | -         | -           | -           | 878            | -            | -            | -            |
| 96300                                  | Payments in lieu of taxes                                           | -            | -           | -           | -         | -           | -           | 30,326         | 71,053       | 23,838       | -            |
| 96400                                  | Bad debt - tenant rents                                             | -            | -           | -           | -         | -           | -           | 18,733         | 13,568       | 9,871        | 25,951       |
| 96500                                  | Bad debt - mortgages                                                | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 96600                                  | Bad debt - other                                                    | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 96800                                  | Severance expense                                                   | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 96000                                  | Total general expenses                                              | -            | -           | -           | -         | -           | -           | 50,704         | 85,711       | 33,709       | 25,951       |
| 96710                                  | Interest of mortgage (or bonds) payable                             | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 96720                                  | Interest on notes payable (short and long term)                     | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 96730                                  | Amortization of bond issue costs                                    | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 96700                                  | Total interest expense and amortization cost                        | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 96900                                  | Total operating expenses                                            | -            | -           | -           | -         | -           | -           | 2,639,672      | 2,796,223    | 2,160,662    | 1,896,131    |
| 97000                                  | Excess of operating revenue over operating expenses                 | -            | -           | -           | -         | -           | -           | (130,975)      | 337,298      | (175,278)    | 161,969      |
| 97100                                  | Extraordinary maintenance                                           | -            | -           | -           | -         | -           | -           | 22,917         | 32,764       | 14,121       | 89,009       |
| 97200                                  | Casualty losses - non capitalized                                   | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 97300                                  | Housing assistance payments                                         | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 79350                                  | HAP portability-in                                                  | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 97400                                  | Depreciation expense                                                | -            | -           | -           | -         | -           | -           | 2,153,763      | 578,724      | 562,410      | 704,632      |
| 97500                                  | Fraud losses                                                        | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 97600                                  | Capital outlays - governmental funds                                | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 97700                                  | Debt principal payment - governmental funds                         | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 97800                                  | Dwelling units rent expense                                         | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 90000                                  | Total expenses                                                      | -            | -           | -           | -         | -           | -           | 4,816,352      | 3,407,711    | 2,737,193    | 2,689,772    |
| <b>Other financing sources (uses):</b> |                                                                     |              |             |             |           |             |             |                |              |              |              |
| 10091                                  | Inter project excess cash transfer in                               | -            | -           | -           | -         | -           | -           | 96,960         | -            | -            | 169,812      |
| 10092                                  | Inter project excess cash transfer out                              | -            | -           | -           | -         | -           | -           | -              | (287,878)    | -            | -            |
| 10093                                  | Transfers between program and project - in                          | -            | -           | -           | -         | -           | -           | -              | -            | -            | -            |
| 10000                                  | <b>EXCESS (DEFICIENCY) OF REVENUE OVER (UNDER) EXPENSES</b>         | \$ -         | \$ -        | \$ -        | \$ -      | \$ -        | \$ -        | \$ (2,210,695) | \$ (562,068) | \$ (751,809) | \$ (461,860) |
| <b>Memo Account Information</b>        |                                                                     |              |             |             |           |             |             |                |              |              |              |
| 11020                                  | Required annual debt principal payments                             | \$ -         | \$ -        | \$ -        | \$ -      | \$ -        | \$ -        | \$ -           | \$ -         | \$ -         | \$ -         |
| 11030                                  | Beginning equity                                                    | 19,419,978   | 1,764,551   | 2,080,304   | 897,341   | 2,288,014   | 7,375,066   | -              | -            | -            | -            |
| 11040                                  | Prior period adjustments, equity transfers and correction of errors | (19,419,978) | (1,764,551) | (2,080,304) | (897,341) | (2,288,014) | (7,375,066) | 31,033,723     | 7,024,897    | 6,764,891    | 6,692,132    |
| 11190                                  | Unit months available                                               | -            | -           | -           | -         | -           | -           | 3,624          | 5,508        | 3,528        | 3,300        |
| 11210                                  | Number of unit months leased                                        | -            | -           | -           | -         | -           | -           | 3,398          | 5,344        | 3,274        | 3,134        |
| 11270                                  | Excess cash                                                         | -            | -           | -           | -         | -           | -           | 36,241         | 996,730      | 740,294      | 33,000       |
| 11620                                  | Building purchases                                                  | -            | -           | -           | -         | -           | -           | 27,211         | -            | -            | 197,626      |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
PROJECT FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line Item #                            | Accounts Description                                                | AMP 2405     | AMP 2406     | AMP 2407       | AMP 2408     | AMP 2409       | AMP 2410   | AMP 3002  | AMP 3003     | AMP3005     | AMP 3007    |
|----------------------------------------|---------------------------------------------------------------------|--------------|--------------|----------------|--------------|----------------|------------|-----------|--------------|-------------|-------------|
| <b>Protective services:</b>            |                                                                     |              |              |                |              |                |            |           |              |             |             |
| 95100                                  | Labor                                                               | \$ -         | \$ -         | \$ -           | \$ -         | \$ -           | \$ -       | \$ -      | \$ -         | \$ -        | \$ -        |
| 95200                                  | Other contract costs                                                | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 95300                                  | Other                                                               | -            | 50,780       | 121,617        | 85,526       | 576            | 29,824     | -         | -            | -           | -           |
| 95500                                  | Employee benefit contributions                                      | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 95000                                  | Total protective services                                           | -            | 50,780       | 121,617        | 85,526       | 576            | 29,824     | -         | -            | -           | -           |
| 96110                                  | Property insurance                                                  | -            | 32,784       | 35,568         | 48,248       | 55,684         | 12,872     | -         | -            | -           | -           |
| 96120                                  | Liability insurance                                                 | 2,591        | 12,770       | 16,569         | 13,553       | 14,621         | 4,838      | -         | 15,781       | -           | -           |
| 96130                                  | Workmen's compensation                                              | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 96140                                  | All other insurance                                                 | -            | 10,599       | 20,259         | 12,510       | 25,204         | 5,626      | -         | 38           | -           | -           |
| 96100                                  | Total insurance premiums                                            | 2,591        | 56,153       | 72,396         | 74,311       | 95,509         | 23,336     | -         | 15,819       | -           | -           |
| <b>General expenses:</b>               |                                                                     |              |              |                |              |                |            |           |              |             |             |
| 96200                                  | Other general expenses                                              | 275,881      | -            | -              | -            | -              | -          | -         | 615,530      | -           | -           |
| 96210                                  | Compensated absences                                                | -            | -            | -              | -            | -              | 4,706      | -         | -            | -           | -           |
| 96300                                  | Payments in lieu of taxes                                           | -            | 5,329        | 15,883         | 4,693        | 20,738         | 2,580      | -         | -            | -           | -           |
| 96400                                  | Bad debt - tenant rents                                             | 300          | 60,306       | 41,802         | 26,289       | 35,410         | 26,884     | -         | -            | -           | -           |
| 96500                                  | Bad debt - mortgages                                                | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 96600                                  | Bad debt - other                                                    | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 96800                                  | Severance expense                                                   | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 96000                                  | Total general expenses                                              | 276,181      | 65,635       | 57,685         | 30,982       | 56,148         | 34,170     | -         | 615,530      | -           | -           |
| 96710                                  | Interest of mortgage (or bonds) payable                             | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 96720                                  | Interest on notes payable (short and long term)                     | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 96730                                  | Amortization of bond issue costs                                    | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 96700                                  | Total interest expense and amortization cost                        | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 96900                                  | Total operating expenses                                            | 279,214      | 2,213,387    | 2,903,899      | 2,310,945    | 2,471,788      | 566,745    | -         | 732,854      | -           | -           |
| 97000                                  | Excess of operating revenue over operating expenses                 | 32,077       | 773,864      | 147,925        | 57,220       | (382,303)      | 1,037,831  | -         | (566,392)    | -           | -           |
| 97100                                  | Extraordinary maintenance                                           | -            | 369,176      | 156,442        | 18,588       | 40,756         | 12,123     | -         | 750          | -           | -           |
| 97200                                  | Casualty losses - non capitalized                                   | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 97300                                  | Housing assistance payments                                         | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 79350                                  | HAP portability-in                                                  | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 97400                                  | Depreciation expense                                                | 171,559      | 879,779      | 1,162,387      | 187,935      | 1,531,085      | 71,551     | -         | -            | -           | -           |
| 97500                                  | Fraud losses                                                        | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 97600                                  | Capital outlays - governmental funds                                | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 97700                                  | Debt principal payment - governmental funds                         | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 97800                                  | Dwelling units rent expense                                         | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 90000                                  | Total expenses                                                      | 450,773      | 3,462,342    | 4,222,728      | 2,517,468    | 4,043,629      | 650,419    | -         | 733,604      | -           | -           |
| <b>Other financing sources (uses):</b> |                                                                     |              |              |                |              |                |            |           |              |             |             |
| 10091                                  | Inter project excess cash transfer in                               | 2,814        | 18,292       | -              | -            | -              | -          | -         | -            | -           | -           |
| 10092                                  | Inter project excess cash transfer out                              | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 10093                                  | Transfers between program and project - in                          | -            | -            | -              | -            | -              | -          | -         | -            | -           | -           |
| 10000                                  | <b>EXCESS (DEFICIENCY) OF REVENUE OVER (UNDER) EXPENSES</b>         | \$ (136,668) | \$ (456,799) | \$ (1,170,904) | \$ (149,303) | \$ (1,954,144) | \$ 954,157 | \$ -      | \$ (567,142) | \$ -        | \$ -        |
| <b>Memo Account Information</b>        |                                                                     |              |              |                |              |                |            |           |              |             |             |
| 11020                                  | Required annual debt principal payments                             | \$ -         | \$ -         | \$ -           | \$ -         | \$ -           | \$ -       | \$ -      | \$ -         | \$ -        | \$ -        |
| 11030                                  | Beginning equity                                                    | -            | -            | -              | -            | -              | -          | 819,476   | 8,925,325    | 5,418,317   | 2,192,049   |
| 11040                                  | Prior period adjustments, equity transfers and correction of errors | 2,288,014    | 9,722,362    | 9,309,385      | 1,713,512    | 28,378,755     | 897,341    | (819,476) | -            | (5,418,317) | (2,192,049) |
| 11190                                  | Unit months available                                               | 720          | 3,552        | 4,608          | 3,768        | 4,080          | 558        | -         | -            | -           | -           |
| 11210                                  | Number of unit months leased                                        | 709          | 3,284        | 4,307          | 3,530        | 3,982          | 558        | -         | -            | -           | -           |
| 11270                                  | Excess cash                                                         | 7,194        | 49,943       | 577,236        | 523,994      | 363,504        | 202,191    | -         | (798,884)    | -           | -           |
| 11620                                  | Building purchases                                                  | -            | 555,482      | -              | -            | -              | -          | -         | -            | -           | -           |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
PROJECT FINANCIAL DATA SCHEDULE  
YEAR ENDED SEPTEMBER 30, 2015**

| Line Item #                     | Accounts Description                                                | AMP 3008    | AMP 3009    | AMP 3010    | AMP 3016          | AMP 3020    | AMP 3021     | AMP 7001    | Fund 200<br>'Other Projects' | Project Totals        |
|---------------------------------|---------------------------------------------------------------------|-------------|-------------|-------------|-------------------|-------------|--------------|-------------|------------------------------|-----------------------|
| Protective services:            |                                                                     |             |             |             |                   |             |              |             |                              |                       |
| 95100                           | Labor                                                               | \$ -        | \$ -        | \$ -        | \$ -              | \$ -        | \$ -         | \$ -        | \$ -                         | \$ -                  |
| 95200                           | Other contract costs                                                | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 95300                           | Other                                                               | -           | -           | -           | -                 | -           | -            | -           | -                            | 536,789               |
| 95500                           | Employee benefit contributions                                      | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 95000                           | Total protective services                                           | -           | -           | -           | -                 | -           | -            | -           | -                            | 536,789               |
| 96110                           | Property insurance                                                  | -           | -           | -           | -                 | -           | -            | -           | -                            | 298,258               |
| 96120                           | Liability insurance                                                 | -           | -           | -           | -                 | -           | -            | -           | -                            | 132,505               |
| 96130                           | Workmen's compensation                                              | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 96140                           | All other insurance                                                 | -           | -           | -           | -                 | -           | -            | -           | -                            | 123,315               |
| 96100                           | Total insurance premiums                                            | -           | -           | -           | -                 | -           | -            | -           | -                            | 554,078               |
| General expenses:               |                                                                     |             |             |             |                   |             |              |             |                              |                       |
| 96200                           | Other general expenses                                              | -           | -           | -           | -                 | -           | -            | -           | 1,367                        | 894,635               |
| 96210                           | Compensated absences                                                | -           | -           | -           | -                 | -           | -            | -           | -                            | 18,833                |
| 96300                           | Payments in lieu of taxes                                           | -           | -           | -           | -                 | -           | -            | -           | -                            | 180,256               |
| 96400                           | Bad debt - tenant rents                                             | -           | -           | -           | 2,997             | -           | -            | -           | -                            | 272,925               |
| 96500                           | Bad debt - mortgages                                                | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 96600                           | Bad debt - other                                                    | -           | -           | -           | -                 | -           | -            | -           | 13,514                       | 13,514                |
| 96800                           | Severance expense                                                   | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 96000                           | Total general expenses                                              | -           | -           | -           | 2,997             | -           | -            | -           | 14,881                       | 1,380,163             |
| 96710                           | Interest of mortgage (or bonds) payable                             | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 96720                           | Interest on notes payable (short and long term)                     | -           | -           | -           | -                 | -           | -            | -           | 1,631                        | 1,631                 |
| 96730                           | Amortization of bond issue costs                                    | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 96700                           | Total interest expense and amortization cost                        | -           | -           | -           | -                 | -           | -            | -           | 1,631                        | 1,631                 |
| 96900                           | Total operating expenses                                            | -           | -           | -           | 70,889            | -           | -            | -           | 25,342                       | 21,484,397            |
| 97000                           | Excess of operating revenue over operating expenses                 | -           | -           | -           | 229,703           | -           | -            | -           | 4,354                        | 1,456,731             |
| 97100                           | Extraordinary maintenance                                           | -           | -           | -           | 8,927             | -           | -            | -           | 4,000                        | 794,182               |
| 97200                           | Casualty losses - non capitalized                                   | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 97300                           | Housing assistance payments                                         | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 79350                           | HAP portability-in                                                  | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 97400                           | Depreciation expense                                                | -           | -           | -           | -                 | -           | -            | -           | 194,186                      | 8,649,941             |
| 97500                           | Fraud losses                                                        | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 97600                           | Capital outlays - governmental funds                                | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 97700                           | Debt principal payment - governmental funds                         | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 97800                           | Dwelling units rent expense                                         | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 90000                           | Total expenses                                                      | -           | -           | -           | 79,816            | -           | -            | -           | 223,528                      | 30,928,520            |
| Other financing sources (uses): |                                                                     |             |             |             |                   |             |              |             |                              |                       |
| 10091                           | Inter project excess cash transfer in                               | -           | -           | -           | -                 | -           | -            | -           | -                            | 287,878               |
| 10092                           | Inter project excess cash transfer out                              | -           | -           | -           | -                 | -           | -            | -           | -                            | (287,878)             |
| 10093                           | Transfers between program and project - in                          | -           | -           | -           | -                 | -           | -            | -           | -                            | -                     |
| 10000                           | <b>EXCESS (DEFICIENCY) OF REVENUE OVER (UNDER) EXPENSES</b>         | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ 220,776</b> | <b>\$ -</b> | <b>\$ -</b>  | <b>\$ -</b> | <b>\$ (193,832)</b>          | <b>\$ (7,987,392)</b> |
| <b>Memo Account Information</b> |                                                                     |             |             |             |                   |             |              |             |                              |                       |
| 11020                           | Required annual debt principal payments                             | \$ -        | \$ -        | \$ -        | \$ -              | \$ -        | \$ -         | \$ -        | \$ 48,911                    | \$ 48,911             |
| 11030                           | Beginning equity                                                    | 3,244,018   | 1,678,701   | 1,743,663   | 10,580,819        | 4,620,802   | 11,932,317   | 1,790,234   | 10,508,541                   | 144,508,689           |
| 11040                           | Prior period adjustments, equity transfers and correction of errors | (3,244,018) | (1,678,701) | (1,743,663) | (10,580,819)      | (4,620,802) | (11,932,317) | (1,790,234) | -                            | (11,318,890)          |
| 11190                           | Unit months available                                               | -           | -           | -           | -                 | -           | -            | -           | -                            | 33,798                |
| 11210                           | Number of unit months leased                                        | -           | -           | -           | -                 | -           | -            | -           | -                            | 32,055                |
| 11270                           | Excess cash                                                         | -           | -           | -           | 272,824           | -           | -            | -           | 2,520,998                    | 5,394,606             |
| 11620                           | Building purchases                                                  | -           | -           | -           | -                 | -           | -            | -           | -                            | 780,319               |

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
 STATEMENT AND CERTIFICATION OF PROGRAM COSTS –  
 CAPITAL FUND PROGRAM  
 YEAR ENDED SEPTEMBER 30, 2015**

|                                       |                       |
|---------------------------------------|-----------------------|
| 2012 Capital Fund Program Grant (CFP) | <u>NV39P018501-12</u> |
| Funds approved                        | \$ 3,745,945          |
| Funds expended                        | <u>3,745,945</u>      |
| Excess of funds approved              | <u><u>\$ -</u></u>    |
| <br>                                  |                       |
| Funds advanced                        | \$ 3,745,945          |
| Funds expended                        | <u>3,745,945</u>      |
| Excess of funds advanced              | <u><u>\$ -</u></u>    |

1. The distribution of costs as shown on the Actual Modernization Cost Certificates submitted to HUD for approval is in agreement with the Authority's records.
2. All modernization costs have been paid and all related liabilities have been discharged through payment.



**SINGLE AUDIT REPORT**



**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Board of Commissioners  
Southern Nevada Regional Housing Authority  
Las Vegas, Nevada

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Southern Nevada Regional Housing Authority (the Authority), which comprise the statement of net position as of September 30, 2015, and the related statements of revenues, expenses and changes in net position, and cash flows for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated June 27, 2016.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Authority's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Authority's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the Authority's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Authority's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



**CliftonLarsonAllen LLP**

Baltimore, Maryland  
June 27, 2016



**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE WITH REQUIREMENTS  
THAT COULD HAVE A DIRECT AND MATERIAL EFFECT ON EACH MAJOR FEDERAL PROGRAM  
AND ON INTERNAL CONTROL OVER COMPLIANCE IN ACCORDANCE  
WITH OMB CIRCULAR A-133**

Board of Commissioners  
Southern Nevada Regional Housing Authority  
Las Vegas, Nevada

**Report on Compliance for Each Major Federal Program**

We have audited the Southern Nevada Regional Housing Authority's (the Authority) compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the Authority's major federal programs for the year ended September 30, 2015. The Authority's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

***Management's Responsibility***

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

***Auditors' Responsibility***

Our responsibility is to express an opinion on compliance for each of the Authority's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Authority's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the Authority's compliance.

***Opinion on Each Major Federal Program***

In our opinion, the Authority complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2015.

### **Report on Internal Control Over Compliance**

Management of the Authority is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the Authority's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the result of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.



**CliftonLarsonAllen LLP**

Baltimore, Maryland  
June 27, 2016

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
YEAR ENDED SEPTEMBER 30, 2015**

| Program Title                                                 | Federal Catalog<br>Number | Pass-through Agency   | Pass Through Number | Total Federal<br>Expenditures |
|---------------------------------------------------------------|---------------------------|-----------------------|---------------------|-------------------------------|
| <b>U.S. Department of Housing and Urban Development (HUD)</b> |                           |                       |                     |                               |
| Public and Indian Housing Program                             | 14.850                    | -                     | -                   | \$ 14,340,759                 |
| Capital Fund Program                                          | 14.872                    | -                     | -                   | 2,742,573                     |
| Housing Choice Voucher Program                                | 14.871                    | -                     | -                   | 109,152,214                   |
| Supportive Housing for Persons with Disabilities              | 14.181                    | -                     | -                   | 669,566                       |
| PIH Family Self-Sufficiency Program                           | 14.896                    | -                     | -                   | 643,689                       |
| Housing Counseling Assistance Program                         | 14.169                    | -                     | -                   | 18,184                        |
| Resident Opportunity Support Services                         | 14.870                    | -                     | -                   | 53,620                        |
| Home Investment Partnership Program                           | 14.239                    | City of Las Vegas     | -                   | 740,141                       |
| Community Development Block Grant (Rulon Earl)                | 14.218                    | City of Las Vegas     | -                   | 5,832                         |
| <b>U.S. Department of Labor</b>                               |                           |                       |                     |                               |
| Workforce Investment Act Dislocated Worker<br>Formula Grant   | 17.278                    | Workforce Connections | -                   | 352,788                       |
| Workforce Investment Act Youth Activities                     | 17.259                    | Workforce Connections | -                   | 385,551                       |
| Workforce Investment Act Adult Program                        | 17.258                    | Workforce Connections | -                   | 426,028                       |
| Workforce Investment Act (WIA) National<br>Emergency Grant    | 17.277                    | Workforce Connections | -                   | <u>42</u>                     |
| <b>Total Expenditures of Federal Awards</b>                   |                           |                       |                     | <u><u>\$ 129,530,987</u></u>  |

See accompanying notes.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
SEPTEMBER 30, 2015**

**NOTE 1 BASIS OF PRESENTATION**

The Schedule of Expenditures of Federal Awards is presented on the accrual basis of accounting and includes all expenditures of federal awards administered by the Southern Nevada Regional Housing Authority (the Authority). Several programs are funded jointly by the State in accordance with requirements of the various federal grants. Costs incurred for such programs are applied to Federal grant funds in accordance with the terms of the related Federal grants with the remainder applied to funds provided by the State.

