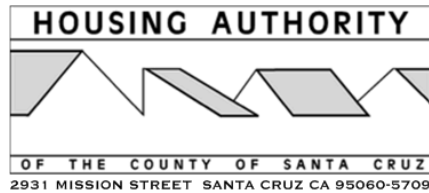


# ADMISSIONS AND CONTINUED OCCUPANCY POLICY

## Low Income Public Housing Program

### Housing Authority of the County of Santa Cruz



The Admissions and Continued Occupancy Plan contains those policies of the Housing Authority of the County of Santa Cruz that have been adopted by the Board of Commissioners, governing the establishment and administration of the Low Income Public Housing Program.

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**DECEMBER 2011**

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## **1. DECONCENTRATION AND INCOME TARGETING**

### **Deconcentration Policy**

It is Housing Authority of the County of Santa Cruz's policy to provide for deconcentration of poverty and encourage income mixing with a goal of bringing higher income families into lower income complexes and lower income families into higher income complexes. The Housing Authority of the County of Santa Cruz will ensure that all marketing of our housing is targeted to all eligible income groups. Lower income residents will not be steered toward lower income complexes and higher income people will not be steered toward higher income complexes. Instead, residents decide where they would like to live. Each applicant that reaches the top of the waiting list will be offered the first available unit. However, if they do not wish to accept this unit offer, they will be given up to two additional offers. If an applicant declines three unit offers without good cause, that applicant will be cancelled from the waiting list.

### **Income Targeting**

The Housing Authority will 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 ensure this requirement is met, the Housing Authority will monitor incomes of newly admitted families.

## **2. ADMISSION PREFERENCES**

### **Preferences**

The Housing Authority has adopted a first come, first serve admission preference.

### **Military Service Preference**

Pursuant to the requirements of the California Health and Safety Code, Section 34322.2, the Housing Authority gives a preference to veterans and current servicepersons, defined as follows. Such preference is in effect only to the extent that it is required by the above referenced Code.

A current serviceperson is defined as an individual who is an active member of a branch of the United States military, including the reserves or National Guard, and has served for at least 180 days.

A veteran is defined as an individual who has been honorably discharged from a branch of the United States military, including the reserves or National Guard. An honorable discharge must be evidenced by submission of a Department of Defense Form 214 (DD-214). Surviving spouses of an honorably discharged veteran are also eligible for the military service preference.

Such persons will be placed on the top of the wait list. If there is more than one applicant who qualifies for such a preference, they will be offered public housing units based on the date of their application.

### Disabled Accessible Units

When selecting applicants for admission to Housing Authority owned units with disabled accessible features, the Housing Authority will give preference to applicants who are disabled and who require the features of an accessible unit. When an accessible unit becomes available, the Housing Authority will first offer the unit to a current occupant of another unit of the same project, or comparable projects under common control, having disabilities requiring the accessibility features of the vacant unit and occupying a unit not having such features. Or if no such occupant exists, then the Housing Authority will offer the unit to the applicant with the highest priority on the waiting list having a disability requiring the accessibility features of the vacant unit, based on the most current information available regarding accessibility special needs. Such information will be updated periodically and verified during the qualification process and when the information is needed. When offering an accessible unit to an applicant not having disabilities requiring the accessible features of the unit, the Authority will require applicant to agree to move to a non-accessible unit when available.

### **3. APPLICANT SCREENING AND TERMINATION OF TENANCY**

In compliance with 24 CFR Part 966, the Housing Authority may deny assistance or terminate tenancy for a variety of criminal and drug-related activities. The Housing Authority will deny admission, as required by regulations, for the following:

1. Denial of admission for up to 3 years if previously evicted from federally assisted housing for drugs.
2. Denial of admission for manufacture of methamphetamine in federal housing.
3. Denial of admission for anyone subject to a lifetime sex offender registration requirement.

### **Background Reports**

Tenant screening includes a background check to determine if there is a history of criminal or drug activity. In the event of the receipt of unfavorable information with respect to an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors which might indicate a reasonable probability of favorable future conduct.

### **Registered Sex Offenders**

The Housing Authority performs a criminal background check to determine if an applicant is a registered sex offender as required by HUD regulations. This check is performed in every state in which an adult household member has resided.

All sex offender and criminal background records are kept in a confidential, secure location where they are only available to those staff who have a specific, job-related need to view the information.

If an applicant is determined to be a registered sex offender through this process, they will be informed in writing that they will be denied admission based on this information. The household member may view a copy of the records used to make this determination. The Housing Authority gives the applicant an opportunity to dispute the accuracy of the information before denying admission.

### **Ineligibility of individuals convicted of manufacturing or producing methamphetamine**

Individuals convicted of manufacturing or producing methamphetamine (speed) are ineligible to apply for and reside in Low Income Public Housing.

### **Tenant screening**

When a Low Income Public Housing unit becomes available, names are selected from the Wait Pool/Wait List for tenant screening, based on date of placement. Prospective tenants will be contacted to determine their continued interest in Public Housing. If they want to be considered for the available unit, the following steps will be followed:

1. Their income eligibility will be determined.
2. Their current residence will be inspected for housekeeping practices.
3. Prior landlord references will be checked to determine rent payment history and tenant adherence to lease agreements
4. A credit check will be requested.
5. A background check will be performed to determine if there is history of criminal or drug activity.
6. Their overall reliability, integrity, and suitability for tenancy will be evaluated.

If at any step during the screening process it is determined the prospective tenant cannot be selected for tenancy due to failure to pass the screening criteria, the Property Management Director will have the authority to discontinue consideration of the tenant. All rejections will be in writing, giving the prospective tenant an opportunity for appeal. The Housing Authority may consider admission of a family if the culpable family member will not reside with them.

### **Denial of Admission and Termination of Tenancy:**

1. The Housing Authority may deny admission or terminate the tenancy of a household or an individual household member if it determines that a household member has engaged in abuse or a pattern of abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.
2. The Housing Authority may deny admission or terminate tenancy for current illegal drug use or pattern of drug use that threatens health, safety, or right to peaceful enjoyment of the premises by other residents.
3. The Housing Authority may deny admission or terminate the tenancy of a household or an individual household member if the Housing Authority determines that a household member has furnished false or misleading information concerning illegal drug use, alcohol abuse, or rehabilitation of illegal drug users or alcohol abusers.
4. The Housing Authority may deny admission or terminate the tenancy of a household or an individual household member if the Housing Authority determines that a household member has furnished false or misleading information about criminal history, financial history, or any other false or misleading information.
5. The Housing Authority may terminate tenancy for a variety of other criminal or drug-related activities that may be in violation of the lease, Housing Authority screening and

property management practices, or HUD regulations.

6. The Housing Authority may also terminate tenancy for any violation of the lease or program regulations.
7. The Housing Authority may deny admission of a household or an individual household member if the Housing Authority determines that their overall level of reliability or integrity does not indicate that they will be suitable tenants.
8. If an individual or family is evicted for criminal activity, the Housing Authority must notify the local post office that the individual or family is no longer residing in the unit.

In enforcement of these requirements, the Housing Authority may consider circumstances, like participation in drug rehabilitation. In addition, the Housing Authority may allow only the culpable member to move based on the family circumstances.

#### **4. MANAGING THE WAIT LIST**

##### **Opening and Closing the Wait List**

The Housing Authority of the County of Santa Cruz maintains an open waiting list for all programs including the Low Income Public Housing Program. However, the Authority reserves the right to close the wait list as deemed necessary by the Executive Director and the Board of Commissioners.

