

NEW ALBANY HOUSING AUTHORITY

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

**Approved: April 4, 2022
Effective: April 4, 2022**



TABLE OF CONTENTS

1.0 FAIR HOUSING	5
1.1 NONDISCRIMINATION	5
1.2 AFFIRMATIVE MARKETING	9
1.3 OPERATIONS	10
2.0 REASONABLE ACCOMODATION	10
2.1 COMMUNICATION	11
2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION	11
3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS	13
4.0 FAMILY OUTREACH	14
5.0 RIGHT TO PRIVACY	14
6.0 REQUIRED POSTINGS	14
7.0 TAKING APPLICATIONS	15
8.0 ELIGIBILITY FOR ADMISSION	17
8.1 INTRODUCTION	17
8.2 ELIGIBILITY CRITERIA	17
8.3 SUITABILITY	24
8.4 GROUNDS FOR DENIAL	27
8.5 INFORMAL REVIEW	29
9.0 MANAGING THE WAITING LIST	31
9.1 OPENING AND CLOSING THE WAITING LIST	31
9.2 ORGANIZATION OF THE WAITING LIST	32
9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST	32
9.4 PURGING THE WAITING LIST	32
9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST	32
9.6 MISSED APPOINTMENTS	33
9.7 NOTIFICATION OF NEGATIVE ACTIONS	33
10.0 TENANT SELECTION AND ASSIGNMENT PLAN	34
10.1 PREFERENCES	34

10.2	ASSIGNMENT OF BEDROOM SIZES	38
10.3	SELECTION FROM THE WAITING LIST	39
10.4	DECONCENTRATION POLICY	40
10.5	DECONCENTRATION INCENTIVES	41
10.6	OFFER OF A UNIT.....	41
10.7	REJECTION OF UNIT	41
10.8	ACCEPTANCE OF UNIT.....	42
11.0	INCOME, AND DEDUCTIONS FROM INCOME	44
11.1	INCOME.....	44
11.2	ANNUAL INCOME.....	47
11.3	DEDUCTIONS FROM ANNUAL INCOME.....	53
12.0	VERIFICATION	54
12.1	ACCEPTABLE METHODS OF VERIFICATION	55
12.2	TYPES OF VERIFICATION	56
12.3	VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS	60
12.4	VERIFICATION OF SOCIAL SECURITY NUMBERS	61
12.5	TIMING OF VERIFICATION	62
12.6	FREQUENCY OF OBTAINING VERIFICATION.....	62
13.0	DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT	62
13.1	FAMILY CHOICE.....	62
13.2	THE FORMULA METHOD	63
13.3	MINIMUM RENT	63
13.4	THE FLAT RENT	64
13.5	CEILING RENT	65
13.6	RENT FOR FAMILIES UNDER THE NONCITIZEN RULE	65
13.7	UTILITY ALLOWANCE.....	66
13.8	PAYING RENT	67
14.0	CONTINUED OCCUPANCY AND COMMUNITY SERVICE	68
14.1	GENERAL	68
14.2	EXEMPTIONS	68
14.3	NOTIFICATION OF THE REQUIREMENT.....	69
14.4	VOLUNTEER OPPORTUNITIES	70
14.5	THE PROCESS.....	70
14.6	NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT.....	71

14.7 OPPORTUNITY FOR CURE	72
15.0 RECERTIFICATIONS	72
15.1 GENERAL	73
15.2 MISSED APPOINTMENTS.....	73
15.3 FLAT RENTS.....	74
15.4 THE FORMULA METHOD	75
15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS.....	76
15.6 INTERIM REEXAMINATIONS.....	76
15.7 SPECIAL REEXAMINATIONS.....	79
15.8 EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS	80
16.0 UNIT TRANSFERS.....	81
16.1 OBJECTIVES OF THE TRANSFER POLICY	80
16.2 CATEGORIES OF TRANSFERS.....	81
16.3 DOCUMENTATION	82
16.4 INCENTIVE TRANSFERS.....	83
16.5 PROCESSING TRANSFERS	84
16.6 COST OF THE FAMILY'S MOVE	85
16.7 TENANTS IN GOOD STANDING.....	86
16.8 TRANSFER REQUESTS.....	86
16.9 RIGHT OF THE NEW ALBANY HOUSING AUTHORITY IN TRANSFER POLICY ...	87
17.0 INSPECTIONS	87
17.1 MOVE-IN INSPECTIONS	87
17.2 INSPECTIONS DURING TENANCY	87
17.3 PREVENTATIVE MAINTENANCE INSPECTIONS	88
17.4 SPECIAL INSPECTIONS	88
17.5 HOUSEKEEPING INSPECTIONS.....	88
17.6 NOTICE OF INSPECTION	88
17.7 EMERGENCY INSPECTIONS.....	88
17.8 PRE-MOVE-OUT INSPECTIONS	89
17.9 MOVE-OUT INSPECTIONS.....	89
18.0 PET POLICY	89
18.1 EXCLUSIONS	89
18.2 PETS IN PUBLIC HOUSING	89
18.3 APPROVAL	89

18.4 TYPES AND NUMBER OF PETS.....	90
18.5 INOCULATIONS	91
18.6 PET DEPOSIT.....	91
18.7 FINANCIAL OBLIGATION OF RESIDENTS	91
18.8 NUISANCE OR THREAT TO HEALTH OR SAFETY	92
18.9 DESIGNATION OF PET AREAS.....	92
18.10 MISCELLANEOUS RULES.....	93
18.11 VISITING PETS	94
18.12 REMOVAL OF PETS.....	95
19.0 REPAYMENT AGREEMENTS.....	95
20.0 TERMINATION	96
20.1 TERMINATION BY TENANT.....	96
20.2 TERMINATION BY THE HOUSING AUTHORITY	96
20.3 ABANDONMENT	97
20.4 RETURN OF SECURITY DEPOSIT.....	98
20.5 OVER-INCOME FAMILIES.....	98
21.0 FAMILY SELF-SUFFICIENCY	98
21.1 SELECTION POLICIES.....	98
21.2 NONDISCRIMINATION POLICIES.....	99
21.3 DENIAL OF PARTICIPATION.....	99
21.4 TERMINATION FROM THE FSS PROGRAM	99
21.5 TERMINATION OF SERVICES	99
21.6 WITHHOLDING SUPPORTIVE SERVICES.....	100
21.7 HEARING PROCEDURES FOR FSS FAMILIES.....	100
21.8 ESCROW POLICIES.....	100
22.0 VICTIMS OF DOMESTIC VIOLENCE.....	102
23.0 DEFINITION OF SIGNIFICANT CHANGES TO THE ANNUAL PLAN	104
GLOSSARY OF TERMS	

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

This Admissions and Continued Occupancy Policy defines the New Albany Housing Authority's policies for the operation for the Public Housing Program, incorporating Federal, State and local law. If there is any conflict between this policy and laws or regulations, the laws and regulations will prevail. In addition, NAHA applies the conditions noted herein to all NAHA owned properties and references this document as "house rules".

NAHA is a participant in the Rental Assistance Demonstration, a program established in 2012 by the Department of Housing and Urban Development that allows for the conversion of public housing assistance to Project Based Vouchers or Project Based Rental Assistance. Any participation by the Authority confers special tenant protections to tenants residing in units directly affected by that participation as enumerated in RAD notices and pre-empt rights and notices as listed in this document. Compliance with the provisions of RAD do not in themselves constitute a significant amendment to the PHA Plan or the Admissions and Continued Occupancy Plan.

1.0 FAIR HOUSING

1.1 NONDISCRIMINATION

It is the policy of NAHA to fully comply with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, state and local Fair Housing laws, and any legislation protecting the individual rights of residents, applicants or staff which may be subsequently enacted.

NAHA will comply with all laws and court orders relating to civil rights, including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d et seq.) and 24 CFR Part 1
- Fair Housing Act (42 U.S.C. §§3601-3631) and 24 CFR Parts 100, 108, and 110
- Executive Order 11063 on equal opportunity in housing and 24 CFR Part 107

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

- Executive Order 13166 on improving access to services for persons with limited English proficiency
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) and 24 CFR Part 8
- Age Discrimination Act of 1975 (42 U.S.C. §§6101-6107) and 24 CFR Part 146
- Title II of the Americans with Disabilities Act (42 U.S.C. §§12131-12134), 28 CFR 35
- Violence Against Women Act (42 U.S.C. §§13701-14040)
- All applicable state and local laws and ordinances

NAHA shall not discriminate because of race, color, sex, religion, familial status (in non-elderly designated housing), disability, sexual orientation, gender identity, or national origin in the leasing, rental, or other disposition of housing or related facilities, including land, included in any development or developments under its jurisdiction.

NAHA shall not take any of the following actions on account of race, color, sex, religion, familial status, disability, sexual orientation, gender identity, or national origin:

- Deny to any family the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs.
- Provide housing that is different than that provided others.
- Subject a person to segregation or disparate treatment.
- Restrict a person's access to any benefit enjoyed by others in connection with any program operated by the Housing Authority.
- Treat a person differently in determining eligibility or other requirements for admission.
- Deny a person access to the same level of services.
- Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the public housing program.

NAHA shall not automatically deny admission to a particular group or category of otherwise eligible applicants (e.g. families with children born to unmarried parents or elderly pet owners). Each applicant in a particular group or category will be treated on an individual basis in the normal processing routine.

NAHA will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504 of

the Rehabilitation Act of 1973, NAHA will make such physical or procedural changes as will reasonably accommodate people with disabilities. NAHA records with respect to applicants for admission shall indicate for each application the date of receipt, the determination of eligibility or non-eligibility, the preference rating if any, and the date, location, identification, and circumstances of each vacancy offered and whether that vacancy was accepted or rejected.

NAHA will identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504, and the Fair Housing Amendments Act of 1988, NAHA will make structural modifications to its housing and non-housing facilities (required, 24 CFR §§8.21, 8.23, 8.24, and 8.25) and make reasonable accommodations in its procedures or practices (required, 24 CFR § 100.204) to permit people with disabilities to take full advantage of NAHA's programs and services.

- 1) In making existing housing programs (see 24 CFR §8.24) or alterations to existing facilities (see 24 CFR §8.23(b)) to be readily accessible to and usable by individuals with handicaps, NAHA is not required to:
 - (a) Make each of its existing facilities accessible (24 CFR §8.24(a)(1)), or make structural changes when other methods can be demonstrated to achieve the same effect; (24 CFR §8.24 (b))
 - (b) Make building alterations that require the removal or altering of a load-bearing structural member; (24 CFR § 8.32 (c))
 - (c) Provide an elevator in any multifamily housing development solely for the purpose of locating accessible dwelling units ("units") above or below the accessible grade level; or (24 CFR § 8.26)
 - (d) Take any action that results in a fundamental alteration in the nature of the program or results in undue financial and administrative burdens. (24 CFR § 8.24(a)(2))
- 2) When NAHA is making substantial alterations (defined in 24 CFR § 8.23 as alterations to a development that has 15+ units and the cost is 75% or more of the replacement cost of the completed facility) to an existing housing facility, NAHA is not required to:
 - (a) Provide an elevator in any multifamily housing development solely for the purpose of locating accessible units above or below the accessible grade level; (24 CFR §8.26)
 - (b) Make building alterations that require the removal or altering of a load-bearing structural member; or (24 CFR §8.32 (c))

- (c) Make structural alterations to meet minimum accessibility requirements where it is structurally impracticable. "Structural impracticability" is defined as: Changes having little likelihood of being accomplished without removing or altering a load-bearing structural member and/or incurring an increased cost of 50% or more of the value of the element of the building or facility involved. (24 CFR §8.32(c) and Appendix A to Part 40, Uniform Federal Accessibility Standards (UFAS) 3.5 and 4.1.6(3))
- 3) Note that the undue burdens test above is not applicable to housing undergoing substantial alteration.

1.2 AFFIRMATIVE MARKETING

As conditions may require, NAHA will post notices of housing availability in particular neighborhoods or developments to encourage fuller participation. NAHA may issue public announcements of availability to encourage applications for assistance. Among the marketing efforts NAHA may engage in depending on the situation are the following:

- Send informational spots to local media outlets such as radio stations, cable TV, newspapers, or other periodicals for broadcast or publication.
- Special outreaches to minorities, persons with disabilities and very low-income families.
- Distribute pamphlets and brochures.
- Post notices in places of employment, unemployment offices, welfare offices, post offices, grocery stores, churches, community halls, public transportation centers, and with other agency community service providers.
- Conduct outreach to organizations that assist people with disabilities, the elderly, students, immigrants, homeless people and victims of domestic violence.