All costs charged to Federal Awards are determined based on the applicable Federal grants and OMB Circular A-87, *Costs Principles Applicable to Grants and Contracts with State and Local Governments*.

**NOTE 2 FEDERAL COGNIZANT AGENCY**

The Federal cognizant agency for the Authority is the U.S. Department of Housing and Urban Development.

**NOTE 3 FINDINGS AND QUESTIONED COSTS**

Any findings and questioned costs identified in connection with the 2015 Single Audit would be disclosed in Schedule I.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
YEAR ENDED SEPTEMBER 30, 2015**

**I. Summary of Independent Auditors' Results**

**Financial Statements**

Type of auditors' report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? \_\_\_\_\_ Yes   X   No
- Significant deficiency(ies) identified that are not considered to be material weaknesses? \_\_\_\_\_ Yes   X   None reported
- Noncompliance material to financial statements noted? \_\_\_\_\_ Yes   X   No

**Federal Awards**

Internal control over major programs:

- Material weakness(es) identified? \_\_\_\_\_ Yes   X   No
- Significant deficiencies identified that are not considered to be material weaknesses? \_\_\_\_\_ Yes   X   None reported

Type of auditors' report issued on compliance for major programs:  
Unmodified

Any audit findings disclosed that are required to be reported in accordance with Section 510(a) of Circular A-133? \_\_\_\_\_ Yes   X   No

Identification of Major Programs

| <u>Name of Federal Program</u>    | <u>CFDA Number</u> |
|-----------------------------------|--------------------|
| Housing Choice Voucher Program    | 14.871             |
| Public and Indian Housing Program | 14.850             |

Dollar threshold used to distinguish between type A and type B programs: \$   3,000,000  

Auditee qualified as low-risk auditee?   X   Yes        No



**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
YEAR ENDED SEPTEMBER 30, 2015**

**II. Financial Statement Findings**

None noted.

**III. Federal Award Findings and Questioned Costs**

None noted.

**SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY  
SCHEDULE OF PRIOR YEAR FINDINGS AND QUESTIONED COSTS  
YEAR ENDED SEPTEMBER 30, 2015**

|                                   |                                                            |
|-----------------------------------|------------------------------------------------------------|
| <b>Finding 2014-001, 2013-001</b> | <b>Public and Indian Housing Program 14.850 (2013-001)</b> |
| <b>Federal Agency</b>             | <b>U.S. Department of Housing and Urban Development</b>    |
| <b>Compliance Requirement:</b>    | <b>Special Test, Tenant Participation</b>                  |
| <b>Type of Finding:</b>           | <b>Noncompliance, Significant Deficiency</b>               |

***Condition/Context***

Testing of Public Housing Tenant Participation expenditures identified multiple exceptions. Our sample reviewed 4 quarters of expenditures covering 4 tenant councils, the detail of which accounted for 45 individual transactions. The following was noted:

- Resident Council budgets were not prepared during the fiscal year as mandated by the compliance requirement.
- There were 5 transactions that were for expenses not considered allowable.
- There were 4 transactions that did not contain adequate support for the expense.

***Recommendation***

We recommend that management review its policies and procedures over the tenant participation program to ensure adequate controls exist over the disbursement of funds and that expenditures are allowable and in accordance with approved resident council budgets.

***Status***

This finding was resolved during the 2015 audit.

B5

## ***Progress Report.***

**Five-Year Goal: Expand the supply of Low Income and Affordable housing.**

SNRHA will continue to explore and implement various models of mixed-financing with innovative partnerships to assist with the re-development and/or modernization of public housing developments. Options will include but not be limited to HOPE VI, Choice Neighborhood Initiatives (CNI), Rental Assistance Demonstration (RAD) Program, Capital Fund Financing (CFFP), Low Income Housing Tax Credits (LIHTC), various bonds types and other leveraging options as identifies in HUD's Transforming Public Housing plan.

SNRHA will continue to explore opportunities of various types of bond issuance.

In 2014 the City of North Las Vegas as the Lead applicant and the SNRHA as the co-lead applicant submitted a Choice Neighborhood Initiative (CNI) Panning Grant. The CNI award letter was received January 2015 through the Department of Housing and Urban Development in the amount of \$485,000. The money will be used to prepare a Transformation Plan to revitalize North Las Vegas Urban Core Neighborhood, which includes the Rose Gardens Senior Public Housing and Buena Vista Springs communities. CNI Transformation Plan is due to HUD early 2017

The SNRHA, in partnership with City of North Las Vegas, is planning to submit in upcoming years a CNI Implementation grant application to revitalize and address the redevelopment needs of the North Las Vegas Urban Core Neighborhood, which includes the Rose Gardens Senior Public Housing and Buena Vista Springs communities.

The SNRHA will continue to explore CNI planning as well as, implementation grant to address some of the redevelopment needs of the neighborhood of Sherman Gardens, Sherman Gardens Annex and Villa Capri sites.

The SNRHA is planning to submit in upcoming years a tax credit application to develop Phase II of Bennett Plaza and may utilize Replacement Housing Factor (RHF) Funds, adding 35 additional public housing units. The SNRHA may self-develop or partner with a developer for this project.

Under the Rental Assistance Demonstration the SNRHA converted in 2014 Landsman Gardens a 100-unit family public housing development in the Valley View neighborhood of Henderson, Nevada to Project Based Section 8. Landsman Gardens is the first FHA-financed project in the nation to close under the Rental Assistance Demonstration (RAD) program. Construction was completed December 2014 and 100% units lease-up as of March 2015.

The SNRHA submitted on 12/2013 a RAD application for Vera Johnson Manor B (AMP 314) anticipating a Conditional Housing Assistance Payment (CHAP) agreement issuance by January 2014. As of March 2015 the CHAP agreement has not been issued for the Project; even though Congress lifted the unit cap of 60,000 to 185,000 units under the RAD Program. The SNRHA submitted in FY 2014 a HOME application and a 9% Tax Credit Application for the Rehabilitation of all 112 units at this site. On April 2014 the City of Las Vegas awarded \$1 million in HOME Funds to Vera Johnson Manor B and in July 2014 the Nevada Housing Division issued a 2014 Reservation Letter for \$1 million annually in 9% Low Income Housing Tax Credits (LIHTC) for Vera Johnson Manor B. In an effort to preserve the HOME Funds and Tax Credit Allocations, the SNRHA proceeded with a Mixed Finance Proposal as an Interim Plan for closing mid-April, 2015. The CHAP was received April 3, 2015, SNRHA will work with HUD to forward needed items to meet any required RAD milestones. However, SNRHA currently does not anticipate converting Vera Johnson Manor B to RAD until construction completion to simplify the conversion. The SNRHA is partnering with Nevada HAND for this project.

The SNRHA in March 2015 submitted a RAD application for Biegger Estates (AMP 406)–and received a Conditional Housing Assistance Payment (CHAP) agreement in July 2015. The SNRHA submitted in May 2015 a 9% Tax Credit Application for the Rehabilitation of all 119 units at this site and received an allocation in July 2015. All the financing has been secured and the project is on track for closing in May 2016. Construction is scheduled in phases with an estimated completion within 13 months from the notice to proceed date or June 2017. The SNRHA will self-develop this project.

Additionally, in March 2015 the SNRHA submitted a RAD application for Rose Gardens and received a Conditional Housing Assistance Payment (CHAP) agreement in July 2015. The SNRHA is also planning to submit in FY 2016 a Bond/4% Tax Credit Application for the Re-development of all 120 units (on-site or off-site). The project has received HOME Funds allocation in the amount of \$1MIL from Clark County and \$500K from City of North Las Vegas. Financing closing is anticipated for December 2016 with a construction completion of February 2018. The SNRHA may self-develop or partner with a developer for this project.

In 2015 the SNRHA also submitted a RAD portfolio application for several of their public housing inventory.

- First Group includes: 1)Otto Merida (AMP405), 2)Lubertha Johnson (AMP401), 3)Bennett Plaza (AMP401), 4)Espinoza Terrace (404), 5)Hullum Homes (AMP407), 6)Jones Gardens (AMP407), 7)Sartini Plaza (AMP402) & 8)Sartini Annex (AMP402), 9)Archie Grant (South Parcel) (AMP401) and 10)Ernie Cragin Terrace (AMP406) totaling 844 public housing units.
- Second Group includes: 1) Schaffer Heights (AMP404), 2) Aida Brents (AMP403), 3) Levy Gardens (403), 4) James Down Towers (AMP402), 5) Hampton Court (Amp404), 6) Simmons (AMP406) and 7) Sherman Gardens Annex (AMP408) totaling 564 public housing units.
- The RAD portfolio is pending HUD review and issuance of Commitment to enter into a Housing Assistance Payment contract (CHAP) for the First Group 1.

Additionally, the SNRHA is planning to submit Mixed Finance application for Vera Johnson Manor A (AMP 406). The SNRHA is also planning to submit in FY 2016 a 9% Tax Credit Application for the Re-development of all 76 units. Financing closing is anticipated December 2016 with a construction completion of January 2018. The SNRHA will self-develop this project.

Enhance the SNRHA's Scattered Site Homeownership Program as lender options are available.

The SNRHA jointly with the City of Las Vegas are evaluating the future of the three vacant lots located in the general area of Bonanza and 28<sup>th</sup> Street [former public housing Ernie Cragin Terrace (ECT) Sites NV209, NV210 & NV213] and the proposed use to improve marketability of future housing in this area of the City.

In 2010, SNRHA contracted with The Calida Group, Lucchesi Galati Architecture and ESG Construction to prepare a master plan for the redevelopment of the Ernie Cragin Terrace (ECT) sites. The Plan included between 325 and 390 units of housing, primarily rental, in a variety of configurations (detached, semi-detached, row-house and low-rise elevator). The Plan also included between 20,000 and 25,000 square feet of commercial development along Bonanza Road and 45,000 square feet of public facilities along the northern and southern boundaries of the plan area.

While the real estate market in 2010 was not strong enough to support this vision for a mixed-use, mixed-income development project, the physical plan sections of the ECT Master Plan provide a good roadmap for a comprehensive revitalization of this neighborhood including areas of mixed-use, a variety of housing/building types, energy efficiency, green building, New Urbanism and live/work communities and improvements to educational and public facilities.

For the past year the City of Las Vegas has been looking at the viability of building the public facilities as proposed in the master plan. Currently the city is exploring the possibility of building the park with soccer fields as proposed for Parcel 3 [28<sup>th</sup> Street & Cedar]. Also, the Las Vegas-Clark County Library District has secured the funds to build a new library approximately 122,000 sq. ft. in the same area [28<sup>th</sup> Street & Sunrise] however; the 6 acres of land donated by the city is now under consideration since 8 acres of land will be more suitable for this facility. The Library District in partnership with the city now is proposing a land swap with the SNRHA vacant parcel located at 28<sup>th</sup> Street & Bonanza (Parcel 2) or 28<sup>th</sup> Street & Cedar (Parcel 3) which are more accessible sites with the required acreage. The final proposal was received and approved on January 2016 by the SNRHA Board of Commissioners. Special Application Center approved the land exchanged on March 2016. Escrow process anticipated to close May 2016.

**Five-Year Goal: Improve the quality of assisted housing.**

The Authority's other modernization activities are addressing necessary work items in order of priority as established in the Capital Plan.

SNRHA will develop customer service surveys and analyze them to develop proactive measures.

SNRHA continues implementing the approved 5-Year Strategic plan.

SNRHA has introduced a training model to all agency staff designed to improve customer satisfaction.

**Five-Year Goal: Increase assisted housing choices.**

The Authority sold Fifty seven (57) public housing scattered site units under its Public Housing Homeownership Program in FY03, FY04, FY05, FY06, FY07, FY08, and FY2012. Additionally, forty-six (46) Section 8 Housing Choice Voucher Homeowners are under contract.

**Five-Year Goal: Improve marketability of SNRHA owned units.**

The Capital Fund Program continues to include other provisions that are aimed to increase the marketability of Authority-owned units. Non-viable units and developments are identified and continue to be revitalized through various approaches.

Where marketability cannot be achieved; the Authority is requesting approval for the demolition of units and/or identifying other sources of funding to accommodate the capital needs.

Updated Physical Needs and Portfolio Assessment to identify current capital improvement needs.

SNRHA will seek HUD approval to implement a Force Account to perform vacancy reduction duties as well as select other capital improvement duties. The initiative will reduce the need for contractors; create new jobs of which one or more qualified residents may be hired to promote economic self-sufficiency.

The SNRHA may outsource certain programs elements for agency sustainability including but not limited to:

- HQS Inspections
- Selected Public Housing Property Management.

The SNRHA will ensure that Executive Order 13495, “No displacement of Qualified Workers Under Service Contracts” signed by President Obama on January 2009, will be followed if any programs are outsource requiring that qualified workers on a Federal service contract who would otherwise lose their job as a result of the completion or expiration of a contract be given the right of first refusal for employment with the successor contractor. Generally, the successor contractor may not hire any new employees under the contract until this right of first refusal has been provided. The equal opportunity applies to a successor contract for the performance of the same or similar services at the same location.

**Five-Year Goal: Promote self-sufficiency and economic independence of assisted households.**

The HCV and Public Housing FSS programs have merged. As of April 1, 2016, the FSS program has 236 voluntary slots and 127 mandatory slots.

The Authority continues to develop partnerships with local service providers, training resources and educational institutions with the goal of making self-sufficiency available to all residents and participants. Year to date, we have established partnerships with a total of 89 community service providers. Commitments with these organizations are established either verbally or through MOU's.

The Authority has two homeownership programs under the Housing Choice Voucher and Public Housing Programs; each program continues to assist low-income families reach the dream of owning a home of their own.

SNRHA expects to expand its Community Partners program with public, private, and faith-based agencies.

SNRHA will enter into Memorandum of Understanding offering public housing units and/or turnover vouchers with recognized homeless shelter providers who provide supportive services for the homeless in efforts to eliminate homelessness in the Southern Nevada Region.

**Five-Year Goal: Increase affordable housing resources.**

SNRHA Continues to evaluate its portfolio for redevelopment opportunities.

SNRHA conducted a PNA and will develop a consolidated plan to identify sites for modernization, upgrades, and improvements.

SNRHA continues implementing the approved 5-Year Strategic Plan.

Continue updating the detailed plan for replacement Housing fund.

Identify method to leverage funding resources; including using up to the allowable 20% of HCV tenant based vouchers, for project based, starting in 2014 or as they become available. SNRHA may Project Base up to 20% of its Vouchers. The general locations for future projects will be outside of areas of high concentration of poverty and as defined in the applicable RFP. Future decisions will be in compliance with this. Project Basing will be consistent with the Agencies efforts and the community to increase affordable housing resources.

SNRHA will identify certain public housing and affordable housing sites/units for project-based assistance.

B6

**Public Comments Received:** *Please note that all comments received have been incorporated into the changes made with the exception of those indicated by an asterisk (\*\*)if any.*

***FY2017 and 5 year Plan 2017-2021***

- 1 - From: Supportive Services Department  
Date: 4/27/2016 8:00 a.m.  
Subject: Annual Plan - Update to Resident Leadership Roster.  
The Updated Roster is attached and will be incorporated into the Plan.
- 2 - From: Admissions Department  
Date: 4/27/16 9:38 a.m.  
Subject: Annual Plan - ACOP Chapter 2, page 21, Section D.  
Correct item listed as Assault and Battery. Per consultation with metro, there is no such charge in this jurisdiction as Assault and Battery. There is Assault or there is Battery.  
Change the word “and” to “or”.
- 3 - From: Supportive Services  
Date: 5/5/2016 11:46 a.m.  
Subject: Annual Plan - Tab 21, page 19 of 65: Mandatory FSS Slots.  
The correct number of mandatory HCV slots under the FSS program is 134.
- 4 - From: Housing Programs Division  
Date: 5/11/2016 4:52pm  
Subject: Annual Plan - Tab 21.  
Changes missing from original submission of updates, including Chapter 3, page 25; Chapter 6, page 27; Chapter 10, pages 8, 10, and 12; Chapter 12, pages 4, 6, 7, 8, 9, 10, 11, 12, 13, 17, 21, 25, and 31; Chapter 18, page 4. See Attached.
- 5 – From: Supportive Services  
Date: 5/20/2016 10:06 a.m.  
Subject: Annual Plan - Update to FSS Action Plan.  
Pages 6, 4th bullet, remove “including at least one Saturday each quarter”. See Attached.  
**(\*\* This item will not be incorporated into the Annual Plan until such time as concerns on this issue have been addressed)**
- 6 - From: Supportive Services  
Date: 5/17/2016 11:06 a.m.  
Subject: Annual Plan.  
Include Resident Commissioner Selection Policy See Attached.
- 7 - From: Senior Staff  
Date: 5/25/2016 12:42 pm  
Subject: Annual Plan.  
Include complete Records Management and Retention Policy. See Attached.



- 8 - From: DevMod Department  
Date: 5/27/16 1:12 p.m.  
Subject: Annual Plan - Per HUD direction the Capital Fund allocation for Biegger Estates RAD Conversion should be from CFP 2016 and not CFP 2015. Therefore; Capital Fund 2015 NV39P018501-15, page 4 of 5, Budget line Item 1503 for Biegger Estates RAD conversion has been reduced to \$0.00 and the \$148, 715.64 has been reallocated to Rose Gardens Budget line Item 1460 (see attached). Respectively, Capital Fund 2016 NV01P018501-16 Page 4 of 5, Item PHA Wide, Non-Dwelling Equipment has been reduced by \$89,332.00 and the RAD Conversion for Biegger Estates Budget line Item 1503 has been added. Final RAD Conversion amount has been calculated based on the final conversion date.
- 9 - From: Senior Staff  
Date: 6/3/16 1:40 pm  
Subject: Annual Plan - Tab 21 pages 3 and 22 of 65.  
Applicable check marks will be placed on Page 3 of 65, Section B1 and Page 22 of 65, Section B2.
- 10 - From: RAB Board  
Date: 6/3/16 1:45 pm  
Subject: Annual Plan - Tab 7, Attachment D.  
Correction to name of RAB member from Christina Johnson to Christina Breeden, and correction of RAB Board member titles.
- 11 - From: RAB Board  
Date: 6/3/16 1:48 pm  
Subject: Annual Plan - Tab 7, Attachment D.  
Personal addresses are to be redacted from the original Resident Leadership Rosters prior to publication to protect the privacy of the members. RAB members felt that phone numbers were OK but addresses constituted an invasion of privacy.
- 12 - From: Senior Staff and RAB Board  
Date: 6/3/16 1:50 pm  
Subject: Annual Plan - Tab 21, ALL.  
All Tables and Informational Narratives will be removed from the body of the form and submitted as attachments for each applicable section in order to facilitate the review process for subsequent years.
- 13 - From: RAB Board  
Date: 6/3/16 2:09 pm  
Subject: Five Year Plan - Tab 2, Page 5 of 9, Section B3, Paragraph 2.  
Add the name of Rose Garden after “RAD application”, which was mistakenly removed further in the paragraph.

- 14 - From: RAB Board  
Date: 6/3/16 2:49 pm  
Subject: Annual Plan - Tab 21, Attachment C, ACOP page 9-6, Section F, 2<sup>nd</sup> Paragraph.  
Remove the duplicate words “is resident” from first sentence.
- 15 - From: Senior Staff  
Date: 6/3/16 3:01 pm  
Subject: Annual Plan - Tab 21, Attachment C, ACOP page 9-8, Section H, bottom Paragraph.  
Add space between the words “established” and “according”.
- 16 - From: Nevada Legal Services  
Date: 6/13/2016 5:30 pm  
Subject: Annual Plan
- 1.) **Tenant Rental Portion/Notice of Portion:** Administrative Policy, Chapter 9, Leasing Policies. Suggestions: Include a “projected portion” amount derived for tenant when they pick up their moving packet.
  - 2.) a) **Treatment of Tenants Facing Termination for Unauthorized Occupants:** ACOP Chapter 11, Section G, page 14. Delete presumptions of occupancy; evaluating such cases on an individual basis. (\*\*This item will be given further review)
  - b) **VAWA Exceptions To Terminations For Unauthorized Occupancy:** Administrative Plan, chapter 5, page 7. There are many problems with this section of the policy, but it should contain some sort of acknowledgement of VAWA exceptions. Other suggestion for SNRHA Policy Change include:
    - I. deleting “Mail sent to the assisted unit may be considered as unauthorized occupancy.” Mail sent to the family’s unit does not qualify as evidence that the family would use to demonstrate a lack of unauthorized occupancy.
    - II. deleting “burden of proof that the individual is a visitor rests on the family.” CFRs do not give any kind of power to shift the burden of proof in the realm of termination for unauthorized occupants. (\*\*This is covered in the VAWA section of the Administrative Plan)
- Limits on Vacate Date; Extensions for Contract Cancellation/Abatement:**  
Administrative Plan, Chapter 9, page 14, Extension of Tenancy after Initial notice to Vacate. Update to policy is set to include the addition that “only one extension will be granted by SNRHA to extend the vacate date. The participant must be occupying the unit during the time of the extension request.” This is detrimental towards families in the moving process, especially when the leasing process, with accompany required notice from SNRHA on tenant portion, can take up to 60 days after all required information is submitted, the tenant should be allowed to continue to extend vacate date as the original policy allowed. (\*\* The proposed language does not limit the number of days that the vacate date may be extended; only the number of extensions is being limited.)