Although applications are typically maintained in order of the date of pre-application, the Housing Authority may use computerized random selection to randomly sequence the applications received during a finite period of time after the waiting list re-opens. Such random selection may be used to avoid any potentially unsafe situations arising from the perception of urgency to be the first in line when the list opens. After this finite period of time, the Housing Authority will continue to maintain applications in order of the date of application.

##### **Maintaining the Wait List**

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

- A. A pre-application will initiate placement of the family name on the waiting list;
- B. All names on the waiting list will be maintained in order of date of pre-application and in accordance with any applicable preference; and
- C. Any contacts between the Housing Authority of the County of Santa Cruz and the applicant will be documented in the applicant computer file.

##### **Selecting Names from the Wait List**

When a family who has indicated their interest in the Low Income Public Housing Program, has not rejected the Low Income Public Housing Program, and appears to be within 30-60 days of being offered a unit, the family will be invited to an interview and the verification process will begin. The family will be required to complete a full application, present Social Security number information, citizenship/eligible immigrant information, and sign the Consent for Release of Information forms.

##### **Changes to Head of Household or Family Members while on the Waiting List**

While on the waiting list, the head of household may be changed to another family member only

under the following circumstances:

1. If the family splits into two or more families, the family containing the Head of Household retains placement on the wait list.
2. If the Head of Household dies, another member can become the Head of Household if they provide verification of the death, and if they have the legal capacity to enter into a lease.
3. If the Head of Household no longer has the legal capacity to enter into a lease, another member can become the Head of Household if they provide verification of the incapacitation, and if they have the legal capacity to enter into a lease.

The “applicant family” is defined as those persons who were listed on the initial application. Any household members who the applicant family wishes to add at the time of leasing the unit must meet the criteria listed in Section XVIII of this Plan. Changes to family members will not be processed while applicants are on the wait list. All changes will be processed at the time of the initial eligibility interview.

### **Purging the Waiting List**

The Housing Authority of the County of Santa Cruz will update and purge its waiting list periodically to ensure that the pool of applicants reasonably represents the interested families for whom the Housing Authority of the County of Santa Cruz has current information.

### **Removal of applicants from the waiting list**

The Housing Authority of the County of Santa Cruz will not remove an applicant’s name from the waiting list unless:

- A. The applicant requests in writing that the name be removed;
- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program;
- C. The applicant does not meet either the eligibility or suitability criteria for the program; or
- D. Mail is returned by the Post Office as undeliverable.
- E. The applicant rejects three suitable unit offers for reasons other than good cause.

### **Notification of Negative Actions**

All pre-applicants who place their name on the waiting list are notified of the requirement to inform the Housing Authority of any change in their address; and, if they do not respond to wait list related correspondence from the Housing Authority within time frames specified in the correspondence, their names will be inactivated from the wait list. Such applicants will be notified of their inactivation from the waiting list. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability as defined in 24CFR §5.403, the Housing Authority of the County of Santa Cruz 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 of the original application.

Any applicant whose application is being cancelled or denied will be notified by the Housing Authority of the County of Santa Cruz, in writing, that they have fifteen (15) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The Housing Authority of the County of Santa Cruz system of inactivating or cancelling applicants from the waiting list will not violate the rights of persons with disabilities, as defined in 24CFR §5.403.

## 5. ELIGIBILITY DOCUMENTATION AND VERIFICATION

### Description of the Process

1. The Housing Authority complies with applicable HUD regulations, handbooks, and other guidance regarding third-party verification.
2. As a condition of housing assistance under the program, the Housing Authority requires the family members to complete a detailed Initial Application and an annual Personal and Financial Statement. Additionally, family members must execute a HUD approved Release and Consent Form, and a Housing Authority consent form, authorizing any financial institution, employer, Federal, State or local agency, etc. to release to the Housing Authority and to HUD such information as the Housing Authority or HUD determines to be necessary.
3. The Housing Authority shall also require the family to submit information and/or documentation to determine or audit a family's eligibility to receive housing assistance, for determining the family's adjusted income or tenant rent, for verifying related information, and for monitoring compliance with Equal Opportunity requirements or any other regulatory requirement.
4. The use or disclosure of information obtained from a family or from another source is limited to purposes directly connected with administration of the housing program under which the family is receiving or applying for assistance.
5. The Housing Authority obtains and documents in each family file, third party verification of income, assets, expenses related to deductions from annual income, and other factors that affect determination of adjusted income.
6. All income, assets, and other family information must be verified according to the following levels of priority.
  - A. Upfront Income Verification: Upfront Income Verification is the verification of income, before or during a family re-examination, through an independent source that systemically and uniformly maintains income information in computerized form for a large number of individuals. In an effort to minimize HAP overpayments due to tenant misreporting and non-reporting of income, HUD has launched an upfront income verification tool called Enterprise Income Verification (EIV). EIV contains data regarding wages and benefits received by all program participants with valid Social Security Numbers. Staff will review EIV data during each annual and interim re-examination, as well as within 120 days of each new admission or historical adjustment.

The Housing Authority also obtains information from the state of California EDD for state unemployment, disability, and wage information on an as needed basis. Finally, when tax returns are needed to substantiate income, the Housing Authority may obtain tax return information directly from the IRS, but this tool is only used from time to time when no other satisfactory documentation is available. All of these upfront verification methods are only used to the extent that they are available and operational.

Upfront income verification systems such as EIV are considered to be “automated written third party verification”. However, data within the EIV system is old, and can occasionally be inaccurate. Therefore, information provided by EIV must always be supported by some other form of current verification, such as tenant documents.

**Use of EIV Reports During Annual and Interim Re-examinations and within 120 days of New Admissions and Historical Adjustments** – EIV will be reviewed during all annual, interim, initial and historical adjustment income re-examinations in the following manner:

- I. Obtaining an EIV Report – Designated administrative staff will run an EIV report monthly, for the participants with an annual review scheduled four months later, on or around the time that the annual review packets are sent out. This report will automatically include any families that HUD expects to have an annual review during a given month. However, families will not automatically be included in the report if they have experienced a change in annual review date, or if they are currently undergoing an interim examination. Such families will need to be requested manually on the EIV request log, which is run daily by designated eligibility and occupancy staff.

Additionally, designated Eligibility and Occupancy staff will run a report on a monthly basis to identify the households that had new admissions and historical adjustments within the previous months. Within 120 days of each new admission or historical adjustment, such designated staff will also obtain an EIV report for these families, compare the EIV report with the tenant’s reported information, and process any corrections as needed. Such corrections will be made within 60 days of the EIV report print date. The EIV report will be scanned into DI upon completion of this review, even if no action was taken.

EIV reports will be saved in DI in a separate protected EIV folder. **EIV reports will not be stored in the tenant file.**

- II. Document Review – Eligibility staff will review the EIV report in conjunction with the Personal and Financial Statement and tenant documents at the beginning of every annual review, or with the written report of any changes in household composition or income (interims). In cases where the data in EIV is supported by current tenant documents, no additional documentation will be required to verify that income source. Note: The PFS, tenant documents, and EIV may show different amounts, and that is acceptable. As long as they show the same income source, and sufficient tenant documents provide enough information to annualize based on current income, no additional documentation will be required to verify that income source.

Eligibility staff will then determine what verification needs to be collected. Staff will identify all of the verification that is required for all reported income, assets, expenses, etc., and staff will review documents that are received to ensure that they are current, original, complete, and signed (as needed), and that all required information has been provided.