NAHA will monitor the benefits received as a result of the above activities, and will increase or decrease the outreach activities accordingly.

To reach minority groups, it may be necessary to canvas neighborhoods or make mass mailing to areas with heavy concentrations of minority citizens. If language is a problem, brochures may be printed in Spanish or other languages as required.

1.3 OPERATIONS

In order to further the objectives of nondiscrimination, NAHA shall:

- Include in the admissions briefings for all NAHA programs a section on compliance with Civil Rights laws. The briefings shall explain to all participants what should be done if they believe they have been discriminated against.

- Prominently display Fair Housing posters in every development office owned by NAHA and in NAHA's administrative offices. Such posters shall be posted in such a manner as to be easily readable from a wheelchair.

- Use the Equal Housing Opportunity logo and/or statement in all advertising and in all marketing publications of NAHA. NAHA shall be particularly conscious of human models used in its publications so as to avoid signaling any sense of discrimination.

2.0 REASONABLE ACCOMODATION OR MODIFICATION

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

2.1 COMMUNICATION

Anyone requesting will receive a Request for Reasonable Accommodation/Certification form. Such form can be obtained from the New Albany Housing Authority's main office at 300 Erni Ave., New Albany, IN 47150.

Notifications of reexamination will include information about requesting a reasonable accommodation. All requests for accommodation must be in writing unless the disabling condition prevents written communication. Also, all necessary supporting documentation required as part of the determination will be needed before the request is considered to be a completed request.

All decisions granting, requesting additional information or denying requests for reasonable accommodations will be in writing within 30 days of completed requests.

2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION

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

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

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

- B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the New Albany Housing Authority will obtain documentation that the requested accommodation is needed due to the disability. The New Albany Housing Authority will not inquire as to the nature of the disability.
- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:
1. Would the accommodation constitute a fundamental alteration? The New Albany Housing Authority's business is housing. If the request would alter the fundamental business that the New Albany Housing Authority conducts, that would not be reasonable. For instance, the New Albany Housing Authority would deny a request to have the New Albany Housing Authority do grocery shopping for a person with disabilities.
 2. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the New Albany Housing Authority may request a meeting with the individual to investigate and consider equally effective alternatives.
- D. Generally the individual knows best what it is they need; however, the New Albany Housing Authority retains the right to be shown how the requested accommodation enables the individual to access or use the New Albany Housing Authority's programs or services.

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

The cost necessary to carry out approved requests, including

requests for physical modifications, will be borne by the New Albany Housing Authority if there is no one else willing to pay for the modifications. If another party pays for the modification, the New Albany Housing Authority will seek to have the same entity pay for any restoration costs.

If the tenant requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, the New Albany Housing Authority will review and generally approve such request if it does not violate codes or affect the structural integrity of the unit. All requests for such an accommodation must be in writing.

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

The New Albany Housing Authority is permitted to transfer a resident with disabilities who needs an accessible unit to an appropriate available accessible unit or an appropriate accessible unit that can be modified in lieu of modifying the tenant's current inaccessible unit.

The New Albany Housing Authority recognizes that in most cases the appropriate accommodation would be a transfer to an existing modified unit and in such cases it is the policy of the New Albany Housing Authority to waive transfer fees.

3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS

The New Albany Housing Authority will endeavor to have bilingual staff or access to people who speak languages other than English in order to assist non-English speaking families. The following languages shall be covered:

Spanish

4.0 FAMILY OUTREACH

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

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

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

5.0 RIGHT TO PRIVACY

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

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

6.0 REQUIRED POSTINGS

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

- A. Notice that the Statement of Policies and Procedures governing Admission and Continued Occupancy is available upon request.

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

7.0 TAKING APPLICATIONS

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance.

When the wait list is open, application packets for public housing may be obtained from the office at 300 Erni Avenue, New Albany, Indiana. Applicants will be advised of documents they will need to bring in when completing the office visit. Applications will be taken on a first come first served basis on weekdays, between the hours of 8:30 a.m. – 11:00 a.m. Monday through Thursday at the office at 300 Erni Avenue.

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

Application packets for Section 8 (Housing Choice Voucher) Program may be obtained from the office at 300 Erni Avenue, New Albany, Indiana. Applicants are encouraged to call the Section 8 program prior to traveling to the office due to the length of the waiting list and the possibility that the waiting list is closed. The phone number for the administrative office is 812 206-2053.

NAHA provides applicants as part of their application for housing, the option to include information on an individual or organization that may be contacted to assist in providing any delivery of services or special care to applicants who become tenants and to assist with resolving any tenancy issues arising during tenancy. This supplementary information is captured on Form HUD-92006, Supplement to Application for Federally Assisted Housing.

During the office visit, the applicant will be given a letter advising them of additional documents they need to provide and a time limit to return with them. The application will be dated and time stamped and the family will be placed on the waiting list.

If the additional documents have not been returned within the allotted time, a letter will be sent to the applicant advising them they have ten (10) days to bring the needed items. Applicants will be removed from the waiting list if the required documentation is not received or a reasonable explanation of the delay is not given.

The applicant must report changes in their applicant status including changes in family composition, income, or preference factors. The New Albany Housing Authority will annotate the applicant's files and will update their application. Changes may be verified by NAHA.

The New Albany Housing Authority will ensure that verification of all preferences, eligibility, suitability and selection factors are current in order to determine the family's eligibility for admission into the Public Housing Program.

If the New Albany Housing Authority determines the family to be ineligible, a notice will be sent stating the reasons therefore and will offer the family the opportunity of an informal review of the determination.

Persons with disabilities who require a reasonable accommodation in completing an application may call the New Albany Housing Authority at 812-948-2319 to make special arrangements.

8.0 ELIGIBILITY FOR ADMISSION

8.1 INTRODUCTION

There are five eligibility requirements for admission to public housing: qualifies as a family, has an income within the income limits, meets citizenship/eligible immigrant criteria, provides documentation of Social Security numbers, and signs consent authorization documents. In addition to the eligibility criteria, families must also meet the New Albany Housing Authority screening/suitability criteria in order to be admitted to public housing.

The Housing Opportunity through Modernization Act of 2016 mandated a sixth eligibility requirement which is that net assets of the family do not exceed \$100,000 and the family does not own real property which they have the right to reside in and legal authority to sell. Final rulemaking by HUD must be conducted before this becomes effective. When such final rulemaking is completed this sixth eligibility requirement will be immediately adopted within this Admissions and Continued Occupancy Policy.

8.2 ELIGIBILITY CRITERIA

A. Family status.

1. A **family with or without children**. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that live together in a stable family relationship.

- a. Children temporarily absent from the home due to placement in foster care are considered family members.
 - b. Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit.
2. An **elderly family**, which is:
- a. A family whose head, spouse, or sole member is a person who is at least 62 years of age;
 - b. Two or more persons who are at least 62 years of age living together; or
 - c. One or more persons who are at least 62 years of age living with one or more live-in aides.
3. A **near-elderly family**, which is:
- a. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62;
 - b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
 - c. One or more persons, who are at least 50 years of age but below the age of 62, living with one or more live-in aides.
4. A **disabled family**, which is:
- a. A family whose head, spouse, or sole member is a person with disabilities;

- b. Two or more persons with disabilities living together; or
 - c. One or more persons with disabilities living with one or more live-in aides.
- 5. A **displaced family**, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.
 - 6. A **remaining member of a tenant family**.
 - 7. A **single person** who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family.

B. Income eligibility.

- 1. The family's Annual Income at the time of admission may not exceed the income limits established by HUD, posted in the PHA office.
- 2. A family may not be admitted to the public housing program from another assisted housing program (e.g., tenant-based Section 8) or from a public housing program operated by another housing authority without meeting the income requirements of the New Albany Housing Authority. This provision does not apply to persons being relocated solely due to the conversion of assistance or construction promulgated by the Rental Assistance Demonstration. In those cases the RAD Relocation Notice shall prevail.
- 3. If the New Albany Housing Authority acquires a property for federal public housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as public housing tenants.

4. Income limit restrictions do not apply to families transferring within our Public Housing Program.

C. Citizenship/Eligibility Status

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

D. Social Security Number Documentation

Prior to admission, each family member who has a Social Security Number must provide verification of his or her Social Security Number. New family members must provide this verification prior to being added to the lease.

The best verification of the Social Security Number is the original Social Security card. If the card is not available, the

New Albany Housing Authority will accept letters from Social Security that establish and state the number. Documentation from other governmental agencies will also be accepted that establish and state the number. Driver's license, military ID, passports, or other official documents that establish and state the number are also acceptable.

If an individual states that they do not have a Social Security Number they will be required to sign a statement to this effect. The New Albany Housing Authority will not require any individual who does not have a Social Security Number to obtain a Social Security Number. However, at least one member of the family must provide verification of a Social Security Number in order for the family to be eligible to receive assistance. This is applicable to both applicant and participant families.

If a member of an applicant family who is over the age of six indicates they have a Social Security Number, but cannot readily verify it, either the family cannot be assisted, or that family member cannot be included in the household until verification is provided.

When a participant requests to add a new household member, who is at least six years of age or under the age of six and has an assigned SSN, to the family, the participant must disclose the assigned SSN and provide NAHA with the necessary documentation mentioned earlier, or at the time of processing the interim or annual reexamination of family income and/or composition. If the family is unable to provide the required documentation of the SSN, NAHA will not add the new household member until the family provides such documentation.

When a participant requests to add a new household member, who is under the age of six and does not have an assigned SSN, the participant must disclose the assigned SSN

and provide NAHA with the documentation referenced earlier within 90 calendar days of the child being added to the household.

If the family is unable to disclose and provide evidence of the SSN within 90 calendar days, NAHA will grant the family an additional 90-day period to comply with the SSN disclosure requirement, if NAHA determine the family was unable to comply with the requirements due to circumstances that could not have reasonably been foreseen and were outside the control of the family. Examples include but are not limited to: delayed processing of the SSN application by SSA, natural disaster, fire, death in family, etc.

The child is to be included as part of the assisted household and entitled to all the benefits of being a household member during the allotted time for the family to comply with the SSN disclosure and documentation requirements. NAHA will generate an ALT ID through EIV. Upon expiration of the provided time period, if the family has not complied with the SSN disclosure and documentation requirements, NAHA must terminate the family's tenancy or assistance, or both of the entire family.

The same provisions noted above apply to applicant families who have a child or children under the age of six years old. Such families can receive a unit offer and be housed even without providing the necessary SSN documentation for a household member(s) under the age of six. The family then has a 90-day period to comply with the SSN disclosure requirement. Such a family can also receive the additional 90-day extension to provide the SSN documentation if circumstances warrant. If an applicant family was housed and fails to provide the necessary SSN documentation, NAHA must terminate the family's tenancy or assistance.

E. Signing Consent Forms

3. In order to be eligible, each member of the family who is at

least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.

4. The consent form must contain, at a minimum, the following:
 - a. a provision authorizing HUD or the New Albany Housing Authority to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy; and,
 - b. a provision authorizing HUD or the New Albany Housing Authority to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
 - a. a provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits;
 - b. and a statement that the authorization to release
 - c. the information requested by the consent form expires 15 months after the date the consent form is signed. Must meet applicant selection (suitability) described in Section 8.3.

8.3 SUITABILITY

- A. The applicant's ability and willingness to comply with the essential lease requirements will be evaluated and documented in accordance

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

The lease establishes standards for each resident with respect to the amount of rent and other charges due and timeliness of payment. It also has standards for the conduct that is required in order to maintain a safe and healthy environment, allowing all residents peaceful enjoyment of their home as well as maintaining housekeeping standards stated in the housekeeping inspection. We require the names and addresses of all landlords for the past three years. NAHA will send landlord verification forms to each of these landlords.