- 3.) **Guardianship:** Administrative Plan, Chapter 5, page 8, Temporary Guardianship. SNRHA's revisions to the guardianship rule violate the Fair Housing Act. SNRHA no longer requires participants to sign the 365-day short-term guardianship form when adding minor children, but instead, SNRHA will "not increase the bedroom size for addition of minor children, other than by birth, adoption, marriage, court awarded custody, court awarded guardianship, or an assignment with verification from a social service agency." In essence, this revision means a participant who adds a family member, such as a niece, nephew, or grandchild, will not receive any benefits whatsoever for taking care of an additional minor child, such as a larger unit or deductions their adjusted income. These proposed revisions similarly discriminate on the basis of familial status by treating families with guardianships over minor children different from those that do not. We propose that SNRHA allow a participant to add minor children to the Voucher if the participant has the consent of a parent. If a participant meets the requirements to add a minor child, then SNRHA must treat the additional minor child no differently than any other minor child of the participant's family, such as increasing the bedroom size and adding a dependent for income calculation purposes.
- 4.) **Porting Residents:** Administrative Plan, Chapter 10, page 7, Portability, Overview. Participants who port from one PHA's jurisdiction to another's must navigate a confusing, unfair bureaucracy where PHAs blame each other and the participant may be left without a Voucher and without any recourse. We believe the revisions do not do enough to protect participants porting into and from SNRHA's jurisdictions. Many of the revisions assign responsibilities to other PHAs, but the revisions do not address what happens to participants of other PHAs fail to abide by the requirements stated in SNRHA's policy. In particular, SNRHA needs to promulgate rules to allow participants porting out of SNRHA to keep their Voucher if the receiving PHA fails to timely return the Voucher back to SNRHA. In particular, SNRHA should toll the days on a Voucher once the participant requests SNRHA to send the Voucher to a receiving PHA. Moreover, the current rules offer no protection to participants if the receiving PHA denies or terminates the Voucher under the receiving PHA's screening process. SNRHA should allow participants to return to SNRHA's jurisdiction if the receiving PHA refuses or otherwise does not accept the participant. Overall, SNRHA places too much bureaucratic burden on participants attempting to port out. Under the current system, the participant must figure out which PHA controls which jurisdiction and how to contact the receiving PHA. SNRHA should assist participants with finding and contacting the receiving PHA on behalf of the participant. Finally, SNRHA's revisions require the family to select the receiving PHA, and if the receiving PHA refuses, then SNRHA will select the receiving PHA on behalf of the family. SNRHA should allow the family to decide and should not be selecting the receiving PHA on behalf of the family. (\*\* The Portability process is being executed in accordance with regulations.)

- 5.) **HQS Opt-Out:** Administrative Plan, Chapter 8, page 2, Section 8.1.A. HUD Performance and Acceptability Standards. SNRHA’s revision states that Housing Quality Standards (HQS) are “the responsibility of the owner unless otherwise stated on the lease.” SNRHA, however, should not permit a landlord from contracting away its responsibility onto the tenant via the lease. At NLS, we have seen too many examples of owners using leases to assign all repair responsibilities onto the tenant. This violates 24CFR 982.404(a)(1), which states, “The Owner must maintain the contract unit and premises in accordance with the HQS.” We propose deletion of the above mentioned revision because the owners have responsibility under federal regulations to maintain HQS. (\*\* SNRHA’s policy is in compliance with 982.404, 982.551, and 982.552. Only a portion of the regulation was quoted in this comment.)
- 6.) **Responsibility for Damages to the Unit:** Administrative Plan, Chapter 8, Section 8.1.D. Owner and Family Responsibilities, page 7, Family Responsibilities. SNRHA’s revision states, “Tenant may be billed for the cost of repairs made by the owner that were determined to be caused by the family.” This statement is vague because SNRHA does not specify who makes the determination of what caused the damage. We propose the revision should state, “Tenant may be billed for the cost of repairs made by the owner that were determined by a court to be caused by the family.” (\*\* This is a landlord tenant issue. SNRHA is not a party to the Lease; therefore, the tenant may dispute such charges to a court of proper jurisdiction.)
- 7.) **Quarterly Utility Payments:** Administrative Plan, Chapter 5, Section 5.III.A, Page 40, Utility Reimbursement. SNRHA’s revision opens the possibility that SNRHA may provide utility reimbursement payments (URPs) each quarter as opposed to each month. We propose SNRHA implement the quarterly URP system. Currently, SNRHA provides the same amount to participants each month by averaging the estimated cost of utilities over the year. As any resident of Southern Nevada knows, heating and cooling bills greatly depend on the season. Providing the same amount each month in URP makes no sense when participants need more for summer and winter and less for spring and fall. (\*\* No change was suggested for the proposed policy language.)
- 8.) **Online Portal for Section 8 Housing Choice Voucher Tenants:** SNRHA should include the creation of an online portal for Section 8 Housing Choice Voucher recipients as part of its Five Year Plan. Currently, SNRHA has an online portal for landlords in the Section 8 program. This online portal allows landlords to access their payment histories and otherwise view details about their rental units. There is no similar online portal for tenants. Allowing Section 8 tenants to manage certain program requirements online rather than in person or by mail would decrease the amount of in person appointments between Section 8 participants and their caseworkers. This faster, easier process would greatly reduce the burden on the caseworkers in the Section 8 program by decreasing the number of meetings they must schedule. It would minimize the burdens on tenants, some of whom must take several buses to reach the Section 8 office or take time off from work to come in during SNRHA’s office hours. Moreover, online services would minimize the risk of

important tenant documents being lost in the process, and would prevent disputes about whether SNRHA received a particular document from a tenant. Even if SNRHA is not able to set up a complete online portal for tenants, SNRHA should consider whether there are alternatives. For instance, SNRHA could develop a phone app that would let tenants report changes in household composition and income, as well as HQS violations that require an emergency inspection. Such an app could allow tenants to submit pictures of their new pay stubs or leaking faucet directly to SNRHA via the app. Several tenants' rights organizations around the country have had success developing phone apps for tenants via "hackathons" where technology developers develop apps by donating their time pro bono. NLS would be more than happy to assist SNRHA with working to find appropriate pro bono tech partners.

**(\*\* This item is being considered for future use, but will not be added at this time)**

**9.) Issuing Moving Packets to Section 8 Housing Choice Voucher Recipients who have received a Five Day Non-Payment of Rent or a Five Day Unlawful**

**Detainer:** Section 7 of SNRHA's Housing Choice Administrative Plan provides that SNRHA will not issue a moving packet to a family where SNRHA has been served a written notice that a notice of non-payment or any form of an eviction notice "for cause" has been served. We believe that this section is problematic given that Nevada's summary eviction process is unlike traditional evictions and other lawsuits. Unlike other states, where a landlord must file a complaint with the court in order to initiate an eviction, a landlord can initiate an eviction by placing a notice on the tenant's door. The tenant must then file an affidavit in court to prevent the eviction and contest the case. If the tenant does not file, the landlord can obtain the eviction merely by filing a paper with the court claiming they have served the tenant with the eviction notice. If the tenant has filed their affidavit, no action will be taken on the eviction until the landlord pays to file an affidavit in support of the eviction with the court. At that point the court schedules an eviction hearing to determine the validity of the landlord's complaint.

One of the drawbacks of this system is that because there is practically no cost to the landlord to initiate the eviction, landlords may abuse the eviction notices. Landlords frequently post eviction notices merely to serve warnings to a tenant about a particular issue, even if the landlord has no intention of filing. However, the tenant is then forced to pay to file an affidavit contesting the notice in order to protect themselves because they have no way of knowing whether the landlord will go forward with the eviction or not. We would suggest that SNRHA limit its practice of denying moving packets to cases where the landlord has actually filed a court pleading in support of an eviction. By limiting moving packet denials to cases where landlords have actually invested the time and money in filing an action with the court, SNRHA can prevent landlords from serving specious eviction notices on tenants in order to prevent them from moving. As it stands now, an unscrupulous landlord can game SNRHA's policy with little cost to themselves in order to extort money from their tenants. NLS has seen cases where a family serves the landlord with a 30 day notice that they will be moving at the end of their lease. In response, the landlord will

serve the family with an eviction notice in an effort to get the family to agree to give up their deposit or pay for damages over and above the deposit without having a change to contest those charges. In those cases, the family is stuck in a legal limbo. They cannot get a new unit approved by SNRHA because they have been served an eviction notice which the landlord has no intention of pursuing. However, because they have served the landlord with a thirty day notice, they have no legal right to stay in their old unit past those thirty days. While we understand that the SNRHA may be concerned about tenants abusing the system by moving from units before they are evicted, because the summary eviction process in Nevada proceeds so quickly, any meritorious eviction will almost certainly be resolved before the tenant could complete the approval process for their new unit. (\*\* SNRHA will continue with its current policy until further review can justify the claims made.)

10.) **Notify housing applicants of Nevada Legal Services and our Criminal Record Sealing Proposal:** Nevada Legal Services provides free criminal record sealing for eligible clients. We think housing applicants on the Section 8 and Public Housing waitlists could greatly benefit from that service both for the purposes of procuring housing and employment. SNRHA should list the contact information for Nevada Legal Services along with a blurb about our criminal record sealing program when it sends correspondence to applicants on the waitlist. (\*\*This information may be provided on SNRHA's website in the future.)

11.) **Voucher Extensions and Reasonable Accommodations for Section \* Housing Choice Voucher Recipients:** Currently, SNRHA's voucher policy states that SNRHA "Shall issue vouchers to disabled participants for 90 days for their initial search. The SNRHA may extend an additional 30 days as a reasonable accommodation." Federal regulations at 24 CFR 982.303 state that a voucher recipient with a disability must be given reasonable extensions to their voucher term if it is necessary for the voucher recipient to obtain housing. The federal regulations do not include a specific term of days for the amount of time that a disabled tenant has to extend a voucher. Instead the length of the voucher term should be based on an individualized inquiry into the disabled tenant's limitations and needs. By arbitrarily capping the length of time a disabled individual has to find a voucher, SNRHA is violating the Fair Housing Act and 24 CFR 982.303. (\*\*SNRHA gives all disabled participants an initial 90 days, the participant may request extensions in 30 day increments as a reasonable accommodation, as long as the request is made prior to the expiration of the voucher. Voucher extensions cannot exceed 150 days unless a Reasonable Accommodation is approved by the 504 Coordinator.)

12.) **SNRHA's Admissions Policies and Criminal Records:** SNRHA's admissions policies for Public Housing (2-24) and Section 8 (12-13) both state that applicants will be denied housing if they have been arrested or convicted of a crime within one year from the last date of their sentence. HUD Notice 2015-19/H 2015-10 both state that the mere fact of an arrest cannot be ground to deny housing, absent some other evidence. These admission sections should be changed so that an arrest within a year of completing a sentence is not automatic grounds to deny housing. Additionally, SNRHA should add language to its policy clarifying that the fact of an arrest, by

itself, is not sufficient proof of criminal activity that would justify denying housing. Additionally, SNRHA's admissions policies state that those who have any felony convictions not specifically listed in the admissions policy are also barred from admissions for a specified time period, without regard to the type of criminal activity. The April 4, 2016, HUD office of the General Counsel, specifically states that in order to avoid violating the Fair Housing Act, housing providers must not have blanket bans on admission for people with criminal convictions. The Office of General counsel believes that these policies may discriminate on the basis of race because they have a disparate impact on people of different racial backgrounds. Instead, a housing provider must show that its policy accurately distinguishes between criminal conduct that indicates a demonstrable risk to resident safety and/or property and criminal conduct that does not meet this standard and may be in violation of the Fair Housing Act. SNRHA should revise its admissions policy to comply with the Office of General Counsel's recommendations. Finally, SNRHA also has a blanket ban on admissions for people who are on probation or parole, without regard to the nature of the crime. Per the Office of General Counsel's letter, this policy may also violate the Fair Housing Act as it does not distinguish whether crime for which the applicant is on probation or parole is one that presents a demonstrable risk to resident safety or property. This portion of the admissions policy should be revised limiting the ban on admissions to cases where the underlying crime presents a safety hazard to the community. It is particularly urgent for the SNRHA to revise these policies as leaving the policies as they are may expose SNRHA to legal liability. (\*\* At this time, the letter issued by the Office of General counsel is a recommendation, not a regulation. Since SNRHA must also screen for suitability in its Public Housing Program, SNRHA will consider the comments and may have them reviewed by Legal Counsel.)



# SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY

DATE: June 16, 2016

TO: Chairman Tim O'Callaghan

FROM: Resident Advisory Board (RAB) Members

RE: SNRHA 5-Year Plan

We, the members of the Resident Advisory Board (RAB), have reviewed the proposed revisions to the Southern Nevada Regional Housing Authority Annual Agency Plan for FY2017 and Five Year Plan for FY2017 through FY2021. We have had the opportunity to ask questions, review all of the proposed changes, and have submitted comments as needed.

We commend the SNRHA on preparing the Plan in house utilizing staff instead of paying an outside firm.

*President se*

Please contact Teresa Culbreath, RAB Chair (702) 873-1506 if you require additional information.

|    | Print Name                  | Signature           |
|----|-----------------------------|---------------------|
| 1  | <del>Teresa Culbreath</del> | Teresa Culbreath    |
| 2  | Alberto Estremera           | ALBERTO ESTREMERERA |
| 3  | Christina BREENEN           | <i>CB</i>           |
| 4  |                             |                     |
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Cc: Dwayne Alexander, CPM Deputy Executive Director



**RESOLUTION NO. SNRHA- 69**

**APPROVAL OF RESOLUTION SNRHA-69 AMENDING OUR CURRENT AGENCY PLAN FY2017 AND FIVE-YEAR ACTION PLAN FY2017-FY2021**

WHEREAS, the SNRHA is in need of updating the current Agency Plan FY2017 and Five Year Action Plan FY2017-FY2021

WHEREAS, the proposed activities are not included in the current Agency Plan; therefore, to add the proposed activities would be considered a substantial deviation from our current Annual Plan and Five-year Action Plan requiring a forty five day public comment period and a public hearing.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE SOUTHERN NEVADA REGIONAL HOUSING AUTHORITY, NEVADA**

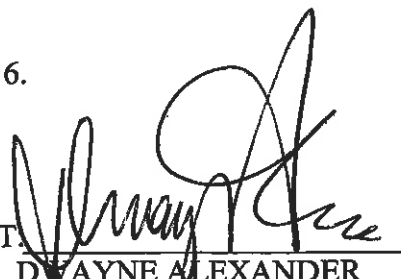
- I. The Board of Commissioners does hereby approve the amendment to the current Agency Plan and Five-Year Action Plan FY2017-2021 per attached proposed language.
- II. The Executive Director is hereby authorized and directed to execute all legal and other documents necessary to implement and effectuate the changes to the current Agency Plan FY2017 and Five Year Action Plan FY 2017-FY2021 including all applicable sections of the current Agency Plan Template form HUD-50075, pursuant to the applicable requirements and regulations.
- III. This Resolution shall be in full force and effect immediately upon its approval and adoption.

4. APPROVED AND ADOPTED THIS 13<sup>th</sup> day of JULY 2016.

BY:

  
TIM O'CALLAGHAN  
Chairperson

ATTEST

  
DWAYNE ALEXANDER  
Deputy Executive Director /  
Secretary

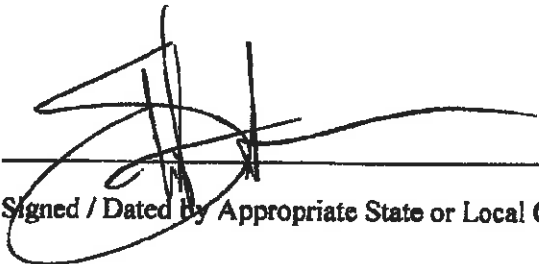
**B7**

**Certification by State or Local  
Official of PHA Plans Consistency  
with the Consolidated Plan**

**U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Expires 4/30/2011**

**Certification by State or Local Official of PHA Plans Consistency with the  
Consolidated Plan**

I, Stephen K. Harsin the Director of Community Services certify that the Five Year and  
Annual PHA Plan of the Southern Nevada Regional Housing Authority is consistent with the Consolidated Plan of  
City of Las Vegas prepared pursuant to 24 CFR Part 91.



Signed / Dated By Appropriate State or Local Official

**STEPHEN K. HARSIN, AICP, Director  
Office of Community Services**

**Certification by State or Local  
Official of PHA Plans Consistency  
with the Consolidated Plan**

**U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
Expires 4/30/2011**

**Certification by State or Local Official of PHA Plans Consistency with the  
Consolidated Plan**

I, Michael J. Pawlak the Director of Clark County Social Service certify that the Five Year and  
Annual PHA Plan of the Southern Nevada Regional Housing Authority is consistent with the Consolidated Plan of  
Clark County prepared pursuant to 24 CFR Part 91.

  
\_\_\_\_\_  
Signed / Dated by Appropriate State or Local Official

C

## Statement of Capital Improvements

Even though the new Capital Fund Rule effective November 25, 2013 decouples de Capital Fund forms from the larger PHA Plan submission; the SNRHA will complete and submit the *Capital Fund Program Annual Statement/Performance and Evaluation Report*, form HUD-50075.1, for each current and open CFP grant as part of their Agency Plan Annual Plan process.

- The Capital Fund Program Annual Statement are provided as an attachment to the PHA Plan as follows:
  - CFP NV39P018501-16 – (PDF-nv018h01)
  - CFP NV39R018502-16 – (PDF-nv018i01)
- The Capital Fund Performance and Evaluation (P&E) Reports as of **03/31/16** are provided as attachments to the PHA Plan as follows:
  - CFP NV39P018501-15 – (PDF-nv018j01)
  - CFP NV39R018501-15 – (PDF-nv018k01)
  - CFP NV39R018502-15 – (PDF-nv018l01)
  - CFP NV39P018501-14 – (PDF-nv018m01)
  - CFP NV39R018501-14 – (PDF-nv018n01)
  - CFP NV39R018502-14 – (PDF-nv018o01)
  - CFP NV39P018501-13 – (PDF-nv018p01)
  - CFP NV39P018501-12 – (PDF-nv018q01)
- Annual Statement Capital Fund Grant (Grant Number NV39P018501-1). Total funds of \$3,861,882.00 The SNRHA will be utilizing this Grant for the Vera Johnson “A” Mixed Finance conversion and for the Rose Gardens RAD Conversion.
- Annual Statement Capital Fund Replacement Housing Factor (RHF) Grant - 2<sup>nd</sup> 5Yr Increment (Grant #NV39R018502-15) Total Funds of \$90,131.00. The SNRHA will be utilizing this RHF Grant for the Rose Gardens RAD Conversion.
- Performance and Evaluation Reports for open grants as of March 31, ~~2015~~ 2016. These include:
  - FFY 2015
    - CFP NV39P018501-15 – Total funds of \$3,397,133. The SNRHA will be utilizing the funds already allocated for Vera Johnson A in this grant for the Mixed Finance Conversion.
    - RHF 1st 5YR Inc./CFP NV39R018501-15. Total funds of \$336,496. The SNRHA will be utilizing this RHF Grant for the Rose Gardens RAD Conversion.
    - RHF 2nd 5YR Inc./CFP NV39R018502-15. Total funds of \$173,119. The SNRHA will be utilizing this RHF Grant for the Biegger Estates RAD Conversion.
  - FFY 2014
    - CFP NV39P018501-14 – Total funds of \$3,497,989. The SNRHA will be utilizing the funds already allocated for Vera Johnson B in this grant for the Mixed Finance Conversion.
    - RHF 1st 5YR Inc./CFP NV39R018501-14. Total funds of \$410,238. The SNRHA will be utilizing this RHF Grant for the Biegger Estates and/or Rose Gardens RAD Conversion.

## **Statement of Capital Improvements**

- RHF 2nd 5YR Inc./CFP NV39R018502-14. Total funds of \$170,192. The SNRHA will be utilizing this RHF Grant for the Biegger Estates and/or Rose Gardens RAD Conversion.
- FFY 2013
  - CFP NV39P018501-13 – Total funds of \$3,666,347. The SNRHA will be utilizing the funds already allocated for Landsman Gardens in this grant for the RAD Conversion. Also, the SNRHA will be utilizing the funds already allocated for Vera Johnson B in this grant for the Mixed Finance Conversion.
- Capital Fund Grants closed between March 2014 and March 2015 are as follows:
  - FFY 2012
    - CFP NV39P018501-12 – Total funds of \$3,745,945. The SNRHA will be utilizing the funds already allocated for Landsman Gardens in this grant for the RAD Conversion.

### **C.1 Capital Improvements:**

#### **Capital Fund Financing Program (CFFP).**

The SNRHA is considering to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements

The Five Year Plan of the Capital Fund Grant includes work items amounts based on funding allocation received February 2016 for FFY 2016 Capital Funds and Replacement Housing Factor (RHF) Funds.

The Five Year Action Plan has been updated to provide the estimated reduction of the CFP allocation FY2016-FY2019 as the result of the proposed conversions under RAD.

See HUD Form- 50075.2 approved by HUD on **12/22/2015**.