- B. Written Third Party Verification (Tenant Documents): Written third party verification (tenant documents) are current, original documents generated by a third party source. However, these documents may be in the possession of the tenant or applicant. In some cases, the tenant may receive these documents (such as bank statements and paystubs) electronically rather than by mail. In these cases, documents that a tenant or applicant prints out from a computer (as long as they were originally generated by a third party source) will be considered original documents and will be acceptable written third party verification.

The Housing Authority requires that all applicants and program participants provide current original documentation of all income, assets, and expenses at the time of initial application, annual and interim re-examinations. The Housing Authority will inspect and make a copy of the original document if the tenant requests the document be returned by the Housing Authority. Documents are considered current if they are dated within 60 days before the effective date of the determination or within 60 days following the request for documents. In some cases (such as tax returns) it may not be possible to obtain current documents. In such cases, the most recent original document available will be obtained.

If the Housing Authority obtains EIV information, written third party verification (tenant documents) will be used to support that data and to annualize income. If the Housing Authority does not obtain information from EIV for any reason (initial applications, income sources not contained in EIV, etc) the Housing Authority will use written third party verification (tenant documents) as the second highest form of verification. **If written third party verification (tenant documents) are provided by the tenant containing sufficient information, no other form of verification is needed.**

- C. Written Third Party Verification Form (HA Form): In cases where the tenant is unable to provide documentation, or where the tenant provided documentation is not sufficient, the Housing Authority will contact the income source directly, in writing, to obtain the verification information. Requests for third party verification forms will be documented in the tenant file. If and when direct third party verification forms are received from a source, the request for that verification may be destroyed. However, if direct third party verification forms are NOT received from a source, the request for the third party verification form will remain in the tenant file to prove that such verification was requested.
- D. Verbal Third Party Verification: If the income source does not respond to a written request for information within 10 days, or provides incomplete or unclear information, the Housing Authority staff may contact the source by phone to request clarification on incomplete information, using the Direct Third Party Verification Form to create a record of the attempt or conversation. Staff should document the date and time of the telephone call, the name and title of the person contacted and the telephone number, along with the confirmed information.
- E. Tenant Declaration (Self Certification): If no other verification is available, staff will note the reason in the file on the Statement of Fact Regarding Reason Direct Third Party Verification Was Not Obtained/Available Form and require the tenant to sign an

affidavit declaring their income. In these cases, the Housing Authority may also require the tenant to sign IRS Form 4506T authorizing the HA to obtain a copy of the tenant's tax return, and staff may proceed to obtain the tax return from the IRS, even if it will not be received in time to complete the annual recertification.

### **Guidance Regarding Specific Verification Issues**

Complete information regarding third-party verification may be found in greater detail in HUD-published handbooks and guidance and is not repeated here. However, following are Housing Authority policies regarding certain specific verification issues that staff may encounter.

1. Annual contributions / gifts – Gifts or contributions that occur annually (such as Christmas or birthday gifts) are considered to be sporadic because they occur only once during the re-examination reporting period of one year. Therefore, such contributions / gifts are to be excluded if they are less than \$1,000 per household. However, in order to avoid large contributions / gifts going uncounted, annual contributions / gifts of \$1,000 or more per household will be considered to be income. Such contributions / gifts of \$1,000 or more per household will be verified as a regular, ongoing contribution. Verification may consist of written third party verification (tenant documents) in some cases. However, if sufficient tenant documents are not provided, staff will verify contributions and gifts using the written third party verification form sent directly to the source of the contribution or gifts.

Example 1: Son and daughter each receive \$300 every year for Christmas and \$300 every year for their birthday. Therefore, each child receives a total of \$600 in annual gifts, for a total of \$1,200 of annual gifts for the household. These gifts will be counted because they total more than \$1,000.

Example 2: Head of household receives \$750 every year as a gift. This will not be counted because it is annually and it is less than \$1,000.

Example 3: Head of household receives \$40 per month for household expenses. Even though this totals less than \$1,000 per year, this will be counted because it is a regular ongoing contribution. (Anything more frequently than annual is considered ongoing, whether it is weekly, monthly, quarterly, twice a year, etc.)

2. Assets: Assets will be verified using the hierarchy described above. Since asset data is not included in EIV or any other up-front verification source, current tenant provided documents (such as bank statements) are the highest form of verification available.
3. Birth Certificates – Staff will request birth certificates of all members of applicant families, and all members being added to participant families. Birth certificates will be required for all minor children. However, if an adult has difficulty obtaining a birth certificate, but has provided all other required forms of identification (including Social Security Number and a government issued photo identification) the requirement to supply a birth certificate may be waived.
4. Cash on hand - Occasionally Tenants report their cash on hand (as requested on the Personal and Financial Statement). Cash amounts less than \$1,000 per household will not be counted as an asset. However, any amount of cash that is greater than or equal to \$1,000 per household will be counted as an asset. Cash on hand can be verified by tenant self certification (on the PFS or on a self certification form).

Example: Head of household reports \$875 cash, and another household member reports \$300 cash. A total of \$1,175 cash has been reported by the household. Therefore, we will count this cash as an asset

5. Child Care Expense Deductions: The Housing Authority must first verify that child care expenses are used to enable a family member to work, actively seek employment, or further his/her education. For instance, the childcare must be provided during the hours of work, education, etc. when there is no other activity (such as school) for the child. For college classes, each course unit will be counted as three hours per week of educational activity. The family member's participation in work, school, or job-seeking activities must be verified through direct third-party verification. The Housing Authority must also verify that the children receiving childcare are under the age of thirteen. Finally, the amounts deducted for childcare must be reasonable. The Housing Authority defines "reasonable" based on published childcare information from the State of California Department of Social Services (DSS). The Housing Authority publishes this schedule annually.

6. Community Service Requirement: For verification of participation in required community service for public housing tenants, a timesheet signed by the agency but provided by the family is acceptable. For verification that a family member is exempt from performing community service, staff must obtain the highest level of third-party verification possible in accordance with this procedure, except for those exemptions that are due to permanent reasons such as age or permanent disability which have already been verified and documented.

7. Disability: If a tenant receives SSI, the verification of the SSI payment is acceptable verification of the disability. If the tenant does not receive SSI, verification of disability, depending on the individual's circumstances, will be requested from a doctor, other health care professional or a social worker, with medical or professional knowledge of the person's disability using Disability Verification form 050201. If such verification is not available, the Authority may consider other forms of verification on a case-by-case basis.

8. Excluded Income: Applicants and participants are required to report ALL income to the Housing Authority. With the exception of wages, excluded income (such as food stamps and foster care payments) will not be verified. However, information on excluded income will be reported on the 50058, as reported by the applicants and participants. If the excluded income is the ONLY income the household is receiving, it will be verified.

9. Expiration Dates: For determining initial eligibility, all verifications must be current within 60 days of the briefing / issuance of the voucher. After initial eligibility, all future verifications are considered current if they are dated within 60 days before the effective date of the determination or within 60 days following the request for documents. In some cases (such as tax returns) it may not be possible to obtain current documents. In such cases, the most recent original document available will be obtained.

10. Full Time Student Status: Full time student status must be verified using current tenant documents provided either by the household or by the school. Staff will verify full time student status based on the status as indicated on the current documents. In some cases, documentation will indicate that a semester ends prior to the admission date or annual re-examination date. However, if the documentation is "current" and verifies full time student status, the Housing Authority will project full time student status for the current transaction. The Housing Authority

will NOT assume that an individual is no longer a student just because a semester has ended. Full time student status will be verified again at the next regularly scheduled annual re-examination.

11. **Citizenship and Immigration Status:** All program participants admitted to the program must sign a statement indicating whether they are a US citizen, a legal resident, or whether they do not contend to have eligible citizenship status (and will therefore receive prorated assistance). The signed statement must be on a Housing Authority declaration form (form 350140 – 350143), depending on citizenship status.

US citizens will be asked to provide proof of citizenship, which may include either a birth certificate, passport, or naturalization certificate. However, since HUD does not require that we collect proof of citizenship, if those documents are not available a signed declaration of citizenship on the form cited will suffice.

Non-citizens who are under the age of 62 years old must provide documentation of eligible immigration status (which is then verified in the E-verify SAVE system. Non-citizens age 62 or older are not required to provide documentation of eligible immigration status. Citizenship and legal residency is further verified with the documentation of a Social Security Number (see below).

12. **In Home Support Service (IHSS) Payments:** Amounts paid by a State agency (such as IHSS) to a family with a member who has a developmental disability may be excluded. Staff must verify with a physician that the family member has a developmental disability using the Disability Verification Form before excluding the income. In some cases, the Housing Authority may accept verification from a supportive agency currently providing services to the participant, if the supportive agency has verified with a physician that the participant has a developmental disability.

13. **Medical Expense and Disability Assistance Expense Deduction:**

The Department of Health and Human Services has developed Federal privacy standards to protect patients' medical records and other health information provided to health plans, doctors, hospitals, and other health care providers as of April 14, 2003. These standards are part of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The privacy requirements under HIPAA have a significant impact on how PHAs verify disability status, medical expenses, and disability assistance expenses. HIPAA requires that patients sign a specific authorization before a covered entity can release their medical information to a third party for purposes not related to the patient's health care.

Therefore, in response to the Verification Guidance, the Housing Authority added language to the Authorization to Release Information Form, signed by all applicants and participants annually, which allows us to obtain information on such expenses. At that time, the Housing Authority began verifying medical and disability assistance expenses directly with doctors, pharmacies, and other third parties. While the Housing Authority has made every attempt to comply with the guidelines provided by HUD for nearly two years, we have experienced numerous difficulties in the verification of medical expenses, including the following:

- Doctors, pharmacies, and other third parties are reluctant to release information

- When third parties do release information, they have consistently provided the Housing Authority with confidential information regarding participants' diagnosis or details of treatment for disabilities and medical conditions
- When third parties do not release information, the Housing Authority has collected documentation from participants, which also contains confidential medical information

The Housing Authority is required to verify the medical expenses of our participants, but is unable to request information from third parties or program participants that is needed to conduct such verification without receiving personal and confidential medical information. Additionally, if such personal and confidential medical information is received by the Housing Authority, the Verification Guidance states that "the PHA should not place this information in the tenant file. The PHA should destroy the document."

The Housing Authority appreciates the statement in the Verification Guidance acknowledging that "with increasing privacy law requirements, PHAs may have difficulty in verifying" medical and disability assistance expenses. In light of these considerable difficulties, the Housing Authority has determined that the best way to ensure the validity of medical and disability assistance expense information, while simultaneously protecting the confidentiality of our applicants and participants and complying with HIPAA, is a reliance on applicant / participant self-certification, along with the signature of a qualified medical professional whenever possible. To receive the medical expense deduction, tenants must complete the medical expense verification forms provided in the medical expense packet, and the verification forms must be signed by the tenant's doctor or other health care provider.

In the Section 8 Housing Choice Voucher Program, medical expense deductions are considered only at the time of annual re-examination. Therefore, program participants have a finite amount of time to provide all required information in order to get the deduction processed in time for their annual re-examination. In order to assist program participants, the Housing Authority will request that medical expense information be submitted at least one month prior to the effective date of the annual review. However, the Housing Authority will accept medical expense information up until the day before the effective date of the annual re-examination. In cases where the Housing Authority has already processed the annual re-examination, staff will re-process the annual re-examination as a correction. In the Low Income Public Housing Program, medical expense deductions are not limited to the annual re-examination timeline. Therefore, any time LIPH program participants submit medical expense information it will be considered.

Please note that the Housing Authority must not pass the cost of verifying information to the applicant or participant. Therefore, if an applicant or participant indicates that they would need to incur a financial cost to get the medical packet forms signed by their health care providers (for example, taking a cab, taking time off work, etc.) the Housing Authority will allow the applicant or participant to complete the self certification portion of the packet only, and will pursue other methods of verification (such as written or verbal third party) as appropriate on a case by case basis as determined by the unit supervisor or director.

14. Photo Identification: All adult household members will be asked to provide a government issued photo identification at the initial interview, before being added to the household, or at the annual re-examination following an existing household member's eighteenth birthday. Photo identification may consist of a passport, drivers license, state issued identification card, military identification card or a student identification card. Photo identification must always be presented

in person, rather than by mail. If an adult does not have a government issued photo identification card, the individual will be required to come in to the office to have a photograph taken for Housing Authority files.

15. Seasonal Income: If a participant is employed in an occupation that is cyclical (that increases or decreases at the same time each year such as farm workers, teachers and construction workers) all income expected to be received during the year must annualized. If the Housing Authority determines that past income is the best predictor of future income, historical data may be used to project annual income. Therefore, if EIV data regarding wages and / or unemployment is available, such data does not need to be supplemented with current tenant documents for seasonal employees. Staff will document in the file the reason that historical data was used to project future income. However, if EIV data is not available, the Housing Authority will attempt to collect direct third party verification from the income source. For more information about annualizing seasonal income, see procedure 6097.

16. Self Employment:

All self employed tenants and applicants will be asked to provide a complete copy of their most recent tax return (including Schedule C and Schedule SE if applicable). Additionally, all self employed tenants and applicants will be asked to complete the self employment certification form, and to sign form IRS 4506-T. Please see the attached flow chart for a visual display of the self employment verification process.

A. If the tenant / applicant provides a tax return

If the tenant / applicant provides a tax return, the Housing Authority will compare the Net Income from the tax return to the Net Income from the tenant self certification. (Note: The Net Income from the tenant self certification may need to be annualized before the comparison.)

- I. If the NET income from the tax return is within +/- 10% of the net income from the self certification, use the higher NET income.
- II. If the NET income from the tax return is NOT within +/- 10% of the net income from the self certification:
  - a. Use the NET income from self certification if the NET income from the certification is higher than the NET income from the tax return.
  - b. If the NET income from the tax return is higher than the NET income from the self certification:
    - i. Attempt to verify the income with direct third party verification. If direct third party verification is not available, use the self certification and state why direct third party verification was not available.
    - ii. Use the amount of expenses as reported on the self certification statement, if those expenses were included in the tax return.
- III. Additional Information about Self Employment Expenses
  - a. Self Employment Tax - Self employment tax may only be deducted if payment of the tax can be verified through Schedule SE of the tenant's most recent tax return. The amount deducted will be the final amount

shown on the bottom line of Schedule SE (item 6). This amount is also carried over to the 1040 (item 27).

- b. Independent Contractors - Payments to independent contractors may only be deducted if those payments can be verified through Schedule C of the tenant's most recent tax return. The amount deducted will be the sum of the amount shown on line 11 and line 37 of Schedule C.
- c. Employees - If the tenant is paying an employee as a self employment expense, the Housing Authority will request a copy of the most recent Form 941. All employers are required to file Form 941 on a quarterly basis to report wages and to pay federal income tax, social security, Medicare, and unemployment tax. Therefore, the tenant must provide a copy of Form 941 in order to verify that they have reported their employee to the IRS. If the tenant cannot provide a copy of Form 941, the wages of the employee may not be deducted from self employment income.
- d. Other Expenses - Other business expenses (such as the cost of goods sold, supplies and materials, business use of a car / mileage, interest on a business loan, business taxes, and other ordinary and necessary expenses that are common and accepted in the trade or business) may only be deducted if those expenses can be verified through Schedule C of the tenant's most recent tax return. The amount deducted will be the sum of all items listed on Schedule C."