- B. The New Albany Housing Authority will consider objective and reasonable aspects of the family's background, including the following:
1. History of meeting financial obligations, especially rent; and electric. Each household in the family units is required to pay personal electric, therefore, if the head of household has an outstanding bill to Duke Energy that would make the family ineligible for public housing until it's verified that the bill has been paid in full. Since NAHA operates one centralized Public Housing waitlist, this requirement is applicable to all applicant families. Note: if the development does not have tenant paid utilities, this provision does not apply.
 2. As part of the financial obligations screening, a former PHA tenant or Section 8 participant who owes a balance in either program or to any PHA is ineligible for housing. No repayment

agreements will be accepted. Outstanding rent and damage charges owed to private landlords will be evaluated and disregarded if verifiable mitigating circumstances are proven. Payment of outstanding balances does not guarantee admission to any PHA program.

3. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other tenants;
4. History of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or wellbeing of other tenants or staff or cause damage to the property. To be considered, the household member must have been convicted of the criminal activity;
5. Applicants with a record of allowing persons other than those on the lease to live in the unit, damaging or vandalizing of common areas, creating physical or social hazards to the unit or other residents, or interfering with the rights and quiet enjoyment of the neighbors are all criteria that will be screened. A continuing record of these behaviors will result in denial of housing, unless applicant can prove that there is substantial reason to believe that this behavior is no longer being indulged in.
6. Having committed fraud in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from; and
7. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.

- C. The New Albany Housing Authority will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The New Albany Housing Authority will verify the information provided. Such verification may include but may not be limited to the following:
1. A credit check of the head, spouse and co-head;
 2. A rental history check of all adult family members;
 3. A criminal background check must be obtained by applicant on all adult household members, including live-in aides. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last six months. Where the individual has lived outside the local area, the New Albany Housing Authority may contact law enforcement agencies where the individual had lived or pursue further verification of lack of criminal status where indicated;
 4. A check of the federal and State's lifetime sex offender registration program for each adult household member, including live-in aides. No individual registered with the federal or state program will be admitted to public housing.

Screening applicants who claim mitigating circumstances:

If negative information is received about an applicant, PHA shall consider the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. To be considered, mitigating circumstances must be verifiable.

Mitigating circumstances are facts relating to the applicant's negative rental history or behavior, that, when verified, indicate: (1) the reason for the unsuitable rental history and/or behavior; and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control, AND applicant's prospect for lease compliance is an acceptable one, justifying admission. Mitigating circumstances would overcome or outweigh information

already gathered in the screening process.

If the applicant asserts that mitigating circumstances relate to a change in disability, medical condition or treatment, PHA shall refer such information to persons qualified to evaluate the evidence and verify the mitigating circumstance. PHA shall also have the right to request further information to verify the mitigating circumstance, even if such information is of a medically confidential nature. Such inquiries will be limited to the information necessary to verify the mitigating circumstances or, in the case of a person with disabilities, to verify a reasonable accommodation. If applicant claims protection under Violence Against Women Act, NAHA will consider those elements as they pertain to suitability accordance with VAWA regulations.

8.4 GROUNDS FOR DENIAL

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

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

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

activity that would adversely affect the health, safety, or wellbeing of other tenants or staff or cause damage to the property. To be considered, the household member must have been convicted of the criminal activity;

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

3. Is participating in a supervised drug or alcohol rehabilitation program.
 4. Additional consideration will be given if an applicant is referred for Supportive Housing through the Coordinated Access System of the State of Indiana for permanent supportive housing.
- M. Have engaged in or threatened abusive or violent behavior towards any New Albany Housing Authority staff or residents;
- N. **Denied for Life:** If any family member has been convicted of manufacturing or producing methamphetamine (speed) in a public housing development or in a Section 8 assisted property;
- O. **Denied for Life:** Has a lifetime registration under a State sex offender registration program.
- P. Any applicant whose less than lifetime State sex offender registration has not expired.

8.5 INFORMAL REVIEW

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

The informal review may be conducted by a person designated by the New Albany Housing Authority, other than a person who made or approved the decision under review or subordinate of this person. The applicant must be given the opportunity to present written or oral objections to the New Albany Housing Authority's

decision. The New Albany Housing Authority will document the hearing so that there is a record. Decisions may be verbal to the applicant. Written decisions will follow any verbal decision and form part of the permanent tenant file.

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

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

New Albany Housing Authority uses the on-line SAVE system established by the Immigration and Naturalization Service. In the event the SAVE system is unavailable the authority will use the most expeditious form of verification available at the time of application.

Due to HUD regulations on those that are denied for life; conviction of manufacturing or producing methamphetamine (speed) in a public housing development or in a Section 8 assisted property; or those who have a lifetime registration under a federal or State sex offender registration program will not be given hearings on the application denial.

9.0 MANAGING THE WAITING LIST

9.1 OPENING AND CLOSING THE WAITING LIST

The New Albany Housing Authority has established one agency-wide combined Public Housing and non-supportive housing NAHA owned/NAHA-affiliate owned project based voucher ("PBV") waiting list. ^b

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

The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for public housing or Section 8. The notice will include the Fair Housing logo and slogan and will be in compliance with Fair Housing requirements.

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

The New Albany Housing Authority has established a detailed policy regarding the closing of wait lists. The policy states that the New Albany Housing Authority will consider closing any waitlist for any unit size if sufficient analysis determines that the list has sufficient applicants to fill anticipated vacancies for the coming twelve months. When considering closing a waitlist, the New Albany Housing Authority may close the waiting list completely, close the list during certain times of the year, and/or restrict intake by preference, type of project, or by size and type of dwelling. The complete Waitlist Closing Policy is incorporated by reference herein. (December 2015 Waitlist Closing Policy).

9.2 ORGANIZATION OF THE WAITING LIST

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

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

9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST

When a family appears to be near the time of being offered a unit, the family's verification process will be reviewed. If the verification process results in a loss or gain of preference points on the wait list, those changes will be effective on receipt and may result in a change in position on the wait list.

9.4 PURGING THE WAITING LIST

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

9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST

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

- A. The applicant requests that the name be removed;
- B. The applicant fails to respond within 10 days to a written request for information or a request to declare their continued interest in the program; or
- C. The applicant does not meet either the eligibility or suitability criteria for the program.
- D. The applicant rejects 3 offers of housing without good cause.

If an applicant is removed from the waiting list for non-response, the applicant may be reinstated with good cause within 1 month of removal. After this time, applicant must re-apply.

9.6 MISSED APPOINTMENTS

Missed appointments will be rescheduled at the convenience of the staff member.

9.7 NOTIFICATION OF NEGATIVE ACTIONS

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

10.0 TENANT SELECTION AND ASSIGNMENT PLAN

10.1 PREFERENCES

The New Albany Housing Authority will select families based on the following preferences within each bedroom size category. Applicants will

receive all preferences they qualify for, and preference points will be aggregated for purposes of ranking on the waitlist. Applicants will be ranked on the waitlist first based upon preference point amount and then by date and time of application.

A. Substandard Housing/Homeless/Involuntarily Displaced (24 pts.) Note: applicants may claim only one of these preferences.

Verification of Substandard housing must be a letter from a government agency. Homeless verification will be a written certification by a public or private facility providing shelter, the police or a social services agency the family has been continuously working with.

Prior to final processing of the application, the New Albany Housing Authority may require a second certification from the same source that the applicant is not yet permanently housed and has been continuously homeless or temporarily housed since claiming the preference. Displaced verification will be a letter from a government agency.

Note: any homeless family in Floyd County or the state of Indiana will qualify for a residency preference. All applicants who receive certification from an Indiana agency will qualify for such preference unless that agency indicates the applicant resides elsewhere. Applicants who receive certification from a non-Indiana agency will not receive a residency preference unless that agency specifically states the applicant resides in Indiana.

B. Working Families (including applicants in Education/Job Training Programs) (12 pts.)

This preference will be awarded to applicants who are working a minimum of 30 hours per week or are a full time student in an education/job training program. For purposes of this preference, full time student is defined as 12 semester hours or more at an institution of

higher education, or other credit hours amount defined as full-time by the individual institution. A full time job training program participant is defined as participating in a job training program for a minimum of 30 hours per week, or other number of hours defined as full-time by the individual training program.

Verification for the working preference will be current paystubs, an employer verification form completed by the employer, or other 3rd party information showing the hours of employment over at least a six week period unless the job was obtained within six weeks of the time of application. Verification of enrollment in an education program must be a student schedule/report card or other direct verification of the student's credit hours/status by a verified employee at the institution of education. Verification of a job training program must be a verification from a qualified employee of the job training program detailing the hours per week attended/status of the applicant.

Elderly/disabled applicants will automatically be awarded this preference.

C. Elderly/Disabled (6 pts.)

Verification of Elderly will be taken from the birth certificate, state issued identification card, or driver's license. Verification of disabled must be taken from the Social Security/SSI award letter, other official documentation from the Social Security Administration, or a Certification of Handicap or Disability form (NAHA form) signed by a medical professional indicating that the applicant meets HUD's definition of disabled, or information from the Veterans Administration indicating that the applicant is disabled;

D. Servicemen or Veterans who are currently serving or were honorably discharged (12 pt.)

Verification of those currently serving must be military records or current enlistment papers. Verification of honorably discharged veteran status must be a DD 214 form showing the discharge status.

E. Floyd County residents (24 pts.)

Awarded to applicants who are residents of Floyd County or work in Floyd County.

Verification of this preference will be a current Indiana driver's license or state issued identification card showing an address within the Floyd County, Indiana limits. Two 3rd party bills addressed to the applicant at their Floyd County, Indiana address will also be acceptable in lieu of a driver's license or state issued identification card. This preference may also be awarded to homeless families in accordance with the requirements noted within the homeless preference.

For applicants who work in Floyd County, verification of this preference will be a current paystub, an employer verification form completed by the employer, or other 3rd party information showing the hours of employment and the address of the location at which the applicant works.

F. Indiana resident (8 pts.)

Applicants who are residents of Indiana counties other than Floyd County will receive this preference.

Verification of this preference will be a current Indiana driver's license or state issued identification card showing an address outside the Floyd County, Indiana limits. Two 3rd party bills addressed to the applicant at their non-Floyd County, Indiana address will also be acceptable in lieu of a driver's license or state issued identification card. This preference may also be awarded to homeless families in accordance with the requirements noted within the homeless preference.

For applicants who work in Indiana but not in Floyd County, verification of this preference will be a current paystub, an employer verification form completed by the employer, or other 3rd party information showing the hours of employment and the address of the location at which the applicant works.

G. Relocation (100 pts.)

Residents currently participating in a NAHA program who are required to relocate for the following reasons:

1. Relocation required by NAHA
2. Reasonable accommodation where the appropriate unit is not available
3. Violence Against Women Act
4. Emergency relocation as identified by NAHA

Buildings Designated as Elderly/Disabled Only Housing: Mark Elrod Tower has been approved by HUD as being designated for elderly/disabled only. In filling vacancies in this development, first priority will be given to elderly or disabled families. If there are not enough elderly or disabled families to occupy the units in a designated elderly development, NAHA may allow near-elderly families to occupy the units [24 CFR 945.303(c)(1)]. Near-elderly family means a family whose head, spouse, or co-head is at least 50 years old, but is less than 62 [24 CFR 5.403].

Buildings Designated for Disabled Only Housing: The New Albany Housing Authority currently has no developments that have been approved by HUD as being designated for persons with disabilities only. In filling vacancies in any development that may be so designated in the future, first priority will be given to disabled families. If there are no disabled families on the list, next priority will be given to families who qualify for the appropriate bedroom size. Using these priorities, families will be selected from the waiting list using the preferences as outlined above.

Accessible Units: Accessible units will be first offered to families residing in the development where the vacant unit is located and who may benefit from the accessible features. Accessible unit will be offered second to persons residing in another development of NAHA who may benefit from the accessible features. Finally, applicants for these units will be selected utilizing the same preference system as outlined above. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list. Such applicants, however, must sign a release form stating they will accept a transfer (at their own expense) if, at a future

time, a family requiring an accessible feature applies. Any family required to transfer will be given a written 30-day notice.

10.2 ASSIGNMENT OF BEDROOM SIZES

In determining bedroom size, the New Albany Housing Authority will include the presence (and sex as determined by a medical professional) of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, children who are temporarily away at school, or children who are temporarily in foster-care.