**Capital Fund Program (CFP)**

**Five-Year Action Plan**

**FY 2016 – FY 2020**



# Capital Fund Program Five-Year Action Plan

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 08/30/2011

## Part I: Summary

| PHA Name: Southern Nevada Regional Housing Authority |                                               | Locality (City/County & State): Las Vegas/Clark/Nevada |                  |                                        |                  |                                        |                  |                                        |                  |
|------------------------------------------------------|-----------------------------------------------|--------------------------------------------------------|------------------|----------------------------------------|------------------|----------------------------------------|------------------|----------------------------------------|------------------|
| Development Number and Name                          | Work Statement for Year 1<br>FFY: 2016        | Work Statement for Year 2<br>FFY: 2017                 |                  | Work Statement for Year 3<br>FFY: 2018 |                  | Work Statement for Year 4<br>FFY: 2019 |                  | Work Statement for Year 5<br>FFY: 2020 |                  |
|                                                      |                                               | \$                                                     | \$               | \$                                     | \$               | \$                                     | \$               | \$                                     | \$               |
| B.                                                   | Physical Improvements Subtotal                | \$                                                     | 2,575,000        | \$                                     | 2,603,005        | \$                                     | 2,440,830        | \$                                     | 2,428,136        |
| C.                                                   | Management Improvements                       | \$                                                     | -                | \$                                     | 50,000           | \$                                     | 50,000           | \$                                     | 50,000           |
| D.                                                   | PHA-Wide Non-Dwelling Structure and Equipment | \$                                                     | 207,420          | \$                                     | 50,000           | \$                                     | 145,000          | \$                                     | 45,000           |
| E.                                                   | Administration                                | \$                                                     | 372,479          | \$                                     | 356,343          | \$                                     | 343,959          | \$                                     | 335,447          |
| F.                                                   | Other: Fees & Cost                            | \$                                                     | 569,895          | \$                                     | 504,082          | \$                                     | 459,801          | \$                                     | 495,891          |
| G.                                                   | Operations                                    |                                                        |                  |                                        |                  |                                        |                  |                                        |                  |
| H.                                                   | Demolition                                    |                                                        |                  |                                        |                  |                                        |                  |                                        |                  |
| I.                                                   | Replacement Reserve                           |                                                        |                  |                                        |                  |                                        |                  |                                        |                  |
| J.                                                   | Mod Used for Development                      |                                                        |                  |                                        |                  |                                        |                  |                                        |                  |
| K.                                                   | Total CFP Funds                               |                                                        |                  |                                        |                  |                                        |                  |                                        |                  |
| L.                                                   | Total Non-CFP funds                           |                                                        |                  |                                        |                  |                                        |                  |                                        |                  |
| M.                                                   | <b>Grand Total</b>                            | \$                                                     | <b>3,724,794</b> | \$                                     | <b>3,563,430</b> | \$                                     | <b>3,439,590</b> | \$                                     | <b>3,354,474</b> |

RAD Reduction-Vera B (included in CFP DDITF) \$ 90,131 \$ (reduced from est. \$170,192)  
 RAD Reduction-BieggerEstates (included in CFP DDITF) \$ 90,131 \$ (reduced from est. \$170,192)  
 RAD Reduction-RoseGardens (included in CFP DDITF) \$ 90,131 \$ (reduced from est. \$170,192)  
 RAD Reduction-EspinozaTerrace (included in CFP DDITF) \$ 90,131 \$ (reduced from est. \$170,192)

**NOTES:** Vera Johnson B RAD conversion anticipates a reduction of \$137,088 for CFP 2016 allocation. Biegger Estates conversion anticipates a reduction of \$161,364 for CFP 2017 allocation & Rose Gardens conversion anticipates a reduction of \$123,840 for CFP 2018 allocation and Espinoza Terrace anticipates a reduction of \$85,115.21 for CFP2019 allocation

# Capital Fund Program Five-Year Action Plan

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 08/30/2011

| Work Statement for Year 1<br>FFY: 2016 | Work Statement for Year 2<br>FFY: 2017                                                             |          |                     | Work Statement for Year 3<br>FFY: 2018                                  |          |                     |
|----------------------------------------|----------------------------------------------------------------------------------------------------|----------|---------------------|-------------------------------------------------------------------------|----------|---------------------|
|                                        | Development Number/Name<br>General Description of Major Work Categories                            | Quantity | Estimated Cost      | Development Number/Name<br>General Description of Major Work Categories | Quantity | Estimated Cost      |
| See Annual Statement                   |                                                                                                    |          |                     |                                                                         |          |                     |
|                                        | <b>AMP 404 - Espinoza Terrace - RAD</b>                                                            |          |                     |                                                                         |          |                     |
|                                        | CompMod- (portion of)                                                                              |          | \$ 1,900,000        |                                                                         |          | \$ 911,522          |
|                                        | Relocation                                                                                         |          | \$ 100,000          |                                                                         |          | \$ 27,480           |
|                                        | <b>Sub-Total</b>                                                                                   |          | <b>\$ 2,000,000</b> | <b>Sub-Total</b>                                                        |          | <b>\$ 939,002</b>   |
|                                        |                                                                                                    |          |                     |                                                                         |          |                     |
|                                        | <b>AMP 318/319-Scattered Sites</b>                                                                 |          |                     |                                                                         |          |                     |
|                                        | Energy Upgrades/Mod- Phase I-12 Units)                                                             |          |                     |                                                                         |          | \$ 911,522          |
|                                        | Relocation                                                                                         |          |                     |                                                                         |          | \$ 27,480           |
|                                        | <b>Sub-Total</b>                                                                                   |          |                     | <b>Sub-Total</b>                                                        |          | <b>\$ 939,002</b>   |
|                                        |                                                                                                    |          |                     |                                                                         |          |                     |
|                                        | <b>PHA Wide - Remaining from FY2016</b>                                                            |          |                     |                                                                         |          |                     |
|                                        | <b>The following work is intended to be performed with Force Account &amp; Section 3 Residents</b> |          |                     |                                                                         |          |                     |
|                                        | Playground Upgrades                                                                                |          | \$ -                |                                                                         |          | \$ -                |
|                                        | Energy Star Appliances                                                                             |          | \$ 25,000           |                                                                         |          | \$ 25,000           |
|                                        | Door Upgrades i.e. mail slot upg, autocontrol install, screens                                     |          | \$ 50,000           |                                                                         |          | \$ -                |
|                                        | autocontrol install, screens doors install                                                         |          |                     |                                                                         |          | \$ -                |
|                                        | Misc. Site Work & Ext./Int. Units Upg.                                                             |          |                     |                                                                         |          | \$ -                |
|                                        |                                                                                                    |          |                     |                                                                         |          |                     |
|                                        | <b>Shut-off Valves/Sewer Lift Station Pump Upgs (Simmons)</b>                                      |          |                     |                                                                         |          |                     |
|                                        | 2nd Floor Decks Upg. - portion of (Hampton)                                                        |          | \$ 100,000          |                                                                         |          | \$ 100,000          |
|                                        | Desert Landscaping-portion of (Hampton)                                                            |          | \$ -                |                                                                         |          | \$ -                |
|                                        | Parking Lots & Ext. Lighting Upgrades portion of (Jones)                                           |          | \$ 100,000          |                                                                         |          | \$ 100,000          |
|                                        | Windows Replacement (Jones)                                                                        |          | \$ 100,000          |                                                                         |          | \$ 100,000          |
|                                        | Vacancy Reduction                                                                                  |          | \$ -                |                                                                         |          | \$ -                |
|                                        | Elevators Upgrades                                                                                 |          | \$ -                |                                                                         |          | \$ 200,000          |
|                                        | <b>Sub-Total</b>                                                                                   |          | <b>\$ 475,000</b>   | <b>Sub-Total</b>                                                        |          | <b>\$ 525,000</b>   |
|                                        |                                                                                                    |          |                     |                                                                         |          |                     |
|                                        | <b>PHA Wide</b>                                                                                    |          |                     |                                                                         |          |                     |
|                                        | Non-Dwelling Units Upgrades (Hampton)                                                              |          | \$ 50,000           |                                                                         |          | \$ -                |
|                                        | Non-Dwelling Equipment                                                                             |          | \$ 157,420          |                                                                         |          | \$ 50,000           |
|                                        | <b>Sub-Total</b>                                                                                   |          | <b>\$ 207,420</b>   | <b>Sub-Total</b>                                                        |          | <b>\$ 50,000</b>    |
|                                        |                                                                                                    |          |                     |                                                                         |          |                     |
|                                        | <b>Subtotal of Estimated Costs</b>                                                                 |          | <b>\$ 2,682,420</b> | <b>Subtotal of Estimated Costs</b>                                      |          | <b>\$ 2,453,005</b> |

# Capital Fund Program Five-Year Action Plan

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 08/30/2011

| Work Statement for Year 1<br>FFY: 2016 | Work Statement for Year 4<br>FFY: 2019                                                             |          |                     | Work Statement for Year 5<br>FFY: 2020                                     |          |                     |
|----------------------------------------|----------------------------------------------------------------------------------------------------|----------|---------------------|----------------------------------------------------------------------------|----------|---------------------|
|                                        | Development Number/Name<br>General Description of<br>Major Work Categories                         | Quantity | Estimated Cost      | Development Number/Name<br>General Description of<br>Major Work Categories | Quantity | Estimated Cost      |
| See Annual Statement                   |                                                                                                    |          |                     |                                                                            |          |                     |
|                                        | <b>AMP 310/311-Scattered Sites</b>                                                                 |          |                     |                                                                            |          |                     |
|                                        | Energy Upgrades/Mod- Phase I-12Units)                                                              |          | \$ 920,435          |                                                                            |          | \$ 949,088          |
|                                        | Relocation                                                                                         |          | \$ 27,480           |                                                                            |          | \$ 27,480           |
|                                        | <b>Sub-Total</b>                                                                                   |          | <b>\$ 947,915</b>   |                                                                            |          | <b>\$ 976,568</b>   |
|                                        | <b>AMP 318/319-Scattered Sites</b>                                                                 |          |                     |                                                                            |          |                     |
|                                        | Energy Upgrades/Mod- Phase I-12Units)                                                              |          | \$ 920,435          |                                                                            |          | \$ 949,088          |
|                                        | Relocation                                                                                         |          | \$ 27,480           |                                                                            |          | \$ 27,480           |
|                                        | <b>Sub-Total</b>                                                                                   |          | <b>\$ 947,915</b>   |                                                                            |          | <b>\$ 976,568</b>   |
|                                        | <b>PHA Wide - Remaining from FY2018</b>                                                            |          |                     |                                                                            |          |                     |
|                                        | <b>The following work is intended to be performed with Force Account &amp; Section 3 Residents</b> |          |                     |                                                                            |          |                     |
|                                        | Playground Upgrades                                                                                |          | \$ -                |                                                                            |          | \$ -                |
|                                        | Energy Star Appliances                                                                             |          | \$ 25,000           |                                                                            |          | \$ 25,000           |
|                                        | Misc. Site Work & Ext./Int. Units Upg.                                                             |          | \$ -                |                                                                            |          | \$ 30,000           |
|                                        | Door Upgrades i.e. mail slot upg, autocontrol install, screens doors install                       |          | \$ 70,000           |                                                                            |          | \$ -                |
|                                        | Shut-off Valves/ Lateral Replacement                                                               |          | \$ -                |                                                                            |          | \$ -                |
|                                        | Exterior Painting of Properties portion of (Jones)                                                 |          | \$ 50,000           |                                                                            |          | \$ -                |
|                                        | Parking Lots & Ext. Lighting Upgrades portion of (Jones/Hullum)                                    |          | \$ 50,000           |                                                                            |          | \$ 100,000          |
|                                        | Windows Replacement (Jones/Bigger)                                                                 |          | \$ -                |                                                                            |          | \$ 50,000           |
|                                        | Vacancy Reduction                                                                                  |          | \$ -                |                                                                            |          | \$ 100,000          |
|                                        | Roofing Upgrades (Jones/Espinoza)                                                                  |          | \$ 300,000          |                                                                            |          | \$ 25,000           |
|                                        | <b>Sub-Total</b>                                                                                   |          | <b>\$ 495,000</b>   |                                                                            |          | <b>\$ 430,000</b>   |
|                                        | <b>PHA Wide</b>                                                                                    |          |                     |                                                                            |          | \$ -                |
|                                        | Non-Dwelling Units Upgrades (Hullum/Jones)                                                         |          | \$ 45,000           |                                                                            |          | \$ 45,000           |
|                                        | Non-Dwelling Equipment                                                                             |          | \$ 100,000          |                                                                            |          | \$ -                |
|                                        | <b>Sub-Total</b>                                                                                   |          | <b>\$ 145,000</b>   |                                                                            |          | <b>\$ 45,000</b>    |
|                                        | <b>Subtotal of Estimated Costs</b>                                                                 |          | <b>\$ 2,585,830</b> |                                                                            |          | <b>\$ 2,428,136</b> |

# Capital Fund Program Five-Year Action Plan

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 08/30/2011

## Part III: Supporting Pages - Management Needs Work Statement(s)

| Work Statement for Year 1<br>FFY: 2016 | Work Statement for Year 2<br>FFY: 2017                               |                   | Work Statement for Year 3<br>FFY: 2018                               |                   |
|----------------------------------------|----------------------------------------------------------------------|-------------------|----------------------------------------------------------------------|-------------------|
|                                        | Development Number/Name/General Description of Major Work Categories | Estimated Cost    | Development Number/Name/General Description of Major Work Categories | Estimated Cost    |
| See Annual Statement                   | Operations                                                           | \$ -              | Operations                                                           | \$ -              |
|                                        | Resident/Staff Training                                              | \$ -              | Resident/Staff Training                                              | \$ 25,000         |
|                                        | IT Infrastructure                                                    | \$ -              | IT Infrastructure                                                    | \$ 25,000         |
|                                        | Central Office Cost-10% max.                                         | \$ 372,479        | Central Office Cost-10% max.                                         | \$ 356,343        |
|                                        | Construction Management Inspection Services                          | \$ 198,536        | Construction Management Inspection Services                          | \$ 198,536        |
|                                        | A/E Design Services-Scattered Sites                                  | \$ 100,000        | A/E Design Services-Scattered Sites                                  | \$ 100,000        |
|                                        | A/E Design Serv./Professional Fees & Cost- PHA Wide                  | \$ 141,484        | A/E Design Serv./Professional Fees & Cost- PHA Wide                  | \$ 95,546         |
|                                        | Hazardous Materials Consultant                                       | \$ 25,000         | Hazardous Materials Consultant                                       | \$ 25,000         |
|                                        | New Green PNA Audit Services (added)                                 | \$ 104,875        | New Green PNA Audit Services                                         | \$ 85,000         |
|                                        | <b>Subtotal of Estimated Cost</b>                                    | <b>\$ 942,374</b> | <b>Subtotal of Estimated Cost</b>                                    | <b>\$ 910,425</b> |

| Work Statement for Year 1<br>FFY: 2016 | Work Statement for Year 4<br>FFY: 2018-2019                          |                   | Work Statement for Year 5<br>FFY: 2019 2020                          |                   |
|----------------------------------------|----------------------------------------------------------------------|-------------------|----------------------------------------------------------------------|-------------------|
|                                        | Development Number/Name/General Description of Major Work Categories | Estimated Cost    | Development Number/Name/General Description of Major Work Categories | Estimated Cost    |
| See Annual Statement                   | Operations                                                           | \$ -              | Operations                                                           | \$ -              |
|                                        | Resident/Staff Training                                              | \$ 25,000         | Resident/Staff Training                                              | \$ 25,000         |
|                                        | IT Infrastructure                                                    | \$ 25,000         | IT Infrastructure                                                    | \$ 25,000         |
|                                        | Central Office Cost-10% max.                                         | \$ 343,959        | Central Office Cost-10% max.                                         | \$ 335,447        |
|                                        | Construction Management Inspection Services                          | \$ 198,536        | Construction Management Inspection Services                          | \$ 198,536        |
|                                        | A/E Design Services-Scattered Sites                                  | \$ 100,000        | A/E Design Services-Scattered Sites                                  | \$ 100,000        |
|                                        | A/E Design Serv./Professional Fees & Cost- PHA Wide                  | \$ 136,265        | A/E Design Serv./Professional Fees & Cost- PHA Wide                  | \$ 172,355        |
|                                        | Hazardous Materials Consultant                                       | \$ 25,000         | Hazardous Materials Consultant                                       | \$ 25,000         |
|                                        | <b>Subtotal of Estimated Cost</b>                                    | <b>\$ 853,760</b> | <b>Subtotal of Estimated Cost</b>                                    | <b>\$ 881,338</b> |



**Capital Fund Program (CFP)**

**and/or**

**Capital Fund Program Replacement Housing Factor Funds  
(CFPRHF)**

**FY 2016**

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program. Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program


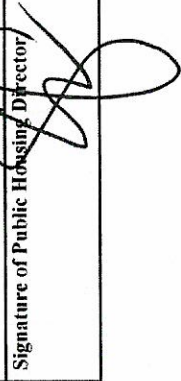
U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 6/30/2017

| Part 1: Summary                                                                                                                                |                                                              | Grant Type and Number                                                                         |           | FFY of Grant:                 |
|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-----------|-------------------------------|
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                                                                                     |                                                              | Capital Fund Grant No: NV01P018501-16<br>Replacement Housing Factor Fund No:<br>Date of CFFP: |           | FFY of Grant Approval<br>2016 |
| Type of Grant                                                                                                                                  |                                                              | Revised Annual Statement (revision no: )                                                      |           |                               |
| <input checked="" type="checkbox"/> Original Annual Statement<br><input type="checkbox"/> Performance and Evaluation Report for Period Ending: |                                                              | <input type="checkbox"/> Final Performance and Evaluation Report                              |           |                               |
| Summary by Development Account                                                                                                                 |                                                              | Reserve for Disaster/Emergency                                                                |           |                               |
| Line                                                                                                                                           | Original                                                     | Total Estimated Cost                                                                          | Obligated | Total Actual Cost             |
|                                                                                                                                                |                                                              | Revised <sup>2</sup>                                                                          |           | Expended                      |
| 1                                                                                                                                              | Total non-CFP Funds                                          |                                                                                               |           |                               |
| 2                                                                                                                                              | 1406 Operations (may not exceed 20% of line 21) <sup>3</sup> | \$60,000.00                                                                                   | \$0.00    | \$0.00                        |
| 3                                                                                                                                              | 1408 Management Improvements                                 | \$386,188.00                                                                                  | \$0.00    | \$0.00                        |
| 4                                                                                                                                              | 1410 Administration (may not exceed 10% of line 21)          |                                                                                               |           |                               |
| 5                                                                                                                                              | 1411 Audit                                                   |                                                                                               |           |                               |
| 6                                                                                                                                              | 1415 Liquidated Damages                                      |                                                                                               |           |                               |
| 7                                                                                                                                              | 1430 Fees and Costs                                          | \$498,548.00                                                                                  | \$0.00    | \$0.00                        |
| 8                                                                                                                                              | 1440 Site Acquisition                                        |                                                                                               |           |                               |
| 9                                                                                                                                              | 1450 Site Improvement                                        | \$2,192,146.00                                                                                | \$0.00    | \$0.00                        |
| 10                                                                                                                                             | 1460 Dwelling Structures                                     | \$444,244.00                                                                                  | \$0.00    | \$0.00                        |
| 11                                                                                                                                             | 1465.1 Dwelling Equipment—Nonexpendable                      | \$25,000.00                                                                                   | \$0.00    | \$0.00                        |
| 12                                                                                                                                             | 1470 Nondwelling Structures                                  | \$0.00                                                                                        | \$0.00    | \$0.00                        |
| 13                                                                                                                                             | 1475 Nondwelling Equipment                                   | \$200,000.00                                                                                  | \$0.00    | \$0.00                        |
| 14                                                                                                                                             | 1485 Demolition                                              |                                                                                               |           |                               |
| 15                                                                                                                                             | 1492 Moving to Work Demonstration                            |                                                                                               |           |                               |
| 16                                                                                                                                             | 1495.1 Relocation Costs                                      | \$55,756.00                                                                                   | \$0.00    | \$0.00                        |
| 17                                                                                                                                             | 1499 Development Activities <sup>4</sup>                     |                                                                                               |           |                               |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP for operations  
<sup>4</sup> RHF funds shall be included here

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 6/30/2017

| Part I: Summary                                                                                                                                |                                                                          | Grant Type and Number                                                                                                                 |                      | FFY of Grant:                 |
|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------------------------------|
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                                                                                     |                                                                          | Capital Fund Grant No: NV01P018501-16<br>Replacement Housing Factor Fund No:<br>Date of CFFP:                                         |                      | FFY of Grant Approval<br>2016 |
| Type of Grant                                                                                                                                  |                                                                          | Reserve for Disaster/Emergency                                                                                                        |                      |                               |
| <input checked="" type="checkbox"/> Original Annual Statement<br><input type="checkbox"/> Performance and Evaluation Report for Period Ending: |                                                                          | <input type="checkbox"/> Revised Annual Statement (revision no: )<br><input type="checkbox"/> Final Performance and Evaluation Report |                      |                               |
| Line                                                                                                                                           | Summary by Development Account                                           | Total Estimated Cost                                                                                                                  | Revised <sup>1</sup> | Total Actual Cost             |
|                                                                                                                                                |                                                                          | Original                                                                                                                              | Obligated            | Expended                      |
| 18a                                                                                                                                            | 1501 Collateralization or Debt Service paid by the PHA                   |                                                                                                                                       |                      |                               |
| 18ba                                                                                                                                           | 9000 Collateralization or Debt Service paid Via System of Direct Payment |                                                                                                                                       |                      |                               |
| 19                                                                                                                                             | 1502 Contingency (may not exceed 8% of line 20)                          |                                                                                                                                       |                      |                               |
| 19a                                                                                                                                            | 1503 - RAD Conversion                                                    | \$0.00                                                                                                                                | \$0.00               | \$0.00                        |
| 20                                                                                                                                             | Amount of Annual Grant: (sum of lines 2-19)                              | \$3,861,882.00                                                                                                                        | \$0.00               | \$0.00                        |
| 21                                                                                                                                             | Amount of line 20 Related to LBP Activities                              |                                                                                                                                       |                      |                               |
| 22                                                                                                                                             | Amount of line 20 Related to Section 504 Activities                      |                                                                                                                                       |                      |                               |
| 23                                                                                                                                             | Amount of line 20 Related to Security - Soft Cost                        |                                                                                                                                       |                      |                               |
| 24                                                                                                                                             | Amount of line 20 Related to Security - Hard Cost                        |                                                                                                                                       |                      |                               |
| 25                                                                                                                                             | Amount of line 20 Related to Energy Conservation Measures                |                                                                                                                                       |                      |                               |
| Signature of Executive Director                                                                                                                |                                                                          | Signature of Public Housing Director                                                                                                  |                      | Date                          |
|                                                            |                                                                          |                                                     |                      | APR 13 2016                   |
|                                                                                                                                                |                                                                          |                                                                                                                                       |                      | Date                          |
|                                                                                                                                                |                                                                          |                                                                                                                                       |                      | APR 13 2016                   |

1 To be completed for the Performance and Evaluation Report  
 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 3 PHAs with under 250 units in management may use 100% of CFP for operations  
 4 RHF funds shall be included here