B. If the tenant / applicant does NOT provide a tax return

- I. If the tenant / applicant has not been self employed during the past calendar year (and therefore was not required to file a tax return):
  - i. Attempt to verify the income and expenses with direct third party verification if possible / cost effective. (If the client provides five or more clients, it is not considered cost effective to contact each one directly, and self certification may be used. However, if the tenant provides four or fewer clients, staff will attempt to collect verification from each client listed.) If direct third party verification is not available or cost effective, use the self certification and state why direct third party verification was not available.
- II. If the tenant / applicant has been self employed during the past calendar year (and therefore was required to file a tax return):
  - i. Attempt to verify the income with direct third party verification if possible / cost effective. (If the client provides five or more clients, it is not considered cost effective to contact each one directly, and self certification may be used. However, if the tenant provides four or fewer clients, staff will attempt to collect verification from each client listed.) If direct third party verification is not available, use the self certification and state why direct third party verification was not available.
  - ii. No business expenses may be deducted if the tenant / applicant was required to file a tax return but did not provide one to the Housing Authority.

17. Social Security (SS) / Supplemental Security Income (SSI): Staff are required to use the HUD EIV system to obtain up-front verification of Social Security and SSI benefits for current program participants. If the amount shown on EIV does not match the amount

provided on a current original benefits letter, the amount in the benefits letter will be used. If no current original benefits letter has been provided, but EIV matches the amount the tenant has reported through the Personal and Financial Statement, EIV may be used without collecting tenant documents. However, if the amount reflected on the PFS does not match EIV and the tenant has not supplied an original benefits letter, staff will either obtain an original benefits letter or will contact the tenant by phone to provide the tenant an opportunity to dispute the information in EIV. If the tenant does not dispute the information in EIV, staff will document the phone call and may use the data in EIV. If the tenant does dispute EIV, an original benefits letter must be obtained. Additionally, original benefits letters will be used to verify the Social Security and SSI benefits of applicants and other individuals who are not in the EIV system.

18. Social Security Numbers: The following requirements regarding the disclosure and verification of Social Security Numbers is NOT applicable to individuals who do not contend to have eligible immigration status.
- A. Applicants: All applicants, regardless of age, must disclose a valid Social Security Number and provide the required documentation listed below at the time of their initial eligibility determination.
  - B. Program Participants: All program participants (except those age 62 or older as of 01/31/2010) must disclose a valid Social Security Number and provide the required documentation listed below at the time of their next annual or interim re-examination if:
    - The participant has not yet provided a valid Social Security Number or
    - The Social Security number shows as invalid in EIV.
- Social Security Numbers that have already been verified in EIV do not need to be re-documented or re-verified.
- C. New Household Members
    - New household members age 6 or older (or who are under 6 but already have an assigned Social Security Number) must disclose a valid Social Security Number and provide the required documentation listed below before they may move into the assisted unit.
    - New household members who are under 6 years old and who have not yet been assigned a Social Security Number may move into the assisted unit if they are otherwise eligible. Such household members must disclose a valid Social Security Number and provide the required documentation listed below within 90 days of the date of the move in. If the household member cannot provide documentation of Social Security Number within 90 days, they may request an extension in writing. Requests will be reviewed on a case by case basis.
  - D. Mod Rehab SRO only: In the case of Mod Rehab SRO tenants only, applicants and new household members may move into the assisted unit before they have provided the required documentation of Social Security Number. Such household members must disclose a valid Social Security Number and provide the required documentation listed below within 90 days of the date of the move in. If the household member cannot provide documentation of Social Security Number within 90 days, they may request an extension in writing. Requests will be reviewed on a case by case basis.

E. **Required Documentation of Social Security Number:** To document Social Security Number, applicants and tenants must present an original Social Security Card, or an original document issued by a federal or state government agency which contains the name and Social Security Number of the individual. The Housing Authority may reject documents if they are not originals, if they have been altered, mutilated, not legible, or appear to be forged.

F. **Penalty for Not Providing Social Security Number:**

- Applicants who cannot provide documentation of a valid Social Security Number will be denied assistance. However, applicants may remain on the waiting list for a period of 90 days to obtain documentation of Social Security Number. If the applicant cannot provide documentation of Social Security Number within 90 days, they may request an extension in writing. Requests will be reviewed on a case by case basis.
- Program participants who cannot provide documentation of a valid Social Security Number will be given 90 days to obtain this documentation before termination of assistance. If the program participant cannot provide documentation of Social Security Number within 90 days, they may request an extension in writing. Requests will be reviewed on a case by case basis.

19. **Student Residence Address:** Student residence address will be verified using the student verification form, if the family's personal and financial statement shows that the child attends school in a city other than the city of the assisted unit. Additionally, staff should use their discretion to identify other situations that may warrant a verification of student address. For example, specialists may also choose to verify student address if the student lives with a single parent that does not receive child support or cash aid, or any other set of circumstances as determined by staff. (Note – if the child is under age five and not attending school, the personal financial statement will serve as self certification of the child's address. Therefore, additional verification is not needed for children under age five.)

If residence address reported by the school does NOT match the assisted unit address, the family will be notified of the discrepancy. The family will be given fifteen (15) calendar days to resolve the discrepancy. If the family provides proof that they have resolved the discrepancy (such as a copy of a change of address form filed with the school, or other appropriate documentation) within the time allotted, the Housing Authority will send a new verification to the school to confirm that the residence address reported by the school matches the assisted unit address. However, the Housing Authority may complete the certification once documentation has been obtained by the tenant. (In other words, the Housing Authority will not postpone the certification to wait for confirmation from the school.) When the school verification is received, if the residence address matches the unit address, the verification will be filed. If the residence address does not match the unit address, the Housing Authority will conduct a correction to the certification to remove the child from the household, and the family will be referred to the Program Integrity department.

20. **Termination of Employment:** Staff will obtain verification of Termination of Employment (which could take the form of tenant provided documents or a direct third party verification form such as VOE or VOTE sent directly to the employer) for every family member who

reports that they are no longer working at a particular job. In the case of initial applicants who report that they are no longer working in a job that had been included on their original application, those applicants will be required to sign a certification indicating their change in employment and updating the application contents in lieu of a VOTE. Corrections to the application form itself, along with a new signature, meet the requirements for certification.

21. Wages: Staff are required to use the HUD EIV system, along with tenant provided documentation, to obtain up front verification of wages. When EIV data shows the same employer that the tenant has reported, current original paystubs from that employer may be used to project annual income. The Housing Authority will request the most recent three current consecutive paystubs. However, if three current consecutive pay stubs are not available, the Housing Authority will accept one current paystub. In addition to quarterly wages, the EIV report includes new hire information that is updated monthly. If a job is listed in this section with a hire date within one month of the most recent wage reporting quarter or more recent, the document clerk will verify this potential income source even if it is not included on the Personal and Financial Statement.
22. Zero Income: Families that report zero income will be monitored by the Program Integrity Department on an as needed basis. The Program Integrity Department may review and monitor the family's EIV report, send the family a non income statement and statement of means (NIS/SOM), a Personal and Financial Statement, call the family in for an interview, or any other appropriate action.

If an individual adult family member reports zero income at an annual re-examination, the eligibility specialist will determine whether or not the individual needs to complete a non income statement and statement of means form. An NIS/SOM is typically not needed if the adult with no income has a valid Social Security Number, shows no income in their EIV report, and has previously reported to the Housing Authority (in a letter, annual re-examination documents, etc.) that they are being financially supported by another member who does have income. However, even in these cases, the eligibility specialist may request the NIS/SOM if the specialist deems necessary.

## **6. UNIT TRANSFERS**

1. **Review of Transfer Requests for Existing LIPH Tenants** – When an LIPH unit becomes available, Property Management staff will review the Transfer Request List to determine if the available unit is appropriate for a current LIPH family. Priority for unit transfers will be given as follows:
  - a. First priority will be given to any requests for reasonable accommodations that may be met with the available unit.
  - b. Next, the Housing Authority will allow any overcrowded families to be upsized into the available unit.
  - c. Finally, the Housing Authority will transfer any families who are in units that are too large, and / or have requested transfers for other reasons, if and when such transfers are feasible.

The Housing Authority reserves the right to deny or postpone a transfer for tenants who are not in good standing.

- 3. Income Targeting** – Federal regulations require that at least 40% of newly admitted families in any fiscal year must be families whose annual income is at or below 30% of the median income. If it appears that this requirement will not be met, the Housing Authority will skip higher income families to reach extremely low income families.

Additionally, to achieve a broad range of incomes within the LIPH program, the Housing Authority will strive to achieve the following income range goal for new admissions:

- 40% of placements – less than 30% of median income
- 30% of placements – between 30+% and 50% of median income
- 30% of placements – between 50+% and 80% of median income

Prior to admission to any one site, attention will be paid to the existing tenant income range and placements will be made with the intent to achieve / maintain a broad range of income at each site. Provided the statutory requirement is met that at least 40% of newly admitted families are at or below 30% of median income, the Housing Authority may skip names on the LIPH waiting list to achieve the income range placement goal.

- 4. Selecting Prospective Tenants from the LIPH Waiting List** – If the vacant unit is not an appropriate match for an existing LIPH family who requires a reasonable accommodation, is either over or under-housed, or has requested a transfer, Property Management staff will run a report to identify top applicants from the LIPH waiting list for the available unit size. Applicants who are eligible to receive the Military Preference will appear at the top of the waiting list, in order of their date of placement. All other applicants will be listed in the order of their date of placement on the waiting list.

Property Management staff will contact applicants in the order they placed their name on the waiting list, and confirm current household composition and their interest in residing in the available unit. All unit offers and the acceptance or rejection of such offers will be documented in the Waiting List Applicant Offers / Rejections / Denials screen in ECS. Applicants may receive and reject up to three offers of suitable units at different complexes before an applicant will be cancelled from the waiting list for unit rejection. Vacancies must be offered in the order they occur regardless of the location. Additionally, applicants will be offered all suitable units, regardless of whether or not they have already rejected a unit at that complex. The Housing Authority will send a letter to the applicant notifying them of the number of suitable units they have rejected, and the number of remaining offers.

In some situations, an applicant may decline a unit for “good cause”. “Good cause” to decline a unit includes, but is not limited to the following.

- Any member of the family has special housing needs that relate to a disability, and the available unit does not meet those needs.
- Moving into the available unit would be potentially dangerous or hazardous to any member of the family, due to a restraining order, witness protection program, or any

other reason.

- Moving into the unit would require any member of the family to quit or change schools or jobs.

Applicants will be notified on their unit rejection letter that they have 15 days to notify the Housing Authority if they are rejecting the unit for good cause. In such cases the reason for declining the unit will be evaluated on a case by case basis by the Property Management Director. The Director will either approve or deny the request for good cause, or forward the decision to the Reasonable Accommodations unit if warranted. If the Property Management Director or Reasonable Accommodations staff determine that the reason does constitute good cause, such unit rejections will not count towards the three unit offers that each eligible family may receive.

If an applicant declines a unit for reasons other than “good cause” property management staff will note this information in ECS, and will move on to the next applicant. In such cases, declining a suitable unit will count towards the three unit offers that each eligible family may receive. If a family declines three suitable units at different complexes for any reason, the family’s application for assistance will be cancelled.

## **7. RESIDUAL TENANT POLICY**

**Tenancy Requirements:** No household member may become Head of Household if they have resided in the unit for less than three years.

### **Divorce or Separation between Head of Household and Co-Head of Household**

In the event of divorce or separation between the Head of Household and Co-Head of Household, the determination for which party remains in the unit shall be determined as follows:

- (1) Any arrangement agreed upon by all adult family members.
- (2) The member(s) fleeing domestic violence
- (3) The member who has custody of the children
- (4) The member who stays in the unit
- (5) If none of the above circumstances apply and the family cannot agree to an arrangement within 30 days, no one in the family will be eligible for residual tenant status under this policy.

### **Other Departure of Head of Household**

In the event of the death, departure, or incapacity of the Head of Household, a remaining family member may apply for tenancy as a Residual Tenancy Applicant under this policy.

When this policy does not apply: Remaining family members will not be considered eligible for residual tenancy if the Head of Household departed the unit due to:

- Relocation to another Housing Authority-subsidized unit
- Relocation to another subsidized or non-subsidized unit
- Purchase of a home

- Eviction by the Housing Authority
- Vacated owing the Housing Authority money

“Departure,” for the purpose of this policy, is generally intended to mean abandonment, disappearance, institutionalization, or incarceration, not simply a voluntary move to a new home. If the Head of Household vacates for any reason other than death, incapacitation, or departure as defined herein, the remaining family members will not be eligible for tenancy and are expected to vacate along with the Head of Household.

**Residual Tenant Status Application**

In order to be considered for residual tenant status, the remaining family member must:

1. Have resided in the unit for at least three years as a recorded family member on the lease.
2. Meet the eligibility requirements of the Low Income Public Housing program.  
(However, because the household member was already residing in public housing, they are not required to meet the income limits for admission to public housing.)
3. Meet the Housing Authority’s tenant screening requirements.
4. Be of legal age and possess the legal ability to enter into a lease.

**8. POLICE OFFICERS IN PUBLIC HOUSING**

Pursuant to CFR 960.505, the Housing Authority has determined that occupancy of selected public housing units by police officers is needed to increase security for public housing residents.

Following is a list of the number and location of units to be occupied by police officers:

<b>Number of Units</b>	<b>Location</b>
<b>1</b>	<b>81 – 87 Grandview Avenue</b>
<b>1</b>	<b>2635 Portola Drive</b>
<b>1</b>	<b>50 Arista Court</b>
<b>1</b>	<b>100 – 146 Seneca Court</b>
<b>1</b>	<b>310 – 314 Clifford Avenue</b>
<b>1</b>	<b>160 Blackburn Avenue</b>

The terms and conditions of the tenancy of police officers in public housing are specified in the lease agreement and employment contract executed between the Housing Authority and the police officer.

## **9. PET OWNERSHIP POLICY**

### **General**

Pet ownership by public housing tenants is allowed, subject to compliance with the requirements set forth in this policy.

### **Applications**

Residents wanting to keep pets must apply to the Housing Authority using the Pet Application Form. Applications will be processed within thirty (30) days, provided all required documentation is submitted.

Approval and denial of pet applications shall be in writing. Approvals will be accompanied by a lease amendment the resident will be required to sign. Denials will include the reason for denial. Pets are not allowed to reside at Public Housing sites and within Public Housing units until the resident receives authorization from the Housing Authority.

### **Types of Pets**

Please see below for specific policies regarding small pets and large pets.

#### **1. Small Pets (pets kept in cages / aquariums such as hamsters, turtles, birds, and fish)**

- There is a limit of one cage and / or one aquarium for each Public Housing unit.
- There is a maximum of two animals per cage / aquarium.
- Aquariums are not to exceed 75 gallons.
- Small pets shall be maintained in their cage / aquarium within the tenant's unit.
- Pets / animals (except fish) left unattended for more than 24 hours are subject to removal and transfer to the proper authorities.
- Residents shall take adequate precautions to eliminate any pet odors within their unit and maintain their unit in a sanitary condition at all times.
- Resident is responsible for all damages caused by their pets. Charges stemming from such damage will be levied on the resident at the time the damages occur or are identified by the Housing Authority.
- For small pets, no pet deposit will be required with proper authorization

#### **2. Large Pets (dogs and cats)**

- There is a limit of one large pet for each Public Housing unit.
- The breed of dog or cat cannot exceed 25 pounds in size at adulthood.
- Prohibited breeds: No vicious or intimidating dogs or cats will be approved. In all cases, the following breeds of dogs are prohibited – Pit Bulls, Dobermans,

Rottweilers, and Bull Dogs.

- Large pets shall be maintained within the tenant's unit. When outside of the unit they must be kept on a leash or carried and under the control of the resident or other responsible individual at all times.
- Residents shall not alter their unit, patio, or unit area to create an enclosure for an animal.
- Resident must agree to control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to, loud or continuous barking, howling, whining, biting, scratching or other such activities.
- Residents must agree to be present on the day of inspection or maintenance repairs to care for their pets or remove their pet from the unit so the unit is vacant until the inspection or maintenance repair is completed.
- Pets / animals (except fish) left unattended for more than 24 hours are subject to removal and transfer to the proper authorities.
- Residents shall take adequate precautions to eliminate any pet odors within their unit and maintain their unit in a sanitary condition at all times.
- Resident is responsible for all damages caused by their pets. Charges stemming from such damage will be levied on the resident at the time the damages occur or are identified by the Housing Authority.
- A pet deposit of \$300 shall be due and payable when the pet is authorized. Deposits will be refunded, less damage costs attributed to the pet, at the time the pet vacates the unit.
- Large pets must be spayed or neutered. Proof must be submitted with application for keeping the animal.
- For each large pet, the following must be attached to the application:
  - a. Certificate signed by a licensed veterinarian or state / local authority that the animal has received all inoculations required by state or local law, and that the animal has no communicable disease(s) and is pest free.
  - b. Current license for the animal in compliance with local ordinance and requirements. The pet license must be visible at all times.
  - c. Photograph of the animal
- Cats are to use litter boxes kept within the resident's unit and cleaned periodically. Resident is not allowed to let waste accumulate. Waste is to be placed in a plastic bag, closed and disposed of properly (by placing it in a sealed plastic bag and disposing of it in an outside trash bin).
- Dog owners are forbidden from permitting their animals to deposit waste on the project premises. If animal waste is deposited on the premises, the resident pet owner shall be responsible for the immediate removal from the premises of any / all waste deposited by their pet by placing it in a sealed plastic bad and disposing of it in an outside trash bin.

Residents who violate these rules are subject to being required to correct the violation or remove the animal from the dwelling unit within thirty (30) days notice by the Housing Authority. The Housing Authority notice will contain a statement citing the policy violation. If the resident fails

to correct the violation or remove the animal within thirty (30) days, the Housing Authority will begin the process of termination due to lease violations.

### **Pets temporarily on premises**

Pets which are not owned by a tenant will not be allowed. Residents are prohibited from feeding or harboring stray animals.

### **Pet care**

- No pet (excluding fish) shall be left unattended in any unit for a period in excess of twenty-four (24) hours.
- All resident pet owners shall be responsible for adequate care, nutrition, exercise and medical attention for their pets.
- Resident pet owners must recognize that other residents may have chemical sensitivities or allergies related to animals, or may be easily frightened or disoriented by animals. Pet owners must agree to exercise courtesy with respect to other residents.

### **Responsible parties**

At the time application is made to keep a pet, the resident pet owner will be required to designate two responsible parties for the care of the animal if the health and safety of the animal is threatened by the death or incapacity of the owner; or by other factors that render the owner unable to care for the animal.

### **Pet removal**

If the health or safety of the animal is threatened by the death or incapacity of the owner, or by other factors that render the owner unable to care for the animal (including pets who are poorly cared for or have been left unattended for over twenty-four [24] hours), the situation will be reported to the responsible parties designated by the resident pet owner.

If the responsible party is unwilling or unable to care for the pet or if the Housing Authority, after reasonable efforts, cannot contact the responsible party the Housing Authority may contact the appropriate state or local agency and request the removal of the pet. Any cost to remove the animal will be a charge to the resident owner.

### **Emergencies**

The Housing Authority will take all necessary steps to ensure that pets which become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate state or local entity authorized to remove such animals. Any cost to remove the animal will be a charge to the resident owner.

### **Inspections**

The Housing Authority may, after reasonable notice to the tenant, enter and inspect the premises.

### **Pet policy amendments**

The Housing Authority reserves the right to amend the pet ownership policy, including the right to change or increase the required deposit.

## **10. ASSISTIVE/COMPANION ANIMAL POLICY**

### **General**

Public housing tenants with special needs related to a disability may own an assistive or companion animal as a reasonable accommodation, subject to compliance with the requirements set forth in this policy.

### **Applications**

Residents wanting to keep assistive or companion animals must apply to the Housing Authority using the Assistive / Companion Animal Application Form. Applications will be processed within thirty (30) days, provided all required documentation is submitted.

Approval and denial of assistive and companion animal applications shall be in writing. Approvals will be accompanied by a lease amendment the resident will be required to sign. Denials will include the reason for denial. Assistive and companion animals are not allowed to reside at Public Housing sites and within Public Housing units until the resident receives authorization from the Housing Authority.

### **Types of Assistive / Companion Animals**

Please see below for specific policies regarding small animals and large animals.

#### **3. Small Animals (animals kept in cages / aquariums such as hamsters, turtles, birds, and fish)**

- There is a limit of one cage and / or one aquarium for each Public Housing unit.
- There is a maximum of two animals per cage / aquarium.
- Aquariums are not to exceed 75 gallons.
- Small animals shall be maintained in their cage / aquarium within the tenant's unit.
- Animals (except fish) left unattended for more than 24 hours are subject to removal and transfer to the proper authorities.
- Residents shall take adequate precautions to eliminate any odors within their unit and maintain their unit in a sanitary condition at all times.
- Resident is responsible for all damages caused by their animals. Charges stemming from such damage will be levied on the resident at the time the damages occur or are identified by the Housing Authority.

#### **4. Large Animals (dogs and cats)**

- There is a limit of one large animal for each Public Housing unit.
- Prohibited breeds: No vicious or intimidating dogs or cats will be approved. In all cases, the following breeds of dogs are prohibited – Pit Bulls, Dobermans, Rottweilers, and Bull Dogs.
- Large animals shall be maintained within the tenant's unit. When outside of the unit

they must be kept on a leash or carried and under the control of the resident or other responsible individual at all times.

- Residents shall not alter their unit, patio, or unit area to create an enclosure for an animal.
- Resident must agree to control the noise of animals so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to, loud or continuous barking, howling, whining, biting, scratching or other such activities.
- Residents must agree to be present on the day of inspection or maintenance repairs to care for their animals or remove their animals from the unit so the unit is vacant until the inspection or maintenance repair is completed.
- Animals (except fish) left unattended for more than 24 hours are subject to removal and transfer to the proper authorities.
- Residents shall take adequate precautions to eliminate any odors within their unit and maintain their unit in a sanitary condition at all times.
- Resident is responsible for all damages caused by their animals. Charges stemming from such damage will be levied on the resident at the time the damages occur or are identified by the Housing Authority.
- Large animals must be spayed or neutered. Proof must be submitted with application for keeping the animal.
- For each large animal, the following must be attached to application for keeping the animal, and at annual tenant re-certification.
  - a. Certificate signed by a licensed veterinarian or state / local authority that the animal has received all inoculations required by state or local law, and that the animal has no communicable disease(s) and is pest free.
  - b. Current license for the animal in compliance with local ordinance and requirements. The pet license must be visible at all times.
  - c. Photograph of the animal (only required at time of application).
- Cats are to use litter boxes kept within the resident's unit and cleaned periodically. Resident is not allowed to let waste accumulate. Waste is to be placed in a plastic bag, closed and disposed of properly (by placing it in a sealed plastic bag and disposing of it in an outside trash bin).
- Dog owners are forbidden from permitting their animals to deposit waste on the project premises. If animal waste is deposited on the premises, the resident owner shall be responsible for the immediate removal from the premises of any / all waste deposited by their animal by placing it in a sealed plastic bad and disposing of it in an outside trash bin.

### **Resident Violation of Rules**

Residents who violate these rules are subject to being required to correct the violation or remove the animal from the dwelling unit within thirty (30) days notice by the Housing Authority. The Housing Authority notice will contain a statement citing the policy violation. If the resident fails to correct the violation or remove the animal within thirty (30) days, the Housing Authority will begin the process of termination due to lease violations.

### **Animal Care**

- No assistive or companion animal (excluding fish) shall be left unattended in any unit for a period in excess of twenty-four (24) hours.
- All resident assistive or companion animal owners shall be responsible for adequate care, nutrition, exercise and medical attention for their assistive or companion animals.
- Resident assistive or companion animal owners must recognize that other residents may have chemical sensitivities or allergies related to animals, or may be easily frightened or disoriented by animals. Assistive or companion animal owners must agree to exercise courtesy with respect to other residents.

### **Responsible Parties**

At the time application is made to keep an assistive or companion animal, the resident assistive or companion animal owner will be required to designate two responsible parties for the care of the animal if the health and safety of the animal is threatened by the death or incapacity of the owner; or by other factors that render the owner unable to care for the animal.

### **Animal Removal**

If the health or safety of the animal is threatened by the death or incapacity of the owner, or by other factors that render the owner unable to care for the animal (including assistive or companion animals who are poorly cared for or have been left unattended for over twenty-four [24] hours), the situation will be reported to the responsible parties designated by the resident animal owner.

If the responsible party is unwilling or unable to care for the assistive or companion animal or if the Housing Authority, after reasonable efforts, cannot contact the responsible party the Housing Authority may contact the appropriate state or local agency and request the removal of the assistive or companion animal. Any cost to remove the animal will be a charge to the resident owner.

### **Emergencies**

The Housing Authority will take all necessary steps to ensure that assistive or companion animals which become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are referred to the appropriate state or local entity authorized to remove such animals. Any cost to remove the animal will be a charge to the resident owner.

### **Inspections**

The Housing Authority may, after reasonable notice to the tenant, enter and inspect the premises.

### **Assistive / Companion Animal Policy Amendments**

The Housing Authority reserves the right to amend the assistive / companion animal ownership policy.

## **11. COMMUNITY SERVICE REQUIREMENT**

The Housing Authority has implemented policies regarding community service as required by HUD. The Housing Authority will comply with all applicable HUD regulations and other guidance in the administration of this requirement.

**Responsibility:** The E&O Department is responsible for ensuring compliance with the community service requirement. Property Management Department is responsible for terminating the lease in case of non-compliance.

**Number of Hours and Documentation:** All adult (18 years and older) members of public housing households must complete a minimum of 8 hours per month of community service (performance of voluntary work or duties) or self-sufficiency activities and submit a time sheet documenting such participation each year at the annual reviews.

Community service activities may be completed at any agency that provides activities that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Political activities may not be counted as community service. Example of eligible community services includes, but is not limited to: schools, hospitals, local community, non-profit agencies, homeless shelters, recreation centers, senior centers, food banks. These are listed as suggestions; it is the tenants' choice where they perform their community services.

Economic self-sufficiency activities include job training, employment counseling, work placement, basic skills training, education (junior college, college), English proficiency, workfare, financial or household management, apprenticeship, and any program necessary to ready a participant for work (including a substance abuse or mental health treatment program), or other work activities.

**Exemptions:** Exemptions exist for persons who are:

- Age 62 or older
- Blind or disabled
- Caregiver to a family member who is blind or disabled
- Engaged in work, education, or job training for over 8 hours per month.

**Exempt Work Activities :** A person may be exempt from community service requirements if the Housing Authority verifies that they participate in exempt activities for at least 8 hours per month. Exempt work activities include the following:

- Employment
- Subsidized private employment
- Subsidized public-sector employment

- Work experience program
- On-the-job training
- Job search and job readiness assistance
- Community service (volunteer work)
- Vocational education training (up to 12 months maximum)
- Job skills training related to employment
- Education related to employment (only for people who have not received a high school diploma or equivalency certificate)
- High school or GED classes to gain high school diploma or equivalency certificate
- Provision of childcare services to an individual who is participating in a community service program.

### **Annual Reviews Process**

1. At annual reviews, if any household members fail to provide adequate documentation regarding their exemption status or their enrollment in community service activities, the E&O staff will send out a letter of non-compliance and inform the Property Management Department of the non-compliance. If it is determined that a family member did not complete required community service, the family must be informed that they may not have their lease renewed at the end of the lease term.

2. Family members who are not in compliance must be given the opportunity to make up the missed hours by completing a written compliance agreement certifying that they will complete the additional hours of community service activities needed to make up the total number of hours required over the twelve-month term of the new lease. The family member who is not in compliance must sign the agreement. Also, the head of household must sign the agreement. E&O will send out the agreement for signature and forward a copy to Property Management so they can counsel the tenant.

3. Failure to comply with the above requirements (agreement) will result in termination at the end of the lease term, unless the family certifies that the non-compliant family member is no longer living in the unit. E&O will send out the failure to comply letter and forward a copy to Property Management.

### **When Community Service Information Must Be Provided To Tenants**

4. Community service information must be provided at the initial eligibility determination, when tenants are initially housed, when adult household members are added, and must be updated annually as part of the annual redetermination process. This includes determination of exempt status in accordance with item 2 of this section, and third party verification of participation in community service or self-sufficiency activities.

## **Changes In Exemption Status**

5. Changes in exemption status: If a tenant was exempt due to employment, job training, or any other exemption category, but during the course of the year they lose their exemption status, they will not be required to begin community service until their exemption status is determined again at the next annual review. Therefore, they should remain coded as “exempt” in ECS until the next annual redetermination. However, loss of employment information may be used to immediately recalculate their rent as an interim rent adjustment.

If a tenant was subject to the community service requirements, but then began working, enrolled in school, became disabled, attained the age of 62, or for any other reason became exempt during the course of the year, they will be permitted to stop their community service activities immediately upon notifying the Housing Authority of the change. They should be immediately coded as “exempt” in ECS. Their exempt status will be verified at their next annual redetermination. (This is in accordance with Housing Authority policy regarding interim reexaminations.)

## **12. FAMILY SELF-SUFFICIENCY PROGRAM**

The Housing Authority has implemented a Family Self Sufficiency Program for its Santa Cruz County public housing sites. The voluntary program size is 25.