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

- A. Children of the same sex will share a bedroom.
- B. Children of the opposite sex will be eligible for separate bedrooms.
- C. Adults and children will not be required to share a bedroom.
- D. Foster – adults and/or foster - children may but will not be required to share a bedroom with family members.
- E. Live-in aides will get a separate bedroom. These aides will be housed as a Reasonable Accommodation and their occupancy shall be determined by NAHA live-in aide addendum to the lease. Live-in aides are not a signatory to the lease, their income is not considered in household income, and they have no rights to continued occupancy in the event of lease termination.

Exceptions to normal bedroom size standards include the following:

- A. Units smaller than assigned through the above guidelines – A family may request a smaller unit size than the guidelines allow. The New Albany Housing Authority will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family will sign a certification stating they

understand they will be ineligible for a larger size unit for **3 years** or until the family size changes, whichever may occur first.

- B. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The New Albany Housing Authority will allow the larger size unit if the family provides a verified medical need that the family be housed in a larger unit.
- C. If there are no families on the waiting list for a larger size, smaller families may be housed if they sign a release form stating they will transfer (at the family's own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move.
- D. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.

Based upon the above criteria, the minimum occupancy for a unit at the time of move-in is one person per bedroom. The absolute maximum occupancy is two persons per sleeping room. In accordance with HUD guidance, a living room is deemed to be a sleeping room.

10.3 SELECTION FROM THE WAITING LIST

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

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

Also, the New Albany Housing Authority reserves the right to offer Public Housing units to Section 8 participants whose units have failed inspection and have had landlord housing assistance payments abated due to failure of the landlord to correct the deficiencies within the required timeframe. Such participants can be offered a Public Housing unit without being added to the waiting list. Form HUD-50058 information previously obtained for purposes of the Section 8 program will be used for purposes of the Public Housing form HUD-50058 whenever possible. NAHA reserves the right to house current public housing and PBV residents in the NAHA programs by placing current residents on the program wait list. Such relocation will require only a current 50058. Resident still must meet program requirements.

10.4 DECONCENTRATION POLICY

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

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

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

10.5 DECONCENTRATION INCENTIVES

None, at present.

10.6 OFFER OF A UNIT

When the New Albany Housing Authority discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit or development and whose income category would help to meet the deconcentration goal and/or the income-targeting goal. The applicant with the highest priority for the applicable bedroom size will be selected regardless of whether the unit is a Public Housing unit or a non-supportive housing NAHA owned/NAHA-affiliate owned project based voucher unit. ^b

The New Albany Housing Authority will contact the family first by telephone to make the unit offer. The family will be given one (1) business days from the date the offer was made to contact the New Albany Housing Authority regarding the offer.

When an applicant comes to the top of the list and the necessary documentation is not in the file, the applicant will be notified. They will be advised that we will skip over them until such documentation is provided.

The family will be offered the opportunity to view the unit. After the opportunity to view the unit, the family will accept or reject the unit. This verbal offer and the family's decision will be documented in the tenant file.

10.7 REJECTION OF UNIT

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

If the New Albany Housing Authority did not skip over other families on the waiting list to reach this family, did not offer any other deconcentration incentive, and the family rejects the unit without good cause, the family will forfeit their application's date and time. The family will keep their preferences, but the date and time of application will be changed to the date and time the unit was rejected.

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

A family that has rejected 3 unit offers without good cause will be removed from the waiting list. Offers of both PBV units and Public Housing units will be counted as offers.

Any family with homeless preference points will lose those points if not for good cause.

10.8 ACCEPTANCE OF UNIT

PRIOR TO SIGNING THE LEASE all families (head of household) and other adult family members will be required to attend the Lease and Occupancy Orientation when they are initially accepted for occupancy. The family will not be housed if they have not attended the orientation. Applicants who provide prior notice of an inability to attend the orientation will be rescheduled. Failure of an applicant to attend the orientation, without good cause, may result in the cancellation of the occupancy process.

The applicant will be provided a copy of the lease, the Pet Policy application/agreement, a request for reasonable accommodation form, the overtime policy, smoke alarm policy, the HUD policy on Criminal Behavior, applicant designee form, lead base paint booklet, Notice of Occupancy Rights under the Violence Against Women Act, community service compliance certification and exemption forms, and a copy of the initial inspection of the unit, and a form providing information about those persons who might provide assistance to the applicant in providing information and being informed about NAHA policies and procedures. These documents will be explained in detail. The applicant will sign a certification that they have received these documents and that they have reviewed them with Housing Authority personnel. The certification will be retained in the tenant's file.

The signing of the lease and the review of financial information are to be

privately handled. The head of household will be required to execute the lease prior to admission. Other adult family members will be required to execute the lease within 24 hours. One executed copy of the lease will be furnished to the head of household and the New Albany Housing Authority will retain the original executed lease in the tenant's file. A copy of the grievance procedure will be attached to the resident's copy of the lease.

The family will pay a security deposit at the time of lease signing. The security deposit will be equal to **the Total Tenant Payment or \$100.00 whichever is greater.**

In all situations, the New Albany Housing Authority a new resident must pay their security deposit in advance. Exceptions shall be at the sole discretion of the Housing Authority.

In the case of a discretionary transfer within public housing, the security deposit for the new unit will be equal to the Total Tenant Payment or \$100 whichever is greater. This amount must be paid prior to approval of the transfer.

The agency's cost of cleaning and painting the original unit to make rent ready must be paid in advance of approval of transfer. This cost is in the schedule of maintenance charges for cleaning and painting and is updated annually.

Prior to approval of a transfer, New Albany Housing Authority will conduct both a UPCS inspection and a housekeeping inspection to determine the appropriateness of the transfer prior to approval. All tenants must be in compliance with the standards set in the housekeeping inspection for one year prior to request for transfer.

In the event there are costs attributable to the family for bringing the first unit into condition for re-renting, the security deposit on the first unit will be used to pay for these charges. Additional damages will be billed to the resident and must be paid in full prior to initiating a move. If there are no damages, this security deposit will be refunded.

Excessive damages or poor housekeeping will be considered when decisions are made regarding voluntary/discretionary transfers.

11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME

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

11.1 INCOME

Beginning on January 31, 2010, HUD implemented a new "Rent Refinement Rule." This rule required that the New Albany Housing Authority use Enterprise Income Verification (EIV) in its entirety. New Albany has adopted all provisions of the final rule.

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

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

Annual income includes, but is not limited to:

- A. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
- B. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net

income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family.

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

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

excluded.)

11.2 ANNUAL INCOME

Annual income does not include the following:

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

Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);

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

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

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

- c. Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.
11. Earned Income Disregard: In accordance with 24 CFR 5.609, incremental additional income above baseline income at the time of the increase in income for Public Housing residents will be 100% excluded for the twelve months after the qualifying event creating the additional income and 50% excluded for the next twelve additional months if any of the following criteria is met:
- a. Income increases due to employment of a family member who was unemployed or underemployed during the previous twelve months. This definition includes any family member who has earned no more than the established minimum wage times 10 hours per week for 50 weeks in the previous twelve months.
 - b. Income increases as a result of a family member's participation in an economic self-sufficiency or other job training program.
 - c. Income increases during or within six months of having received monthly income payments, benefits and services worth at least \$500 from Temporary Assistance for Needy Families (also known as TANF).

Each family member is only allowed to receive the Earned Income Disregard once during their lifetime.

For family members who receive the Earned Income Disregard after March 31, 2017, the Earned Income Disregard benefit period is limited to twenty-four months after the qualify event noted in a, b, or c, above (100% exclusion of the incremental amount for the twelve months after the increase in income and 50% exclusion for months 13 – 24 after the increase in income). For family members who received the

Earned Income Disregard prior to that date, the benefit period can be used within a forty-eight month period. In either case, the family has a maximum benefit period of twelve months for 100% exclusion of the incremental increase in income and then twelve months for 50% exclusion of the incremental increase in income. Any unused benefit at the end of the allowable benefit period is forfeited.

For persons affected by the RAD conversion, special rules shall apply. These rules are enumerated in the RAD Relocation Notice and only apply to tenants affected by the conversion.

12. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts; 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; 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
13. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:
 - a. The value of the allotment of food stamps
 - b. Payments to volunteers under the Domestic Volunteer Services Act of 1973
 - c. Payments received under the Alaska Native Claims Settlement Act
 - d. Income from sub marginal land of the U.S. that is held in trust for certain Indian tribes

- e. Payments made under HHS's Low-Income Energy Assistance Program
- f. Payments received under the Job Training Partnership Act
- g. Income from the disposition of funds of the Grand River Band of Ottawa Indians
- h. The first \$2000 per capita received from judgment funds awarded for certain Indian claims
- i. Amount of scholarships awarded under Title IV including Work Study
- j. Payments received under the Older Americans Act of 1965
- k. Payments from Agent Orange Settlement
- l. Payments received under the Maine Indian Claims Act
- m. The value of child care under the Child Care and Development Block Grant Act of 1990
- n. Earned income tax credit refund payments
- o. Payments for living expenses under the AmeriCorps Program
- p. Additional income exclusions provided by and funded by the New Albany Housing Authority or by the Department of Housing and Urban Development.

11.3 DEDUCTIONS FROM ANNUAL INCOME

The following deductions will be made from annual income:

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

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

Medical expenses include but are not limited to: services of physicians and other health care professionals; services of health care facilities; health insurance premiums (including the cost of Medicare); prescription and non-prescription medicines; transportation to and from treatment; dental expenses; eyeglasses; hearing aids and batteries; attendant care (unrelated to employment of family members);

expenses including food, shots, veterinary bills, and other items for verified disability-related assistance and companion animals; and payments on accumulated medical bills. To be considered by PHA for the purpose of determining a deduction from income, the expenses claimed must be verifiable.

- E. Reasonable unreimbursed child-care expenses necessary to enable a family member to be employed, actively seek employment or to further his or her education.
- F. The Housing Opportunity through Modernization Act of 2016 mandated changes to some of the above listed deductions from annual income effective upon final rulemaking by HUD. When such final rulemaking is completed and changes to any of the above listed deductions from annual income become effective, such changes will be immediately adopted within this Admissions and Continued Occupancy Policy.

12.0 VERIFICATION

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

12.1 ACCEPTABLE METHODS OF VERIFICATION

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

documents presented by the family, the INS SAVE approval code, and forms signed by the family.

NAHA will attempt to verify income through the Enterprise Income Verification method, if not available, other information will be verified by third party verification. This type of verification includes a report generated by a request from the New Albany Housing Authority or automatically by another entity or government agency, i.e. the Social Security Administration or a household member's employer. Verification forms and reports received will be contained in the applicant/tenant file. If independent third party reports cannot be obtained, other forms of third party verification such as written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family will be used. Oral third party documentation may also be used, but must include the same information as if the documentation had been written, i.e. name date of contact, amount received, etc.

When third party verification cannot be obtained, the New Albany Housing Authority will accept documentation received from the applicant/tenant. If, after two attempts, documented by NAHA staff, the verification has not been obtained, NAHA staff will attempt oral third party verification documenting the date and time of contact. Hand-carried documentation will be accepted if the New Albany Housing Authority has been unable to obtain third party verification in a 4-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

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

12.2 TYPES OF VERIFICATION

For Annual Reexaminations, NAHA will use the Enterprise Income Verification method. This is obtained via the Internet from the HUD.gov PIC website. The Enterprise Income Verifications will be viewed only by staff responsible for the processing of interim and annual reexaminations.

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

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

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
General Eligibility Items		
Social Security Number	Letter from Social Security, electronic reports	Social Security card
Citizenship	N/A	Signed certification, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Social Security or SSI award letter	Proof of SSI or Social Security disability payments, Award letter
Full time student status (if >18)	NAHA verification form, current transcriptions, current class schedule	N/A
Need for a live-in aide	Letter from doctor or other medical professional knowledgeable of condition	N/A
Child care costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical	Bills, receipts, records of payment, dates of trips,

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
	professional's letter stating assistance or a companion animal is needed	mileage log, receipts for fares and tolls
Value of and Income from Assets (self-certification allowed for families with total asset values of less than \$5,000 other than the move-in certification and then every 3rd year)		
Savings, checking accounts	Letter from institution	Passbook, most current statements
CDS, bonds, etc.	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return
Personal property	Assessment, bluebook, etc.	Receipt for purchase, other evidence of worth
Cash value of life insurance policies	Letter from insurance company	Current statement
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
Income		
Earned income	Upfront Income Verification (UIV)	Written Third Party, e.g., pay stubs (at least two current consecutive), payroll summary report, notice of hire or termination
Self-employed	Tax return from prior year	Notarized self-certification, books of accounts
Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree, print out from court showing payments on your behalf
Periodic payments (i.e., social security, welfare, pensions, workers compensation, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training program participation	Letter from program provider indicating whether enrolled or completed - whether training is HUD-funded - whether Federal, State, local govt., or local program	N/A

Verification Requirements for Individual Items		
Item to Be Verified	3 rd party verification	Hand-carried verification
	<ul style="list-style-type: none"> - whether it is employment training - whether it has clearly defined goals and objectives - whether program has supportive services - whether payments are for out-of-pocket expenses incurred in order to participate in a program - date of first job after program completion 	Evidence of job start

The Housing Opportunity through Modernization Act of 2016 allows the asset self-certification level to be increased to \$50,000 effective upon final rulemaking by HUD. When such final rulemaking is completed that change will be immediately adopted within this Admissions and Continued Occupancy Policy.

12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS

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

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

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

Prior to being admitted all eligible non-citizens must sign a declaration of

their status and a verification consent form and provide their original INS documentation. The New Albany Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. The New Albany Housing Authority will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the New Albany Housing Authority will mail information to the INS in order that a manual check can be made of INS records.

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

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

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

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

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

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

12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS

Prior to admission, each family member must provide verification of their Social Security number. New family members must provide this verification prior to being added to the lease. Children less than 6 years of age in assisted households must provide this verification within 90 days of

admission. An extension of one additional 90-day period to provide this verification will be granted if NAHA determined that in its discretion, the participant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside the control of the participant.^a Failure to provide a valid Social Security number will result in loss of tenancy for the entire household.

The best verification of the Social Security number is the original Social Security card. If the card is not available, the New Albany Housing Authority will accept letters from the Social Security Agency that establishes and states the number. Documentation from other governmental agencies may also be accepted that establishes and states the number. Military IDs, passports, or other official documents that establish and state the number are also acceptable.

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

Exemptions from valid Social Security is available only under the following circumstance: current residents who are 62 years of age on or before January 30, 2010. Other current residents will be required to provide a valid Social Security number on or before the date of their next re-examination.

12.5 TIMING OF VERIFICATION

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

12.6 FREQUENCY OF OBTAINING VERIFICATION

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

reexamination. Prior to a new member joining the family, their citizenship/eligible non-citizen status will be verified.

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

13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT

13.1 FAMILY CHOICE

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

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

13.2 THE FORMULA METHOD

The total tenant payment is equal to the highest of:

- A. 10% of monthly income; or

- B. 30% of adjusted monthly income.

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

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

13.3 MINIMUM RENT

The New Albany Housing Authority has set the minimum rent at **\$50.00**. However if the family requests a hardship exemption, the New Albany Housing Authority will immediately suspend the minimum rent for the family until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

- A. A hardship exists in the following circumstances:
1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program;
 2. When the family would be evicted as a result of the imposition of the minimum rent requirement;
 3. When the income of the family has decreased because of changed circumstances, including loss of employment;
 4. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
 5. When a death has occurred in the household.

- B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.
- C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period, the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.
- D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.
- E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

13.4 THE FLAT RENT

The New Albany Housing Authority has set a flat rent for each public housing unit. In doing so, it considered the size and type of the unit, as well as its condition, amenities, services, and neighborhood. The New Albany Housing Authority determined the market value of the unit and set the rent at the market value. The amount of the flat rent will be reevaluated annually. Affected families will be given a 30-day notice of any rent change.

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

set at 95% of the MSA Fair Market Rents. Those rents are subject to annual determination during the Authority's calendar and fiscal years

All residents paying flat rent and affected by the conversion of assistance through RAD will have their rent and any phase-in provision documented at the time of conversion. This provision is individually determined by the Phase-in Policy of NAHA.

13.5 CEILING RENT

New Albany Housing Authority does not have a ceiling rent.

13.6 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE

"Mixed families" comprised of ineligible noncitizens *and* at least one family member with citizenship or eligible immigration status are eligible for admission and continued housing. However, such families will have their assistance prorated based upon the guidelines detailed in 24 CFR 5.520.

13.7 UTILITY ALLOWANCE

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

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

For New Albany Housing Authority paid utilities, the New Albany Housing Authority will monitor the utility consumption of each household. Any resident who commits waste of authority paid utilities shall be subject to a fee as established in the schedule of fees and fines by the Board of Commissioners.

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

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

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

The New Albany Housing Authority has entered into an Energy Performance Contract that establishes baseline levels of consumption based on energy conscious consumption by residents. The Board of

Commissioners has established a policy that directs the staff to monitor waste of Housing Authority paid utilities, for instance, allowing faucets or toilets to run unnecessarily, leaving windows and doors open during cool or cold weather while heat is turned on in the unit, or not reporting utility related issues to maintenance for repair. When waste is committed in public housing, the resident will be fined according to the latest board approved schedule.

13.8 PAYING RENT

Rent and other charges are due and payable on the first day of the month. Rents can be paid at any site office, or mailed to:

New Albany Housing Authority, PO Box 11, New Albany, IN 47150

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

If the rent is not paid by the fifth of the month, a Notice to Vacate will be issued to the tenant. In addition, a \$25 late charge will be assessed to the tenant on the 6th working day of the month. If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a non-payment of rent and will incur the late charge plus an additional charge of \$25 for processing costs.

Waiver of late fees is at the discretion of Managers.

New Albany Housing Authority will not accept checks from residents who incur more than one NSF in a rolling calendar year.

Pre-payment of rent is allowed up to the higher of \$1,000 or three-months' rent. This limit is waived if the pre-payment of rent is received from a non-profit or governmental agency as rental assistance. Balances above the limit will be refunded to the tenant.

14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE

14.1 GENERAL

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or (2) actively participate in an economic self-sufficiency program for 8 hours per month unless they are exempt from this requirement.

14.2 EXEMPTIONS

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

- A. Residents age 62 or older
- B. Blind or disabled resident who certifies that, based on the disability, he or she cannot comply with the requirement.
- C. Caretakers of a person who is blind or disabled and who has certified that based on the disability, he or she cannot comply with the requirement.
- D. Residents who are exempt from work activity under part A Title IV of the Social Security Act or State Welfare programs, including the Welfare-to-Work program.
- E. Members of a family receiving benefits from a State Welfare Program (including TANF or SNAP) who are in compliance with the program's requirements.
- F. Residents currently working at least 20 hours per week or attending a job-search or job-readiness assistance program for at least 20 hours per week.
- G. Active FSS participants who are required to participate in at least 8 hours of Self-sufficiency activity per month.

- H. Part-time or Full-time students, including students attending high school equivalency classes (carrying at least 3 semester hours).
- I. Parents with a child 12 months old or younger who provide direct care for the child.

Certifications and/or verifications are required before any exemption will be recognized (ex. paystubs for working exemption, birth certificate or state ID for age exemption, school schedule for student exemption).

Change from exempt status to non-exempt will require the resident to immediately begin participation in community service. Some examples include, but are not limited to, the following: loss of employment, closing of your TANF case, loss of disability status, loss of your active status in the FSS program.

14.3 NOTIFICATION OF THE REQUIREMENT

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

The New Albany Housing Authority shall notify all such family members of the community service requirement and of the categories of individuals who are exempt from the requirement. The notification will be provided at initial lease-up and each annual reexamination, and will provide the opportunity for family members to claim and explain an exempt status.

The notification will advise families that their community service obligation is effective immediately and they will be required to provide documentation at least 30 days before each annual reexamination showing they have performed the required community service and are in compliance with the requirement. Families paying a flat rent will be required to provide documentation of compliance at least 30 days before the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

14.4 VOLUNTEER OPPORTUNITIES

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

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

The New Albany Housing Authority will coordinate with social service agencies, local schools, and other local organization to create a list of volunteer community service positions. That list of eligible community service activities will be included in the New Albany Housing Authority's Community Service Policy, and will be periodically included in mailings to all public housing residents.

Together with any resident advisory councils, the New Albany Housing Authority may create volunteer positions such as hall monitoring, litter patrols, and supervising and record keeping for volunteers.

14.5 THE PROCESS

At the first annual reexamination on or after April 1, 2001 and each annual reexamination thereafter, the New Albany Housing Authority will do the following:

- A. Provide information about obtaining suitable volunteer positions.
- B. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.

- C. Thirty (30) days before the family's next lease anniversary date, NAHA will review the documentation provided by each resident subject to community service to determine whether they are in compliance with the community service requirements. Required documentation is a log showing where the community service was performed, along with the dates and times of performance. The log must be signed by an appropriate official with the 3rd party where the community service was performed.
- D. Similarly, thirty (30) before the family's next lease anniversary date, NAHA will review documentation provided by each resident claiming an exemption from the community service requirements to determine if the exemption is valid.
- E. After review, each resident will be required to sign the appropriate community service form (ex. exemption form, community service notification form, or cure agreement). An exemption form will be signed by all residents who are exempt from the community service requirements. A community service notification form will be signed by all residents who are subject to community service and are currently in compliance with the community service requirements. A cure agreement form will be signed by all residents who are subject to community service and have not performed sufficient community service in prior months in order to be in compliance with the community service requirements.

14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT

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

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

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

14.7 OPPORTUNITY FOR CURE

The New Albany Housing Authority will offer non-compliant resident(s) the opportunity to enter into an agreement prior to the anniversary of the lease renewal. The agreement shall state that the non-compliant resident(s) agrees to enter into an economic self-sufficiency program or agrees to perform the required number of community service hours needed to bring them into compliance. Additionally, the resident agrees to perform the required number of community service hours to remain in compliance with the current year's requirements. The first hours a resident earns shall go toward the current commitment until the current year's commitment is made and then subsequent hours will go toward curing the prior year deficiency.

If any applicable family member does not accept the terms of the agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or perform community service during the year sufficient to meet the current year requirement and cure the prior year deficiency, the New Albany Housing Authority will be unable to renew the family's lease unless that family member is removed from the household.

PROHIBITION AGAINST REPLACEMENT OF AGENCY EMPLOYEES

In implementing the community service requirement, the New Albany Housing Authority may not substitute community service or self-sufficiency activities performed by residents for work ordinarily performed by its employees, or replace a job at any location where residents perform activities to satisfy the service requirement. However, residents may perform community service on New Albany Housing Authority property or with or through New Albany Housing Authority programs to assist with or enhance work done by New Albany Housing Authority employee(s).

15.0 RECERTIFICATIONS

At least annually, the New Albany Housing Authority will conduct a reexamination of family income and circumstances. The results of the

reexamination determine (1) the rent the family will pay, and (2) whether the family is housed in the correct unit size.

15.1 GENERAL

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

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

15.2 MISSED APPOINTMENTS

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

15.3 FLAT RENTS

Each year prior to their anniversary date, New Albany Housing Authority will send a re-examination letter to the family offering the choice between a flat or formula rent. The opportunity to select the flat rent is

available only at this time. The annual letter to flat rent payers regarding the reexamination process will state the following:

- A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount.
- B. The amount of the flat rent
- C. A fact sheet about formula rents that explains the types of income counted, the most common types of income excluded, and the categories allowances that can be deducted from income.
- D. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they otherwise would undergo. Family composition will be verified yearly with a self- declaration form.
- E. Families who opt for the flat rent may request to have a reexamination and return to the formula-based method at any time for any of the following reasons:
 - 1. The family's income has decreased.
 - 2. The family's circumstances have changed increasing their expenses for childcare, medical care, etc.
 - 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.
- F. The dates upon which the New Albany Housing Authority expects to review the amount of the flat rent, the approximate rent increase the family could expect, and the approximate date upon which a future rent increase could become effective.

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

At the appointment, the New Albany Housing Authority may assist the family in identifying the rent method that would be most advantageous for the family. If the family wishes to select the flat rent method without meeting with the New Albany Housing Authority representative, they may make the selection on the form and return the form to the New Albany Housing Authority. In such case, the New Albany Housing Authority provides a new annual tenant lease.

15.4 THE FORMULA METHOD

During the interview, the family will provide all information regarding income, assets, expenses, and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other consent forms. Verifications will be sent prior to the appointment to previously known employers and income sources. If there have been changes NAHA is unaware of, verifications will be mailed after the initial interview.

Upon receipt of verification, the New Albany Housing Authority will determine the family's estimated annual income for the upcoming year and will calculate their rent as follows.

The total tenant payment is equal to the highest of:

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

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

The Housing Opportunity through Modernization Act of 2016 mandated that for annual reexaminations actual prior year income be used to calculate rent instead of estimated annual income for the upcoming

year. Final rulemaking must be conducted by HUD before that change becomes effective. When such final rulemaking is completed such changes will be immediately adopted within this Admissions and Continued Occupancy Policy. The Act did not mandate that for new admissions to Public Housing actual prior year income should be used to calculate rent instead of estimated annual income for the upcoming year. As such, even after final rulemaking on this mandate is completed by HUD, rent for new admissions will still be calculated based upon estimated annual income for the upcoming year.

15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS

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

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

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

15.6 INTERIM REEXAMINATIONS

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

Families are required to report all changes in family composition or status to the New Albany Housing Authority between regular reexaminations. All increases in income must also be reported. The family shall report these changes within ten (10) days of their occurrence. Failure to report within the 10 calendar days may result in a retroactive rent increase, but not a retroactive credit or rent reduction.

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

The New Albany Housing Authority will process interim changes in rent in accordance with the chart below:

<u>INCOME CHANGE</u>	<u>NAHA ACTION</u>
<p>(a) Decrease in income for any reason, <u>except</u> for decrease that lasts less than 30 days.</p> <p>Decreases in income resulting from welfare fraud or from TANF reductions for failure to comply with self-sufficiency program rules are not eligible for rent reduction.</p>	<ul style="list-style-type: none"> • NAHA will process an interim reduction in rent if the income decrease will last more than 30 days.
<p>(b) Increase in annual income of greater than \$2,100 from a source of income previously held by the resident (ex. resident who had employment income of \$10,000 annually receives a promotion and their employment income increases to \$12,500 annually).</p>	<ul style="list-style-type: none"> • NAHA will process an interim increase in rent.
<p>(c) Increase in annual income of less than or equal to \$2,100 from a source of income previously held by the resident (ex. resident who had employment income of \$10,000 annually receives a promotion and their employment income increases to \$12,000 annually).</p>	<ul style="list-style-type: none"> • NAHA will defer the increase to the next annual reexamination (will not perform an interim examination)
<p>(d) Increase in income from a new source of income (ex. employment income for a household member who was previously unemployed)</p>	<ul style="list-style-type: none"> • NAHA will process an interim increase in rent.

New Albany Housing Authority Admissions and Continued Occupancy
 Revision Effective Date: April 4, 2022

(e) Increase in income because a person with income (from any source) joins the household.	<ul style="list-style-type: none"> • NAHA will process an interim increase in rent.
(f) Non-reported income change or misrepresenting the facts upon which the rent is based, so that the rent the resident is paying is less than the rent that he/she should have been charged	<ul style="list-style-type: none"> • NAHA will process an interim in rent if it is found that the resident at annual or interim re-examination misrepresented his/her household income. Any increase in rent will be retroactive to the first of the month following the month in which the misrepresentation occurred.

NAHA does not process interim recertifications within 90 days of annual recertifications.

NOTE: In order to add a household member other than through birth or adoption (including a live-in aide), the family must request that the new member be added to the lease. Such additions to the household will only be allowed in instances where the additional household member(s) would not cause the family to become under-housed in their current unit (the family would still meet the normal occupancy standards described in Section 10.2). Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security number and must verify their citizenship or eligible immigrant status. (Their housing may be delayed due to delays in verifying eligible immigrant status or lack of Social Security number or verification or other than delays caused by the family.) The new family member will go through the screening process similar to the process for applicants. The New Albany Housing Authority will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. If they are found to be eligible and do pass the screening criteria, their name will be added to the lease. At the same time, if the family's rent is being determined under the formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The

effective date of the new rent will be in accordance with paragraph below 15.8.

Any household member added to the lease remains on the lease at the sole discretion of the head of household.

In the event the head of household wishes to remove an adult member from the lease, proof that the removed person has establish another residence must be provided in order to establish the income of the removed persons is no longer available for the household.

Families are not required to, but may at any time, request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such request, the New Albany Housing Authority will take timely action to process the interim reexamination and recalculate the tenant's rent. **Any reduction in tenant payment will take place the first of the month following recertification.**

15.7 SPECIAL REEXAMINATIONS

If a family's income is too unstable to project for twelve (12) months, including families that temporarily have no income (zero income renters) or have a temporary decrease in income, the New Albany Housing Authority may schedule special reexaminations every thirty (30) days until the income stabilizes and an annual income can be determined. Residents who work at positions that are regular but provide income for only a portion of the year will be calculated such that the income is annualized and the rent for each month of the year is based on the annual income.

Persons who claim zero income may be subject to interim examinations as frequently as monthly using upfront verification procedures per PIH Notice 2010-19, or other procedures as allowed to verify that the family continues to have zero income. All families who claim zero income will be required to complete a zero income declaration form at least annually.

A person claiming zero income who experiences any change in income as it is defined in this document must report those changes within ten (10) days of that change.

Failure to notify the NAHA property manager of changes in income is a violation of the tenant lease. Failure to provide the required documentation of a change in income shall result in either lease termination or assessment of back rent charges. Failure to report income changes to site manager is considered a violation of FSS Contract of Participation and will result in FSS termination.

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

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

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

If the new rent is a reduction and the family caused the delay or did not report the change within 10 days of the change in income the change will be effective the first of the month after the rent amount is determined.

16.0 UNIT TRANSFERS

16.1 OBJECTIVES OF THE TRANSFER POLICY

The objectives of the Transfer Policy include the following:

- A. To address emergency situations.
- B. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the

appropriate size unit.

- C. To facilitate a relocation when required for modernization or other management purposes.
- D. To facilitate relocation of families with inadequate housing accommodations.
- E. To provide an incentive for families to assist in meeting the New Albany Housing Authority's deconcentration goal.
- F. Discretionary transfers to improve resident satisfaction if appropriate units are available.

NOTE: All discretionary transfers are subject to a review of tenant record by receiving manager and management approval.

16.2 CATEGORIES OF TRANSFERS

Category A: Emergency transfers. These transfers are necessary when conditions pose an immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, the health condition of a family member, a hate crime, the safety of witnesses to a crime or a law enforcement matter particular to the neighborhood. If a resident's unit has been damaged by fire or other cause(s) to such a degree that the unit is not habitable, provided that, although the damage was a result of the carelessness or negligence of the resident or a member of the resident's household, the resident has, in writing accepted responsibility for such damage and has agreed to make restitution to the PHA for the expense of repairing such damage up to a ceiling cost of \$10,000. If the damages are caused by the resident's minor child, then the ceiling cost assessed will be \$5,000. This category includes victims of domestic violence, see section 22.0.

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

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

Category D: Resident requested transfers. When there is a request by the resident to move into a different unit or into a different development. This transfer will be made when the (1) resident pays in advance the cost of transfer as defined in section 16.6; (2) resident has been current in payments to the authority for the past 12 months; (3) resident has been in current unit for at least one-year; (4) resident has acceptable UPCS inspection and housekeeping inspection; and, (5) manager of new AMP accepts the resident based on the information in tenant file. The Housing Authority of New Albany retains the right to suspend resident requested transfers at any time due to excessive workload or other reasonable causes.

16.3 DOCUMENTATION

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

If the request is for a medical reason, the family must have a medical professional fill out the Reasonable Accommodation form, which is available at the Manager's office.

If the transfer request is due to safety issues, i.e. hate crimes, safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood, the family will need to provide copies of substantiated police reports and/or requests from law enforcement/prosecutor's office.

If the request is due to change in family size, the following will be used to evaluate the request. The family must have been a resident at their current address for at least 1 year. The family's account must be current on all charges with no more than two late rental payments during the

previous 12 months. There should be no complaints on the family's housekeeping inspections or problems with neighbors that were not satisfactorily resolved in a timely fashion during the previous 12 months.

16.4 INCENTIVE TRANSFERS

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

- A. Have been a tenant for three years;
- B. For a minimum of one year, at least one adult family member is enrolled in an economic self-sufficiency program or is working at least thirty-five (35) hours per week, the adult family members are 62 years of age or older or are disabled or are the primary care givers to others with disabilities;
- C. Adult members who are required to perform community service have been current in these responsibilities since the inception of the requirement or for one year whichever is less;
- D. The family is current in the payment of all charges owed the New Albany Housing Authority and has not paid late rent for at least one year;
- E. The family passes a current housekeeping inspection and does not have any record of housekeeping problems during the last year;
- F. The family has not materially violated the lease over the past two years by disturbing the peaceful enjoyment of their neighbors, by engaging in criminal or drug-related activity, or by threatening the health or safety of tenants or Housing Authority staff.

16.5 PROCESSING TRANSFERS

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

Transfers in category A and B will be housed ahead of any other families, including those on the applicant waiting list. Transfers in category A will be housed ahead of transfers in category B.

Upon offer and acceptance of a unit, the family will execute all lease-up documents. The security deposit will be paid based on the Total Tenant Payment or \$100 whichever is greater prior to the move. The family will be allowed five (5) days to complete a transfer move. The family will be responsible for paying rent at the old unit as well as the new unit for any period of time they have possession of both beyond the 5 days. The prorated rent and other charges including work order charges must be paid prior to lease execution.

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

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

16.6 COST OF THE FAMILY'S MOVE

Cost of transfer may include the current make-ready cost for the unit being vacated. This includes painting, cleaning, and repairs. The charges for painting, cleaning and damages evident before the move will be paid before the transfer. Damages revealed after the move will be paid within three months.

The cost of the transfer generally will not be borne (except the cost of damages to the original unit) by the family in the following circumstances:

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

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

- A. When the transfer is need in order to carry out rehabilitation activities; or
- B. When action or inaction by the New Albany Housing Authority has caused the unit to be unsafe or inhabitable; or
- C. In the event of a transfer for reasonable accommodation the tenant is responsible for only the cost of damages to the original unit and security deposit at the receiving unit.

The responsibility for moving costs in other circumstances will be

determined on a case-by-case basis.

16.7 TENANTS IN GOOD STANDING

When the transfer is at the request of the family, it will not be approved unless the family is in good standing with the New Albany Housing Authority. This means the family must be in compliance with their lease, current in all payments to the Housing Authority, current in their community service requirement, and must pass a move-out inspection without excessive damages, and pass housekeeping inspection.

16.8 TRANSFER REQUESTS

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

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

If the transfer is approved, the family's name will be added to the transfer waiting list. Approved voluntary/discretionary transfers will be added to the transfer waiting list even when such transfers have been suspended.

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

16.9 RIGHT OF THE NEW ALBANY HOUSING AUTHORITY IN TRANSFER POLICY

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

All transfers are at the sole discretion of the Authority except for reasonable accommodation transfers.

17.0 INSPECTIONS

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

17.1 MOVE-IN INSPECTIONS

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

17.2 INSPECTIONS DURING TENANCY

The New Albany Housing Authority or designee of the authority may inspect each public housing unit annually to ensure that each unit meets the New Albany Housing Authority's housing standards (Uniform Physical Conditions Standards). Work orders will be submitted and completed to correct any deficiencies. Any tenant caused damages will be billed to the tenant when corrected and will be due upon receipt of the bill.

17.3 PREVENTATIVE MAINTENANCE INSPECTIONS

This inspection is intended to keep items in good repair. It checks weatherization; checks the condition of the smoke detectors, water heaters, furnaces, automatic thermostats and water temperatures; checks for leaks; and provides an opportunity to change furnace filters

and provide other minor servicing that extends the life of the unit and its equipment.

17.4 SPECIAL INSPECTIONS

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

17.5 HOUSEKEEPING INSPECTIONS

Generally, within thirty days of initial move-in, at annual reexamination, and/or at other times as necessary, the New Albany Housing Authority may conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition.

17.6 NOTICE OF INSPECTION

For inspections defined as UPCS inspections, preventative maintenance inspections, special inspections, and housekeeping inspections the New Albany Housing Authority will give the tenant at least two (2) days written notice.

17.7 EMERGENCY INSPECTIONS

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

17.8 PRE-MOVE-OUT INSPECTIONS

When a tenant gives notice that they intend to move, the New Albany Housing Authority will offer to schedule a pre-move-out inspection with the family. The inspection allows the New Albany Housing Authority to help the family identify any problems, which, if left uncorrected, could lead to vacate charges. This inspection is a courtesy to the family and has been

found to be helpful both in reducing costs to the family and in enabling the New Albany Housing Authority to ready units more quickly for the future occupants.

17.9 MOVE-OUT INSPECTIONS

The New Albany Housing Authority conducts the move-out inspection to assess the condition of the unit and determine responsibility for any needed repairs. This inspection becomes the basis for any claims that may be assessed against the security deposit. If the tenant wishes to be present during this inspection, arrangements must be made with the Site Manager in advance.

18.0 PET POLICY

18.1 EXCLUSIONS

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

18.2 PETS IN PUBLIC HOUSING

The New Albany Housing Authority allows for ownership of birds and fish in all of its developments and for dogs and cats with the written pre-approval of the Housing Authority.

These designations apply to cats and dogs only. Other pets allowed by this policy may be kept in any home (subject to all rules). Residents are responsible for any damage caused by their pet, including, but not limited to, the cost of fumigating or cleaning their home. In exchange for this right, residents assume full responsibility and liability for their pet and agree to hold the New Albany Housing Authority harmless from any claims caused by an action or inaction of the pet. New Albany Housing Authority staff is responsible for the enforcement of the NAHA pet policy and their determination(s) shall be final.

18.3 APPROVAL

Residents must have the written approval of the Housing Authority before moving a dog or cat into to their home. Residents must request approval on the Pet Application/Agreement Form that must be fully completed before the Housing Authority will approve the request. Residents must give the Housing Authority a picture of the pet so it can be identified if it is running loose.

18.4 TYPES AND NUMBER OF PETS

The New Albany Housing Authority will allow only common household pets, defined as cats, dogs, goldfish or tropical fish and caged birds. No other types of pets will be allowed.

All dogs and cats must be spayed or neutered before they become six months old. The pet owner is required to provide the Housing Authority with verification from a licensed veterinarian.

Only one (1) dog or cat per home will be allowed.

Any animal deemed to be potentially harmful to the health and/or safety of others, including, but not limited to attack or fight trained dogs, will not be allowed. No Rottweiler, Chow, Doberman Pinschers or Pit bull dogs, or any mix of their breeds are allowed on NAHA properties. No Reptiles or Rodents are allowed on NAHA property.

No animal may exceed 25 pounds in weight at its projected full adult size.

Any dog must be housebroken, neutered or spayed.

Any cat must be litter-trained, neutered or spayed.

There are no charges for birds in cages or fish in tanks on NAHA property. Fish tanks larger than 20 gallons will not be allowed in residential units due to potential for excessive damages to the unit in the event of leaks or damage.

18.5 INOCULATIONS

In order to be registered, pets must be appropriately inoculated against rabies, distemper and other conditions prescribed by state and/or local ordinances. They must comply with all other state and local public health, and anticruelty laws including a current New Albany/Floyd County Animal Control tag. A certification signed by a licensed veterinarian or state or local official shall be annually filed with the New Albany Housing Authority to attest to the inoculations.

18.6 PET DEPOSIT

A pet deposit totaling \$100.00 is required to register all cats and dogs with the Housing Authority. A minimum of \$50.00 is required at the time of registering a cat or dog, the balance to be paid the next month. The deposit is refundable when the pet or the family vacates the home, less any amounts owed due to damage beyond normal wear and tear.

18.7 FINANCIAL OBLIGATION OF RESIDENTS

Any resident who owns or keeps a pet in their dwelling unit will be required to pay for any damages caused by the pet. Also, any home that becomes insect infested and the cause of the infestation is pet-related will be the financial responsibility of the resident of that home. The New Albany Housing Authority reserves the right to exterminate and charge the resident for any and all cost related to extermination of the home.

Any resident who owns a dog or cat will be required to pay a \$15.00 per month pet ownership fee. The ownership fee is due on the 1st of every month and will be considered late after the 5th of each month.

18.8 NUISANCE OR THREAT TO HEALTH OR SAFETY

The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the pet owner's home and surrounding areas. Pet owners must clean up after their pets immediately, at locations both inside tenant homes and in all outside neighborhood areas.

Repeated substantiated complaints by neighbors or the New Albany Housing Authority personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance may result in the owner having to remove the pet from the premises. Refusal to remove the pet will be grounds for eviction.

Pets who make noise continuously and /or incessantly for a period of 10 minutes or intermittently for one half hour or more to the disturbance of any person at any time of day or night shall be considered a nuisance.

18.9 DESIGNATION OF PET AREAS

Residents are not allowed to maintain pets outside of any home. Pets must be kept in the pet owner's home or on hand-held leash at all times when outside the home (no fences, doghouses, and/or outdoor cages may be constructed to maintain pets). Pets will be allowed only in the designated areas. Pet owners must clean up after their pets and are responsible for disposing of pet waste properly.

DOGS –At the elderly high-rises, dog waste deposited on Housing Authority property must be removed at once, placed in plastic bag, tightly closed, and deposited in the designated waste receptacle located near the picnic shelters. At Beechwood Court, Crystal/Vance Courts, Parkview/Broadmeade Terraces, and Riverside Terrace dog owners must exercise their pets for the purpose of waste deposit only in their own yard areas or off of Authority property. The waste must be removed at once, placed in a plastic bag, tightly closed and placed in the designated waste receptacle nearest their unit.

CATS – Cats must be litter trained. Clogged toilets due to cat litter are the financial responsibility of the resident. When changing litter, it must be placed in a tightly closed plastic bag and placed in a designated waste receptacle. Under no circumstance should cat litter be disposed of in a manner that causes odors to offend other residents. This is considered a violation of the peaceful enjoyment of a tenant unit and as such, a lease violation.

With the exception of certified assistive animals no pets shall be allowed in the community rooms, community room kitchens, laundry rooms, public bathrooms, lobbies, beauty shops, shelter areas, hallways or offices at any of our sites. Only one (1) animal should be on any elevator at any time.

18.10 MISCELLANEOUS RULES

Housing Authority personnel will not be required to enter any home where a cat or dog resides unless the resident is at home and has the pet under control.

Pets may not be left unattended in a home for over 24 hours. If the pet is left unattended for more than 24 hours, the Housing Authority shall have the right to enter the premises and take the uncared-for pet to the New Albany/Floyd County Animal Shelter and will assume no responsibility for the pet after the transfer.

Pet bedding shall not be washed in any NAHA laundry facility.

Residents must take appropriate actions to protect their pets from fleas and ticks.

All dogs must wear a tag bearing the resident's name and phone number and the date of the latest rabies, distemper and other required inoculations, and a current New Albany/Floyd County Animal Control pet tag/license.

Pets cannot be kept, bred or used for any commercial purpose.

Residents owning cats shall maintain waterproof litter boxes for cat waste. Refuse from litter boxes shall not accumulate or become unsightly or unsanitary. Residents shall maintain litter boxes and waste from litter boxes in an odor-free manner so as to not interfere with the peaceful enjoyment of the facilities of New Albany Housing Authority including halls, neighboring units and outside areas. Litter shall be disposed of in an appropriate manner. See 18.8

A pet owner shall physically control or confine his/her pet during the times when Housing Authority employees, agents of the Housing Authority or

others must enter the pet owner's home to conduct business, provide services, enforce lease terms, etc.

In the event of an attack or any injury to a person(s) or other animal(s) the pet's owner shall be required to permanently remove the pet from the Housing Authority's property IMMEDIATELY upon receiving written notice from the Housing Authority. The pet owner will be subject to termination of his/ her dwelling lease. See 18.12

Any pet owner who violates any condition(s) of this policy may be required to remove his/her pet from the development within 5 calendar days of receiving written notice from the Housing Authority. The pet owner will be subject to termination of his/her dwelling lease. See 18.12

The Housing Authority's grievance procedures shall be applicable to all individual grievances or disputes arising out of violations or alleged violations of this policy.

18.11 VISITING PETS

The New Albany Housing Authority does not allow visiting pets. The term pet does not apply to visiting assistive animals. No unauthorized pets/animals shall be allowed on New Albany Housing Authority property. Authorized pets are defined as pets that have been approved in accordance with section 18.3 of the New Albany Housing Authority Pet Policy.

18.12 REMOVAL OF PETS

The New Albany Housing Authority, or an appropriate community Authority, shall, require the removal of any pet from any complex, if the pet's conduct or conditions are determined to be a nuisance or a threat to the health and/or safety of other occupants of the complex and/or of other persons in the community where the complex is located.

In the event of illness or death of the pet owner, or in the case of an emergency which would prevent the pet owner from properly caring for the pet, the New Albany Housing Authority has permission to call the

emergency caregiver designated by the pet owner or the New Albany/Floyd County Animal Control to take the pet and care for it until family or friends would claim the pet and assume responsibility for it. Any expenses incurred WILL BY THE RESPONSIBILITY OF THE PET OWNER. If the emergency caregiver fails to pick up the animal within 24 hours will the abandoned animal will be turned over to the proper enforcement agency. Additionally, any animal that is the suspected victim of abuse and/or neglect will be reported to the New Albany/Floyd County Animal Control and shall be removed in accordance with local and/or state laws.

Violation of Any of the New Albany Housing Authority's Pet Policy WILL Include a Fine Of \$100.00 And Removal of the Animal and/or Eviction of the Tenant.

19.0 REPAYMENT AGREEMENTS OTHER THAN FRAUD RECOVERY AGREEMENTS

When a resident owes the New Albany Housing Authority back charges and is unable to pay the balance by the due date, the resident may request that the New Albany Housing Authority allow them to enter into a Repayment Agreement. The New Albany Housing Authority has the sole discretion of whether to accept such an agreement. Payments required under this agreement must be no less than \$20.00 per month (in addition to the regular monthly rental amount). All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the Resident to eviction procedures.

Note: If the back charges are due to unreported income, the New Albany Housing Authority will pursue payment as well as other civil and criminal remediation.

20.0 TERMINATION

20.1 TERMINATION BY TENANT

The tenant may terminate the lease at any time upon submitting a 30-day written notice. If the tenant vacates prior to the end of the thirty (30) days,

they will be responsible for rent through the end of the notice period or until the unit is re-rented, whichever occurs first.

20.2 TERMINATION BY THE HOUSING AUTHORITY

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

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

- A. Nonpayment of rent or other charges as stated in the current tenant lease;
- B. A history of late rental payments;
- C. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent;
- D. Failure to allow inspection of the unit;
- E. Failure to maintain the unit in a safe and sanitary manner;
- F. Assignment or subletting of the premises;
- G. Use of the premises for purposes other than as a dwelling unit (other than for housing authority approved resident businesses);
- H. Destruction of property;
- I. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
- J. Any criminal activity on the property or drug-related criminal activity on or off the premises. This includes but is not limited to the

manufacture of methamphetamine on the premises of the New Albany Housing Authority;

- K. Non-compliance with Non-Citizen Rule requirements;
- L. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the Housing Authority;
- M. Failure to maintain tenant paid utilities; and
- N. Removal or alteration of energy conservation measures;
- O. Other good cause.
- P. Allowing persons on the ban list to visit or live in unit.

The New Albany Housing Authority will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a State sex offender registration program.

20.3 ABANDONMENT

The New Albany Housing Authority will consider a unit to be abandoned when a resident has both fallen behind in rent **AND** has clearly indicated by words or actions an intention not to continue living in the unit. This includes no tenant paid electricity and failure to respond to NAHA communication.

When a unit has been abandoned, a New Albany Housing Authority representative may enter the unit and remove any abandoned property.

Within **45** days of learning of abandonment, the New Albany Housing Authority will either return the deposit or provide a statement of why the deposit is being kept.

20.4 RETURN OF SECURITY DEPOSIT

After a family moves out, the New Albany Housing Authority will return the security deposit within **45** days or give the family a written statement of why all or part of the security deposit is being kept. The rental unit must be restored to the same conditions as when the family moved in, except for normal wear and tear. Deposits will not be used to cover normal wear and tear or damage that existed when the family moved in.

If damages to the unit exceed the security deposit, the family will be mailed a list of damages repaired as well as charges as of the 45th day, and a final list with amount due will be issued to family when repairs are completed. All amounts for excess damages will be due on receipt. Unpaid damages will be collected using the normal process for past-due accounts.

The New Albany Housing Authority will be considered in compliance with the above if the required payment, statement, or both, are deposited in the U.S. mail with first class postage paid within **45** days.

20.5 OVER-INCOME FAMILIES IN PUBLIC HOUSING

At annual or interim reexamination, if a family's income exceeds the applicable over-income limit (120% of the Area Median Income unless adjusted by HUD), the PHA will document the family file and begin tracking the family's over-income status.

If one year after the applicable annual or interim reexamination the family's income continues to exceed the applicable over-income limit, the PHA will notify the family in writing that their income has exceeded the over-income limit for one year, and that if the family continues to be over-income for 12 consecutive months, the family will be subject to the PHA's over-income policies.

If two years after the applicable annual or interim reexamination the family's income continues to exceed the applicable over-income limit, the family will be given a written 30-day notice of lease termination. However, if the family is participating in the Family Self-Sufficiency (FSS) program or currently receiving the earned income disallowance, the 30-day notice of lease termination will be deferred until such time that the family is no longer participating in either of these programs.

If, at any time, an over-income family experiences a decrease in income, the family may request an interim redetermination of rent in accordance with PHA policy. If, as a result, the previously over-income family is now below the over-income limit, the family is no longer subject to over-income provisions as of the effective date of the recertification. The PHA will notify the family in writing that over-income policies no longer apply to them. If the family's income later exceeds the over-income limit again, the family is entitled to a new two-year grace period.

21.0 FAMILY SELF-SUFFICIENCY

21.1 SELECTION POLICIES

Families living in the Housing Authority of the City of New Albany are eligible for voluntary participation in the Family Self-Sufficiency Program. They must be a current resident and Head of Household.

Participants must agree to seek and maintain suitable employment.

Participation in the program will be on a first-come, first-serve basis.

NAHA will make reasonable accommodation for participants with disabilities.

Public Housing residents who do not wish to participate in the FSS Program will not lose their housing assistance because of their decision.

21.2 NON-DISCRIMINATION POLICIES

The Housing Authority of the City of New Albany exercises a non-discrimination policy, in compliance with the rules and regulations governing the Fair Housing Act. NAHA shall not deny any family the opportunity to participate in the FSS program on the basis of race, color, sex, religion, creed, national or ethnic origin, age, family or marital status, physical ability, disability or sexual orientation.

21.3 DENIAL OF PARTICIPATION

The Housing Authority of the City of New Albany may deny a family participation in the FSS Program if they previously participated in the FSS Program and did not meet their obligations and were terminated. A family will also be denied if the applicant owes NAHA or another housing authority money in connection with public housing assistance.

21.4 TERMINATION FROM THE FSS PROGRAM

NAHA may terminate a FSS contract for non-compliance with the contract. The FSS Contract of Participation may also be terminated for the following reasons: mutual consent, failure of family to meet contract obligations without good cause, fraud committed for not reporting income and or resources to site manager, family withdrawal from the FSS Program, other act(s) deemed inconsistent with the purpose of the FSS Program, operation of law or failure of the family to remain in good standing by way of lease violation by violation of the NAHA One Strike policy.

21.5 TERMINATION OF SERVICES

If NAHA decides to terminate services, NAHA will offer the family the opportunity for an informal hearing.

The family is entitled to present a grievance in accordance with NAHA's existing grievance procedures.

21.6 WITHHOLDING SUPPORT SERVICES

NAHA may withhold support services for any participant who is in noncompliance with their contract. NAHA will review the circumstances of the noncompliance to determine the appropriate remedy.

Former FSS families who have completed their contracts, still receiving housing assistance and whose head of household is employed may be offered FSS supportive services to help continue toward self-sufficiency for up to one year.

Former FSS families who have completed Contract of Participation or graduated are not eligible for program re-entry.

21.7 HEARING PROCEDURES FOR FSS FAMILIES

NAHA hearing procedures are in an addendum to the Admissions and Continued Occupancy Policy. All families terminated from the program will be afforded an opportunity to request an informal hearing for a determination of the appropriateness of the termination or withholding of supportive services placed on a participant family.

21.8 ESCROW POLICIES

FSS families pay rent in accordance with their incomes. NAHA will deposit all escrowed funds into a depository account located at Centra Federal Credit Union. The monthly amount deposited is determined by increases in earned income. If the rent is paid late, the family will not receive a deposit for that month. *(If family rent becomes less than at enrollment, there is no escrow credit).*

NAHA will report annually to each FSS family with an escrow account: the balance at the beginning of the report period, all deposits made during the report period, any deductions made from the account during the reporting period, the amount of interest earned on the account during the year, the total in the account at the end of the reporting period.

Interim disbursements will be at the sole discretion of NAHA. Interim withdrawals will be allowed if the family has fulfilled some of their interim contract goals, is working towards self-sufficiency and needs a portion of the FSS account funds for purposes consistent with the Contract such as: school tuition or other school costs, job training expenses, business start-up expenses, car or car repair when public transportation is unavailable or inaccessible to the family, or credit clean-up, fees for a home loan, etc.

Participants will not be allowed to draw more than 50% of their total escrow account and can only withdraw one time per NAHA fiscal year that runs from April 1 of one year to March 31 of the next year.

To receive the entire balance earned in the FSS escrow account, the family must have completed all obligations set forth in the Contract of Participation. Completion occurs when the family has fulfilled goals in the

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

Individual Training and Services Plan and has remained free of welfare assistance, excluding housing assistance, for 12 months prior to the expiration date of the contract.

The case manager will make the initial determination regarding fulfillment of goals. All disbursements are subject to approval by the FSS Program Director and the Finance Department.

Families will receive their escrow money within forty five (45) days of the completion of the contract. However, if the family has an outstanding balance owed to the housing authority for rent, work orders, late fees, or any other charges, the amount necessary to cure those debts will be subtracted from the escrow balance paid to the family and will be remitted to the New Albany Housing Authority.

Families who receive a final escrow payment are not eligible to reapply for the FSS program.

Amounts in the FSS account will be forfeited if: the Contract of Participation is terminated or declared null and void, or, the Contract of Participation is completed but the family is receiving welfare cash assistance when the contract expires, including extensions. If families have not paid their portion of rent to the Housing Authority, if the head of household dies and the remaining family members choose not to participate in the program, or, if the head of household leaves the family unit and the remaining family members choose not to participate in the program, or if the family does not comply with the terms of the lease agreement.

Procedure for requesting an interim disbursement: the participant must complete and sign the Request for Interim Disbursement Form, provide a copy of their driver's license and provide supporting documentation such as estimates, receipts, letter from credit counselors, lending institutions, etc. to justify the request as a need in order to complete the FSS goals.

Clients are required to report any changes in their income within 10 days. Failure to report an increase in income constitutes fraud and will lead to termination from the FSS program.

If the client owes money to the housing authority upon completion of the program, the amount will be subtracted from their escrow account upon withdrawal.

Amounts in the FSS Escrow Account will be forfeited if: the resident moves to another housing authority, the Contract of Participation is terminated, the Contract is completed, but the family is receiving welfare assistance when the contract expires, if the head of the family dies and the remaining members of the family choose not to participate in the program, if families do not pay rent.

22.0 VICTIMS OF DOMESTIC VIOLENCE

Criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking shall not be considered cause for termination of assistance for any participant or immediate member of a participant's family who is a victim of the domestic violence, dating violence, or stalking.

- A. NAHA may terminate assistance of a tenant who engages in criminal acts of violence to family members or others without terminating assistance of victimized occupants.
- B. NAHA can still terminate assistance for other good cause unrelated to the incident or incidents of domestic violence.
- C. If NAHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property, including NAHA employees that person or family can be terminated.

One of the three below will be required to certify his or her status as a victim of domestic violence, dating violence, or stalking:

- 1. HUD-Approved Certification form.
- 2. Provide NAHA with documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse, in which the professional attests under penalty of perjury to the professional's belief that the

- incident or incidents in question are bona fide incidents of abuse, and the victim of domestic violence, dating violence, or stalking has signed or attested to the documentation.
3. Producing a Federal, State, tribal territorial, or local police or court record.

The individual shall provide certification within 14 business days after NAHA requests the certification in writing. If the certification is not received within 14 business days of the request, NAHA may terminate assistance. NAHA may extend the 14-day deadline at its discretion.

Information provided by the victim pursuant to the certification shall be retained in confidence and not entered into any shared database nor provided to any related entity except when the disclosure is consented to by the individual in writing, required for use in eviction proceedings, or otherwise required by law.

HUD released the revised official form: Certification of Domestic Violence, Dating Violence, Sexual Assault, or stalking.

New Albany Housing has, as an attachment to the plan, a VAWA Policy which provides for updated lists of (1) 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) activities, services, or programs provided or offered that helps child or adult victims of domestic violence, dating violence, sexual assault, or stalking to obtain or maintain housing; (3) activities, services, or programs provided or offered to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

23.0 DEFINITION OF SIGNIFICANT CHANGES TO THE ANNUAL PLAN OR TO THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY

The New Albany Housing Authority had defined a significant change to the annual plan or ACOP as one that has the potential for negative consequences for all residents or a demographically distinct segment of the resident population. We have used this definition so the authority can respond to situations that improve the quality of life for its residents without impediment. Changes in policy are handled through the Board of Commissioners while changes in procedures are handled administratively.

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

The New Albany Housing Authority does not consider changes due to implementation of new policies, laws, and directives to be significant changes to the ACOP. The funder or legislation, Federal, State and local generate these situations, and the New Albany Housing Authority is required to implement such changes as part of our Annual Contribution Contract. Examples of the vehicle for changes would include the Federal Register, Public and Indian Housing Notices/Handbooks, tenant law changes in the state of Indiana where more restrictive than HUD policy, and local codification.

The following items are specifically excluded as Significant Changes as part of the Rental Assistance Demonstration:

- 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.

GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Child Care Expenses: Amounts anticipated to be paid 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))

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

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

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

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

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

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

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

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

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

Disabled Person: See "person with disabilities."

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

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

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

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

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

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

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

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

Family includes but is not limited to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Net Family Assets:

- A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- B. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
- C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

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

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

Person with Disabilities: A person who:

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

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

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

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

1. Is expected to be of long-continued and indefinite duration;

2. Substantially impedes his or her ability to live independently; and

3. Is of such a nature that such ability could be improved by more suitable housing conditions, or

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

"Severe chronic disability that:

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

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

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

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

Proration of Assistance: The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR5.520)

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

Rental Assistance Demonstration (RAD): A program established in 2012 that allows for the conversion of public housing assistance to Project Based Vouchers or Project Based Rental Assistance. Any participation by the Authority confers special tenant protections as enumerated in RAD notices and pre-empt rights and notices as listed in this document. Compliance with the provisions of RAD do not in themselves constitute a significant amendment to the PHA Plan or the Admissions and Continued Occupancy Plan.

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

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

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

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

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

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

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

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

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

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

Total Tenant Payment (TTP):

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

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

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

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

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

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

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

New Albany Housing Authority Admissions and Continued Occupancy
Revision Effective Date: April 4, 2022

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

ACRONYMS

ACC Annual Contributions Contract

CFR Code of Federal Regulations

FSS Family Self Sufficiency (program)

HCDA Housing and Community Development Act

HQS Housing Quality Standards

HUD Department of Housing and Urban Development

INS(U.S.) Immigration and Naturalization Service

NAHA (Cranston-Gonzalez) National Affordable Housing Act

NOFA Notice of Funding Availability

OMB (U.S.) Office of Management and Budget

PHA Public Housing Agency

QHWR Quality Housing and Work Responsibility Act of 1998

SSA Social Security Administration

TTPTotal Tenant Payment

a– Clause added through Board resolution number 17-15 approved at the 6/13/2016 meeting.

b– The change from a Public Housing only waiting list to a combined Public Housing and non-supportive housing NAHA owned/NAHA-affiliate owned project based voucher waiting list was approved at the 6/13/2016 board meeting through Board resolution number 17-16.