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

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| Part II: Supporting Pages                                                   |                                  | Grant Type and Number                         |  | Federal FFY of Grant:       |        |
|-----------------------------------------------------------------------------|----------------------------------|-----------------------------------------------|--|-----------------------------|--------|
| PHA Name:                                                                   |                                  | Capital Fund Program Grant No: NV01P018501-16 |  | 2016                        |        |
| Southern Nevada Regional Housing Authority                                  |                                  | CFFP (Yes/No):                                |  |                             |        |
| Development Number Name/PHA-Wide Activities                                 |                                  | Replacement Housing Factor Grant No:          |  | Status of Work              |        |
| General Description of Major Work Categories                                |                                  | Development Account No.                       |  | Total Estimated Cost        |        |
|                                                                             |                                  |                                               |  | Original                    |        |
|                                                                             |                                  |                                               |  | Revised <sup>1</sup>        |        |
|                                                                             |                                  |                                               |  | Funds Obligated             |        |
|                                                                             |                                  |                                               |  | Funds Expended <sup>2</sup> |        |
| PHA Wide                                                                    | Management Improvement           | 1408                                          |  | \$0.00                      | \$0.00 |
|                                                                             | IT System Upg.                   |                                               |  | \$0.00                      | \$0.00 |
|                                                                             | Resident/ Staff Training         |                                               |  | \$0.00                      | \$0.00 |
|                                                                             | SUB-TOTAL                        |                                               |  | \$0.00                      | \$0.00 |
|                                                                             | Central Office Cost              | 1410                                          |  | \$386,188.00                | \$0.00 |
|                                                                             | SUB-TOTAL                        |                                               |  | \$386,188.00                | \$0.00 |
| PHA Wide                                                                    | Construction Admin Services      | 1430                                          |  | \$0.00                      | \$0.00 |
|                                                                             | Roofing Consultant               | 1430                                          |  | \$0.00                      | \$0.00 |
|                                                                             | A/E Design Services              | 1430                                          |  | \$275,012.00                | \$0.00 |
|                                                                             | Hazardous Materials Consultant   | 1430                                          |  | \$25,000.00                 | \$0.00 |
|                                                                             | SUB-TOTAL                        |                                               |  | \$498,548.00                | \$0.00 |
|                                                                             | Misc Site Work Repairs           | 1450                                          |  | \$0.00                      | \$0.00 |
|                                                                             | Playground & Safety Surface Upg. | 1450                                          |  | \$0.00                      | \$0.00 |
|                                                                             | Desert Landscaping               | 1450                                          |  | \$0.00                      | \$0.00 |
|                                                                             | Parking Lots Upgrades            | 1450                                          |  | \$0.00                      | \$0.00 |
|                                                                             | SUB-TOTAL                        |                                               |  | \$0.00                      | \$0.00 |
| Work intended to be performed through Force Account and Section 3 Residents | Misc. Interior/Exterior Repairs  | 1460                                          |  | \$0.00                      | \$0.00 |
|                                                                             | Vacancy Reduction                | 1460                                          |  | \$0.00                      | \$0.00 |
|                                                                             | Exterior Painting                | 1460                                          |  | \$0.00                      | \$0.00 |
|                                                                             | SUB-TOTAL                        |                                               |  | \$0.00                      | \$0.00 |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement





Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

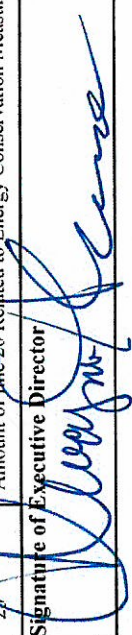
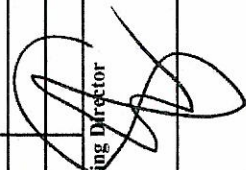
U.S. Department of Housing and Urban Development  
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| Part III: Implementation Schedule                    |                                             |                               |                                             |                                |                                | Federal FFY of Grant: 2016       |
|------------------------------------------------------|---------------------------------------------|-------------------------------|---------------------------------------------|--------------------------------|--------------------------------|----------------------------------|
| PHA Name: Southern Nevada Regional Housing Authority |                                             |                               |                                             |                                |                                | Reasons for Revised Target Dates |
| Capital Fund Program No: NV01P018501-16              |                                             |                               |                                             |                                |                                |                                  |
| Development Number<br>Name/PHA-Wide Activities       | All Fund Obligated<br>(Quarter Ending Date) |                               | All Funds Expended<br>(Quarter Ending Date) |                                | Actual Expenditure<br>End Date |                                  |
|                                                      | Original Obligation<br>End Date             | Actual Obligation<br>End Date | Original Expenditure<br>End Date            | Actual Expenditure<br>End Date |                                |                                  |
| Mgmt Improvement                                     | 04/12/18                                    |                               | 04/12/20                                    |                                |                                |                                  |
| Administration                                       | 04/12/18                                    |                               | 04/12/20                                    |                                |                                |                                  |
| Fees & Cost                                          | 04/12/18                                    |                               | 04/12/20                                    |                                |                                |                                  |
| Site Improvement                                     | 04/12/18                                    |                               | 04/12/20                                    |                                |                                |                                  |
| Dwelling Structure                                   | 04/12/18                                    |                               | 04/12/20                                    |                                |                                |                                  |
| Dwelling Equipment                                   | 04/12/18                                    |                               | 04/12/20                                    |                                |                                |                                  |
| Relocation                                           | 04/12/18                                    |                               | 04/12/20                                    |                                |                                |                                  |
|                                                      |                                             |                               |                                             |                                |                                |                                  |
|                                                      |                                             |                               |                                             |                                |                                |                                  |
|                                                      |                                             |                               |                                             |                                |                                |                                  |
|                                                      |                                             |                               |                                             |                                |                                |                                  |
|                                                      |                                             |                               |                                             |                                |                                |                                  |
|                                                      |                                             |                               |                                             |                                |                                |                                  |
|                                                      |                                             |                               |                                             |                                |                                |                                  |
|                                                      |                                             |                               |                                             |                                |                                |                                  |
|                                                      |                                             |                               |                                             |                                |                                |                                  |

Obligation and expenditure end date can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended

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|                                                                                                                                                |                                                                          |                                                                                               |                            |                                                                                    |                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------------|------------------------------------------------------------------------------------|--------------------------------------|
| <b>Part 1: Summary</b>                                                                                                                         |                                                                          | <b>Grant Type and Number</b>                                                                  |                            | FFY of Grant:                                                                      |                                      |
| <b>PHA Name:</b><br>Southern Nevada Regional<br>Housing Authority                                                                              |                                                                          | Capital Fund Grant No: NV01R018502-16<br>Replacement Housing Factor Fund No:<br>Date of CFFP: |                            | FFY of Grant Approval<br><b>2016</b>                                               |                                      |
| <b>Type of Grant</b>                                                                                                                           |                                                                          | Reserve for Disaster/Emergency <input type="checkbox"/>                                       |                            | Revised Annual Statement (revision no: ) <input type="checkbox"/>                  |                                      |
| <input checked="" type="checkbox"/> Original Annual Statement<br><input type="checkbox"/> Performance and Evaluation Report for Period Ending: |                                                                          | Summary by Development Account                                                                |                            | Final Performance and Evaluation Report                                            |                                      |
| <b>Line</b>                                                                                                                                    | <b>Summary by Development Account</b>                                    | <b>Total Estimated Cost</b>                                                                   | <b>Revised<sup>2</sup></b> | <b>Obligated</b>                                                                   | <b>Total Actual Cost<sup>1</sup></b> |
| 18a                                                                                                                                            | 1501 Collateralization or Debt Service paid by the PHA                   |                                                                                               |                            |                                                                                    | Expended                             |
| 18ba                                                                                                                                           | 9000 Collateralization or Debt Service paid Via System of Direct Payment |                                                                                               |                            |                                                                                    |                                      |
| 19                                                                                                                                             | 1502 Contingency (may not exceed 8% of line 20)                          |                                                                                               |                            |                                                                                    |                                      |
| 19a                                                                                                                                            | 1503 - RAD Conversion                                                    | \$0.00                                                                                        |                            | \$0.00                                                                             | \$0.00                               |
| 20                                                                                                                                             | Amount of Annual Grant: (sum of lines 2-19)                              | \$90,131.00                                                                                   |                            | \$0.00                                                                             | \$0.00                               |
| 21                                                                                                                                             | Amount of line 20 Related to LBP Activities                              |                                                                                               |                            |                                                                                    |                                      |
| 22                                                                                                                                             | Amount of line 20 Related to Section 504 Activities                      |                                                                                               |                            |                                                                                    |                                      |
| 23                                                                                                                                             | Amount of line 20 Related to Security - Soft Cost                        |                                                                                               |                            |                                                                                    |                                      |
| 24                                                                                                                                             | Amount of line 20 Related to Security - Hard Cost                        |                                                                                               |                            |                                                                                    |                                      |
| 25                                                                                                                                             | Amount of line 20 Related to Energy Conservation Measures                |                                                                                               |                            |                                                                                    |                                      |
| <b>Signature of Executive Director</b>                                                                                                         |                                                                          | <b>Date</b>                                                                                   |                            | <b>Signature of Public Housing Director</b>                                        |                                      |
|                                                            |                                                                          | 3/8/16                                                                                        |                            |  |                                      |
|                                                                                                                                                |                                                                          |                                                                                               |                            | APR 13 2016                                                                        |                                      |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP for operations  
<sup>4</sup> RHF funds shall be included here





Annual Statement/Performance and Evaluation Report  
 Capital Fund Program. Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
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| Part 1: Summary                                                               |                                | Grant Type and Number                                                                         |                      | FFY of Grant:                 |          |
|-------------------------------------------------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------------|----------------------|-------------------------------|----------|
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                    |                                | Capital Fund Grant No: NV01R018502-16<br>Replacement Housing Factor Fund No:<br>Date of CFFP: |                      | FFY of Grant Approval<br>2016 |          |
| Type of Grant                                                                 |                                | Revised Annual Statement (revision no: )                                                      |                      |                               |          |
| <input type="checkbox"/> Original Annual Statement                            |                                | <input type="checkbox"/> Final Performance and Evaluation Report                              |                      |                               |          |
| <input type="checkbox"/> Performance and Evaluation Report for Period Ending: |                                | <input type="checkbox"/> Revised Annual Statement (revision no: )                             |                      |                               |          |
| Summary by Development Account                                                |                                | Total Estimated Cost                                                                          |                      | Total Actual Cost             |          |
| Line                                                                          | Reserve for Disaster/Emergency | Original                                                                                      | Revised <sup>2</sup> | Obligated                     | Expended |
| 1                                                                             | <input type="checkbox"/>       | Total non-CFP Funds                                                                           |                      |                               |          |
| 2                                                                             | <input type="checkbox"/>       | 1406 Operations (may not exceed 20% of line 21) <sup>3</sup>                                  | \$0.00               | \$0.00                        | \$0.00   |
| 3                                                                             | <input type="checkbox"/>       | 1408 Management Improvements                                                                  | \$0.00               | \$0.00                        | \$0.00   |
| 4                                                                             | <input type="checkbox"/>       | 1410 Administration (may not exceed 10% of line 21)                                           |                      |                               |          |
| 5                                                                             | <input type="checkbox"/>       | 1411 Audit                                                                                    |                      |                               |          |
| 6                                                                             | <input type="checkbox"/>       | 1415 Liquidated Damages                                                                       |                      |                               |          |
| 7                                                                             | <input type="checkbox"/>       | 1430 Fees and Costs                                                                           | \$0.00               | \$0.00                        | \$0.00   |
| 8                                                                             | <input type="checkbox"/>       | 1440 Site Acquisition                                                                         |                      |                               |          |
| 9                                                                             | <input type="checkbox"/>       | 1450 Site Improvement                                                                         | \$0.00               | \$0.00                        | \$0.00   |
| 10                                                                            | <input type="checkbox"/>       | 1460 Dwelling Structures                                                                      | \$0.00               | \$0.00                        | \$0.00   |
| 11                                                                            | <input type="checkbox"/>       | 1465.1 Dwelling Equipment—Nonexpendable                                                       | \$0.00               | \$0.00                        | \$0.00   |
| 12                                                                            | <input type="checkbox"/>       | 1470 Nondwelling Structures                                                                   | \$0.00               | \$0.00                        | \$0.00   |
| 13                                                                            | <input type="checkbox"/>       | 1475 Nondwelling Equipment                                                                    | \$0.00               | \$0.00                        | \$0.00   |
| 14                                                                            | <input type="checkbox"/>       | 1485 Demolition                                                                               |                      |                               |          |
| 15                                                                            | <input type="checkbox"/>       | 1492 Moving to Work Demonstration                                                             |                      |                               |          |
| 16                                                                            | <input type="checkbox"/>       | 1495.1 Relocation Costs                                                                       | \$0.00               | \$0.00                        | \$0.00   |
| 17                                                                            | <input type="checkbox"/>       | 1499 Development Activities <sup>4</sup>                                                      | \$90,131.00          | \$0.00                        | \$0.00   |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP for operations  
<sup>4</sup> RHF funds shall be included here



**Capital Fund Program (CFP)**

**and/or**

**Capital Fund Program Replacement Housing Factor Funds  
(CFPRHF)**

**FY 2015**

| <b>Part 1: Summary</b>                                                                              |                                                              | <b>Grant Type and Number</b>                                                                                |                      | FFY of Grant:                        |              |
|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|----------------------|--------------------------------------|--------------|
| <b>PHA Name:</b><br>Southern Nevada Regional<br>Housing Authority                                   |                                                              | <b>Capital Fund Grant No:</b> NV39P018501-15<br><b>Replacement Housing Factor Fund No:</b><br>Date of CFFP: |                      | FFY of Grant Approval<br><b>2015</b> |              |
| <b>Type of Grant</b>                                                                                |                                                              |                                                                                                             |                      |                                      |              |
| <input type="checkbox"/> Original Annual Statement                                                  |                                                              | <input type="checkbox"/> Revised Annual Statement (revision no: 02 )                                        |                      |                                      |              |
| <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2016 |                                                              | <input type="checkbox"/> Final Performance and Evaluation Report                                            |                      |                                      |              |
| Line                                                                                                | Summary by Development Account                               | Total Estimated Cost                                                                                        |                      | Total Actual Cost <sup>1</sup>       |              |
|                                                                                                     |                                                              | Original                                                                                                    | Revised <sup>2</sup> |                                      | Obligated    |
| 1                                                                                                   | Total non-CFP Funds                                          |                                                                                                             |                      |                                      |              |
| 2                                                                                                   | 1406 Operations (may not exceed 20% of line 21) <sup>3</sup> |                                                                                                             |                      |                                      |              |
| 3                                                                                                   | 1408 Management Improvements                                 | \$0.00                                                                                                      | \$0.00               | \$0.00                               | \$0.00       |
| 4                                                                                                   | 1410 Administration (may not exceed 10% of line 21)          | \$339,713.30                                                                                                | \$339,713.30         | \$169,854.00                         | \$169,854.00 |
| 5                                                                                                   | 1411 Audit                                                   |                                                                                                             |                      |                                      |              |
| 6                                                                                                   | 1415 Liquidated Damages                                      |                                                                                                             |                      |                                      |              |
| 7                                                                                                   | 1430 Fees and Costs                                          | \$294,776.00                                                                                                | \$294,776.00         | \$0.00                               | \$0.00       |
| 8                                                                                                   | 1440 Site Acquisition                                        |                                                                                                             |                      |                                      |              |
| 9                                                                                                   | 1450 Site Improvement                                        | \$430,000.00                                                                                                | \$181,284.36         | \$0.00                               | \$0.00       |
| 10                                                                                                  | 1460 Dwelling Structures                                     | \$2,108,665.70                                                                                              | \$2,208,665.70       | \$0.00                               | \$0.00       |
| 11                                                                                                  | 1465.1 Dwelling Equipment—Nonexpendable                      | \$150,000.00                                                                                                | \$150,000.00         | \$0.00                               | \$0.00       |
| 12                                                                                                  | 1470 Nondwelling Structures                                  | \$0.00                                                                                                      | \$0.00               |                                      |              |
| 13                                                                                                  | 1475 Nondwelling Equipment                                   | \$0.00                                                                                                      | \$0.00               | \$0.00                               | \$0.00       |
| 14                                                                                                  | 1485 Demolition                                              |                                                                                                             |                      |                                      |              |
| 15                                                                                                  | 1492 Moving to Work Demonstration                            |                                                                                                             |                      |                                      |              |
| 16                                                                                                  | 1495.1 Relocation Costs                                      | \$73,978.00                                                                                                 | \$73,978.00          | \$0.00                               | \$0.00       |
| 17                                                                                                  | 1499 Development Activities <sup>4</sup>                     |                                                                                                             |                      |                                      |              |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP for operations  
<sup>4</sup> RHF funds shall be included here



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 Expires 6/30/2017

|                                                                                                                                                                            |                                                                          |                                                                                                                                          |                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>Part 1: Summary</b>                                                                                                                                                     |                                                                          | FFY of Grant:<br>FFY of Grant Approval<br><b>2015</b>                                                                                    |                |
| PHA Name:<br><b>Southern Nevada Regional<br/>                 Housing Authority</b>                                                                                        |                                                                          | Grant Type and Number<br>Capital Fund Grant No: <b>NV39P018501-15</b><br>Replacement Housing Factor Fund No:<br>Date of CFFP:            |                |
| Type of Grant<br><input type="checkbox"/> Original Annual Statement<br><input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2016 |                                                                          | <input type="checkbox"/> Revised Annual Statement (revision no: 02 )<br><input type="checkbox"/> Final Performance and Evaluation Report |                |
| Summary by Development Account<br><input type="checkbox"/> Reserve for Disaster/Emergency                                                                                  |                                                                          | Total Estimated Cost                                                                                                                     |                |
| Line                                                                                                                                                                       |                                                                          | Original                                                                                                                                 | Obligated      |
| 18a                                                                                                                                                                        | 1501 Collateralization or Debt Service paid by the PHA                   |                                                                                                                                          |                |
| 18ba                                                                                                                                                                       | 9000 Collateralization or Debt Service paid Via System of Direct Payment |                                                                                                                                          |                |
| 19                                                                                                                                                                         | 1502 Contingency (may not exceed 8% of line 20)                          |                                                                                                                                          |                |
| 19a                                                                                                                                                                        | 1503 - RAD Conversion                                                    | \$0.00                                                                                                                                   | \$148,715.64   |
| 20                                                                                                                                                                         | Amount of Annual Grant: (sum of lines 2-19)                              | \$3,397,133.00                                                                                                                           | \$3,397,133.00 |
| 21                                                                                                                                                                         | Amount of line 20 Related to LBP Activities                              |                                                                                                                                          |                |
| 22                                                                                                                                                                         | Amount of line 20 Related to Section 504 Activities                      |                                                                                                                                          |                |
| 23                                                                                                                                                                         | Amount of line 20 Related to Security - Soft Cost                        |                                                                                                                                          |                |
| 24                                                                                                                                                                         | Amount of line 20 Related to Security - Hard Cost                        |                                                                                                                                          |                |
| 25                                                                                                                                                                         | Amount of line 20 Related to Energy Conservation Measures                |                                                                                                                                          |                |
| Signature of Executive Director                                                                                                                                            |                                                                          | Signature of Public Housing Director                                                                                                     |                |
| Date                                                                                                                                                                       |                                                                          | Date                                                                                                                                     |                |

1 To be completed for the Performance and Evaluation Report  
 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 3 PHAs with under 250 units in management may use 100% of CFF for operations  
 4 RHF funds shall be included here

| <b>Part II: Supporting Pages</b>                                                   |                                                 | <b>Grant Type and Number</b>                           |          | <b>Federal FFY of Grant:</b> |                      |                     |                                |                |
|------------------------------------------------------------------------------------|-------------------------------------------------|--------------------------------------------------------|----------|------------------------------|----------------------|---------------------|--------------------------------|----------------|
| PHA Name:                                                                          |                                                 | Capital Fund Program Grant No: NV39P018501-15          |          | 2015                         |                      |                     |                                |                |
| Southern Nevada Regional Housing Authority                                         |                                                 | CFFP (Yes/No):<br>Replacement Housing Factor Grant No: |          |                              |                      |                     |                                |                |
| Development Number<br>Name/PHA-Wide<br>Activities                                  | General Description of Major Work<br>Categories | Development<br>Account No.                             | Quantity | Total Estimated Cost         |                      | Total Actual Cost   |                                | Status of Work |
|                                                                                    |                                                 |                                                        |          | Original                     | Revised <sup>1</sup> | Funds<br>Obligated  | Funds<br>Expended <sup>2</sup> |                |
| <b>PHA Wide</b>                                                                    | Management Improvement<br>IT System Upg.        | 1408                                                   |          | \$0.00                       | \$0.00               | \$0.00              | \$0.00                         |                |
|                                                                                    | Resident/ Staff Training                        |                                                        |          | \$0.00                       | \$0.00               | \$0.00              | \$0.00                         |                |
|                                                                                    | <b>SUB-TOTAL</b>                                |                                                        |          | <b>\$0.00</b>                | <b>\$0.00</b>        | <b>\$0.00</b>       | <b>\$0.00</b>                  |                |
|                                                                                    | Central Office Cost                             | 1410                                                   |          | \$339,713.30                 | \$339,713.30         | \$169,854.00        | \$169,854.00                   |                |
|                                                                                    | <b>SUB-TOTAL</b>                                |                                                        |          | <b>\$339,713.30</b>          | <b>\$339,713.30</b>  | <b>\$169,854.00</b> | <b>\$169,854.00</b>            |                |
| <b>PHA Wide</b>                                                                    | Construction Admin Services                     | 1430                                                   |          | \$189,043.00                 | \$149,043.00         | \$149,043.00        | \$0.00                         | reduced        |
|                                                                                    | Roofing Consultant                              | 1430                                                   |          | \$0.00                       | \$0.00               | \$0.00              | \$0.00                         |                |
|                                                                                    | A/E Design Services                             | 1430                                                   |          | \$50,733.00                  | \$95,733.00          | \$95,733.00         | \$0.00                         | increased      |
|                                                                                    | Hazardous Materials Consultant                  | 1430                                                   |          | \$55,000.00                  | \$50,000.00          | \$50,000.00         | \$0.00                         | decreased      |
|                                                                                    | <b>SUB-TOTAL</b>                                |                                                        |          | <b>\$294,776.00</b>          | <b>\$294,776.00</b>  | <b>\$294,776.00</b> | <b>\$0.00</b>                  |                |
|                                                                                    | Misc Site Work Repairs                          | 1450                                                   |          | \$0.00                       | \$0.00               | \$0.00              | \$0.00                         |                |
|                                                                                    | Playground & Safety Surface Upg.                | 1450                                                   |          | \$0.00                       | \$0.00               | \$0.00              | \$0.00                         |                |
|                                                                                    | Desert Landscaping                              | 1450                                                   |          | \$0.00                       | \$0.00               | \$0.00              | \$0.00                         |                |
|                                                                                    | Parking Lots Upgrades                           | 1450                                                   |          | \$0.00                       | \$0.00               | \$0.00              | \$0.00                         |                |
|                                                                                    | <b>SUB-TOTAL</b>                                |                                                        |          | <b>\$0.00</b>                | <b>\$0.00</b>        | <b>\$0.00</b>       | <b>\$0.00</b>                  |                |
| <b>Work intended to be performed through Force Account and Section 3 Residents</b> | Misc. Interior/Exterior Repairs                 | 1460                                                   |          | \$0.00                       | \$0.00               | \$0.00              | \$0.00                         |                |
|                                                                                    | Vacancy Reduction                               | 1460                                                   |          | \$0.00                       | \$0.00               | \$0.00              | \$0.00                         |                |
|                                                                                    | Exterior Painting                               | 1460                                                   |          | \$0.00                       | \$0.00               | \$0.00              | \$0.00                         |                |
|                                                                                    | <b>SUB-TOTAL</b>                                |                                                        |          | <b>\$0.00</b>                | <b>\$0.00</b>        | <b>\$0.00</b>       | <b>\$0.00</b>                  |                |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement

Performance and Evaluation Report as of 03/31/2016  
 form HUD-50075.1 (7/2014)

Page3 of 5





Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 6/30/2017

| Part 1: Summary                                                                                     |                                                              | Grant Type and Number                                                                         |                      | FFY of Grant:                  |          |
|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------|--------------------------------|----------|
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                                          |                                                              | Capital Fund Grant No: NV39R018501-15<br>Replacement Housing Factor Fund No:<br>Date of CFFP: |                      | FFY of Grant Approval<br>2015  |          |
| Type of Grant                                                                                       |                                                              | Revised Annual Statement (revision no: 01 )                                                   |                      |                                |          |
| <input type="checkbox"/> Original Annual Statement                                                  |                                                              | <input type="checkbox"/> Final Performance and Evaluation Report                              |                      |                                |          |
| <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2016 |                                                              | <input type="checkbox"/> Reserve for Disaster/Emergency                                       |                      |                                |          |
| Summary by Development Account                                                                      |                                                              | Total Estimated Cost                                                                          |                      | Total Actual Cost <sup>1</sup> |          |
| Line                                                                                                |                                                              | Original                                                                                      | Revised <sup>2</sup> | Obligated                      | Expended |
| 1                                                                                                   | Total non-CFP Funds                                          |                                                                                               |                      |                                |          |
| 2                                                                                                   | 1406 Operations (may not exceed 20% of line 21) <sup>3</sup> |                                                                                               |                      |                                |          |
| 3                                                                                                   | 1408 Management Improvements                                 |                                                                                               | \$0.00               | \$0.00                         | \$0.00   |
| 4                                                                                                   | 1410 Administration (may not exceed 10% of line 21)          |                                                                                               | \$0.00               | \$0.00                         | \$0.00   |
| 5                                                                                                   | 1411 Audit                                                   |                                                                                               |                      |                                |          |
| 6                                                                                                   | 1415 Liquidated Damages                                      |                                                                                               |                      |                                |          |
| 7                                                                                                   | 1430 Fees and Costs                                          |                                                                                               | \$0.00               | \$0.00                         | \$0.00   |
| 8                                                                                                   | 1440 Site Acquisition                                        |                                                                                               |                      |                                |          |
| 9                                                                                                   | 1450 Site Improvement                                        |                                                                                               | \$0.00               | \$0.00                         | \$0.00   |
| 10                                                                                                  | 1460 Dwelling Structures                                     |                                                                                               | \$0.00               | \$0.00                         | \$0.00   |
| 11                                                                                                  | 1465.1 Dwelling Equipment—Nonexpendable                      |                                                                                               | \$0.00               | \$0.00                         | \$0.00   |
| 12                                                                                                  | 1470 Nondwelling Structures                                  |                                                                                               | \$0.00               | \$0.00                         | \$0.00   |
| 13                                                                                                  | 1475 Nondwelling Equipment                                   |                                                                                               | \$0.00               | \$0.00                         | \$0.00   |
| 14                                                                                                  | 1485 Demolition                                              |                                                                                               |                      |                                |          |
| 15                                                                                                  | 1492 Moving to Work Demonstration                            |                                                                                               |                      |                                |          |
| 16                                                                                                  | 1495.1 Relocation Costs                                      |                                                                                               | \$0.00               | \$0.00                         | \$0.00   |
| 17                                                                                                  | 1499 Development Activities <sup>4</sup>                     |                                                                                               | \$336,496.00         | \$336,496.00                   | \$0.00   |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP for operations  
<sup>4</sup> RHF funds shall be included here

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 6/30/2017

| Part 1: Summary                                                                                                                                           |                                                                          | Grant Type and Number                                                                                                       |                      | FFY of Grant:                        |                                |          |      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------------------------|--------------------------------|----------|------|
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                                                                                                |                                                                          | Capital Fund Grant No: NV39R018501-15<br>Replacement Housing Factor Fund No:<br>Date of CFFP:                               |                      | FFY of Grant Approval<br>2015        |                                |          |      |
| Type of Grant                                                                                                                                             |                                                                          | Revised Annual Statement (revision no: 01 )                                                                                 |                      |                                      |                                |          |      |
| <input type="checkbox"/> Original Annual Statement<br><input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2016 |                                                                          | <input type="checkbox"/> Reserve for Disaster/Emergency<br><input type="checkbox"/> Final Performance and Evaluation Report |                      |                                      |                                |          |      |
| Line                                                                                                                                                      | Summary by Development Account                                           | Total Estimated Cost                                                                                                        | Revised <sup>2</sup> | Obligated                            | Total Actual Cost <sup>3</sup> | Expended |      |
| 18a                                                                                                                                                       | 1501 Collateralization or Debt Service paid by the PHA                   |                                                                                                                             |                      |                                      |                                |          |      |
| 18ba                                                                                                                                                      | 9000 Collateralization or Debt Service paid Via System of Direct Payment |                                                                                                                             |                      |                                      |                                |          |      |
| 19                                                                                                                                                        | 1502 Contingency (may not exceed 8% of line 20)                          |                                                                                                                             |                      |                                      |                                |          |      |
| 19a                                                                                                                                                       | 1503 - RAD Conversion                                                    | \$0.00                                                                                                                      |                      | \$0.00                               | \$0.00                         | \$0.00   |      |
| 20                                                                                                                                                        | Amount of Annual Grant: (sum of lines 2-19)                              | \$336,496.00                                                                                                                |                      | \$336,496.00                         | \$0.00                         | \$0.00   |      |
| 21                                                                                                                                                        | Amount of line 20 Related to LBP Activities                              |                                                                                                                             |                      |                                      |                                |          |      |
| 22                                                                                                                                                        | Amount of line 20 Related to Section 504 Activities                      |                                                                                                                             |                      |                                      |                                |          |      |
| 23                                                                                                                                                        | Amount of line 20 Related to Security - Soft Cost                        |                                                                                                                             |                      |                                      |                                |          |      |
| 24                                                                                                                                                        | Amount of line 20 Related to Security - Hard Cost                        |                                                                                                                             |                      |                                      |                                |          |      |
| 25                                                                                                                                                        | Amount of line 20 Related to Energy Conservation Measures                |                                                                                                                             |                      |                                      |                                |          |      |
| Signature of Executive Director                                                                                                                           |                                                                          | Date                                                                                                                        |                      | Signature of Public Housing Director |                                |          | Date |
|                                                                                                                                                           |                                                                          | 4/22/16                                                                                                                     |                      |                                      |                                |          |      |

1 To be completed for the Performance and Evaluation Report  
 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 3 PHAs with under 250 units in management may use 100% of CFP for operations  
 4 RHF funds shall be included here



Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 6/30/2017

| <b>Part III: Implementation Schedule</b>             |                                             |                               |                                             |                                |  |  | Federal FFY of Grant: 2015       |
|------------------------------------------------------|---------------------------------------------|-------------------------------|---------------------------------------------|--------------------------------|--|--|----------------------------------|
| PHA Name: Southern Nevada Regional Housing Authority |                                             |                               |                                             |                                |  |  | Reasons for Revised Target Dates |
| Capital Fund Program No: NV39R018501-15              |                                             |                               |                                             |                                |  |  |                                  |
| Development Number<br>Name/PHA-Wide Activities       | All Fund Obligated<br>(Quarter Ending Date) |                               | All Funds Expended<br>(Quarter Ending Date) |                                |  |  |                                  |
|                                                      | Original Obligation<br>End Date             | Actual Obligation<br>End Date | Original Expenditure<br>End Date            | Actual Expenditure<br>End Date |  |  |                                  |
| Mgmt Improvement                                     | 04/12/17                                    |                               | 04/12/19                                    |                                |  |  |                                  |
| Administration                                       | 04/12/17                                    |                               | 04/12/19                                    |                                |  |  |                                  |
| Fees & Cost                                          | 04/12/17                                    |                               | 04/12/19                                    |                                |  |  |                                  |
| Site Improvement                                     | 04/12/17                                    |                               | 04/12/19                                    |                                |  |  |                                  |
| Dwelling Structure                                   | 04/12/17                                    |                               | 04/12/19                                    |                                |  |  |                                  |
| Dwelling Equipment                                   | 04/12/17                                    |                               | 04/12/19                                    |                                |  |  |                                  |
| Relocation                                           | 04/12/17                                    |                               | 04/12/19                                    |                                |  |  |                                  |
|                                                      |                                             |                               |                                             |                                |  |  |                                  |
|                                                      |                                             |                               |                                             |                                |  |  |                                  |
|                                                      |                                             |                               |                                             |                                |  |  |                                  |
|                                                      |                                             |                               |                                             |                                |  |  |                                  |
|                                                      |                                             |                               |                                             |                                |  |  |                                  |
|                                                      |                                             |                               |                                             |                                |  |  |                                  |
|                                                      |                                             |                               |                                             |                                |  |  |                                  |
|                                                      |                                             |                               |                                             |                                |  |  |                                  |

Obligation and expenditure end date can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended

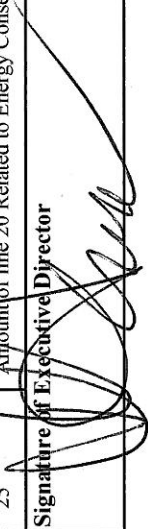
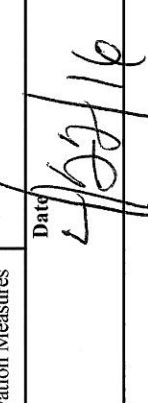


| <b>Part I: Summary</b>                                            |                                                              | <b>Grant Type and Number</b>                                                                                                                              |                            | FFY of Grant:                                                                                                                            |                                       |
|-------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <b>PHA Name:</b><br>Southern Nevada Regional<br>Housing Authority |                                                              | Capital Fund Grant No: NV39R018502-15<br>Replacement Housing Factor Fund No:<br>Date of CFFP:                                                             |                            | FFY of Grant Approval<br><b>2015</b>                                                                                                     |                                       |
| <b>Type of Grant</b>                                              |                                                              | <input type="checkbox"/> Original Annual Statement<br><input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2016 |                            | <input type="checkbox"/> Revised Annual Statement (revision no: 01 )<br><input type="checkbox"/> Final Performance and Evaluation Report |                                       |
| <input type="checkbox"/> Reserve for Disaster/Emergency           |                                                              | <b>Summary by Development Account</b>                                                                                                                     |                            | <b>Total Estimated Cost</b>                                                                                                              |                                       |
| <b>Line</b>                                                       | <b>Description</b>                                           | <b>Original</b>                                                                                                                                           | <b>Revised<sup>2</sup></b> | <b>Obligated</b>                                                                                                                         | <b>Total Actual Cost<br/>Expended</b> |
| 1                                                                 | Total non-CFP Funds                                          |                                                                                                                                                           |                            |                                                                                                                                          |                                       |
| 2                                                                 | 1406 Operations (may not exceed 20% of line 21) <sup>3</sup> |                                                                                                                                                           |                            |                                                                                                                                          |                                       |
| 3                                                                 | 1408 Management Improvements                                 |                                                                                                                                                           | \$0.00                     | \$0.00                                                                                                                                   | \$0.00                                |
| 4                                                                 | 1410 Administration (may not exceed 10% of line 21)          |                                                                                                                                                           | \$0.00                     | \$0.00                                                                                                                                   | \$0.00                                |
| 5                                                                 | 1411 Audit                                                   |                                                                                                                                                           |                            |                                                                                                                                          |                                       |
| 6                                                                 | 1415 Liquidated Damages                                      |                                                                                                                                                           |                            |                                                                                                                                          |                                       |
| 7                                                                 | 1430 Fees and Costs                                          |                                                                                                                                                           | \$0.00                     | \$0.00                                                                                                                                   | \$0.00                                |
| 8                                                                 | 1440 Site Acquisition                                        |                                                                                                                                                           |                            |                                                                                                                                          |                                       |
| 9                                                                 | 1450 Site Improvement                                        |                                                                                                                                                           | \$0.00                     | \$0.00                                                                                                                                   | \$0.00                                |
| 10                                                                | 1460 Dwelling Structures                                     |                                                                                                                                                           | \$0.00                     | \$0.00                                                                                                                                   | \$0.00                                |
| 11                                                                | 1465.1 Dwelling Equipment—Nonexpendable                      |                                                                                                                                                           | \$0.00                     | \$0.00                                                                                                                                   | \$0.00                                |
| 12                                                                | 1470 Nondwelling Structures                                  |                                                                                                                                                           | \$0.00                     | \$0.00                                                                                                                                   | \$0.00                                |
| 13                                                                | 1475 Nondwelling Equipment                                   |                                                                                                                                                           | \$0.00                     | \$0.00                                                                                                                                   | \$0.00                                |
| 14                                                                | 1485 Demolition                                              |                                                                                                                                                           |                            |                                                                                                                                          |                                       |
| 15                                                                | 1492 Moving to Work Demonstration                            |                                                                                                                                                           |                            |                                                                                                                                          |                                       |
| 16                                                                | 1495.1 Relocation Costs                                      |                                                                                                                                                           | \$0.00                     | \$0.00                                                                                                                                   | \$0.00                                |
| 17                                                                | 1499 Development Activities <sup>4</sup>                     |                                                                                                                                                           | \$173,119.00               | \$173,119.00                                                                                                                             | \$0.00                                |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP for operations  
<sup>4</sup> RHF funds shall be included here

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 6/30/2017

|                                                                                                                                                                                                     |                                                                             |                                                                                                                                                           |                            |                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|--------------------------------------|
| <b>Part 1: Summary</b>                                                                                                                                                                              |                                                                             | <b>Grant Type and Number</b>                                                                                                                              |                            | FFY of Grant:                        |
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                                                                                                                                          |                                                                             | Capital Fund Grant No: NV39R018502-15<br>Replacement Housing Factor Fund No:<br>Date of CFFP:                                                             |                            | FFY of Grant Approval<br>2015        |
| <b>Type of Grant</b>                                                                                                                                                                                |                                                                             | <input type="checkbox"/> Original Annual Statement<br><input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2016 |                            |                                      |
| <input type="checkbox"/> Reserve for Disaster/Emergency<br><input type="checkbox"/> Revised Annual Statement (revision no: 01 )<br><input type="checkbox"/> Final Performance and Evaluation Report |                                                                             |                                                                                                                                                           |                            |                                      |
| <b>Line</b>                                                                                                                                                                                         | <b>Summary by Development Account</b>                                       | <b>Total Estimated Cost</b>                                                                                                                               | <b>Revised<sup>1</sup></b> | <b>Obligated</b>                     |
|                                                                                                                                                                                                     |                                                                             |                                                                                                                                                           |                            | <b>Total Actual Cost<sup>2</sup></b> |
| 18a                                                                                                                                                                                                 | 1501 Collateralization or Debt Service paid by the PHA                      |                                                                                                                                                           |                            | <b>Expended</b>                      |
| 18ba                                                                                                                                                                                                | 9000 Collateralization or Debt Service paid Via System of<br>Direct Payment |                                                                                                                                                           |                            |                                      |
| 19                                                                                                                                                                                                  | 1502 Contingency (may not exceed 8% of line 20)                             |                                                                                                                                                           |                            |                                      |
| 19a                                                                                                                                                                                                 | 1503 - RAD Conversion                                                       | \$0.00                                                                                                                                                    | \$0.00                     | \$0.00                               |
| 20                                                                                                                                                                                                  | Amount of Annual Grant: (sum of lines 2-19)                                 | \$173,119.00                                                                                                                                              | \$173,119.00               | \$0.00                               |
| 21                                                                                                                                                                                                  | Amount of line 20 Related to LBP Activities                                 |                                                                                                                                                           |                            |                                      |
| 22                                                                                                                                                                                                  | Amount of line 20 Related to Section 504 Activities                         |                                                                                                                                                           |                            |                                      |
| 23                                                                                                                                                                                                  | Amount of line 20 Related to Security - Soft Cost                           |                                                                                                                                                           |                            |                                      |
| 24                                                                                                                                                                                                  | Amount of line 20 Related to Security - Hard Cost                           |                                                                                                                                                           |                            |                                      |
| 25                                                                                                                                                                                                  | Amount of line 20 Related to Energy Conservation Measures                   |                                                                                                                                                           |                            |                                      |
| <b>Signature of Executive Director</b>                                                                                                                                                              |                                                                             | <b>Signature of Public Housing Director</b>                                                                                                               |                            | <b>Date</b>                          |
|                                                                                                                 |                                                                             |                                                                       |                            | 4/27/16                              |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CPP for operations  
<sup>4</sup> RHF funds shall be included here







**Capital Fund Program (CFP)**

**and/or**

**Capital Fund Program Replacement Housing Factor Funds  
(CFPRHF)**

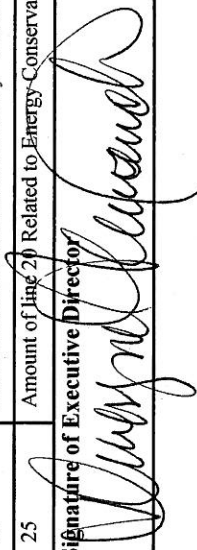
**FY 2014**

| Part I: Summary                                                                          |                                                              | Grant Type and Number                                                                         |                      | FFY of Grant:                                                    |              |
|------------------------------------------------------------------------------------------|--------------------------------------------------------------|-----------------------------------------------------------------------------------------------|----------------------|------------------------------------------------------------------|--------------|
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                               |                                                              | Capital Fund Grant No: NV39P018501-14<br>Replacement Housing Factor Fund No:<br>Date of CFFP: |                      | FFY of Grant Approval<br>2014                                    |              |
| Type of Grant                                                                            |                                                              | Reserve for Disaster/Emergency                                                                |                      | Revised Annual Statement (revision no: 06 )                      |              |
| <input type="checkbox"/> Original Annual Statement                                       |                                                              | <input type="checkbox"/> 3/31/2016                                                            |                      | <input type="checkbox"/> Final Performance and Evaluation Report |              |
| <input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: |                                                              | Summary by Development Account                                                                |                      | Total Estimated Cost                                             |              |
| Line                                                                                     |                                                              | Original                                                                                      | Revised <sup>1</sup> | Obligated                                                        | Expended     |
| 1                                                                                        | Total non-CFP Funds                                          |                                                                                               |                      |                                                                  |              |
| 2                                                                                        | 1406 Operations (may not exceed 20% of line 21) <sup>3</sup> |                                                                                               |                      |                                                                  |              |
| 3                                                                                        | 1408 Management Improvements                                 | \$30,280.60                                                                                   |                      | \$29,881.28                                                      | \$25,841.28  |
| 4                                                                                        | 1410 Administration (may not exceed 10% of line 21)          | \$349,798.90                                                                                  |                      | \$349,798.90                                                     | \$349,798.90 |
| 5                                                                                        | 1411 Audit                                                   |                                                                                               |                      |                                                                  |              |
| 6                                                                                        | 1415 Liquidated Damages                                      |                                                                                               |                      |                                                                  |              |
| 7                                                                                        | 1430 Fees and Costs                                          | \$775,751.38                                                                                  |                      | \$711,685.95                                                     | \$340,545.34 |
| 8                                                                                        | 1440 Site Acquisition                                        |                                                                                               |                      |                                                                  |              |
| 9                                                                                        | 1450 Site Improvement                                        | \$1,022,895.01                                                                                |                      | \$1,014,061.01                                                   | \$46,777.01  |
| 10                                                                                       | 1460 Dwelling Structures                                     | \$543,643.11                                                                                  |                      | \$535,789.72                                                     | \$526,318.11 |
| 11                                                                                       | 1465.1 Dwelling Equipment—Nonexpendable                      |                                                                                               |                      |                                                                  |              |
| 12                                                                                       | 1470 Nondwelling Structures                                  |                                                                                               |                      |                                                                  |              |
| 13                                                                                       | 1475 Nondwelling Equipment                                   |                                                                                               |                      |                                                                  |              |
| 14                                                                                       | 1485 Demolition                                              |                                                                                               |                      |                                                                  |              |
| 15                                                                                       | 1492 Moving to Work Demonstration                            |                                                                                               |                      |                                                                  |              |
| 16                                                                                       | 1495.1 Relocation Costs                                      | \$100,000.00                                                                                  |                      | \$75,540.26                                                      | \$74,064.26  |
| 17                                                                                       | 1499-1504 RAD Pre-Development Activities                     | \$529,808.00                                                                                  |                      | \$529,808.00                                                     | \$0.00       |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
<sup>3</sup> PHAs with under 250 units in management may use 100% of CFP for operations  
<sup>4</sup> RHF funds shall be included here

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program. Capital Fund Program Replacement Housing Factor and  
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U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 6/30/2017

| Part 1: Summary                                                                                                                                          |                                                                          | Grant Type and Number                                                                                                                    |                | FFY of Grant:                               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------|
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                                                                                               |                                                                          | Capital Fund Grant No: NV39P018501-14<br>Replacement Housing Factor Fund No:<br>Date of CFFP:                                            |                | FFY of Grant Approval<br>2014               |
| Type of Grant                                                                                                                                            |                                                                          | Reserve for Disaster/Emergency                                                                                                           |                | Revised Annual Statement (revision no: 06 ) |
| <input type="checkbox"/> Original Annual Statement<br><input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 3/31/2016 |                                                                          | <input type="checkbox"/> Revised Annual Statement (revision no: 06 )<br><input type="checkbox"/> Final Performance and Evaluation Report |                |                                             |
| Line                                                                                                                                                     | Summary by Development Account                                           | Total Estimated Cost                                                                                                                     | Revised        | Total Actual Cost                           |
|                                                                                                                                                          |                                                                          | Original                                                                                                                                 | Obligated      | Expended                                    |
| 18a                                                                                                                                                      | 1501 Collateralization or Debt Service paid by the PHA                   |                                                                                                                                          |                |                                             |
| 18ba                                                                                                                                                     | 9000 Collateralization or Debt Service paid Via System of Direct Payment |                                                                                                                                          |                |                                             |
| 19                                                                                                                                                       | 1502 Contingency (may not exceed 8% of line 20)                          |                                                                                                                                          |                |                                             |
| 19a                                                                                                                                                      | 1503 - RAD Conversion                                                    | \$145,812.00                                                                                                                             | \$145,812.00   | \$145,812.00                                |
| 20                                                                                                                                                       | Amount of Annual Grant: (sum of lines 2-19)                              | \$3,497,989.00                                                                                                                           | \$3,497,989.00 | \$1,509,156.90                              |
| 21                                                                                                                                                       | Amount of line 20 Related to LBP Activities                              |                                                                                                                                          |                |                                             |
| 22                                                                                                                                                       | Amount of line 20 Related to Section 504 Activities                      |                                                                                                                                          |                |                                             |
| 23                                                                                                                                                       | Amount of line 20 Related to Security - Soft Cost                        |                                                                                                                                          |                |                                             |
| 24                                                                                                                                                       | Amount of line 20 Related to Security - Hard Cost                        |                                                                                                                                          |                |                                             |
| 25                                                                                                                                                       | Amount of line 20 Related to Energy-Conservation Measures                |                                                                                                                                          |                |                                             |
| Signature of Executive Director<br>                                  |                                                                          | Signature of Public Housing Director                                                                                                     |                | Date<br>4/4/16                              |

1 To be completed for the Performance and Evaluation Report  
 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 3 PHAs with under 250 units in management may use 100% of CFF for operations  
 4 RHF funds shall be included here

Federal FFY of Grant: **2014**

| Development Number<br>Name/PHA-Wide<br>Activities                                  | General Description of Major Work<br>Categories | Development<br>Account No. | Quantity | Total Estimated Cost  |                       | Total Actual Cost     |                                | Status of Work |
|------------------------------------------------------------------------------------|-------------------------------------------------|----------------------------|----------|-----------------------|-----------------------|-----------------------|--------------------------------|----------------|
|                                                                                    |                                                 |                            |          | Original              | Revised <sup>1</sup>  | Funds<br>Obligated    | Funds<br>Expended <sup>2</sup> |                |
| <b>PHA Wide</b>                                                                    | Management Improvement                          | 1408                       |          |                       |                       |                       |                                |                |
|                                                                                    | IT System Upg.                                  |                            |          | \$26,240.60           | \$26,240.60           | \$25,841.28           | \$25,841.28                    |                |
|                                                                                    | Resident/ Staff Training                        |                            |          | \$4,040.00            | \$4,040.00            | \$4,040.00            | \$0.00                         |                |
|                                                                                    | <b>SUB-TOTAL</b>                                |                            |          | <b>\$30,280.60</b>    | <b>\$30,280.60</b>    | <b>\$29,881.28</b>    | <b>\$25,841.28</b>             |                |
|                                                                                    | Central Office Cost                             | 1410                       |          | \$349,798.90          | \$349,798.90          | \$349,798.90          | \$349,798.90                   |                |
|                                                                                    | <b>SUB-TOTAL</b>                                |                            |          | <b>\$349,798.90</b>   | <b>\$349,798.90</b>   | <b>\$349,798.90</b>   | <b>\$349,798.90</b>            |                |
| <b>PHA Wide</b>                                                                    | Construction Admin Services                     | 1430                       |          | \$190,979.05          | \$190,979.05          | \$126,913.62          | \$126,913.62                   |                |
|                                                                                    | Roofing Consultant                              | 1430                       |          | \$0.00                | \$0.00                | \$0.00                | \$0.00                         |                |
|                                                                                    | A/E Design Services                             | 1430                       |          | \$301,329.51          | \$301,329.51          | \$301,329.51          | \$134,774.55                   |                |
|                                                                                    | Hazardous Materials Consultant                  | 1430                       |          | \$47,179.50           | \$47,179.50           | \$47,179.50           | \$30,246.75                    |                |
|                                                                                    | <b>SUB-TOTAL</b>                                |                            |          | <b>\$539,488.06</b>   | <b>\$539,488.06</b>   | <b>\$475,422.63</b>   | <b>\$291,934.92</b>            |                |
|                                                                                    | Misc Site Work Repairs                          | 1450                       |          | \$57,895.01           | \$57,895.01           | \$49,061.01           | \$46,777.01                    |                |
|                                                                                    | Playground & Safety Surface Upg.                | 1450                       |          | \$0.00                | \$0.00                | \$0.00                | \$0.00                         |                |
|                                                                                    | Desert Landscaping                              | 1450                       |          | \$0.00                | \$0.00                | \$0.00                | \$0.00                         |                |
|                                                                                    | Marble Manor Water-lines Upgrades               | 1450                       |          | \$965,000.00          | \$965,000.00          | \$965,000.00          | \$0.00                         |                |
|                                                                                    | Parking Lots Upgrades                           | 1450                       |          | \$0.00                | \$0.00                | \$0.00                | \$0.00                         |                |
|                                                                                    | <b>SUB-TOTAL</b>                                |                            |          | <b>\$1,022,895.01</b> | <b>\$1,022,895.01</b> | <b>\$1,014,061.01</b> | <b>\$46,777.01</b>             |                |
| <b>Work intended to be performed through Force Account and Section 3 Residents</b> | Misc. Interior/Exterior Repairs                 | 1460                       |          | \$57,853.39           | \$57,853.39           | \$50,000.00           | \$40,528.39                    |                |
|                                                                                    | Vacancy Reduction                               | 1460                       |          | \$0.00                | \$0.00                | \$0.00                | \$0.00                         |                |
|                                                                                    | Exterior Painting                               | 1460                       |          | \$143,990.00          | \$143,990.00          | \$143,990.00          | \$143,990.00                   |                |
|                                                                                    | <b>SUB-TOTAL</b>                                |                            |          | <b>\$201,843.39</b>   | <b>\$201,843.39</b>   | <b>\$193,990.00</b>   | <b>\$184,518.39</b>            |                |

<sup>1</sup> To be completed for the Performance and Evaluation Report  
<sup>2</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 Page 3 of 5  
 Performance & Evaluation Report as of 03/31/2016  
 form HUD-50075.1 (7/2014)



| <b>Part II: Supporting Pages</b>                   |                                                     | <b>Grant Type and Number</b>                         |                             |                          | <b>Federal FFY of Grant:</b> |  |
|----------------------------------------------------|-----------------------------------------------------|------------------------------------------------------|-----------------------------|--------------------------|------------------------------|--|
| <b>PHA Name:</b>                                   |                                                     | <b>Capital Fund Program Grant No: NV39P018501-14</b> |                             |                          | <b>2014</b>                  |  |
| <b>Southern Nevada Regional Housing Authority</b>  |                                                     | <b>CFPP (Yes/No):</b>                                |                             |                          |                              |  |
| <b>Replacement Housing Factor Grant No:</b>        |                                                     | <b>Development Account No.</b>                       |                             |                          | <b>Total Estimated Cost</b>  |  |
| <b>Development Number Name/PHA-Wide Activities</b> | <b>General Description of Major Work Categories</b> | <b>Quantity</b>                                      | <b>Total Estimated Cost</b> | <b>Total Actual Cost</b> | <b>Status of Work</b>        |  |
| <b>PHA Wide</b>                                    | Dwelling Equip.-Energy Star Appliances.             | 1465                                                 | \$0.00                      | \$0.00                   | \$0.00                       |  |
|                                                    | <b>SUB-TOTAL</b>                                    |                                                      | <b>\$0.00</b>               | <b>\$0.00</b>            | <b>\$0.00</b>                |  |
|                                                    | Non-Dwelling Units Upgrades                         | 1470                                                 | \$0.00                      | \$0.00                   | \$0.00                       |  |
|                                                    | <b>SUB-TOTAL</b>                                    |                                                      | <b>\$0.00</b>               | <b>\$0.00</b>            | <b>\$0.00</b>                |  |
|                                                    | Non-Dwelling Equipment                              | 1475                                                 | \$0.00                      | \$0.00                   | \$0.00                       |  |
|                                                    | <b>SUB-TOTAL</b>                                    |                                                      | <b>\$0.00</b>               | <b>\$0.00</b>            | <b>\$0.00</b>                |  |
| <b>Vera A</b>                                      | A/E Design Services                                 | 1430                                                 | \$236,263.32                | \$236,263.32             | \$48,610.42                  |  |
| <b>AMP 313</b>                                     | Site Upgs.CompMod (portion of)                      | 1450                                                 | \$0.00                      | \$0.00                   | \$0.00                       |  |
|                                                    | Units Upg CompMod (portion of)                      | 1460                                                 | \$198,878.00                | \$198,878.00             | \$198,878.00                 |  |
|                                                    | <b>SUB-TOTAL</b>                                    |                                                      | <b>\$435,141.32</b>         | <b>\$435,141.32</b>      | <b>\$247,488.42</b>          |  |
| <b>Vera B</b>                                      | Pre-Dev.Cost, i.e. A/E/Consult Svcs                 | 1430                                                 | \$0.00                      | \$0.00                   | \$0.00                       |  |
| <b>AMP 314 (RAD)</b>                               | Units Upg CompMod (portion of)                      | 1460                                                 | \$142,921.72                | \$142,921.72             | \$142,921.72                 |  |
|                                                    | Relocation                                          | 1495                                                 | \$100,000.00                | \$100,000.00             | \$74,064.26                  |  |
|                                                    | <b>SUB-TOTAL</b>                                    |                                                      | <b>\$242,921.72</b>         | <b>\$242,921.72</b>      | <b>\$216,985.98</b>          |  |
| <b>Bigger Estates</b>                              | Pre-Dev.Cost, i.e. A/E/Consult Svcs                 | 1430-1504                                            | \$529,808.00                | \$529,808.00             | \$0.00                       |  |
| <b>AMP 406 (RAD)</b>                               | Units Upg CompMod (portion of) RAD                  | 1450                                                 | \$0.00                      | \$0.00                   | \$0.00                       |  |
|                                                    | Units Upg CompMod (portion of)                      | 1460                                                 | \$0.00                      | \$0.00                   | \$0.00                       |  |
|                                                    | <b>SUB-TOTAL</b>                                    |                                                      | <b>\$529,808.00</b>         | <b>\$529,808.00</b>      | <b>\$0.00</b>                |  |
| <b>RAD</b>                                         | Landsman Gardens                                    | 1503                                                 | \$145,812.00                | \$145,812.00             | \$145,812.00                 |  |
| <b>Conversion</b>                                  | PIC Dev. No: NV018013003                            |                                                      | \$145,812.00                | \$145,812.00             | \$145,812.00                 |  |
|                                                    | <b>TOTAL</b>                                        |                                                      | <b>\$3,497,989.00</b>       | <b>\$3,497,989.00</b>    | <b>\$1,509,156.90</b>        |  |

1 To be completed for the Performance and Evaluation Report  
 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement


Performance & Evaluation Report as of 03/31/2016  
 form HUD-50075.1 (7/2014)

Page 4 of 5



| Part 1: Summary                                                                                                                                           |                                                                          | Grant Type and Number                                                                                                                    |              | FFY of Grant:                                         |                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------------------------|-------------------|
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                                                                                                |                                                                          | Capital Fund Grant No:<br>Date of CFFP:                                                                                                  |              | Replacement Housing Factor Fund No:<br>NV39R018501-14 |                   |
| Type of Grant                                                                                                                                             |                                                                          | Reserve for Disaster/Emergency                                                                                                           |              | Revised Annual Statement (revision no: 02 )           |                   |
| <input type="checkbox"/> Original Annual Statement<br><input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2016 |                                                                          | <input type="checkbox"/> Revised Annual Statement (revision no: 02 )<br><input type="checkbox"/> Final Performance and Evaluation Report |              | FFY of Grant Approval                                 |                   |
| Line                                                                                                                                                      | Summary by Development Account                                           | Total Estimated Cost                                                                                                                     | Revised 2    | Obligated                                             | Total Actual Cost |
|                                                                                                                                                           |                                                                          | Original                                                                                                                                 |              |                                                       | Expended          |
|                                                                                                                                                           |                                                                          |                                                                                                                                          |              |                                                       | Balance           |
| 1                                                                                                                                                         | Total non-CFP Funds                                                      |                                                                                                                                          |              |                                                       |                   |
| 2                                                                                                                                                         | 1406 Operations (may not exceed 20% of line 21) 3                        |                                                                                                                                          |              |                                                       |                   |
| 3                                                                                                                                                         | 1408 Management Improvements                                             |                                                                                                                                          |              |                                                       |                   |
| 4                                                                                                                                                         | 1410 Administration (may not exceed 10% of line 21)                      |                                                                                                                                          |              |                                                       |                   |
| 5                                                                                                                                                         | 1411 Audit                                                               |                                                                                                                                          |              |                                                       |                   |
| 6                                                                                                                                                         | 1415 Liquidated Damages                                                  |                                                                                                                                          |              |                                                       |                   |
| 7                                                                                                                                                         | 1430 Fees and Costs                                                      |                                                                                                                                          |              |                                                       |                   |
| 8                                                                                                                                                         | 1440 Site Acquisition                                                    |                                                                                                                                          |              |                                                       |                   |
| 9                                                                                                                                                         | 1450 Site Improvement                                                    |                                                                                                                                          |              |                                                       |                   |
| 10                                                                                                                                                        | 1460 Dwelling Structures                                                 |                                                                                                                                          |              |                                                       |                   |
| 11                                                                                                                                                        | 1465.1 Dwelling Equipment—Nonexpendable                                  |                                                                                                                                          |              |                                                       |                   |
| 12                                                                                                                                                        | 1470 Nondwelling Structures                                              |                                                                                                                                          |              |                                                       |                   |
| 13                                                                                                                                                        | 1475 Nondwelling Equipment                                               |                                                                                                                                          |              |                                                       |                   |
| 14                                                                                                                                                        | 1485 Demolition                                                          |                                                                                                                                          |              |                                                       |                   |
| 15                                                                                                                                                        | 1492 Moving to Work Demonstration                                        |                                                                                                                                          |              |                                                       |                   |
| 16                                                                                                                                                        | 1495.1 Relocation Costs                                                  |                                                                                                                                          |              |                                                       |                   |
| 17                                                                                                                                                        | 1499 Development Activities 4                                            |                                                                                                                                          |              |                                                       |                   |
| 18a                                                                                                                                                       | 1501 Collateralization of Debt Service paid by the PHA                   | \$410,238.00                                                                                                                             | \$410,238.00 | \$0.00                                                | \$0.00            |
| 18ba                                                                                                                                                      | 9000 Collateralization or Debt Service paid Via System of Direct Payment |                                                                                                                                          |              |                                                       |                   |
| 19                                                                                                                                                        | 1502 Contingency (may not exceed 8% of line 20)                          |                                                                                                                                          |              |                                                       |                   |
| 20                                                                                                                                                        | Amount of Annual Grant: (sum of lines 2-19)                              | \$410,238.00                                                                                                                             | \$410,238.00 | \$0.00 #####                                          | \$0.00            |
| 21                                                                                                                                                        | Amount of line 20 Related to LBP Activities                              |                                                                                                                                          |              |                                                       |                   |
| 22                                                                                                                                                        | Amount of line 20 Related to Section 504 Activities                      |                                                                                                                                          |              |                                                       |                   |
| 23                                                                                                                                                        | Amount of line 20 Related to Security - Soft Cost                        |                                                                                                                                          |              |                                                       |                   |
| 24                                                                                                                                                        | Amount of line 20 Related to Security - Hard Cost                        |                                                                                                                                          |              |                                                       |                   |
| 25                                                                                                                                                        | Amount of line 20 Related to Energy Conservation Measures                |                                                                                                                                          |              |                                                       |                   |

1 To be completed for the Performance and Evaluation Report  
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 3 PHAs with under 250 units in management may use 100% of CFP for operations  
 4 RHF funds shall be included here

|                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                 |                                                       |                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-----------------------|
| <b>Part 1: Summary</b>                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                 | FFY of Grant:                                         | 2014                  |
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                                                                                                                                                                                                                                       | Grant Type and Number<br>Capital Fund Grant No:<br>Date of CFPP:                                                                                                                                                                                                                                                | Replacement Housing Factor Fund No:<br>NV39R018501-14 | FFY of Grant Approval |
| Type of Grant<br><input type="checkbox"/> Original Annual Statement<br><input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2016<br><input type="checkbox"/> Reserve for Disaster/Emergency<br><input type="checkbox"/> Summary by Development Account | <input type="checkbox"/> Revised Annual Statement (revision no: 02 )<br><input type="checkbox"/> Final Performance and Evaluation Report<br><input type="checkbox"/> Revised Estimated Cost<br><input type="checkbox"/> Revised 2<br><input type="checkbox"/> Obligated<br>Signature of Public Housing Director | Total Actual Cost                                     | 1                     |
| Line                                                                                                                                                                                                                                                                                             | Summary by Development Account                                                                                                                                                                                                                                                                                  | Expended                                              | Balance               |
| Signature of Executive Director<br>                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                 | Date<br>4/22/10                                       |                       |





Annual Statement/Performance and Evaluation Report  
 Capital Fund Program and Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program


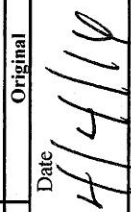
U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 4/30/2011

| Part I: Summary                                                                          |                                                                          | Grant Type and Number                   |              | FFY of Grant:                                                |                               |         |
|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------|--------------|--------------------------------------------------------------|-------------------------------|---------|
| PHA Name:<br>Southern Nevada Regional<br>Housing Authority                               |                                                                          | Capital Fund Grant No:<br>Date of CFFP: |              | Replacement Housing Factor Fund No:<br>FFY of Grant Approval |                               |         |
|                                                                                          |                                                                          | NV39R018502-14                          |              | 2014                                                         |                               |         |
| Type of Grant                                                                            |                                                                          |                                         |              |                                                              |                               |         |
| <input type="checkbox"/> Original Annual Statement                                       |                                                                          |                                         |              |                                                              |                               |         |
| <input type="checkbox"/> Reserve for Disaster/Emergency                                  |                                                                          |                                         |              |                                                              |                               |         |
| <input type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2016 |                                                                          |                                         |              |                                                              |                               |         |
| <input type="checkbox"/> Revised Annual Statement (revision no: 02 )                     |                                                                          |                                         |              |                                                              |                               |         |
| <input type="checkbox"/> Final Performance and Evaluation Report                         |                                                                          |                                         |              |                                                              |                               |         |
| Line                                                                                     | Summary by Development Account                                           | Total Estimated Cost                    | Revised 2    | Obligated                                                    | Total Actual Cost<br>Expended | Balance |
| 1                                                                                        | Total non-CFF Funds                                                      |                                         |              |                                                              |                               |         |
| 2                                                                                        | 1406 Operations (may not exceed 20% of line 21) 3                        |                                         |              |                                                              |                               |         |
| 3                                                                                        | 1408 Management Improvements                                             |                                         |              |                                                              |                               |         |
| 4                                                                                        | 1410 Administration (may not exceed 10% of line 21)                      |                                         |              |                                                              |                               |         |
| 5                                                                                        | 1411 Audit                                                               |                                         |              |                                                              |                               |         |
| 6                                                                                        | 1415 Liquidated Damages                                                  |                                         |              |                                                              |                               |         |
| 7                                                                                        | 1430 Fees and Costs                                                      |                                         |              |                                                              |                               |         |
| 8                                                                                        | 1440 Site Acquisition                                                    |                                         |              |                                                              |                               |         |
| 9                                                                                        | 1450 Site Improvement                                                    |                                         |              |                                                              |                               |         |
| 10                                                                                       | 1460 Dwelling Structures                                                 |                                         |              |                                                              |                               |         |
| 11                                                                                       | 1465.1 Dwelling Equipment—Nonexpendable                                  |                                         |              |                                                              |                               |         |
| 12                                                                                       | 1470 Nondwelling Structures                                              |                                         |              |                                                              |                               |         |
| 13                                                                                       | 1475 Nondwelling Equipment                                               |                                         |              |                                                              |                               |         |
| 14                                                                                       | 1485 Demolition                                                          |                                         |              |                                                              |                               |         |
| 15                                                                                       | 1492 Moving to Work Demonstration                                        |                                         |              |                                                              |                               |         |
| 16                                                                                       | 1495.1 Relocation Costs                                                  |                                         |              |                                                              |                               |         |
| 17                                                                                       | 1499 1504 RAD Pre-Development Activities                                 |                                         |              |                                                              |                               |         |
| 18a                                                                                      | 1501 Collateralization or Debt Service paid by the PHA                   | \$170,192.00                            | \$170,192.00 |                                                              | \$0.00                        |         |
| 18ba                                                                                     | 9000 Collateralization or Debt Service paid Via System of Direct Payment |                                         |              |                                                              |                               |         |
| 19                                                                                       | 1502 Contingency (may not exceed 8% of line 20)                          |                                         |              |                                                              |                               |         |
| 20                                                                                       | Amount of Annual Grant: (sum of lines 2-19)                              | \$170,192.00                            | \$170,192.00 | \$170,192.00                                                 | \$0.00                        |         |
| 21                                                                                       | Amount of line 20 Related to LBP Activities                              |                                         |              |                                                              |                               |         |
| 22                                                                                       | Amount of line 20 Related to Section 504 Activities                      |                                         |              |                                                              |                               |         |
| 23                                                                                       | Amount of line 20 Related to Security - Soft Cost                        |                                         |              |                                                              |                               |         |
| 24                                                                                       | Amount of line 20 Related to Security - Hard Cost                        |                                         |              |                                                              |                               |         |
| 25                                                                                       | Amount of line 20 Related to Energy Conservation Measures                |                                         |              |                                                              |                               |         |

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 3 PHAs with under 250 units in management may use 100% of CFFP for operations  
 4 RHF funds shall be included here

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program and Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 4/30/2011

|                                                                                                                                                                            |  |                                                                                                                                          |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Part 1: Summary</b>                                                                                                                                                     |  | FFY of Grant: <b>2014</b>                                                                                                                |  |
| PHA Name:<br><b>Southern Nevada Regional Housing Authority</b>                                                                                                             |  | Replacement Housing Factor Fund No:<br><b>NV39R018502-14</b>                                                                             |  |
| Grant Type and Number<br>Capital Fund Grant No:<br>Date of CFPP:                                                                                                           |  | FFY of Grant Approval                                                                                                                    |  |
| Type of Grant<br><input type="checkbox"/> Original Annual Statement<br><input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/2016 |  | <input type="checkbox"/> Revised Annual Statement (revision no: 02 )<br><input type="checkbox"/> Final Performance and Evaluation Report |  |
| Reserve for Disaster/Emergency<br><input type="checkbox"/>                                                                                                                 |  | Total Estimated Cost                                                                                                                     |  |
| Summary by Development Account                                                                                                                                             |  | Revised 2                                                                                                                                |  |
| Signature of Executive Director<br>                                                     |  | Total Actual Cost<br>Expended                                                                                                            |  |
| Date<br>4/4/14                                                                                                                                                             |  | Balance                                                                                                                                  |  |
| Signature of Public Housing Director<br>                                                |  | Date                                                                                                                                     |  |









# **Capital Fund Program (CFP)**

**FY 2013**

**Part 1: Summary**

PHA Name: **Southern Nevada Regional Housing Authority**

Grant Type and Number: **Replacement Housing Factor Fund No: NV39P018501-13**

FFY of Grant: **2013**

Date of CFFP: \_\_\_\_\_

| Line | Type of Grant                                                            | Summary by Development Account |                |                | Total Estimated Cost |              | Total Actual Cost |  | Balance |
|------|--------------------------------------------------------------------------|--------------------------------|----------------|----------------|----------------------|--------------|-------------------|--|---------|
|      |                                                                          | Original                       | Revised        | Obligated      | Expended             | Balance      |                   |  |         |
| 1    | Total non-CFF Funds                                                      |                                |                |                |                      |              |                   |  |         |
| 2    | 1406 Operations (may not exceed 20% of line 21) <sup>3</sup>             |                                |                |                |                      |              |                   |  |         |
| 3    | 1408 Management Improvements                                             | \$110,000.00                   | \$110,000.00   | \$100,548.31   | \$100,548.31         | \$9,451.69   |                   |  |         |
| 4    | 1410 Administration (may not exceed 10% of line 21)                      | \$366,634.70                   | \$366,634.70   | \$366,634.70   | \$366,634.70         | \$0.00       |                   |  |         |
| 5    | 1411 Audit                                                               |                                |                |                |                      |              |                   |  |         |
| 6    | 1415 Liquidated Damages                                                  |                                |                |                |                      |              |                   |  |         |
| 7    | 1430 Fees and Costs                                                      | \$532,399.41                   | \$532,399.41   | \$220,549.38   | \$220,549.38         | \$62,490.53  |                   |  |         |
| 8    | 1440 Site Acquisition                                                    |                                |                |                |                      |              |                   |  |         |
| 9    | 1450 Site Improvement                                                    | \$100,000.00                   | \$100,000.00   | \$100,000.00   | \$100,000.00         | \$28.44      |                   |  |         |
| 10   | 1460 Dwelling Structures                                                 | \$2,407,312.89                 | \$2,407,312.89 | \$2,348,766.91 | \$2,350,766.91       | \$56,545.98  |                   |  |         |
| 11   | 1465.1 Dwelling Equipment—Nonexpendable                                  | \$150,000.00                   | \$150,000.00   | \$145,761.00   | \$145,761.00         | \$4,239.00   |                   |  |         |
| 12   | 1470 Nondwelling Structures                                              |                                |                |                |                      |              |                   |  |         |
| 13   | 1475 Nondwelling Equipment                                               |                                |                |                |                      |              |                   |  |         |
| 14   | 1485 Demolition                                                          |                                |                |                |                      |              |                   |  |         |
| 15   | 1492 Moving to Work Demonstration                                        |                                |                |                |                      |              |                   |  |         |
| 16   | 1495.1 Relocation Costs                                                  |                                |                |                |                      |              |                   |  |         |
| 17   | 1499 Development Activities <sup>4</sup>                                 |                                |                |                |                      |              |                   |  |         |
| 18a  | 1501 Collateralization or Debt Service paid by the PHA                   |                                |                |                |                      |              |                   |  |         |
| 18ba | 9000 Collateralization or Debt Service paid Via System of Direct Payment |                                |                |                |                      |              |                   |  |         |
| 19   | 1502 Contingency (may not exceed 8% of line 20)                          |                                |                |                |                      |              |                   |  |         |
| 20   | Amount of Annual Grant: (sum of lines 2-19)                              | \$3,666,347.00                 | \$3,666,347.00 | \$3,282,260.30 | \$3,283,591.36       | \$132,755.64 |                   |  |         |
| 21   | Amount of line 20 Related to LBP Activities                              |                                |                |                |                      |              |                   |  |         |
| 22   | Amount of line 20 Related to Section 504 Activities                      | \$0.00                         | \$0.00         | \$0.00         | \$0.00               | \$0.00       |                   |  |         |
| 23   | Amount of line 20 Related to Security - Soft Cost                        |                                |                |                |                      |              |                   |  |         |
| 24   | Amount of line 20 Related to Security - Hard Cost                        |                                |                |                |                      |              |                   |  |         |
| 25   | Amount of line 20 Related to Energy Conservation Measures                |                                |                |                |                      |              |                   |  |         |

1 To be completed for the Performance and Evaluation Report  
 2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 3 PHAs with under 250 units in management may use 100% of CFF for operations  
 4 RHF funds shall be included here

|                                                                                                                                                                                 |                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Part 1: Summary</b>                                                                                                                                                          |                                                                                                                                                                                                    |
| <b>PHA Name:</b><br>Southern Nevada Regional<br>Housing Authority                                                                                                               | <b>Grant Type and Number</b><br>Capital Fund Grant No: NV39P018501-13 Replacement Housing Factor Fund No:<br>Date of CFFP:                                                                         |
| <b>Type of Grant</b><br><input type="checkbox"/> Original Annual Statement<br><input checked="" type="checkbox"/> Performance and Evaluation Report for Period Ending: 03/31/16 | <input type="checkbox"/> Reserve for Disaster/Emergency<br><input type="checkbox"/> Revised Annual Statement (revision no: 3 )<br><input type="checkbox"/> Final Performance and Evaluation Report |
| <b>Line</b><br>Summary by Development Account                                                                                                                                   | Total Estimated Cost                                                                                                                                                                               |
| Signature of Executive Director                                                                                                                                                 | Signature of Public Housing Director                                                                                                                                                               |
| Date                                                                                                                                                                            | Date                                                                                                                                                                                               |
| Total Actual Cost                                                                                                                                                               | Total Actual Cost                                                                                                                                                                                  |
| Expended                                                                                                                                                                        | Expended                                                                                                                                                                                           |
| Balance                                                                                                                                                                         | Balance                                                                                                                                                                                            |

| <b>Part II: Supporting Pages</b>                  |  |                                                                     |                         |          |                              |                     |                     |                     |                    |                |
|---------------------------------------------------|--|---------------------------------------------------------------------|-------------------------|----------|------------------------------|---------------------|---------------------|---------------------|--------------------|----------------|
| <b>PHA Name:</b>                                  |  | <b>Grant Type and Number</b>                                        |                         |          | <b>Federal FFY of Grant:</b> |                     |                     |                     |                    |                |
| <b>Southern Nevada Regional Housing Authority</b> |  | Capital Fund Program Grant No: <b>NV39P018501-13</b> CFFP (Yes/No): |                         |          | <b>2013</b>                  |                     |                     |                     |                    |                |
| Development Number Name/PHA-Wide Activities       |  | General Description of Major Work Categories                        | Development Account No. | Quantity | Total Estimated Cost         |                     | Total Actual Cost   |                     |                    | Status of Work |
|                                                   |  |                                                                     |                         |          | Original                     | Revised             | Funds Obligated     | Funds Expended      | Funds Balance      |                |
| <b>PHA Wide</b>                                   |  | Management Improvement                                              | 1408                    |          |                              |                     |                     |                     |                    |                |
|                                                   |  | IT Hardware                                                         |                         |          | \$74,601.88                  | \$74,601.88         | \$74,601.88         | \$74,601.88         | \$0.00             |                |
|                                                   |  | Resident/ Staff Training                                            |                         |          | \$35,398.12                  | \$35,398.12         | \$25,946.43         | \$25,946.43         | \$9,451.69         |                |
|                                                   |  | <b>SUB-TOTAL</b>                                                    |                         |          | <b>\$110,000.00</b>          | <b>\$110,000.00</b> | <b>\$100,548.31</b> | <b>\$100,548.31</b> | <b>\$9,451.69</b>  |                |
| <b>PHA Wide</b>                                   |  | Central Office Cost                                                 | 1410                    |          | \$366,634.70                 | \$366,634.70        | \$366,634.70        | \$366,634.70        | \$0.00             |                |
|                                                   |  | <b>SUB-TOTAL</b>                                                    |                         |          | <b>\$366,634.70</b>          | <b>\$366,634.70</b> | <b>\$366,634.70</b> | <b>\$366,634.70</b> | <b>\$0.00</b>      |                |
| <b>PHA Wide</b>                                   |  | Construction Admin Services                                         | 1430                    |          | \$65,000.00                  | \$126,850.03        | \$65,000.00         | \$65,000.00         | \$61,850.03        | increased      |
|                                                   |  | Roofing Consultant                                                  | 1430                    |          | \$0.00                       | \$0.00              | \$0.00              | \$0.00              | \$0.00             |                |
|                                                   |  | A/E Design Services                                                 | 1430                    |          | \$182,399.41                 | \$120,549.38        | \$120,549.38        | \$120,549.38        | \$0.00             | reduced        |
|                                                   |  | Hazardous Materials Consultant                                      | 1430                    |          | \$35,000.00                  | \$35,000.00         | \$35,000.00         | \$34,359.50         | \$640.50           |                |
|                                                   |  | <b>SUB-TOTAL</b>                                                    |                         |          | <b>\$282,399.41</b>          | <b>\$282,399.41</b> | <b>\$220,549.38</b> | <b>\$219,908.88</b> | <b>\$62,490.53</b> |                |
| <b>PHA Wide</b>                                   |  | Misc Site Work Repairs                                              | 1450                    |          | \$100,000.00                 | \$100,000.00        | \$100,000.00        | \$99,971.56         | \$28.44            |                |
|                                                   |  | Playground & Safety Surface Upg.                                    | 1450                    |          | \$0.00                       | \$0.00              | \$0.00              | \$0.00              | \$0.00             |                |
|                                                   |  | Desert Landscaping                                                  | 1450                    |          | \$0.00                       | \$0.00              | \$0.00              | \$0.00              | \$0.00             |                |
|                                                   |  | Parking Lots Upgrades                                               | 1450                    |          | \$0.00                       | \$0.00              | \$0.00              | \$0.00              | \$0.00             |                |
|                                                   |  | <b>SUB-TOTAL</b>                                                    |                         |          | <b>\$100,000.00</b>          | <b>\$100,000.00</b> | <b>\$100,000.00</b> | <b>\$99,971.56</b>  | <b>\$28.44</b>     |                |
| <b>PHA Wide</b>                                   |  | Misc. Interior/Exterior Repairs                                     | 1460                    |          | \$218,000.00                 | \$218,000.00        | \$161,454.02        | \$161,454.02        | \$56,545.98        |                |
|                                                   |  | Vacancy Reduction                                                   | 1460                    |          | \$0.00                       | \$0.00              | \$0.00              | \$0.00              | \$0.00             |                |
|                                                   |  | Exterior Painting                                                   | 1460                    |          | \$0.00                       | \$0.00              | \$0.00              | \$0.00              | \$0.00             |                |
|                                                   |  | <b>SUB-TOTAL</b>                                                    |                         |          | <b>\$218,000.00</b>          | <b>\$218,000.00</b> | <b>\$161,454.02</b> | <b>\$161,454.02</b> | <b>\$56,545.98</b> |                |

1 To be completed for the Performance and Evaluation Report

2 To be completed for the Performance and Evaluation Report or a Revised Annual Statement

| <b>Part II: Supporting Pages</b>                   |  |                                                                     |  |                                |                 |                             | <b>Federal FFY of Grant:</b> |                          |                       |                       |
|----------------------------------------------------|--|---------------------------------------------------------------------|--|--------------------------------|-----------------|-----------------------------|------------------------------|--------------------------|-----------------------|-----------------------|
| <b>PHA Name:</b>                                   |  | <b>Grant Type and Number</b>                                        |  |                                |                 |                             | <b>2013</b>                  |                          |                       |                       |
| <b>Southern Nevada Regional Housing Authority</b>  |  | Capital Fund Program Grant No: <b>NV39P018501-13</b> CFFP (Yes/No): |  |                                |                 |                             |                              |                          |                       |                       |
| <b>Development Number Name/PHA-Wide Activities</b> |  | <b>General Description of Major Work Categories</b>                 |  | <b>Development Account No.</b> | <b>Quantity</b> | <b>Total Estimated Cost</b> |                              | <b>Total Actual Cost</b> |                       | <b>Status of Work</b> |
| <b>PHA Wide</b>                                    |  | Dwelling Equip.-Energy Star Appliances                              |  | 1465                           |                 | \$150,000.00                | \$150,000.00                 | \$145,761.00             | \$145,761.00          | \$4,239.00            |
|                                                    |  | <b>SUB-TOTAL</b>                                                    |  |                                |                 | <b>\$150,000.00</b>         | <b>\$150,000.00</b>          | <b>\$145,761.00</b>      | <b>\$145,761.00</b>   | <b>\$4,239.00</b>     |
|                                                    |  | Non-Dwelling Units Upgrades                                         |  | 1470                           |                 | \$0.00                      | \$0.00                       | \$0.00                   | \$0.00                | \$0.00                |
|                                                    |  | <b>SUB-TOTAL</b>                                                    |  |                                |                 | <b>\$0.00</b>               | <b>\$0.00</b>                | <b>\$0.00</b>            | <b>\$0.00</b>         | <b>\$0.00</b>         |
|                                                    |  | Non-Dwelling Equipment                                              |  | 1475                           |                 | \$0.00                      | \$0.00                       | \$0.00                   | \$0.00                | \$0.00                |
|                                                    |  | <b>SUB-TOTAL</b>                                                    |  |                                |                 | <b>\$0.00</b>               | <b>\$0.00</b>                | <b>\$0.00</b>            | <b>\$0.00</b>         | <b>\$0.00</b>         |
| <b>Landsman Gardens</b>                            |  | CompMod - RAD Conversion                                            |  | 1460                           |                 | \$989,990.30                | \$989,990.30                 | \$989,990.30             | \$989,990.30          | \$0.00                |
| <b>AMP 317</b>                                     |  | Relocation                                                          |  | 1495.1                         |                 | \$0.00                      | \$0.00                       | \$0.00                   | \$0.00                | \$0.00                |
|                                                    |  | <b>SUB-TOTAL</b>                                                    |  |                                |                 | <b>\$989,990.30</b>         | <b>\$989,990.30</b>          | <b>\$989,990.30</b>      | <b>\$989,990.30</b>   | <b>\$0.00</b>         |
|                                                    |  |                                                                     |  |                                |                 |                             |                              |                          |                       |                       |
|                                                    |  |                                                                     |  |                                |                 |                             |                              |                          |                       |                       |
| <b>Vera A</b>                                      |  | Roof Replacement                                                    |  | 1460                           |                 | \$345,714.72                | \$345,714.72                 | \$343,714.72             | \$345,714.72          | \$0.00                |
| <b>AMP 313</b>                                     |  | HVAC Units Replacement                                              |  | 1460                           |                 | \$436,244.59                | \$436,244.59                 | \$436,244.59             | \$436,244.59          | \$0.00                |
|                                                    |  | <b>SUB-TOTAL</b>                                                    |  |                                |                 | <b>\$781,959.31</b>         | <b>\$781,959.31</b>          | <b>\$779,959.31</b>      | <b>\$781,959.31</b>   | <b>\$0.00</b>         |
|                                                    |  |                                                                     |  |                                |                 |                             |                              |                          |                       |                       |
| <b>Vera B</b>                                      |  | Vera B - Pre-Dev/AE Fees                                            |  | 1430                           |                 | \$250,000.00                | \$250,000.00                 | \$250,000.00             | \$250,000.00          | \$0.00                |
| <b>AMP 314</b>                                     |  | Roof Replacement-RAD or MixFin                                      |  | 1460                           |                 | \$417,363.28                | \$417,363.28                 | \$417,363.28             | \$417,363.28          | \$0.00                |
|                                                    |  | <b>SUB-TOTAL</b>                                                    |  |                                |                 | <b>\$667,363.28</b>         | <b>\$667,363.28</b>          | <b>\$417,363.28</b>      | <b>\$417,363.28</b>   | <b>\$0.00</b>         |
|                                                    |  |                                                                     |  |                                |                 |                             |                              |                          |                       |                       |
|                                                    |  |                                                                     |  |                                |                 |                             |                              |                          |                       |                       |
|                                                    |  | <b>TOTAL</b>                                                        |  |                                |                 | <b>\$3,666,347.00</b>       | <b>\$3,666,347.00</b>        | <b>\$3,282,260.30</b>    | <b>\$3,283,591.36</b> | <b>\$132,755.64</b>   |

It to be completed for the Performance and Evaluation Report

to be completed for the Performance and Evaluation Report or a Revised Annual Statement

Annual Statement/Performance and Evaluation Report  
 Capital Fund Program and Capital Fund Program Replacement Housing Factor and  
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
**Expires 8/30/2011**

**Part III: Implementation Schedule**

| PHA Name: <b>Southern Nevada Regional Housing Authority</b> |                                             |                               |                                             |                                |                                  | Federal FFY of Grant: <b>2013</b> |  |
|-------------------------------------------------------------|---------------------------------------------|-------------------------------|---------------------------------------------|--------------------------------|----------------------------------|-----------------------------------|--|
| Capital Fund Program No: <b>NV39P018501-13</b>              |                                             |                               |                                             |                                |                                  |                                   |  |
| Development Number<br>Name/PHA-Wide Activities              | All Fund Obligated<br>(Quarter Ending Date) |                               | All Funds Expended<br>(Quarter Ending Date) |                                | Reasons for Revised Target Dates |                                   |  |
|                                                             | Original Obligation<br>End Date             | Actual Obligation<br>End Date | Original Expenditure<br>End Date            | Actual Expenditure<br>End Date |                                  |                                   |  |
| Mgmt Improvement                                            | 09/08/15                                    |                               | 09/08/17                                    |                                |                                  |                                   |  |
| Administration                                              | 09/08/15                                    |                               | 09/08/17                                    |                                |                                  |                                   |  |
| Fees & Cost                                                 | 09/08/15                                    |                               | 09/08/17                                    |                                |                                  |                                   |  |
| Site Improvement                                            | 09/08/15                                    |                               | 09/08/17                                    |                                |                                  |                                   |  |
| Dwelling Structure                                          | 09/08/15                                    |                               | 09/08/17                                    |                                |                                  |                                   |  |
| Dwelling Equipment                                          | 09/08/15                                    |                               | 09/08/17                                    |                                |                                  |                                   |  |
| Relocation                                                  | 09/08/15                                    |                               | 09/08/17                                    |                                |                                  |                                   |  |
|                                                             |                                             |                               |                                             |                                |                                  |                                   |  |
|                                                             |                                             |                               |                                             |                                |                                  |                                   |  |
|                                                             |                                             |                               |                                             |                                |                                  |                                   |  |
|                                                             |                                             |                               |                                             |                                |                                  |                                   |  |
|                                                             |                                             |                               |                                             |                                |                                  |                                   |  |

Obligation and expenditure end date can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended