

# **HOUSING AUTHORITY OF THE CITY OF AUSTIN**

## **BOARD OF COMMISSIONERS**

**Chairperson - Carl S. Richie, Jr.**

**Charles Bailey**

**Tyra Duncan-Hall**

**Isaac Robinson**

**Edwina Carrington**

**Michael G. Gerber, President & CEO**



## **BOARD OF COMMISSIONERS Regular Meeting**

**Thursday, May 19, 2016  
at 9:00 a.m.**

**HACA Central  
1124 S. IH 35, Austin, TX 78704  
(512.477.4488)**

**PUBLIC NOTICE OF A MEETING  
TAKE NOTICE OF A BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING  
OF THE HOUSING AUTHORITY OF THE CITY OF AUSTIN**

**TO BE HELD AT  
HACA Central  
1124 S. IH 35, Austin, TX 78704  
(512.477.4488)**

**COMMENCING AT 9:00 A.M. ON THURSDAY, MAY 19, 2016, TO CONDUCT BUSINESS AS FOLLOWS:**

**CALL TO ORDER, ROLL CALL  
CERTIFICATION OF QUORUM**

**Carl S. Richie, Jr., Chairperson**

*Pledge of Allegiance*

*Citizens Communication (Note: There will be a three-minute time limitation)*

*Citywide Advisory Board Update*

**CONSENT AGENDA**

Items on the Consent Agenda may be removed at the request of any Commissioner and considered at another appropriate time on this agenda. Placement on the Consent Agenda does not limit the possibility of any presentation, discussion, or action at this meeting. Under no circumstances does the Consent Agenda alter any requirements under Chapter 551 of the Texas Government Code, Texas Open Meetings Act.

**CONSENT AGENDA**

**APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:**

**ITEM 1:** Presentation, Discussion, and Possible Action regarding the Approval of a Board Minutes Summary for the Board Meeting held on April 21, 2016

**Michael Gerber**  
President & CEO

**APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:**

**ITEM 2:** Presentation, Discussion and Possible Action regarding Resolution No. 2448: Approval of the Project Based Rental Assistance House Rules and Adjacent Policies (Pet Policy, Assistance Animals Policy, VAWA Policy, Privacy Policy, Reasonable Accommodations Policy, Bed Bug Policy, Parking & Towing Policy, Grievance and Appeals Policy)

**Michael Roth**  
Dir. of Housing Operations & Policy

**ITEM 3:** Presentation and Discussion of the proposed Choice Mobility Policy which will go out for public comment beginning on May 23, 2016

**Michael Roth**  
Dir. of Housing Operations & Policy

**ITEM 4:** Presentation and Discussion of the proposed Changes to the revised Housing Choice Voucher Administrative Plan which will go out for public comment beginning on May 23, 2016

**Lisa Garcia**  
VP of Assisted Housing

**ITEM 5:** Presentation and Discussion of the proposed Changes to the Admissions and Continued Occupancy Policy which will go out for public comment beginning on May 23, 2016

**Michael Roth**  
Dir. of Housing Operations & Policy

**ITEM 6:** Presentation and Discussion of the proposed Tenant Selection Plans for PBRA Family properties, PBRA & LIHTC Family properties and PBRA & LIHTC Elderly / Disabled properties which will go out for public comment beginning on May 23, 2016

**Michael Roth**  
Dir. of Housing Operations & Policy

**ITEM 7:** Presentation and Discussion of the proposed Changes to the 2016 PHA Annual Plan which will go out for public comment beginning on May 23, 2016

**Judy Paciocco**  
Senior Operations Director

**ITEM 8:** Presentation, Discussion and Possible Action regarding Resolution No. 2449: Approving the authorization of the Housing Authority of the City of Austin (HACA) to submit to the U.S. Department of Housing and Urban Development (HUD) applications for the potential conversion of Phase II of public housing to the Rental Assistance Demonstration (RAD) Program

**Ann Gass**  
Dir. of Strategic Housing Initiatives

\*The Housing Authority of the City of Austin (HACA) Board of Commissioners reserves the right to discuss and consider items out of order on the agenda on an as needed basis.

The Housing Authority of the City of Austin is committed to compliance with the Americans with Disability Act. Reasonable modifications and equal access to the communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Please call Judy Paciocco or Nidia Hiroms at HACA at 512.477.4488, for additional information; TTY users route through Relay Texas at 711. For more information on HACA, please contact Nidia Hiroms at 512.477.4488 x 2104.



**ITEM 9:** Presentation, Discussion, and Possible Action regarding Resolution No. 2450: Approving the submittal of the Section 8 Management Assessment Program (SEMAP) Certification to the Department of Housing and Urban Development (HUD) for the period from April 1, 2015 to March 31, 2016

**Lisa Garcia**  
VP of Assisted Housing

## **EXECUTIVE SESSION**

**Carl S. Richie, Jr.,** Chairperson

The Board may go into Executive Session (close its meeting to the public) Pursuant to:

- a. § 551.071, Texas Gov't Code, consultations with Attorney regarding legal advice, pending or contemplated litigation; or a settlement offer;
- b. §551.072, Texas Gov't Code, discussion about the purchase, exchange, lease or value of real property;
- c. §551.074, Texas Gov't Code, discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.
- d. §551.087, Texas Gov't Code, discuss certain economic development negotiations.

## **OPEN SESSION**

If there is an Executive Session, the Board will return to Open Session for discussion, consideration and possible action of matters discussed in Executive Session.

## **REPORTS**

The Board accepts the following reports:

- Status Update on the Rental Assistance Demonstration
- Finance Report
- President's Report
- Other Staff Reports
- Commissioners' Reports/Questions to the Department Staff

## **ADJOURNMENT**

**"Pursuant to § 30.06, Penal Code, (trespass by holder of license with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not attend this meeting with a concealed handgun."**

**"Pursuant to § 30.07, Penal Code (trespass by holder of license with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not attend this meeting with a handgun that is carried openly."**

**"En virtud del § 30.06, Código Penal, (traspaso titular de licencia con una pistola), una persona bajo el subcapítulo H, capítulo 411, código de gobierno (Ley de licencia de arma o pistola), no se permiten en este reunión con una arma o pistola."**

**"En virtud del § 30.07, Código Penal (prevaricación por titular de la licencia con un arma o pistola abiertamente llevado), una persona bajo el subcapítulo H, capítulo 411, código de gobierno (Ley de licencia de arma o pistola), no se permiten en esta reunión con un arma o pistola que lleva abiertamente."**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**CALL TO ORDER  
AND  
ROLL CALL**

<b>Carl S. Richie, Jr., Chairperson</b>	_____
<b>Charles Bailey, Vice-Chairperson</b>	_____
<b>Tyra Duncan-Hall, 2<sup>nd</sup> Vice-Chairperson</b>	_____
<b>Edwina Carrington, Commissioner</b>	_____
<b>Isaac Robinson, Commissioner</b>	_____

**May 19, 2016  
Regular Meeting**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**United States Pledge of Allegiance**

**May 19, 2016  
Regular Meeting**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**Citizens Communication**

**May 19, 2016  
Regular Meeting**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**Citywide Advisory**

**May 19, 2016  
Regular Meeting**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**CONSENT AGENDA**

**AGENDA ITEM NO. 1**

**Presentation, Discussion, and Possible Action regarding the  
Approval of a Board Minutes Summary for the Board  
Meeting held on April 21, 2016**

# HOUSING AUTHORITY OF THE CITY OF AUSTIN (HACA) BOARD OF COMMISSIONERS REGULAR BOARD MEETING

APRIL 21, 2016

## SUMMARY OF MINUTES

The **HOUSING AUTHORITY OF THE CITY OF AUSTIN (HACA)** Board of Commissioners Public Meeting Notice was posted for **12:00 noon** on **Thursday, APRIL 21, 2016, MEADOWBROOK APARTMENTS**, 1201 West Live Oak, Austin, TX 78704

### CALL TO ORDER, ROLL CALL, CERTIFICATION OF QUORUM

The Board of Commissioners meeting of the **HOUSING AUTHORITY OF THE CITY OF AUSTIN (HACA)** of **APRIL 21, 2016**, was called to order by Carl S. Richie, Jr., Chairperson, at 12:12 p.m. The meeting was held at the **MEADOWBROOK APARTMENTS**, 1201 West Live Oak, Austin, TX 78704

Roll call certified a quorum was present.

#### MEMBERS PRESENT:

Carl S. Richie, Jr., Chairperson  
Charles Bailey, Vice Chairperson  
Tyra Duncan-Hall, 2<sup>nd</sup> Vice Chairperson  
Edwina Carrington, Commissioner  
Isaac Robinson, Commissioner

#### MEMBER(S) ABSENT:

#### STAFF PRESENT:

Andrea Galloway, Ann Gass, Ann Hittner, Barbara Jackson, Beth Phillips, Isa Juarez, Kelly Crawford, Lisa Garcia, Mark Meyer, Michael Gerber, Michael Roth, Monica Garcia, Nidia Hiroms, Pilar Sanchez, Ron Kowal, Suzanne Cowper, Suzanne Schwertner, Sylvia Blanco, Thomas Cherian and Vivianna Reyes.

#### ALSO IN ATTENDANCE:

Shelly Masters, Cokinos, Bosien & Young

**CITIZENS COMMUNICATION – there was a three minute limitation. – Mary Aleshire**, Gaston Place resident, spoke on the Volunteer Legal Services of Austin, which provides services to public housing communities with regard to Wills, Estates, etc. **Ms. Aleshire** was able to speak with **Michael Gerber**, HACA CEO and **Pilar Sanchez**, HACA Vice President of Housing & Community Development, prior to the Board Meeting and the issues she had with scheduling and ensuring equal access to Volunteer Legal Services were resolved.

**CITYWIDE ADVISORY BOARD REPORT – •Bill Alexander** reported on behalf of the Citywide Advisory Board (CWAB). •The CWAB met on Tuesday, April 12<sup>th</sup>, at Meadowbrook Apartments. • **Eileen Schrandt**, Community Development Manager, reported that the theme for Mayfest will be country and western. Partners for the event include Goodwill and the Austin Area Urban League. •**Ms. Schrandt** spoke about various available grants. •**Barbara Jackson**, HACA ROSS/FSS Manager, discussed scholarship grants and reported on the Grand Opening of the Head Start program and music room at Meadowbrook. •**Ms. Jackson** reported that there is a new ROSS Grant. •**Pilar Sanchez**, HACA Vice President of Housing & Community Development, reported that she and Eileen Schrandt had just returned from spending time with the Washington DC Housing Authority. •**Dolly Garber**, Coronado Hills resident, spoke about the elderly club. •Property Reports were received from 12 properties.

**PRESENTATION OF THE PROPERTY - Isa Juarez**, Manager of Meadowbrook introduced the Meadowbrook team: **Vivianna Reyes**, Assistant Manager, **Nancy Gomez**, FETC Assistant Manager, **Ruben Lopez**, Lead Maintenance, **Gabriel Valadez**, Lead Maintenance and **Fernando Madero**, Mechanic B. **Ms. Juarez** also recognized two Meadowbrook residents for their contributions at Meadowbrook. **Mr. Victor Diaz** has been a Meadowbrook resident for 47 years and volunteers by picking up grounds on a daily basis. **Mr. Ernesto Resto** is the new Meadowbrook Resident Council President and he is very active in all programs offered at the property.

Meadowbrook is a 160 unit property and recent improvements include the installation of Google Fiber, energy efficient windows and central air conditioning. The Meadowbrook team also maintains Mainsprings Daycare which provides child care services to infants and toddlers and the prior Meadowbrook office building is now a daycare that will provide child care services to 18 infants. The Henry Flores Education and Training Center (FETC) is also located on the Meadowbrook property

and is used for a variety of programs. The FETCs houses three classrooms, a library, a computer lab, and a new music/media studio, which are all open to the residents and partners. The programs offered at the FETC include: Early Sign Language classes, parent child education programs with Travis High School parent groups, Communities in Schools, Community Care, and the Boys and Girl's Club, computer classes, Austin FreeNet Techstarters, Boys and Girls Club STEM program and lab apprenticeship program and Latinitas family digital literacy.

**Ernest Resto** – Meadowbrook resident and Resident Council President, reported that there are high school students working on a start up garden at Meadowbrook. The students will work in the garden as part of their program. It is the hope that Meadowbrook residents will also assist with this project.

**Sylvia Blanco**, HACA Executive Vice President, announced that the State Chapter of TXNAHRO, a housing industry organization that HACA is a member of, sought nominations for various housing awards. HACA staff was given the opportunity to nominate Residents and Maintenance staff and other personnel for an award in Recognition of their Outstanding Achievement and Contributions to the Housing Authority. This year HACA staff nominated **Mr. Ernesto Resto** as Resident of the Year. **Mr. Resto** has been phenomenal in forwarding our efforts with Digital Inclusion. He has, in fact gone through a number of training classes through Austin Freenet and is now actually a digital ambassador. **Mr. Resto** really helps his peers and neighbors get connected and have full utilization of the internet and other digital resources. We are very proud of him and also very glad to hear that he is also the Leader of the Resident Council here at Meadowbrook.

**Sylvia Blanco** reported that as a result of the recent flooding in Houston, staff of SHCC contacted property owners in the Houston area to determine what property damages have been incurred. One property in particular that has been impacted, Arbor Court, is within the portfolio and oversight of SHCC. The first floor of this property was impacted by about 3 to 4 feet of water, displacing 116 of its families. Families were assisted by the Red Cross and are being housed in a shelter. HACA/SHCC staff has been in contact with the HUD Multifamily Office to start the process of getting some pass-through funding to assist those residents to get back into alternate housing through the owners. Staff is compiling a comprehensive list of all available vacant units throughout the Houston area and the owner of Arbor Court is welcoming assistance. SHCC staff has been deployed to assess the damage to the units and they are being proactive in inspecting available units. As soon as HUD approves the funding, residents will be able to move into available units that have passed inspection.

**EMPLOYEE OF THE QUARTER** - The Employee of the Quarter is **Mark Meyer**. **Mr. Meyer** is a Voucher Support Processor in SHCC. Mark is amazingly reliable. He supports and coordinates with nine voucher processors and two Managers, and can always be counted on to quickly complete his work in an accurate manner, despite being faced with tight deadlines and a fluctuating workload due to staffing changes. Mark does this while navigating differing personalities with ease. He has developed a great rapport with his coworkers; regardless of the circumstances, Mark continually has a smile on his face and is willing to help or go the extra mile. Mark leads by example and inspires others to be their best.

## **CONSENT AGENDA**

### **APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:**

**Chairperson Richie** pulled the Board Meeting Minutes Summary for the Board Meeting held on March 24, 2016 off of the Consent Agenda. **Chairperson Richie** brought Item #4 from the March 24, 2016 Board Meeting Summary back up for discussion. **Resolution No. 2442: Approving the Write-off of the uncollectible accounts of vacated tenants for the seven-month period ending March 2, 2016.** Inadvertently, there was no motion or second on this action item, however, a vote was taken and the action item was passed unanimously. **Chairperson Richie** recognized **Commissioner Robinson** to make a motion to reconsider the motion by which this was taken. **Commissioner Carrington** was recognized for the second. The motion to reconsider the motion by which this was taken passed. (5-Ayes and 0-Nays). **Commissioner Robinson** moved to Approving the Write-off of the uncollectible accounts of vacated tenants for the seven-month period ending March 2, 2016. **Commissioner Carrington** seconded the motion. The motion passed. (5-Ayes and 0-Nays).

## **ACTION ITEMS**

### **APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:**

**ITEM 1: Presentation, Discussion, and Possible Action regarding the Approval of a Board Minutes Summary for the Board Meeting held on March 24, 2016**

**Commissioner Bailey** moved to approve the Board Minutes Summary for the Board Meeting held on March 24, 2016 as presented. **Commissioner Robinson** seconded the motion. The motion passed. (5-Ayes and 0-Nays).

**ITEM 2: Presentation, Discussion, and Possible Action regarding Resolution No. 2446: Approving the Write-off of the uncollectible accounts of vacated tenants as of March 31, 2016**

The regulations of the U.S. Department of Housing and Urban Development require the Commissioners of the Housing Authority of the City of Austin to approve the write-off of the uncollectible accounts of vacated tenants. As of March 31, 2016, the total considered to be uncollectible from the books of the Housing Authority of the City of Austin is \$29,077.19.

**Commissioner Robinson** moved to approve Resolution No. 2446: Approving the Write-off of the uncollectible accounts of vacated tenants as of March 31, 2016 in the amount of \$29,077.19. **Commissioner Duncan-Hall** seconded the motion. The motion passed. (5-Ayes and 0-Nays).



**ITEM 3: Presentation, Discussion And Possible Action Regarding a Resolution No. 2447: To Take The Following Actions With Regard To The Oslo Apartments (the “Development”) in Austin, Texas: (A) Acquire the Site of the Development; (B) Lease The Development Site to the Owner of the Development; and (C) Such other actions necessary or convenient to carry out this Resolution**

An opportunity was presented to AAHC to purchase an apartment complex totaling 176 units, at William Cannon and IH 35. In March of 2016, the Board of Commissioners of HACA authorized AAHC to enter into a contract to purchase this development and complete the necessary due diligence required to proceed to closing. This property sits in a high opportunity and high growth area providing residents with access to a large base of employers in the area and residents have easy access to Austin/San Marcos via IH 35 and very close proximity to downtown. With the addition of these units AAHC can expand the housing choices to voucher holders in an area where they currently do not exist. This property has as its neighbor, Urban Oaks, an AAHC new construction property providing an excellent opportunity for both properties to participate in social and financial services that will be provided to the sites. By approving resolution 2447, the Board of the Housing Authority of the City of Austin would allow AAHC to acquire the site, lease the development to the owner of the development and any such actions necessary or convenient to carry out this resolution.

**Commissioner Duncan-Hall** moved to approve Resolution No. 2447: To Take The Following Actions With Regard To The Oslo Apartments (the “Development”) in Austin, Texas: (A) Acquire the Site of the Development; (B) Lease The Development Site to the Owner of the Development; and (C) Such other actions necessary or convenient to carry out this Resolution. **Commissioner Carrington** seconded the motion. The motion passed. (5-Ayes and 0-Nays).

**THE BOARD RECESSED INTO EXECUTIVE SESSION AT 1:20 P.M.**

**THE BOARD RETURNED FROM EXECUTIVE SESSION AT 2:20 P.M.** No action was taken during Executive Session.

**REPORTS**

The Board accepts the following reports:

- **President’s Report**
  - No additional reporting.

**ADJOURNMENT**

**Commissioner Bailey** moved to adjourn the Board Meeting. **Commissioner Robinson** seconded the motion. The motion passed. (5-Ayes and 0-Nays).

The meeting adjourned at 2:21 p.m.

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Carl S. Richie, Jr., Chairperson

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Michael G. Gerber, Secretary

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**ACTION ITEMS**

**AGENDA ITEM NO. 2**

**Presentation, Discussion, and Possible Action regarding Resolution No. 2448: Approval of the Project Based Rental Assistance House Rules and Adjacent Policies (Pet Policy, Assistance Animals Policy, VAWA Policy, Privacy Policy, Reasonable Accommodations Policy, Bed Bug Policy, Parking & Towing Policy, Grievance and Appeals Policy)**

# **HOUSING AUTHORITY OF THE CITY OF AUSTIN**

## **BOARD OF COMMISSIONERS**

### **Resolution No. 2448**

**MEETING DATE:** May 19, 2016

**STAFF CONTACT:** Pilar Sanchez, Vice President of Housing and Community Development

Discussion of Adoption of Resolution No. 2448: **Approval of the House Rules and Accompanying Policies for the Project Based Rental Assistance (PBRA) program**

**ACTION:** Motion to approve Resolution No. 2448 to approve and adopt the proposed House Rules and Accompanying Policies for the PBRA program

#### **SUMMARY:**

The Housing Authority of the City of Austin (HACA) continues to prepare for the possible transition of some or all of our Public Housing properties to the Project Based Rental Assistance (PBRA) program through the Rental Assistance Demonstration (RAD). The PBRA program requires owners to use the HUD model lease and develop their own House Rules and policies to accompany the model lease.

Using resources developed for the PBRA program and designed to be compliant with all HUD multifamily regulations, the RAD policy team drafted House Rules and accompanying policies to be used when any HACA Public Housing property transitions to PBRA. Even though there is no HUD requirement to do so, HACA put these House Rules and policies out for public comment for 30 days from April 1 to April 30, 2016.

HACA received comments from Texas Rio Grande Legal Aid regarding the House Rules, Parking and Towing Policy, VAWA Policy and Bed Bug Policy.

HACA reviewed the comments submitted and has responded to Legal Aid. HACA considered all comments received and incorporated some of the changes suggested in the comments. HACA appreciates the thoughtful comments provided by Legal Aid and their concern for our residents. The comments from Legal Aid, together with HACA's responses to each are attached to this summary.

Below is a summary of each document, including suggested changes that were incorporated.

#### **House Rules**

Due to the requirement to use the HUD Model Lease, which is significantly different from HACA's current Public Housing lease, HACA has significantly expanded the House Rules. The model lease incorporates the House Rules into the lease as an attachment. HACA incorporated several suggested changes from Legal Aid regarding rent payments, parking and towing rules, identification of an abandoned unit, terms related to failure to fulfill the

first year of the lease, lease violations, and the minimum rent hardship exemption.

### **Pet Rules**

The pet rules provide clear and detailed guidance to all residents regarding the responsibilities and requirements related to having a pet at one of our properties. HACA will maintain its current pet policies allowing 2 pets per household with the same limits on what kinds of animals are considered pets, the maximum adult weight of 30 pounds and restrictions on certain breeds of dogs. The only major change from current policy is the increase of the pet deposit from \$50 per pet to \$100 per pet. Families will also be allowed to pay the deposit in monthly installments of at least \$10 / month after the initial \$50 down payment.

### **Assistance Animal Policy**

This policy provides a clear explanation of the difference between pets and assistance animals. Animals approved as a reasonable accommodation to be an assistance animal are not subject to pet deposits, nor the limitations of breed, size or type of animal. However, the Assistance Animal Policy does provide clear guidance on the responsibilities and requirements that residents must meet to have an assistance animal.

### **VAWA Policy**

The Violence Against Women Act (VAWA) was re-authorized in 2013. This policy provides a detailed explanation of VAWA, the protections it offers to residents and families, how to request and access the protections as well as the requirements related to VAWA. These protections are available to any victim of domestic violence, dating violence, sexual assault or stalking regardless of gender, age, sexual orientation, gender identity or any other protected class. HACA incorporated suggested comments from Legal Aid to ensure clear communication to residents about the timelines for submitting certification of a VAWA claim.

### **Reasonable Accommodations Policy**

This policy provides explanation of eligibility to request an accommodation, the process to request an accommodation and how HACA will respond to the request. The policy is intended to help any disabled resident be able to fully access the PBRA program.

### **Privacy Policy**

HACA complies with all the privacy requirements that HUD places on the use of personal information received from residents and applicants. This policy document will be given to residents and applicants to inform them about how we use their personal information.

### **Bed Bug Policy**

This policy outlines steps that residents can take to prevent problems with bed bugs as well as how HACA will work together with residents and a pest control company to resolve any bed bug issues. The policy gives clear guidance regarding the responsibilities of residents and HACA. HACA will also incorporate the suggestion from Legal Aid to work with social service agencies to find a way to simplify this policy so all residents can easily understand it. Once completed, HACA will bring the updated version back to the Board for approval.

### **Parking & Towing Policy**

The parking and towing policy provides the current guidelines regarding where residents can and cannot park on HACA properties. The policy also clearly outlines if and when HACA

will take steps to have a vehicle towed. HACA incorporated comments from Legal Aid to make it easier for long term caretakers and health care providers to receive a longer term parking pass. HACA also incorporated other changes to minimize towing of resident vehicles for expired license or registration, while still keeping HACA's ability to tow vehicles not belonging to residents that get dumped on our properties.

### **Grievance & Appeals Policy**

HUD requires any property that transitions from Public Housing to PBRA through RAD to carry over the existing grievance and appeals policies. This is an important resident protection that must be incorporated in the new policies. This document provides all the current existing grievance and appeals policies applicable to residents and applicants to the program.

### **ATTACHMENTS:**

- Comparison of LIPH and PBRA Lease and Policies
- HUD Model Lease
- House Rules
- Pet Rules
- Assistance Animals Policy
- VAWA Policy
- Reasonable Accommodations Policy
- Privacy Policy
- Bed Bug Policy
- Parking & Towing Policy
- Grievance & Appeals Policy
- Legal Aid Comments and HACA Response

### **RECOMMENDATION:**

It is HACA's recommendation to approve and adopt HUD model lease, the House Rules and all accompanying policies for properties that transition to the PBRA program.

### **FINANCE REVIEW:**

**X Proposed action does not require Finance Department review.**

- Fiscal Impact was approved by \_\_\_\_\_

\_\_\_\_\_  
Thomas Cherian, Vice-President of Finance

## **Resolution No. 2448**

### **RESOLUTION APPROVING THE PROJECT BASED RENTAL ASSISTANCE HOUSE RULES AND ACCOMPANYING POLICIES (PET RULES, ASSISTANCE ANIMALS POLICY, VAWA POLICY, REASONABLE ACCOMMODATIONS POLICY, PRIVACY POLICY, BED BUG POLICY, PARKING & TOWING POLICY, GRIEVANCE AND APPEALS POLICY)**

**WHEREAS**, the Housing Authority of the City of Austin (HACA) is preparing for the possible transition of Public Housing properties to the Project Based Rental Assistance (PBRA) program through the Rental Assistance Demonstration (RAD), and

**WHEREAS**, the Housing Authority of the City of Austin would be required to use the HUD model lease in the PBRA program; and

**WHEREAS**, the Housing Authority of the City of Austin, as required by federal regulations, has developed House Rules and other policies to accompany the HUD model lease; and

**WHEREAS**, the Housing Authority of the City of Austin provided 30 days for public comment on the HUD model lease, PBRA House Rules and the accompanying policies, beginning April 1, 2016 and ending at 5:00 pm on April 30, 2016; and

**WHEREAS**, the Housing Authority of the City of Austin seeks to formally adopt the proposed HUD model lease, House Rules and accompanying policies in order to be appropriately prepared for any transition to the Project Based Rental Assistance program;

**NOW, THEREFORE, BE IT RESOLVED** that the Housing Authority of the City of Austin Board of Commissioners approves and adopts the HUD model lease, the House Rules and all accompanying policies for any and all Public Housing properties that transition to the Project Based Rental Assistance program.

**PASSED, APPROVED AND ADOPTED** this 19<sup>th</sup> day of May, 2016.

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**Carl S. Richie, Chairperson**

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**Michael Gerber, Secretary**

# Public Housing Vs. Project Based Rental Assistance

## Comparison of Leases, Addendums & House Rules

### Policy Issues

#### Public Housing Lease

HACA Lease, Addendum or House Rules Section	Subject	Location in PBRA Docs	Policy Same or Different
1. Parties, Dwelling Address and Execution Date	Family name, HACA as parties, dwelling address and date of execution of the lease.	PBRA Lease Section 1	Same
2. Term	Lease start and end date with renewal periods	PBRA Lease Section 2	Different. Initial Term must be one full year in PBRA, not necessarily in PH
3. Members of the Household	List of authorized family members, age and relationship to HOH.	Attachment 1 to Lease	Same
4. Rent	Prorated rent due, full monthly rent, location of payment, late fees, returned checks, when due and when late, no cash accepted.	PBRA Lease Section 3, 4 and 5 House Rules Page 4	Different. Late fees are not the same.
5. Other Charges	Maintenance costs, Excess Utility Charges, Repayment Agreements, Retroactive Rent, Installation Charges and Cable Charges	PBRA Lease Section 11 Damages (maintenance charges) House Rules Page 4	Different policy on maintenance cost with regard to paying market rent for uninhabitable unit while being repaired.
6. Utilities and Appliances	Identifies who pays for each utility type; need for utilities to be in the name of the resident; identifies what appliances provided by HACA; required notices for changes to utility allowances; commitment by resident to conserve water and not waste utilities.	PBRA Lease Section 7 Charges for Utilities and Services. House Rules Page 9-10 includes info about appliances and resident owned appliances	Policy is the same
7. Security Deposit	Security deposit amount of \$150 for families, \$75 elderly or disabled. Outlines tenant responsibility to pay and HACA responsibility to return deposit, what can be deducted	PBRA Lease Pet Policy for Pet Deposit House Rules Page 17	Different. PBRA sets Security Deposit based on income (TTP)

HACA Lease, Addendum or House Rules Section	Subject	Location in PBRA Docs	Policy Same or Different
8. Reexamination of Rent, Dwelling Size and Eligibility	Annual reexam process, interim reexam process and effective dates, changes in family composition; transfer policy	PBRA Lease Section 4, Section 15, Section 16 and Section 19. Tenant Selection Plan has transfer policy. House Rules pages 4 - 5	Different. Family has option to remain in incorrect sized unit and pay market rent.
9. Resident's Right to Use and Occupy Dwelling Unit	Only the approved family members are allowed to occupy the unit.	PBRA Lease Section 13	Same
10. Guests, Foster Children and Live-In Aide	Rules regarding authorized guests and Live- In Aides.	PBRA Live-In Aide Addendum, House Rules Page 19	Live-In Aide rules the same. Change Guest / Visitor policy to 7 consecutive and 30 cumulative days.
11. Obligations of HACA	HACA must keep spaces safe and maintained and residents informed.	PBRA Lease Section 10 Reasonable Accommodation Policy, VAWA Policy House Rules	Same. Includes post VAWA info; comply w/Fair Housing
12. Obligations of Resident	Rules residents must follow while in Public Housing	PBRA Lease Section 10 House Rules (throughout, but especially pages 15 and following)	Similar; minor differences
13. Prohibited or Criminal Activity	Weapons, criminal activities, and Zero-Tolerance Policy	PBRA Lease Section 23 House Rules Page 19	Same.
14. Defects Hazardous to Life, Health, or Safety	Obligations of HACA and resident to maintain safe Units	PBRA Lease Section 10 House Rules Pages 6 and following	Same.
15. Liability	HACA is only responsible for its staff and property	House Rules Page 8	Same.
16. Pre-Occupancy and Pre-Termination Inspections	Move In and Move Out inspections	PBRA Lease section 6 House Rules Page 13	Same.
17. Entry of Premises During Residency	HACA staff entry rules and entry rules regarding work orders and emergencies	PBRA Lease Section 20	Same.
18. Notice Procedures	Notice format and timeliness for HACA and residents	House Rules Page 24	Same policies.



HACA Lease, Addendum or House Rules Section	Subject	Location in PBRA Docs	Policy Same or Different
19. Termination of Lease	Grounds for termination and process of termination by HACA & Resident	PBRA Lease Section 17 PBRA Lease Section 23 House Rules Page 22 and following	Different. Owner can terminate assistance (move to market rent) or terminate tenancy (Evict). Notice times are also different.
20. Smoke-Free Policy	Scope, policy, and enforcement of smoke free and designated areas	House Rules Page 6 Tenant Selection Plan	Same.
21. Non-Waiver Rights and Claims	HACA may accept monies at anytime without waving rights to pursue a move out	House Rules Page 4	Same
22. Changes and New Leases	Any changes to the lease (with exceptions) must be ammended with Resident and HACA signature.	PBRA Lease Section 22	Different. All changes must be approved by HUD (new agreement/amendment). Notice to tenant 60 prior to effective date.
23. Abandonment and Abandoned Property	Constituing and abandoned unit and rightS to abandoned property	House Rules Page 21	Same.
24. Grievance Procedures	HACA/Resident will follow Grievance Procedures posted in Property Office	House Rules Page 25 Grievance & Apeals Policy	Same.
25. Postings of Notices and Schedules	Timeliness, format, and location of notices and schedules	House Rules Page 33	Same
26. Repairs and Malfunctions	Timeliness of reporting emergency and non-emergency repairs and how to report	PBRA Section 10 House Rules Pages 14-15	Same.
27. Accomodation of Persons with Disabilities	Disabled persons will be provided reasonable accomodation in all aspects	PBRA Lease Section 12 Reasonable Accommodation Policy	Same.
28. Execution	Residents agree to all above sections	PBRA Lease Section 31	Same.

### PH Addendums

HACA Lease, Addendum or House Rules Section	Subject	Location in PBRA Docs	Policy Same or Different
House Rules	See House Rules Tab	See House Rules Tab	
Bed Bud	Requirement of resident to abide by policy and treatment colution	House Rules Page 12 Bed Bug Policy	Same

HACA Lease, Addendum or House Rules Section	Subject	Location in PBRA Docs	Policy Same or Different
Minimum Rent Hardship Exemption	Minimum rent details and exemptions	House Rules Page 5	Same
Mold Addendum	Resident's responsibility to prevent mold and notify management when needed	House Rules Page 13	Same
Parking and Towing Policy	Rules of parking on all HACA properties	House Rules Page 16 Parking & Towing Policy	Same
Smoke Free Addendum	Scope, policy and enforcement of smoke free	House Rules Page 6	Same
Pet Addendum	Rules and guidelines for having pets on property	Pet addendum for Elderly property; Pet Rules Policy House Rules Page 17 Assistance Animal Policy	Change to 1 pet per household; Pet deposit to \$100
Zero Tolerance	Screening upon application and eviction for some criminal activities	PBRA Lease Section 23 House Rules Page 21 and following	Same, although use different language
VAWA	Grants protections listed in federal VAWA act	VAWA Addendum; VAWA Policy House Rules Page 34	Same.
Asbestos	Addendum	House Rules Page 12	Same

### PH House Rules

HACA Lease, Addendum or House Rules Section	Subject	Location in PBRA Docs	Policy Same or Different
1	Intro - phone numbers	House Rules Page 3 and header for every page	Same
1	Smoking Policy	House Rules Page 6	Same
1	Community Environment (trash, bulk items, do not feed birds, do not speed)	House Rules Pages 8 and following	Same
2	Porches and Patios	House Rules Page 11	Same
2	Trash Receptacles	House Rules Page 15	Same
3	Alterations to exterior / interior	PBRA Lease Section 12 House Rules Page 11	Same
3	Rent and late payments	PBRA Lease Sections 4 and 5 House Rules Pages 4-5	Same
3	Early Bird	House Rules Page 4	Same

HACA Lease, Addendum or House Rules Section	Subject	Location in PBRA Docs	Policy Same or Different
3	Exterminations	House Rules Page 12	Same
4	Maintenance (phone number, non-emergency, unit access)	PBRA Lease Section 10 House Rules Page 14	Same
4	Maintenance Emergencies	House Rules Page 14	Same
4	Toilets	House Rules Page 15	Same
5	Inspections	House Rules Page 13	Same
5	Doors/ lock changes, Lock outs	PBRA Lease Section 9 House Rules Page 9	Same
5	Smoke Detectors	House Rules Page 8	Same
5 to 6	Resident-owned appliances	House Rules Page 9	Same
6	Fire	House Rules Page 6	Same
6	Renters Insurance	House Rules Page 8	Same
6	Freezing Weather	House Rules Page 7	Same
7	Suspicious Activity and Noise	PBRA Lease Section 13 House Rules Page 7 House Rules Page 15	Same
7	Lighting		
7	Pets	House Rules Page 17 and following, Pet Addendum, Pet Rules Policy Assistance Animals Policy	Same plus additional info on Assistance Animals
7	Guests	House Rules Page 17	Change to 7 consecutive days and 30 cumulative
7	Soliciting	House Rules Page 16	Same
7	Complaints	House Rules Page 3	Same
7	Vehicles / Parking (reference to separate policy)	House Rules Page 16 and Parking / Towing Policy	Same
7	Landscaping for scattered sites	NA	
8	Vacating apt	House Rules Page 24	Same, modified
8 to 9	Move-out cleaning instructions	House Rules Page 24	Reduced

MODEL LEASE FOR SUBSIDIZED PROGRAMS

1. Parties and Dwelling Unit: The parties to this Agreement are <sup>(A)</sup>\_\_\_\_\_, referred to as the Landlord, and \_\_\_\_\_, referred to as the Tenant. The Landlord leases to the Tenant(S) unit number <sup>(C)</sup>\_\_\_\_\_, located at \_\_\_\_\_ in the project known as <sup>(B)</sup>\_\_\_\_\_.
2. Length of Time (Term): The initial term of this Agreement shall begin on <sup>(F)</sup>\_\_\_\_\_ and end on <sup>(G)</sup>\_\_\_\_\_. After the initial term ends, the Agreement will continue for successive terms of one <sup>(H)</sup>\_\_\_\_\_ each unless automatically terminated as permitted by paragraph 23 of this Agreement.
3. Rent: The Tenant agrees to pay \$<sup>(I)</sup>\_\_\_\_\_ for the partial month ending on <sup>(J)</sup>\_\_\_\_\_. After that, Tenant agrees to pay a rent of \$<sup>(K)</sup>\_\_\_\_\_ per month. This amount is due on the <sup>(L)</sup>\_\_\_\_\_ day of the month at <sup>(M)</sup>\_\_\_\_\_.  
The Tenant understands that this monthly rent is less than the market (unsubsidized) rent due on this unit. This lower rent is available either because the mortgage on this project is subsidized by the Department of Housing and Urban Development (HUD) and/or because HUD makes monthly payments to the Landlord on behalf of the Tenant. The amount, if any, that HUD makes available monthly on behalf of the Tenant is called the tenant assistance payment and is shown on the "Assistance Payment" line of the Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures form which is Attachment No. 1 to this Agreement.
4. Changes in the Tenant's Share of the Rent: The Tenant agrees that the amount of rent the Tenant pays and/or the amount of assistance that HUD pays on behalf of the Tenant may be changed during the term of this Agreement if:
- a. HUD or the Contract Administrator (such as a Public Housing Agency) determines, in accordance with HUD procedures, that an increase in rents is needed;
  - b. HUD or the Contract Administrator changes any allowance for utilities or services considered in computing the Tenant's share of the rent;
  - c. the income, the number of persons in the Tenant's household or other factors considered in calculating the Tenant's rent change and HUD procedures provide that the Tenant's rent or assistance payment be adjusted to reflect the change;

- d. changes in the Tenant's rent or assistance payment are required by HUD's recertification or subsidy termination procedures
- e. HUD's procedures for computing the Tenant's assistance payment or rent change; or
- f. the Tenant fails to provide information on his/her income, family composition or other factors as required by the Landlord.

The Landlord agrees to implement changes in the Tenant's rent or tenant assistance payment only in accordance with the time frames and administrative procedures set forth in HUD's handbooks, instructions and regulations related to administration of multifamily subsidy programs. The Landlord agrees to give the Tenant at least 30 days advance written notice of any increase in the Tenant's rent except as noted in paragraphs 11, 15 or 17. The Notice will state the new amount the Tenant is required to pay, the date the new amount is effective, and the reasons for the change in rent. The Notice will also advise the Tenant that he/she may meet with the Landlord to discuss the rent change.

- 5. Charges for Late Payments and Returned Checks: If the Tenant does not pay the full amount of the rent shown in paragraph 3 by the end of the 5th day of the month, the Landlord may Collect a fee of \$5 on the 6th day of the month. Thereafter, the Landlord may collect \$1 for each additional day the rent remains unpaid during the month it is due. The Landlord may not terminate this Agreement for failure to pay late charges, but may terminate this Agreement for non-payment of rent, as explained in paragraph 23. The Landlord may collect a fee of \$<sup>(N)</sup>\_\_\_\_\_ on the second or any additional time a check is not honored for payment (bounces). The charges discussed in this paragraph are in addition to the regular monthly rent payable by the Tenant.
- 6. Condition of Dwelling Unit By signing this Agreement, the Tenant acknowledges that the unit is safe, clean and in good condition. The Tenant agrees that all Appliances and equipment in the unit are in good working order, except as described on the Unit Inspection Report which is Attachment No. 2 to this Agreement. The Tenant also agrees that the Landlord has made no promises to decorate, alter, repair or improve the unit, except as listed on the Unit Inspection Report.
- 7. Charges for Utilities and Services: The following charts describe how the cost of utilities and services related to occupancy of the unit will be paid. The Tenant agrees

that these charts accurately describe the utilities and services paid by the Landlord and those paid by the Tenant.

- a. The Tenant must pay for the utilities in column (1). Payments should be made directly to the appropriate utility company. The items in column (2) are included in the Tenant's rent.

(1)		(2)
Put "x" by any Utility Tenant pays directly	Type of Utility	Put "x" by any Utility Included in Tenant Rent
(0) _____	Heat	(0) _____
_____	Lights, Electric	_____
_____	Cooking	_____
_____	Water	_____
_____	Other (Specify.	_____
_____	_____	_____
_____	_____	_____

- b. The Tenant agrees to pay the Landlord the amount shown in column (3) on the date the rent is due. The Landlord certifies that HUD had authorized him/her to collect the type of charges shown in column (3) and that the amounts shown in column (3) do not exceed the amounts authorized by HUD.

(3)

Show \$ Amount Tenant  
Pays to Landlord in  
Addition to Rent

Parking	(0) _____
Other (Specify.)	\$ _____
_____	\$ _____
_____	\$ _____

8. Security Deposits: The Tenant has deposited \$<sup>(P)</sup>\_\_\_\_\_ with the Landlord. The Landlord will hold this security deposit for the period the Tenant occupies the unit. After the Tenant has moved from the unit, the Landlord will determine whether the Tenant is eligible for a refund of any or all of the security deposit. The amount of the refund will be determined in accordance with the following conditions and procedures.

- a. The Tenant will be eligible for a refund of the security Deposit only if the Tenant provided the Landlord with the 30-day written notice of intent to move required by paragraph 23, unless the Tenant was unable to give the notice for reasons beyond his/her control.

- b. After the Tenant has moved from the unit, the Landlord will inspect the unit and complete another Unit Inspection Report. The Landlord will permit the Tenant to participate in the inspection, if the Tenant so requests.
- b. The Landlord will refund to the Tenant the amount of the security deposit plus interest computed at<sup>(0)</sup>\_\_\_\_\_% , beginning<sup>(R)</sup>\_\_\_\_\_, less any amount needed to pay the cost of:
- (1) unpaid rent;
  - (2) damages that are not due to normal wear and tear and are not listed on the Unit Inspection Report;
  - (3) charges for late payment of rent and returned checks, as described in paragraph 5; and
  - (4) charges for unreturned keys, as described in paragraph 9.
- d. The Landlord agrees to refund the amount computed in paragraph 8c within<sup>(S)</sup>\_\_\_\_\_ days after the Tenant has permanently moved out of the unit, returned possession of the unit to the Landlord, and given his/her new address to the Landlord. The Landlord will also give the Tenant a written list of charges that were subtracted from the deposit. If the Tenant disagrees with the Landlord concerning the amounts deducted and asks to meet with the Landlord, the Landlord agrees to meet with the Tenant and informally discuss the disputed charges.
- e. If the unit is rented by more than one person, the Tenants agree that they will work out the details of dividing any refund among themselves. The Landlord may pay the refund to any Tenant identified in Paragraph 1 of this Agreement.
- f. The Tenant understands that the Landlord will not count the Security Deposit towards the last month's rent or towards repair charges owed by the Tenant in accordance with paragraph 11.
9. Keys and Locks: The Tenant agrees not to install additional or different locks or gates on any doors or windows of the unit without the written permission of the Landlord. If the Landlord approves the Tenant's request to install such locks, the Tenant agrees to provide the Landlord with a key for each lock. When this Agreement ends, the Tenant agrees to return all keys to the dwelling unit to the Landlord. The Landlord may charge the Tenant \$<sup>(T)</sup>\_\_\_\_\_ for each key not returned.

Maintenance:

a. The Landlord agrees to:

- (1) regularly clean all common areas of the project;
- (2) maintain the common areas and facilities in a safe condition;
- (3) arrange for collection and removal of trash and garbage;
- (4) maintain all equipment and appliances in safe and working order;
- (5) make necessary repairs with reasonable promptness;
- (6) maintain exterior lighting in good working order;
- (7) provide extermination services, as necessary; and
- (8) maintain grounds and shrubs.

b. The Tenant agrees to:

- (1) keep the unit clean;
- (2) use all appliances, fixtures and equipment in a safe manner and only for the purposes for which they are intended;
- (3) not litter the grounds or common areas of the project;
- (4) not destroy, deface, damage or remove any part of the unit, common areas, or project grounds;
- (5) give the Landlord prompt notice of any defects in the plumbing, fixtures, appliances, heating and cooling equipment or any other part of the unit or related facilities; and
- (6) remove garbage and other waste from the unit in a clean and safe manner.

11. Damages:                      Whenever damage is caused by carelessness, misuse, or neglect on the part of the Tenant, his/her family or visitors, the Tenant agrees to pay:

- a. the cost of all repairs and do so within 30 days after receipt of the Landlord's demand for the repair charges; and
- b. rent for the period the unit is damaged whether or not the unit is habitable. The Tenant understands that HUD will not make assistance payments for any period in which the unit is not habitable. For any such period, the Tenant agrees to pay the HUD-approved market rent rather than the Tenant rent



shown in paragraph 3 of this agreement.

12. Restrictions on Alterations: No alteration, addition, or improvements shall be made in or to the premises without the prior consent of the Landlord in writing. The Landlord agrees to provide reasonable accommodation to an otherwise eligible tenant's disability, including making changes to rules, policies, or procedures, and making and paying for structural alterations to a unit or common areas. The Landlord is not required to provide accommodations that constitute a fundamental alteration to the Landlord's program or which would pose a substantial financial and administrative hardship. See the regulations at 24 CFR Part 8. In addition, if a requested structural modification does pose a substantial financial and administrative hardship, the Landlord must then allow the tenant to make and pay for the modification in accordance with the Fair Housing Act.
13. General Restrictions: The Tenant must live in the unit and the unit must be the Tenant's only place of residence. The Tenant shall use the premises only as a private dwelling for himself/herself and the individuals listed on the Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures, Attachment 1. The Tenant agrees to permit other individuals to reside in the unit only after obtaining the prior written approval of the Landlord. The Tenant agrees not to:
- a. sublet or assign the unit, or any part of the unit;
  - b. use the unit for unlawful purposes;
  - c. engage in or permit unlawful activities in the unit, in the common areas or on the project grounds;
  - d. have pets or animals of any kind in the unit without the prior written permission of the Landlord, but the landlord will allow the tenant to keep an animal needed as a reasonable accommodation to the tenant's disability, and will allow animals to accompany visitors with disabilities who need such animals as an accommodation to their disabilities; or
  - e. make or permit noises or acts that will disturb the rights or comfort of neighbors. The Tenant agrees to keep the volume of any radio, phonograph, television or musical instrument at a level which will not disturb the neighbors.
14. Rules: The Tenant agrees to obey the House Rules which are

Attachment No. 3 to this Agreement. The tenant agrees to obey additional rules established after the effective date of this Agreement if:

- a. the rules are reasonably related to the safety, care and cleanliness of the building and the safety, comfort and convenience of the Tenants; and
  - b. the Tenant receives written notice of the proposed rule at least 30 days before the rule is enforced.
15. Regularly Scheduled Recertifications: Every year around the<sup>(v)</sup> \_\_\_\_\_ day of<sup>(v)</sup> \_\_\_\_\_, the Landlord will request the Tenant to report the income and composition of the Tenant's household and to supply any other information required by HUD for the purposes of determining the Tenant's rent and assistance payment, if any. The Tenant agrees to provide accurate statements of this information and to do so by the date specified in the Landlord's request. The landlord will verify the information supplied by the Tenant and use the verified information to recompute the amount of the Tenant's rent and assistance payment, if any.
- a. If the Tenant does not submit the required recertification information by the date specified in the Landlord's request, the Landlord may impose the following penalties. The Landlord may implement these penalties only in accordance with the administrative procedures and time frames specified in HUD's regulations, handbooks and instructions related to the administration of multifamily subsidy programs.
    - (1) Require the Tenant to pay the higher, HUD-approved market rent for the unit.
    - (2) Implement any increase in rent resulting from the recertification processing without providing the 30-day notice otherwise required by paragraph 4 of this Agreement.
  - b. The Tenant may request to meet with the Landlord to discuss any change in rent or assistance payment resulting from the recertification processing. If the Tenant requests such a meeting, the Landlord agrees to meet with the Tenant and discuss how the Tenant's rent and assistance payment, if any, were computed.
16. Reporting Changes Between Regularly Scheduled Recertifications:
- a. If any of the following changes occur, the Tenant agrees to advise the Landlord immediately.
    - (1) Any household member moves out of the unit.

- (2) An adult member of the household who was reported as unemployed on the most recent certification or recertification obtains employment.
- (3) The household's income cumulatively increases by \$200 or more a month.
- b. The Tenant may report any decrease in income or any change in other factors considered in calculating the Tenant's rent. Unless the Landlord has confirmation that the decrease in income or change in other factors will last less than one month, the Landlord will verify the information and make the appropriate rent reduction. However, if the Tenant's income will be partially or fully restored within two months, the Landlord may delay the certification process until the new income is known, but the rent reduction will be retroactive and the Landlord may not evict the Tenant for nonpayment of rent due during the period of the reported decrease and the completion of the certification process. The Tenant has thirty days after receiving written notice of any rent due for the above described time period to pay or the Landlord can evict for nonpayment of rent. (Revised 3/22/89)
- c. If the Tenant does not advise the Landlord of these interim changes, the Landlord may increase the Tenant's rent to the HUD-approved market rent. The Landlord may do so only in accordance with the time frames and administrative procedures set forth in HUD's regulations, handbooks and instructions on the administration of multifamily subsidy programs.
- d. The Tenant may request to meet with the Landlord to discuss how any change in income or other factors affected his/her rent or assistance payment, if any. If the Tenant requests such a meeting, the Landlord agrees to meet with the Tenant and explain how the Tenant's rent or assistance payment, if any, was computed.

17. Removal of Subsidy:

- a. The Tenant understands that assistance made available on his/her behalf may be terminated if events in either items 1 or 2 below occur. Termination of assistance means that the Landlord may make the assistance available to another Tenant and the Tenant's rent will be recomputed. In addition, if the Tenant's assistance is terminated because of criterion (1) below, the Tenant will be required to pay the HUD-approved market rent for the unit.

(1) The Tenant does not provide the Landlord with the information or reports required by paragraph 15 or 16 within 10 calendar days

after receipt of the Landlord's notice of intent to terminate the Tenant's assistance payment.

(2) The amount the Tenant would be required to pay towards rent and utilities under HUD rules and regulations equals the Family Gross Rent shown on Attachment 1.

- b. The Landlord agrees to give the Tenant written notice of the proposed termination. The notice will advise the Tenant that, during the ten calendar days following the date of the notice, he/she may request to meet with the Landlord to discuss the proposed termination of assistance. If the Tenant requests a discussion of the proposed termination, the Landlord agrees to meet with the Tenant.
  - c. Termination of assistance shall not affect the Tenant's other rights under this Agreement, including the right to occupy the unit. Assistance may subsequently be reinstated if the Tenant submits the income or other data required by HUD procedures, the Landlord determines the Tenant is eligible for assistance, and assistance is available.
18. Tenant Obligation To Repay: If the tenant submits false information on any application, certification or request for interim adjustment or does not report interim changes in family income or other factors as required by paragraph 16 of this Agreement, and as a result, is charged a rent less than the amount required by HUD's rent formulas, the Tenant agrees to reimburse the Landlord for the difference between the rent he/she should have paid and the rent he/she was charged. The Tenant is not required to reimburse the Landlord for undercharges caused solely by the Landlord's failure to follow HUD's procedures for computing rent or assistance payments.
19. Size of Dwelling The Tenant understands that HUD requires the Landlord to assign units in accordance with the Landlord's written occupancy standards. These standards include consideration of unit size, relationship of family members, age and sex of family members and family preference. If the Tenant is or becomes eligible for a different size unit, and the required size unit becomes available, the Tenant agrees to:
- a. move within 30 days after the Landlord notifies him/her that unit of the required size is available within the project; or
  - b. remain in the same unit and pay the HUD-approved market rent.

20. Access by Landlord:

- a. The Landlord agrees to enter the unit only during reasonable hours, to provide reasonable advance notice of his/her intent to enter the unit, and to enter the unit only after receiving the Tenant's consent to do so, except when urgency situations make such notices impossible or except under paragraph (c) below.
- b. The Tenant consents in advance to the following entries into the unit:
  - (i) The tenant agrees to permit the Landlord, his/her agents or other persons, when authorized by the Landlord, to enter the unit for the purpose of making reasonable repairs and periodic inspections.
  - (ii) After the Tenant has given a notice of intent to move, the Tenant agrees to permit the Landlord to show the unit to prospective tenants during reasonable hours.
- c. If the Tenant moves before this Agreement ends, the Landlord may enter the unit to decorate, remodel, alter or otherwise prepare the unit for re-occupancy.

- 21. Discrimination Prohibited:      The Landlord agrees not to discriminate based upon race, color, religion, creed, National origin, sex, age, familial status, and disability.
- 22. Change in Rental Agreement:      The Landlord may, with the prior approval of HUD, change the terms and conditions of this Agreement. Any changes will become effective only at the end of the initial term or a successive term. The Landlord must notify the Tenant of any change and must offer the Tenant a new Agreement or an amendment to the existing Agreement. The Tenant must receive the notice at least 60 days before the proposed effective date of the change. The Tenant may accept the changed terms and conditions by signing the new Agreement or the amendment to the existing Agreement and returning it to the Landlord. The Tenant may reject the changed terms and conditions by giving the Landlord written notice that he/she intends to terminate the tenancy. The Tenant must give such notice at least 30 days before the proposed change will go into effect. If the Tenant does not accept the amended agreement, the Landlord may require the Tenant to move from the project, as provided in paragraph 23.

23. Termination of  
Tenancy:

- a. To terminate this Agreement, the Tenant must give the Landlord 30-days written notice before moving from the unit.
- b. Any termination of this Agreement by the Landlord must be carried out in accordance with HUD regulations, State and local law, and the terms of this Agreement.
- c. The Landlord may terminate this Agreement for the following reasons:
  1. the Tenant's material noncompliance with the terms of this Agreement;
  2. the Tenant's material failure to carry out obligations under any State Landlord and Tenant Act;
  3. drug related criminal activity engaged in on or near the premises, by any tenant, household member, or guest, and any such activity engaged in on the premises by any other person under the tenant's control;
  4. determination made by the Landlord that a household member is illegally using a drug;
  5. determination made by the Landlord that a pattern of illegal use of a drug interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents;
  6. criminal activity by a tenant, any member of the tenant's household, a guest or another person under the tenant's control:
    - (a) that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents (including property management staff residing on the premises); or
    - (b) that threatens the health, safety, or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises;
  7. if the tenant is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees, or that in the case of the State of New Jersey, is a high misdemeanor;

8. if the tenant is violating a condition of probation or parole under Federal or State law;
  9. determination made by the Landlord that a household member's abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the premises by other residents;
  10. if the Landlord determines that the tenant, any member of the tenant's household, a guest or another person under the tenant's control has engaged in the criminal activity, regardless of whether the tenant, any member of the tenant's household, a guest or another person under the tenant's control has been arrested or convicted for such activity.
- d. The Landlord may terminate this Agreement for other good cause, which includes, but is not limited to, the tenant's refusal to accept change to this agreement. Terminations for "other good cause" may only be effective as of the end of any initial or successive term.

The term material noncompliance with the lease includes: (1) one or more substantial violations of the lease; (2) repeated minor violations of the lease that (a) disrupt the livability of the project; (b) adversely affect the health or safety of any person or the right of any tenant to the quiet enjoyment to the leased premises and related project facilities, (c) interfere with the management of the project, or (d) have an adverse financial effect on the project (3) failure of the tenant to timely supply all required information on the income and composition, or eligibility factors, of the tenant household (including, but not limited to, failure to meet the disclosure and verification requirements for Social Security Numbers, or failure to sign and submit consent forms for the obtaining of wage and claim information from State Wage Information Collection Agencies), and (4) Non-payment of rent or any other financial obligation due under the lease beyond any grace period permitted under State law. The payment of rent or any other financial obligation due under the lease after the due date but within the grace period permitted under State law constitutes a minor violation.

- d. If the Landlord proposes to terminate this Agreement, the Landlord agrees to give the Tenant written notice and the grounds for the proposed termination. If the Landlord is terminating this agreement for "other good cause," the termination notice must be mailed to the Tenant and hand-

delivered to the dwelling unit in the manner required by HUD at least 30 days before the date the Tenant will be required to move from the unit and in accordance with State law requirements. Notices of proposed termination for other reasons must be given in accordance with any time frames set forth in State and local law. Any HUD-required notice period may run concurrently with any notice period required by State or local law. All termination notices must:

- specify the date this Agreement will be terminated;
  - state the grounds for termination with enough detail for the Tenant to prepare a defense;
  - advise the Tenant that he/she has 10 days within which to discuss the proposed termination of tenancy with the Landlord. The 10-day period will begin on the earlier of the date the notice was hand-delivered to the unit or the day after the date the notice is mailed. If the Tenant requests the meeting, the Landlord agrees to discuss the proposed termination with the Tenant; and
  - advise the Tenant of his/her right to defend the action in court.
- f. If an eviction is initiated, the Landlord agrees to rely only upon those grounds cited in the termination notice required by paragraph e.
24. Hazards: The Tenant shall not undertake, or permit his/her family or guests to undertake, any hazardous acts or do anything that will increase the project's insurance premiums. Such action constitutes a material non-compliance. If the unit is damaged by fire, wind, or rain to the extent that the unit cannot be lived in and the damage is not caused or made worse by the Tenant, the Tenant will be responsible for rent only up to the date of the destruction. Additional rent will not accrue until the unit has been repaired to a livable condition.
25. Penalties for Submitting False Information: Knowingly giving the Landlord false information regarding income or other factors considered in determining Tenant's eligibility and rent is a material noncompliance with the lease subject to termination of tenancy. In addition, the Tenant could become subject to penalties available under Federal law. Those penalties include fines up to \$10,000 and imprisonment for up to five years.
26. Contents of this Agreement: This Agreement and its Attachments make up the entire agreement between the Landlord and the Tenant regarding the unit. If any Court declares a particular provision of this Agreement to be invalid or illegal, all other terms of this Agreement will remain in effect and both the Landlord and the Tenant will continue to be bound by them.
27. Attachments to the Agreement: The Tenant certifies that he/she has received a copy of this Agreement and the



following Attachments to this Agreement  
and understands that these Attachments are  
part of this Agreement.

- a. Attachment No. 1 - Owner's Certification of Compliance with HUD's Tenant Eligibility and Rent Procedures, form HUD-50059
  - b. Attachment No. 2 - Unit Inspection Report.
  - c. Attachment No. 3 - House Rules (if any).
28. Tenants' rights to organize: Landlord agrees to allow tenant and tenant organizers to conduct on the property the activities related to the establishment or operation of a tenant organization set out in accordance with HUD requirements.
29. Tenant Income Verification: The Tenant must promptly provide the Landlord with any letter or other notice by HUD to a member of the family that provides information concerning the amount or verification of family income in accordance with HUD requirements.
30. The lease agreement will terminate automatically, if the Section 8 Housing Assistance contract terminates for any reason.
31. Signatures:

TENANT  
BY:

1. <sup>(W)</sup> \_\_\_\_\_ /\_\_\_\_\_/\_\_\_\_\_  
Date Signed
2. \_\_\_\_\_ /\_\_\_\_\_/\_\_\_\_\_  
Date Signed
3. \_\_\_\_\_ /\_\_\_\_\_/\_\_\_\_\_  
Date Signed

LANDLORD  
BY:

1. <sup>(W)</sup> \_\_\_\_\_ /\_\_\_\_\_/\_\_\_\_\_  
Date Signed

**Public reporting burden** - HUD is not requesting approval of any burden hours for the model leases since use of leases are a standard business practice in the housing rental industry. This information is required to obtain benefits. The request and required supporting documentation are sent to HUD or the Contract Administrator (CA) for approval. The lease is a contract between the owner of the project and the tenant(s) that explains the terms for residing in the unit. Leases are a standard business practice in the housing rental industry. Owners are required to use the HUD model lease which includes terms normally covered by leases used in the housing rental industry plus terms required by HUD for the program under which the project was built and/or the program providing rental assistance to the tenants.

This information is authorized by 24 CFR 5.360, 236.750, 880.606, 883.701, 884.215, 886.127, 891.425, 891.625 and 891.765 cover lease requirements and provisions. This information is considered non-sensitive and does not require any special protection.

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**AGENDA ITEM NO. 3**

**Presentation and Discussion of the proposed Choice Mobility Policy which will go out for public comment beginning on May 23, 2016**

# **HOUSING AUTHORITY OF THE CITY OF AUSTIN**

## **BOARD OF COMMISSIONERS**

### **Presentation & Discussion**

**MEETING DATE:** May 19, 2016

**STAFF CONTACT:** Pilar Sanchez, Vice President of Housing and Community Development

Lisa Garcia, Vice President of Assisted Housing

**ACTION:** Presentation and Discussion of **Proposed Choice Mobility Policy**

Place out for Public Comment for 30 days beginning May 23, 2016 through 5:00 pm on June 21, 2016.

### **SUMMARY:**

As part of the Rental Assistance Demonstration (RAD), HUD requires Housing Authorities to give residents the choice to request a Housing Choice Voucher after living in a Project Based Rental Assistance (PBRA) property for 24 months. HUD calls this “Choice Mobility”. As HACA continues to prepare for the transition of some or all of its Public Housing properties to PBRA, this Choice Mobility policy was drafted.

The Choice Mobility team consisted of representatives from the Housing and Community Development, Assisted Housing and Admissions Departments. Together they reviewed the RAD requirements regarding Choice Mobility and developed a policy to guide HACA’s implementation of this requirement.

### **Key Points:**

HUD allows PHAs to implement two separate “caps” on the number of families that would be eligible to receive these vouchers. First, the property could place a cap of not less than 15% of the residents at that property being able to receive a voucher within 1 year. Second, the agency could place a cap of not less than 1/3 of the total number of Housing Choice Vouchers being turned over in a given year to be used for Choice Mobility.

The Choice Mobility team recommends the agency turnover cap be 1/3 of the turnover vouchers each year. Setting this cap allows HACA to keep a balance between families on the HCV waiting list and families eligible for Choice Mobility.

However, the Choice Mobility team recommends against implementing the project turnover cap. Implementing both caps would create significant administrative burden to create multiple waiting lists. In addition, it would be difficult and confusing to explain to residents.

Instead, the team recommends implementing the agency turnover cap by using the established best practice of random lottery sorting. This will prevent an individual property from losing multiple residents to Choice Mobility all at once. In addition, it provides equal opportunity for all eligible residents to receive a Choice Mobility voucher.

When an eligible family requests the Choice Mobility option, they will be placed on the agency turnover cap waiting list. On a regular basis (usually monthly) families are invited off the regular HCV waiting list and the Choice Mobility list to go through eligibility determinations to receive a voucher. Before families are drawn off each list, the determination is made as to the total number of families to be selected. Two-thirds of that total will be drawn from the regular HCV waiting list. The other one-third will be drawn from the Choice Mobility list.

In order to maintain equal opportunity for all families on the Choice Mobility list, the list will be randomly sorted each time before the draw. Eventually, every family that gets onto the list will be selected to receive a voucher, as long as they remain eligible to receive a voucher.

The policy also gives clear guidance regarding eligibility to receive a Choice Mobility voucher, the process for the family to request a voucher, the process for managing the Choice Mobility waiting list and the process for families to transition from PBRA to the HCV program.

Finally, it is the desire and intent of the team that the Choice Mobility option would become a tool to assist families in moving toward self-sufficiency. The recommended policy indicates that HACA will strategize how to provide services that help families become prepared for transition to the voucher program including financial literacy training, credit counseling and improvement, addressing rental history, increasing income through employment and more. Also, HACA will explore how to help families identify areas of higher opportunity when searching for locations to use their voucher.

**Public Comment:**

The RAD Choice Mobility Policy will be posted for public comment on May 23<sup>rd</sup> through June 21<sup>st</sup> and will be brought back to the Board for approval at the July 22, 2016 Board meeting.

**ATTACHMENTS:**

- Choice Mobility Policy

**RECOMMENDATION:**

It is HACA's recommendation to request public comment on the proposed RAD Choice Mobility Policy.

**FINANCE REVIEW:**

**X Proposed action does not require Finance Department review.**

- Fiscal Impact was approved by \_\_\_\_\_

\_\_\_\_\_  
Thomas Cherian, Vice-President of Finance

# Choice Mobility Policy



*Created 5/19/2016*



# HACA Choice Mobility Policy

## I. Definitions:

1. *Covered Project*: Any Public Housing property that has converted to the Project Based Rental Assistance (PBRA) program through RAD.
2. *Choice Mobility*: The opportunity for families to request a Housing Choice Voucher (HCV) and move into the private rental market with voucher assistance.
3. *Turnover Caps*: The maximum number of families that can receive a voucher in a calendar year. PHAs can establish caps for the maximum number of families that can receive a voucher from each property in the calendar year. PHAs can also establish caps for the maximum number of vouchers from all properties combined that can receive a voucher in a calendar year.

## II. Eligibility and Voucher Caps

HUD seeks to provide all residents of Covered Projects with viable Choice Mobility options. The Housing Choice Voucher (HCV) program provides the most options for families to choose where they want to live within that housing authority's jurisdiction.

PHAs that are applying to convert the assistance of a project to PBRA are required to provide a Choice-Mobility option to residents of Covered Projects in accordance with the following:

- A. **Resident Eligibility**. Residents have a right to move with tenant-based rental assistance (e.g., Housing Choice Voucher (HCV)) the later of: (a) 24 months from the date of execution of the HAP or (b) 24 months after the move-in date.
- B. **Voucher Inventory Turnover Cap**. Recognizing the limitation on the availability of turnover vouchers from year to year, a voucher agency would not be required, in any year, to provide more than one-third of its turnover vouchers to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received.

## HACA Policy

HACA will provide all residents the opportunity to request a Housing Choice Voucher after the later of a) 24 months from the date of the execution of the HAP contract, or b) 24 months from the date of move in.

- If a family moves from one covered project to another covered project, their 24 month clock resets. These families will have to wait for 24 months from the date of move in to the new property, before they can exercise Choice Mobility.
- If a family transfers within the same covered project, their 24 month clock does not reset. They will be eligible to request a Choice Mobility voucher at the later of: (a) 24 months from the date of execution of the HAP or (b) 24 months after the move-



- in date.
- A family may request the choice mobility voucher at any time after completing the 24 month requirement. They remain eligible as long as they continue living at the same covered project.
- A family that receives a Choice Mobility voucher, but allows it to expire without using it, can request another Choice Mobility voucher. However, they must wait 1 year from the date of the issuance of the expired voucher before requesting another Choice Mobility voucher. When they do request again, they will start the process from the beginning and are subject to any waiting lists in place at that time.

HACA will implement the voucher inventory cap. Each calendar year, the HCV program will only make 1/3 of its turnover vouchers available to families exercising Choice Mobility from any of its 18 covered projects transitioning into PBRA through the Rental Assistance Demonstration (RAD). HACA will establish an agency-wide Choice Mobility waiting list for times when there are more requests for vouchers than vouchers available due to the cap.

HACA will not implement the project turnover cap.

The HCV program also provides the opportunity to move to other parts of the country by exercising the portability options. Families will be required to follow the housing authority's guidelines regarding when they can exercise the portability option.

### **HACA Policy**

In order to be eligible for the Choice Mobility option, families have to live in Austin, in a HACA owned PBRA property for at least 2 years. These families meet HACA's HCV program requirements and are eligible to exercise portability when they first receive a voucher.

## **III. Notification of Eligibility**

In keeping with HUD's goal to provide viable Choice Mobility options to residents of all covered projects, PHAs should provide clear notification and explanation of the Choice Mobility options available to them.

### **HACA Policy**

At the time of the initial lease signing, HACA will provide a copy of the Choice Mobility policy to the family and explain the Choice Mobility option. HACA will provide clear direction and guidance regarding how to request a Choice Mobility voucher. Residents will be asked to sign a certification indicating that they received the Choice Mobility policy.

In addition, HACA will provide a written notification to the residents as part of the 90 Day letter that each families receives before their annual recertification appointment. (See Appendix 1)

If anything changes in the method for requesting the Choice Mobility voucher, HACA will provide written notification to the residents at least 30 days in advance of the change becoming effective.



#### **IV. Waiting Lists**

PHA's that establish a voucher turnover cap are required to create a waiting list for families that request the Choice Mobility voucher.

##### **HACA Policy**

HACA will establish a Choice Mobility waiting list for all eligible families that request a voucher. The waiting list will be managed by HACA's centralized Admissions Department.

Since HACA is not implementing a project turnover cap, there will be no project specific waiting lists. Eligible families that request the voucher will be placed directly onto the Choice Mobility waiting list.

HACA will remove families from the Choice Mobility waiting list who move out of the covered project before receiving a voucher.

- If a family moves out of the covered project into the private rental market after being placed on the Choice Mobility waiting list, they are no longer eligible for the voucher and their name will be removed from the Choice Mobility waiting list.
- If a family moves from one covered project to another covered project after being placed on the Choice Mobility waiting list, their 2 year clock resets. They will be removed from the Choice Mobility waiting list. They can re-apply once they have lived at the new covered project for 2 years.

Families that are already on the regular HCV waiting list will be allowed to request a Choice Mobility voucher if they are eligible. Families will be allowed to keep their place on both lists until one of the following happens:

- The family moves out of the covered project and is no longer eligible to be on the Choice Mobility list. The family will be removed from the Choice Mobility waiting list, but maintain their position on the regular HCV waiting list.
- The family voluntarily withdraws their name from one or both lists.
- The family receives a voucher and exercises the voucher by leasing up in the voucher program. The family will then be removed from the other list.
  - If a family receives a voucher through the regular HCV waiting list, but does not exercise the voucher (i.e. lease up in the voucher program), they will remain on the Choice Mobility waiting list.

#### **V. Exercising the Choice Mobility Option**

In order to ensure that all residents at all covered projects have an equal and fair opportunity to request and receive a Choice Mobility voucher, PHAs should provide clear guidance and instructions regarding how to apply for the voucher.

##### **HACA Policy**

In order to maintain a safe, orderly and fair process for families to request a Choice Mobility voucher, HACA will implement the following:

- ***Voucher Request:***
  - When a family is eligible to request a voucher, they must do so in writing using the voucher request form provided at the property (See Appendix 2).
  - The written request must be submitted to the management office at the covered property or at HACA's Central Administration building.
  - Once received, the property management staff or central office staff will forward the request to the Admissions Department to be placed on the Choice Mobility waiting list.
- ***Acknowledgement of Request:***
  - Once the request is received and processed onto the Choice Mobility waiting list, the Admissions Department will send the family a notice acknowledging receipt of the voucher request (See Appendix 3).
  - This is the family's confirmation that they are on the Choice Mobility waiting list.
  - The acknowledgement of request will be sent to the family within 5 business days of receipt of the request.
- ***Random Sorting:***
  - Once there are families on the Choice Mobility waiting list, HACA will select 1/3 of its monthly draw from the Choice Mobility waiting list.
  - Before each draw, HACA will conduct a random sort of the Choice Mobility waiting list.
  - The random sort protects each individual property from high volume resident turnover, while providing each family an equal opportunity to receive a voucher.

When a family is drawn from the Choice Mobility waiting list, they will be invited to attend the Housing Choice Voucher (HCV) program eligibility interview.

## **VI. Screening Process for the Choice Mobility HCV Voucher**

In order to receive a Housing Choice voucher, families will be required to meet all the eligibility requirements for the HCV program in effect at the time of their eligibility processing. These requirements can be found in the HCV Administrative Plan.

### **HACA Policy**

HACA will screen all Choice Mobility families using the same criteria as for all other families. However, HACA will streamline the eligibility determination process in the following ways:

- HACA will use the certifications of identification, age, social security number and citizenship that it already has on file for the family.
- HACA will review the most recent certification and 50059 for basic information about the family composition and annual household income.
- HACA will only require new verification of income if the verifications for the most recent certification are too old to meet the criteria for the HCV program.

If eligible to receive a voucher, families will follow the HCV program rules and guidelines for

using the voucher. Families are reminded of the following:

- ***The voucher has an expiration date.*** If extensions are available, families must follow the HCV program guidelines in effect at that time to request an extension. Failure to use the voucher before it expires will result in loss of the voucher.
- ***Receipt of a voucher is not a guarantee that the family will be able to find a place to use the voucher.*** Landlords have their own screening criteria which families will have to meet to be able to live at that property.
- ***The family's lease at their current property requires at least 30 days notice to vacate.*** The family must provide this notice to their current property management staff.

## **VII. Transitioning from Project Based Rental Assistance to the Housing Choice Voucher Program**

When transitioning from PBRA to the HCV program with a Choice Mobility voucher, program participants are required to fulfill their obligations to the terms of the PBRA lease as well as all HCV requirements. Families are not allowed to receive assistance from both programs at the same time. To assist with the transition process and prevent duplicate assistance, PHA's should develop policies and guidelines to ensure that both program requirements are met.

### **HACA Policy**

Residents at a HACA PBRA property will be required to complete the following when transitioning to HACA's HCV program with a choice mobility voucher:

- Remain current on all rent, fees or other balances owed to the PBRA property.
  - Families with outstanding debts who are in a repayment agreement and who are current on their payments within the agreement are considered eligible.
  - Families with active repayment agreements must continue to make all payments until the balance is paid in full or risk losing their voucher assistance.
- Provide at least 30 days notice of their intent to vacate the unit to the property management.
- Participate in the move out inspection.
- Turn in their keys to the property management.
- Pay all move out expenses that may be charged after moving to their new home with voucher assistance.
  - If necessary, repayment agreements can be established to pay any outstanding move out balances.
  - Failure to pay the move out balance or to remain current in any repayment agreements that are established is grounds for termination of the family's voucher assistance.
- Pay all moving expenses related to the move from the PBRA property to their voucher assisted unit.

HACA and PBRA property staff will work to facilitate this process by doing the following:

- Communicate between departments information related to the issuance of the voucher, move out notices, voucher extensions and specific dates of move out / move in.

- Note: Coordination of communication between departments does not remove any of the family's obligations.
- Communicate the move out date from the PBRA program to the HCV Intake Team to prevent the overlapping of assistance.
  - The move out from PBRA will not be effective until the property manager receives the keys from the resident family.
  - The family will be required to pay the full rental cost for any days that they have moved in to their new unit before returning the keys to the PBRA property management.
  - The voucher assistance will not start until the day after the family provides the keys to the PBRA property management.

For a detailed flow chart of the transition process, please see Appendix 4.

### **VIII. Promoting Self-Sufficiency Through Choice Mobility**

The decision about where to live can have a significant impact on a family's journey toward self-sufficiency. Through the Choice Mobility voucher option, families living in the PBRA property are given the opportunity to make that decision. Therefore PHA's should strategize how to maximize the use of the Choice Mobility voucher as a self-sufficiency tool.

#### **HACA Policy**

Within available resources, HACA will intentionally strategize and leverage the utilization of specific supportive services to provide a solid foundation for the use of the Choice Mobility voucher as a self-sufficiency and resource building tool.

- HACA will explore how to efficiently and effectively use the 2 + years that families are living in PBRA to offer community development services that focus on preparing families for transition to use of a voucher in the private rental market. Such services may include, but are not limited to, financial literacy training, credit counseling and credit improvement, addressing rental history, increasing income through employment, financial coaching, and home maintenance and upkeep among others.
- HACA will explore how to use the resources available (i.e. opportunity mapping) to help direct families toward areas of higher opportunity when they are searching for neighborhoods and housing that meets their needs and where they can use the voucher. This will include helping families to understand how to use these tools to gain information on items such as schools, supportive services and transportation.



# Housing Authority of the City of Austin

*Established in 1937*

## Annual Recertification Notice - 90 DAY REMINDER

Name  
Address  
Austin, TX

Date  
Account No:  
Client No:

Dear :

It will soon be time to renew your housing lease. In order to complete your lease renewal in a timely manner, you will need to provide us with updated documentation regarding your household's income, assets and expenses. If you have lived at [name of property] for at least 2 years, you will also have opportunity to request a Housing Choice Voucher through Choice Mobility.

You will be receiving a letter in the next few weeks scheduling you for your lease renewal appointment. It is very important that you attend this appointment and bring all documentation listed below that applies to your household.

### **ALL BENEFIT LETTERS MUST NOT BE MORE THAN 120 DAYS OLD.**

#### **INCOME:**

- Proof of all income received by all household members. Income sources and proper documentation include but are not limited to: letter from employer on company letterhead; consecutive pay stubs for at least the last 2 months; TANF letter; Social Security/SSI/SSDI award letters; child support payment history printouts; unemployment benefits statements; pension statements; annuity payments; military pay; Workman's compensation; severance pay; etc.

#### **ASSETS:**

- Most recent three months' bank statements for checking/savings accounts owned by all household members.
- Most recent quarterly statements for any certificates of deposit, money market, IRA/Keogh, stocks, bonds, treasury bills, trust funds, universal life policies, etc.
- Most recent property appraisal/tax statement for any real estate owned.

#### **EXPENSES:**

- Proof of ongoing childcare expenses for children under 13 years of age (example: CCMS contract, receipts or payment history printout from childcare provider).
- Disabled or elderly household only: Proof of ongoing unreimbursed medical expenses not covered by insurance (examples: Pharmacy printouts, medical/dental receipts, payments of medical insurance premiums, payments for live-in aides, etc.)
- Proof of full-time enrollment in college/higher education for family members age 18 years and older (must NOT be the head of household/co-head/spouse).

#### **OTHER:**

- Birth certificates and Social Security cards for any new family members residing with you.

**NOTE:** Failure to attend your scheduled appointment and/or submit all necessary documents to complete your lease renewal will jeopardize your family's housing. If you are unable to keep your appointment, you must contact us within three (3) days from the date of this letter to reschedule.

Sincerely,  
Management





# Housing Authority of the City of Austin

*Bringing Opportunity Home*

## Choice Mobility Voucher Request

Date: \_\_\_\_\_ Client No. \_\_\_\_\_

Acct. No. \_\_\_\_\_ Property: \_\_\_\_\_

Head of Household: \_\_\_\_\_

Present Address: \_\_\_\_\_

### Family Composition:

Co-Head of Household: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Has Resident lived in PBRA at this property for at least two (2) years? ( ) Yes ( ) No

Does the Resident owe any balance to HACA? ( ) Yes ( ) No

Is there an Eviction and/or Lease Termination pending? ( ) Yes ( ) No

Resident Signature: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### DO NOT WRITE IN THIS BOX – FOR ADMISSIONS OFFICE ONLY

Date Received: \_\_\_\_\_

Date Acknowledgment Letter Sent: \_\_\_\_\_

Admissions Director: \_\_\_\_\_ Date: \_\_\_\_\_





# Housing Authority of the City of Austin

*Bringing Opportunity Home*

## ACKNOWLEDGMENT OF VOUCHER REQUEST

NAME  
ADDRESS  
CITY, ST ZIP

DATE  
CLIENT NO.:

Dear "CLIENT NAME",

This letter is to inform you that we have received your request to receive a Choice Mobility voucher. Your name has been placed on the Choice Mobility waiting list.

There are several things to remember about the Choice Mobility vouchers:

- The Housing Authority of the City of Austin (HACA) has capped the number of available Choice Mobility vouchers at 1/3 of the voucher program turnover rate. That means that each time HACA issues vouchers, only 1/3 will come from the Choice Mobility waiting list.
- HACA will conduct a random sort (lottery) each time it draws names off the Choice Mobility Waiting List. As a result, it is difficult to tell you when you will be invited in for eligibility screening.
- When your name is drawn from the list, you will be contacted by mail and invited to the eligibility interview. At that time we will review all information related to the voucher program eligibility criteria including (but not limited to) criminal background, rental history, and household income.

While you are on the waiting list, you can do the following:

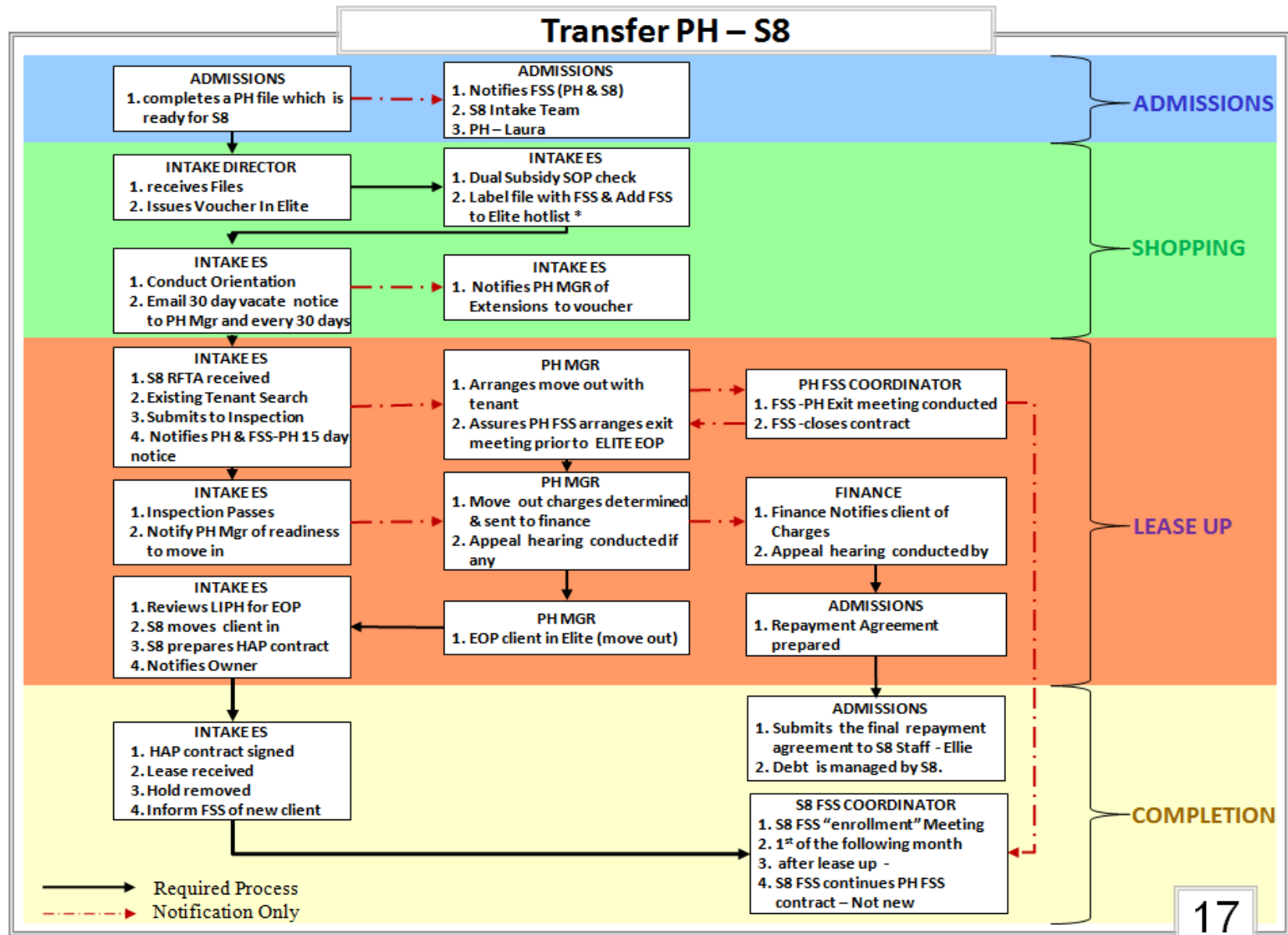
- Prepare a plan for how you will pay for the costs of moving (Security Deposits, Pet Deposits, Application Fees, Moving Expenses, etc)
- Review your credit history and rental history and if necessary seek assistance to repair that history. Many landlords review this information before approving rentals.
- Consider what areas of town would provide the best opportunities for you and your family.

If you have additional questions about the Choice Mobility Voucher, please contact the Admissions Department at (512) 477-4488.

Sincerely,  
Admissions Department



Appendix 4: Transfer Process from PBRA to HCV





**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**AGENDA ITEM NO. 4**

**Presentation and Discussion of the proposed Changes to the revised Housing Choice Voucher Administrative Plan which will go out for public comment beginning on May 23, 2016**

# **HOUSING AUTHORITY OF THE CITY OF AUSTIN BOARD OF COMMISSIONERS**

## **Presentation & Discussion**

### **Item No. 4**

**MEETING DATE:** May 19, 2016

**STAFF CONTACT:** Lisa Garcia, Vice President of Assisted Housing

#### **Presentation and Discussion of Proposed Changes to Housing Choice Voucher Program Administrative Plan**

**ACTION:** Place out for Public Comment for 30 days beginning May 23, 2016 through 5:00 pm on June 21, 2016.

#### **SUMMARY:**

HACA's Housing Choice Voucher Program Administrative Plan was last revised and formally adopted on December 17, 2015. Since that time, HUD has issued a new Streamlining Rule and 2 PIH Notices with clarifying language regarding a number of policy items, which are further explained below.

In addition, Nan McKay provided revisions to the portability policy set forth in the streamlining portability final rule, issued August 20, 2015. Nan McKay also provided updated revisions to the VAWA policy, removed outdated guidance regarding protecting Tenants at Foreclosure Act and also made minor revisions to bring the HCV Admin Plan current with HUD regulation and guidance.

The proposed revisions to the Housing Choice Voucher Program Administrative Plan will be posted for public comment on May 23<sup>rd</sup> through June 21<sup>st</sup> and will be brought back to the Board for approval at the July 22, 2016 Board meeting.

The proposed revisions to the Housing Choice Voucher Administrative Plan are described in Attachment 1, Summary of Revisions to HCV Administrative Plan.

### **Summary of Changes as a result of the New Streamlining Rule**

#### **Income Eligibility and Targeting**

HUD establishes an "Extremely Low- Income" limit. This limit is used for targeting the lowest income families for Housing Choice Voucher and Public Housing programs. HUD requires 40% of new admissions to the Public Housing program and 75% of new admissions to the HCV program to be extremely low-income families.

The streamlining rule formally changes the definition of extremely low-income families. Previously, the definition was a family whose income was below 30% of the median family income. The new definition is "a very low-income family whose income is below either the Federal poverty level or 30% of the median family income, whichever is higher." This change will make it easier for families to meet HUD's income targeting requirements.

**Disclosure and Verification of Social Security Numbers**

Currently, if a resident family adds a family member under the age of 6, the family was given 90 days to provide proof of the Social Security number for that child. This change is adding the same disclosure opportunities to families on the waiting list.

The change allows a family that adds a child under age six (6) within the six (6) months before admission to the Housing Choice Voucher Program to have 90 days to provide proof of the Social Security number.

**Earned Income Disallowance (EID)**

In the Streamlining Rule, HUD is changing the maximum length of time for the earned income disallowance (EID) from 48 months to 24 months. The initial period of 100% disallowance will be for 12 months from the start of employment, regardless of whether the individual works all 12 months. The second period of 50% disallowance will be for 12 months, starting after the 100% disallowance period ends. The second period will end after 12 months, regardless of how many months the resident was employed. This change will significantly reduce the administrative burden of tracking the employment of the individual residents.

**Asset Verification**

In 2013, HUD granted temporary administrative relief in the verification of assets. At that time, HUD allowed residents and applicants whose net value of assets was \$5000 or less to self-certify the value of the assets and the income received from the assets. The Streamlining Rule makes self-certification of assets worth less than \$5000 permanent for most annual recertifications, but requires full third party verification of all assets at new admission and every third year after that.

**Income Determination for Fixed Income Sources**

HUD's Streamlining Rule now allows PHAs to calculate the income from fixed income sources (Social Security, Pensions, Annuities, etc) by applying the documented cost of living adjustment (COLA) or percentage increase to the previous year's income calculation. PHAs are still required to third party verify the fixed income sources at new admission and every third year after that.

**Biennial Inspections and the use of alternative inspection methods**

This provision offers PHAs the discretion to conduct unit inspections biennially rather than annually, for both HCV and PBV programs. It also authorizes the use of alternative inspection methods for periodic inspections, such as inspections performed by HUD or conducted pursuant to the HOME Investment Partnerships or housing financed using Low-Income Housing Tax Credits. The intentions of these provisions is to reduce administrative burden.

**Exception Payment Standards for providing reasonable accommodations**

This provision authorizes a PHA to approve payment standards of not more than 120% of the published FMR without HUD approval if requested as a reasonable accommodation by a family that includes a person with a disability.

## **SUMMARY OF RECOMMENDED LOCAL POLICY CHANGES**

### **Revisions to homeless preference**

For the homeless preference “move up” policy added a sentence stating that referrals could include individuals and families participating in a Continuum of Care homeless rental assistance program, which is not renewed.

### **Interim policy changes**

Updated interim policy to require families to report all new earned and unearned income sources and slight changes in interim reporting and processing requirements to reduce administrative burden and clarify interim reporting and processing requirements.

### **Choice Mobility Policy**

Added new RAD Choice Mobility policy and deleted previous RAD Choice Mobility policy.

### **ATTACHMENTS:**

- Attachment 1: Summary of Revisions to HCV Administrative Plan
- Attachment 2: Affected Sections of the HACA Housing Choice Voucher Program Administrative Plan

### **RECOMMENDATION:**

It is HACA’s recommendation to request public comment on the proposed changes to the Housing Choice Voucher Administrative Plan.

### **FINANCE REVIEW:**

**X Proposed action does not require Finance Department review.**

- Fiscal Impact was approved by \_\_\_\_\_

\_\_\_\_\_  
Thomas Cherian, Vice-President of Finance

Section	Page Number	Summary of Changes Made in Admin Plan
Chapter 1: Overview of the Program and Plan Introduction	33	<b>Change:</b> Removed text regarding suspensions <b>Rationale:</b> <i>Required change provided by Nan McKay HCV Admin Plan revision service.</i>
Chapter 3: Eligibility	57	<b>Change:</b> Updated “extremely low-income family” definition <b>Rationale:</b> <i>Required change as part of the Final Streamlining rule.</i>
Chapter 3: Eligibility	61 186-187	<b>Change:</b> When a child under age 6 is added to the household up to six months before Admission of the household, this change allows the family 90 days to provide a SSN for the child. The family will be offered housing and the child considered a family member during this time. <b>Rationale:</b> <i>This is a required change as part of the streamlining rule. The intent is to provide the family a sufficient amount of time to provide the SSN for a new addition to the family.</i>
Chapter 4: Applications, Waiting List and Tenant Selection	101	<b>Change:</b> For the homeless preference “move up” policy added a sentence stating that referrals could include individuals and families participating in a Continuum of Care homeless rental assistance program, which is not renewed. <b>Rationale:</b> <i>Allows for a continued affordable housing option for individuals and families in HUD Continuum of Care programs that are not renewed.</i>
Chapter 4: Applications, Waiting List and Tenant Selection	102	<b>Change:</b> Deleted current policy regarding the preference for Rental Assistance Demonstration (RAD) Choice Mobility and added new RAD Choice Mobility policy as described in Chapter 18.
Chapter 5: Briefings and Voucher Issuance	114-116  124	<b>Change:</b> Changes to information required at the Oral Briefing and in the Briefing packets <b>Rationale:</b> <i>Required change provided by Nan McKay HCV Admin Plan revision service</i> <b>Change:</b> Added text regarding suspensions of voucher term <b>Rationale:</b> <i>Required change provided by Nan McKay HCV Admin Plan revision service.</i>

Section	Page Number	Summary of Changes Made in Admin Plan
Chapter 6: Income and Subsidy Determinations	135-136 173-174	<p><b>Change:</b> The exclusion of earned income for the EID is for two years (24 months) maximum instead of four years (48 months). There will be 12 months at 100% exclusion and 12 months at 50% exclusion.</p> <p><b>Rationale:</b> <i>The tracking of the starts and stops of employment during the 48 months of EID was an administrative burden. HUD is granting this relief, streamlining the administrative work while still allowing the family a two year break on fully counting their earned income.</i></p>
Chapter 7: Verification	195-196	<p><b>Change:</b> HACA will conduct third-party verification of assets at Admission. After that, HACA will only third-party verify assets with a net value of \$5000 or less every three years. During the other two years, HACA will accept self-certification of the value of the asset and the anticipated income from the asset. HACA will conduct third-party verification of all assets valued over \$5000 every year.</p> <p><b>Rationale:</b> <i>This is part of HUD's streamlining rule. This is intended to provide administrative relief, while still maintaining accountability with regard to income from assets.</i></p>
Chapter 7: Verification	197-198	<p><b>Change:</b> HUD is allowing a streamlined income determination for any fixed income sources. The PHA can apply the verified COLA or % increase to the previous year's verified or adjusted amount. The income is subject to third-party verification at Admissions and every three years.</p> <p><b>Rationale:</b> <i>This is part of HUD's streamlining rule. This is intended to reduce the administrative burden of conducting annual reexaminations while still maintaining program integrity with protections against fraud.</i></p>
Chapter 8: Housing Quality Standards	218	<p><b>Change:</b> Updated policy to allow for biennial inspections per the regulations. The proposed revised policy states that "each unit under HAP contract must be inspected at least biennially within 24 months of the last full HQS inspection. Also, added language to allow for accepting inspection results performed by HUD or for HOME or Low-Income Tax Credit properties.</p> <p><b>Rationale:</b> <i>This is part of HUD's streamlining rule. This is intended to reduce administrative burden. HACA will continue to complete inspections annually. However, changing the policy will provide HACA the flexibility to implement a biennial inspection policy in the future.</i></p>

Section	Page Number	Summary of Changes Made in Admin Plan
Chapter 10: Moving with Continued Assistance and Portability Policies	239-250 359	<b>Change:</b> Updated Portability policy <b>Rationale:</b> <i>Required changes set forth in the streamlining portability final rule and provided by Nan McKay HCV Admin Plan revision service.</i>
Chapter 11: Re-examinations	265-267	<b>Change:</b> Updated interim policy to require families to report all new earned and unearned income sources. Slight changes in interim reporting and processing requirements. <b>Rationale:</b> <i>Reduce administrative burden and clarify interim reporting and processing requirements.</i>
Chapter 12: Termination of Assistance and Tenancy	286	<b>Change:</b> Added text regarding evidence of criminal activity as it relates to domestic violence. <b>Rationale:</b> <i>Required change provided by Nan McKay HCV Admin Plan revision service.</i>
Chapter 12: Termination of Assistance and Tenancy	287 306-308	<b>Change:</b> Removal of outdated/expired guidance, including references to the Protecting Tenants at Foreclosure Act. <b>Rationale:</b> <i>Required change provided by Nan McKay HCV Admin Plan revision service.</i>
Chapter 16: Program Administration	329-330	<b>Change:</b> HACA may establish an exception payment standard of not more than 120 percent of the published FMR if required as a reasonable accommodation for a family that includes a person with a disability. Previously, PHAs would need to seek HUD approval for exception payment standards above 110% of the published FMRs. <b>Rationale:</b> <i>This is an optional change as part of the streamlining rule to reduce administrative burden. This provides HACA the flexibility to approve payment standards up to 120% of the published FMR as a reasonable accommodation for persons with disabilities without the administrative burden of seeking HUD approval.</i>
Chapter 16: Program Administration	362 369 372	<b>Change:</b> Changes to Violence Against Women Policy <b>Rationale:</b> <i>Required change provided by Nan McKay HCV Admin Plan revision service and based on counsel from the National Housing Law Project.</i>
Chapter 17: Project Based Vouchers	379-380	<b>Change:</b> Changes to policy regarding PHA-Owned units per Notice PIH 2015-05. <b>Rationale:</b> <i>Required change provided by Nan McKay HCV Admin Plan revision service.</i>

Section	Page Number	Summary of Changes Made in Admin Plan
Chapter 18: Choice Mobility Policy	423-429	<b>Change:</b> Added Choice Mobility Policy <b>Rationale:</b> <i>As required by HUD and in accordance with HUD RAD guidelines, if HACA participates in RAD, HACA must provide a Choice Mobility option to residents of covered RAD properties.</i>



## 1-II.D. APPLICABLE REGULATIONS

Applicable regulations include:

- 24 CFR Part 5: General Program Requirements
- 24 CFR Part 8: Nondiscrimination
- 24 CFR Part 35: Lead-Based Paint
- 24 CFR Part 982: Section 8 Tenant-Based Assistance: Housing Choice Voucher Program
- 24 CFR Part 983: Project-Based Vouchers
- 24 CFR Part 985: The Section 8 Management Assessment Program (SEMAP)

## PART III: THE HCV ADMINISTRATIVE PLAN

### 1-III.A. OVERVIEW AND PURPOSE OF THE ADMINISTRATIVE PLAN

The HCV administrative plan is required by HUD. The purpose of the administrative plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local goals and objectives contained in HACA's agency plan. This administrative plan is a supporting document to HACA agency plan, and is available for public review as required by CFR 24 Part 903.

This administrative plan is set forth to define HACA's local policies for operation of the housing programs in the context of federal laws and regulations. All issues related to the HCV program not addressed in this document are governed by such federal regulations, HUD handbooks and guidebooks, notices and other applicable law. The policies in this administrative plan have been designed to ensure compliance with the consolidated ACC and all HUD-approved applications for program funding.

HACA is responsible for complying with all changes in HUD regulations pertaining to the HCV program. If such changes conflict with this plan, HUD regulations will have precedence.

Administration of the HCV program and the functions and responsibilities of HACA staff shall comply with HACA's personnel policy and HUD regulations as well as all federal, state and local fair housing laws and regulations.

### 1-III.B. CONTENTS OF THE PLAN [24 CFR 982.54]

The HUD regulations at [24 CFR 982.54] define the policies that must be included in the administrative plan. They are as follows:

Selection and admission of applicants from HACA waiting list, including any PHA admission preferences, procedures for removing applicant names from the waiting list, and procedures for closing and reopening the HACA waiting list (Chapter 4);

—Issuing or denying vouchers, including PHA Policy governing the voucher term and any extensions or suspensions of the voucher term. ~~'Suspension' means stopping the clock on the term of a family's voucher after the family submits a request for approval of the tenancy.~~ If HACA decides to allow extensions ~~or suspensions~~ of the voucher term, the HACA administrative plan must describe how HACA determines whether to grant extensions or suspensions, and how HACA determines the length of any extension ~~or~~

**Very low-income family** A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

**Extremely low-income family** A very low-income family whose annual income does not exceed the higher of:

- (1) The poverty guidelines established by the Department of Health and Human Services applicable to the family of the size involved (except in the case of families living in Puerto Rico or any other territory or possession of the United States); or
- (2) Thirty (30) percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the area median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

~~A family whose annual income does not exceed the federal poverty level or 30 percent of the median income for the area, whichever number is higher.~~

~~Area median income is determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 30, 50, or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.~~

#### Using Income Limits for Eligibility [24 CFR 982.201]

Income limits are used for eligibility only at admission. Income eligibility is determined by comparing the annual income of an applicant to the applicable income limit for their family size. In order to be income eligible, an applicant family must be one of the following:

##### *A very low-income family*

A *low-income* family that has been "continuously assisted" under the 1937 Housing Act. A family is considered to be continuously assisted if the family is already receiving assistance under any 1937 Housing Act program at the time the family is admitted to the HCV program [24 CFR 982.4]

##### HACA Policy

HACA will consider a family to be *continuously assisted* if the family was leasing a unit under any 1937 Housing Act program at the time they were issued a voucher by HACA.

A low-income family that qualifies for voucher assistance as a non-purchasing household living in HOPE 1 (public housing homeownership), HOPE 2 (multifamily housing homeownership) developments, or other HUD-assisted multifamily homeownership programs covered by 24 CFR 248.173

A low-income or moderate-income family that is displaced as a result of the prepayment of a



an SSN that HUD or the SSA determined was invalid, or has been issued a new SSN must submit their complete and accurate SSN and the documentation required to verify the SSN at the time of the next interim or annual recertification. Participants age 62 or older as of January 31, 2010, whose determination of eligibility was begun before January 31, 2010, are exempt from this requirement and remain exempt even if they move to a new assisted unit.

HACA must deny assistance to an applicant family if they do not meet the SSN disclosure and documentation requirements contained in 24 CFR 5.216.

#### HACA Policy

If the provided documentation is not acceptable evidence of the social security number, HACA will explain to the applicant the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to HACA within 90 calendar days. The explanation and request will be documented in the applicant file. If the applicant family is otherwise eligible to participate in the program, the family will maintain its position on the waiting list for this 90 calendar day period.

If all household members have not disclosed their SSN at the time a voucher becomes available, the available voucher will be offered to the next eligible applicant family on the waiting list. At the conclusion of the 90 calendar day period and if the applicant family has still not submitted acceptable evidence of the SSN, HACA will grant the family an additional 90 calendar day period to comply with the SSN disclosure and documentation requirement if 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.

If a child under the age of 6 years was added to the assistance applicant household within the 6-month period prior to the household's date of admission, the assistance applicant may become a participant, so long as the documentation required in this section is provided to the processing entity within 90 calendar days from the date of admission into the program. The processing entity must grant an extension of one additional 90-day period if the processing entity determines that, in its discretion, the assistance applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside the control of the assistance applicant. If the applicant family fails to produce the documentation required in this section within the required time period, the housing authority may terminate assistance or tenancy of the individual participant or the entire family.

#### HACA Policy

HACA will grant one additional 90-day extension if needed for reasons beyond the resident's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family or other emergency.

### **3-ILD. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230, HCV GB,**

HACA may only reject documentation of an SSN provided by an applicant or participant if the document is not an original document or if the original document has been altered, mutilated, illegible, or appears to be forged.

HACA Policy

If the provided documentation is not acceptable evidence of the social security number, HACA will explain to the applicant or resident the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to HACA within 90 calendar days. The explanation and request will be documented in the tenant file.

In the case of Moderate Rehabilitation Single Room Occupancy (SRO) individuals, the required documentation must be provided within 90 calendar days from the date of admission into the program. The HACA must grant one additional 90-day extension if it determines that the applicant's failure to comply was due to circumstances that were beyond the applicant's control and could not have been reasonably foreseen.

HACA Policy

The HACA will grant one additional 90-day extension if needed for reasons beyond the participant's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency. If the individual fails to comply with SSN disclosure and documentation requirements upon expiration of the provided time period, HACA will terminate the individual's assistance.

When a participant requests to add a new household member who is at least 6 years of age, or who is under the age of 6 and has an SSN, the participant must provide the complete and accurate SSN assigned to each new member at the time of recertification, in addition to the

documentation required to verify it. HACA may not add the new household member until such documentation is provided.

When a participant requests to add a new household member who is under the age of 6 and has not been assigned an SSN, the participant must provide the SSN assigned to each new child and the required documentation within 90 calendar days of the child being added to the household. A 90-day extension will be granted if HACA determines that the participant's failure to comply was due to unforeseen circumstances and was outside of the participant's control. During the period HACA is awaiting documentation of the SSN, the child will be counted as part of the assisted household.

HACA Policy

HACA will grant one additional 90-day extension if needed for reasons beyond the participant's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency.

If a child under the age of 6 years was added to the assistance applicant household within the 6-month period prior to the household's date of admission, the assistance applicant may become a participant, so long as the documentation required in this section is provided to the processing entity within 90

calendar days from the date of admission into the program. The processing entity must grant an extension of one additional 90-day period if the processing entity determines that, in its discretion, the assistance applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside the control of the assistance applicant. If the applicant family fails to produce the documentation required in this section within the required time period, the housing authority may terminate assistance or tenancy of the individual participant or the entire family.

HACA Policy

HACA will grant one additional 90-day extension if needed for reasons beyond the resident's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family or other emergency.

Social security numbers must be verified only once during continuously-assisted occupancy.



this preference, use of the offered supportive services is not a requirement. The choice of the applicant to refuse the offered services will not jeopardize any housing assistance for which they are eligible.

HACA will execute a Memorandum of Understanding with one entity representing a coalition of homeless service providers that will serve as the primary point of contact for communicating homeless referrals to HACA. HACA reserves the right to establish additional MOUs as necessary to ensure that homeless applicants have the opportunity to apply for housing assistance under this preference.

If it is determined that an applicant referred by a homeless service provider, as described above, does not meet the criteria described therein, the applicant will not receive the preference and:

- if the applicant was only on the HCV waiting list because of the homeless referral, the applicant will be removed from the HCV waiting list

- if the applicant was on the HCV waiting list through the regular application process, the applicant will return to their lottery position on the waiting list without the homeless preference.

If HACA denies an applicant's homeless preference claim, HACA will notify the applicant and referring service provider in writing, including the reason(s) for the preference denial. Applicants have the right to appeal the denial of eligibility for the homeless preference using the established process for informal hearings.

Persons transitioning out of the City of Austin's 1115 Waiver Permanent Supportive Housing Assertive Community Treatment Team program into permanent housing will be included as a priority group as part of this preference. This would require a referral from the current case manager as well as documentation that the family was homeless prior to entering into the current program. This documentation must be provided as part of the referral.

Individuals and families transitioning, or "moving up," from Permanent Supportive Housing (PSH) units will also be included as a priority group as part of this homeless preference. These are persons that were previously homeless prior to entry into a PSH program but who no longer require that level of supportive services. [Referrals could also include individuals and families participating in a Continuum of Care homeless rental assistance program, which is not renewed.](#) This would require a referral from the current case manager or PSH provider as well as documentation that the family was homeless prior to entering into the PSH unit. This documentation must be provided as part of the referral.

- (E) **Families with Minor Children Preference:** HACA will give preference to families with minor children. A minor child is a child under age 18 who meets HUD and HACA's definition of a family member (See Section 3.I.B for the definition of Family Members).

Minor children of a live in aide do not qualify the family for this

preference.

Minor children that are foster children of an authorized adult member of the assisted family do not qualify the family for this preference.

- (F) **Residency Preference:** HACA will give preference to persons who reside in the following Texas Counties: Travis, Hays, Bastrop, Caldwell and Williamson counties. The residency status will be determined at the time of the eligibility interview. This preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, sexual orientation, religion, disability, or age of any member of an applicant family.

Applicants who are working or who have been notified that they are hired to work in a residency preference area will be treated as residents of the residency preference area with documented proof of employment in the residency preference area. Applicants who are graduates of, or active participants in, education and training programs in a residency preference area are eligible for this preference if the education or training program is designed to prepare individuals for the job market.

- (G) **Rental Assistance Demonstration (RAD) Choice Mobility Preference:** As required by HUD and in accordance with all HUD RAD guidelines, if HACA participates in RAD, HACA will provide a Choice-Mobility option to residents of covered RAD projects in accordance with policies outlined in Chapter 18 of this HCV Administrative Plan, the following:

- ~~Resident Eligibility.~~ Residents have a right to move with tenant-based rental assistance (e.g. Housing Choice Voucher (HCV)) the later of: (a) 24 months from date of execution of the HAP or (b) 24 months after the move-in date.
- ~~Voucher Inventory Turnover Cap.~~ Recognizing the limitation on the availability of turnover vouchers from year to year, HACA in any year, will only provide one-third of its turnover vouchers to the residents of covered projects. HACA will establish this voucher inventory turnover cap, and if implemented HACA will create and maintain a waiting list in the order in which the requests from eligible households are received.
- ~~Project Turnover Cap.~~ Also recognizing the limited availability of turnover vouchers and the importance of managing turnover in the best interests of the property, in any year, HACA will limit the number of Choice Mobility moves exercised by eligible households to 15 % of the assisted units in the project. HACA will create and maintain a waiting list and place households in the order in which the requests from eligible households are received. Due to ongoing critical need for affordable housing in Austin, HACA may request a regulatory waiver from HUD to further limit the voucher inventory turnover cap and/or project turnover cap.

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**Oral Briefing [24 CFR 982.301(a)]**

Each briefing must provide information on the following subjects:

How the Housing Choice Voucher program works;

Family and owner responsibilities;

Where the family can lease a unit, including renting a unit inside or outside HACA's jurisdiction;

- ~~An explanation of how portability works. HACA may not discourage the family from choosing to live anywhere in the PHA jurisdiction or outside the PHA jurisdiction under portability, unless otherwise expressly authorized by statute, regulation, PIH Notice, or court order;~~
- HACA must inform the family of how portability may affect the family's assistance through screening, subsidy standards, payment standards, and any other elements of the portability process which may affect the family's assistance;
- The advantages of areas that do not have a high concentration of low-income families; and

~~For families eligible under portability, an explanation of portability. HACA cannot discourage eligible families from moving under portability;~~

~~For families living in high poverty census tracts, an explanation of the advantages of moving to areas outside of high poverty concentrations; and~~

For families receiving welfare-to-work vouchers, a description of any local obligations of a welfare-to-work family and an explanation that failure to meet the obligations is grounds for denial of admission or termination of assistance.

**Briefing Packet [24 CFR 982.301(b)]**

Documents and information provided in the briefing packet must include the following:

The term of the voucher, ~~voucher suspensions~~, and HACA's policies on any extensions ~~or suspensions~~ of the term.

If HACA allows extensions, the packet must explain how the family can request an extension.

A description of the method used to calculate the housing assistance payment for a family, including how HACA determines the payment standard for a family, how HACA determines total tenant payment for a family, and information on the payment standard and utility allowance schedule.

An explanation of how HACA determines the maximum allowable rent for an assisted unit.

Where the family may lease a unit ~~and For a family that qualifies to lease a unit outside~~

~~HACA~~

~~jurisdiction under portability procedures, the information must include~~ an explanation of how portability works, including information on how portability may affect the family's assistance

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through screening, subsidy standards, payment standards, and any other elements of the portability process that ~~which~~ may affect the family's assistance.:

The HUD-required tenancy addendum, which must be included in the lease.

The form the family must use to request approval of tenancy, and a description of the procedure for requesting approval for a tenancy.

A statement of PHA Policy on providing information about families to prospective owners.

HACA subsidy standards including when and how exceptions are made.

~~The HUD brochure on how to select a unit.~~ Materials (e.g., brochures) on how to select a unit and any additional information on selecting a unit that HUD provides.:

The HUD pamphlet on lead-based paint entitled *Protect Your Family from Lead in Your Home*.

Information on federal, state and local equal opportunity laws and a copy of the housing discrimination complaint form.

- A list of landlords known to the PHA who may be willing to lease a unit to the family or other resources (e.g., newspapers, organizations, online search tools) known to the PHA that may assist the family in locating a unit. PHAs must ensure that the list of landlords or other resources covers ~~parties willing to lease to assisted families or help families find units, especially outside areas of areas outside of poverty or minority concentration.~~

Notice that if the family includes a person with disabilities, the family may request a list of available accessible units known to HACA.

The family obligations under the program, including any obligations of a welfare-to-work family.

The grounds on which HACA may terminate assistance for a participant family because of family action or failure to act.

PHA informal hearing procedures including when HACA is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.

If the PHA is located in a metropolitan area, the following additional information must be included in the briefing packet in order to receive full points under SEMAP Indicator 7, Expanding Housing Opportunities [24 CFR 985.3(g)].

Maps showing areas with housing opportunities outside areas of poverty or minority concentration, both within its jurisdiction and its neighboring jurisdiction.

Information about the characteristics of these areas including job opportunities, schools, transportation and other services.

An explanation of how portability works, including a list of portability contact persons for neighboring PHAs including names, addresses, and telephone numbers.

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### Additional Items to be Included in the Briefing Packet

In addition to items required by the regulations, PHAs may wish to include supplemental materials to help explain the program to both participants and owners [HCV GB p. 8-7, Notice PIH 2010-19].

#### HACA Policy

HACA will provide the following additional materials in the briefing packet:

Information on how to fill out and file a housing discrimination complaint form.

Information about the protections afforded by the Violence against Women Act of 2005 (VAWA) to victims of domestic violence, dating violence, sexual assault and stalking (see section 16-IX.C)

~~Information about the protections afforded by the Protecting Tenants at Foreclosure Act (PTFA) (see section 13-II.G)~~

“Is Fraud Worth It?” (form HUD-1141-OIG), which explains the types of actions a family must avoid and the penalties for program abuse

“What You Should Know about EIV,” a guide to the Enterprise Income Verification (EIV) system published by HUD as an attachment to Notice PIH 2010-19

Copy of the Orientation presentation

Copy of locating home brochure created by HACA

Copy of Housing Choice Voucher Program tenant packet

Copy of Certification packet

Copy of “A Good Place to Live” HUD Brochure

Copy of EPA form “protect your family from lead in your home”

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### 5-I.C. FAMILY OBLIGATIONS

Obligations of the family are described in the housing choice voucher (HCV) regulations and on the voucher itself. These obligations include responsibilities the family is required to fulfill, as well as prohibited actions. HACA must inform families of these obligations during the oral briefing, and the same information must be included in the briefing packet. When the family's unit is approved and the HAP contract is executed, the family must meet those obligations in order to continue participating in the program. Violation of any family obligation may result in termination of assistance, as described in Chapter 12.

#### Time Frames for Reporting Changes Required By Family Obligations

##### HACA Policy



- e)• Obstacles due to employment
- d)• Whether the family has already submitted requests for tenancy approval that were not approved by HACA
- e)• Whether family size or other special circumstances make it difficult to find a suitable unit
- f)• Obstacles because of limited English proficiency
- g)• Obstacles due to transportation difficulties
- h)• Unable to locate an affordable unit
- i)• Obstacles due to portability

Any request for an additional extension must include the reason(s) an additional extension is necessary. HACA may require the family to provide documentation to support the request.

All requests for extensions to the voucher term must be made in writing and submitted to HACA prior to the expiration date of the voucher (or extended term of the voucher).

HACA will decide whether to approve or deny an extension request within 10 calendar days of the date the request is received, and will immediately provide the family written notice of its decision. There will not be extensions approved beyond 120 days, unless as a reasonable accommodation for a person with a disability and approved in writing by the Housing Choice Voucher Director, Intake and Special Programs Director, or Assisted Housing Vice President.

#### **Suspensions of Voucher Term [24 CFR 982.303(c)]**

The PHA must provide for suspension of the initial or any extended term of the voucher from the date the family submits a request for HACA approval of the tenancy until the date the HACA notifies the family in writing whether the request has been approved or denied. ~~At its discretion, HACA may adopt a policy to suspend the housing choice voucher term if the family has submitted a Request for Tenancy Approval (RTA) during the voucher term. "Suspension" means stopping the clock on a family's voucher term from the time a family submits the RTA until the time HACA approves or denies the request [24 CFR 982.4]. HACA's determination not to suspend a voucher term is not subject to informal review [24 CFR 982.554(e)(4)].~~

#### **HACA Policy**

~~When a Request for Tenancy Approval and a proposed lease are received by HACA, the term of the voucher will be suspended until HACA approves or denies the request for tenancy, to include affordability review and the inspection of the unit.~~

~~When HACA denies a request for tenancy, the family will be notified in writing that the request for tenancy has been denied and the clock on the voucher term will be restarted effective the date the notice is mailed. The notice will include the new expiration date of the voucher and a new Request for Tenancy Approval (RTA).~~

#### **Expiration of Voucher Term**

Once a family's housing choice voucher term (including any extensions) expires, the family is no

### ***Initial 12-Month Exclusion***

During the initial 12-month exclusion period, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded. ~~The 12 months are cumulative and need not be consecutive.~~

#### **HACA Policy**

The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings.

This applies regardless of whether the eligible member reported the employment or increase in earnings in a timely manner (within 30 days of occurrence) or not. Example: an eligible family member reports a new job on June 12, 2008. HACA's third party verification confirms that the family member actually started employment on January 5, 2008. The initial EID exclusion period for this family member will begin on February 1, 2008.

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

During the second 12-month exclusion period, the exclusion is reduced to half (50 percent) of any increase in income attributable to employment or increased earnings. ~~The 12 months are cumulative and need not be consecutive.~~

***Lifetime Limitation***

The EID has a ~~two~~<sup>four</sup>-year (24~~48~~-month) lifetime maximum. The ~~two~~<sup>four</sup>-year eligibility period begins at the same time that the initial exclusion period begins and ends 24 ~~48~~ months later. The one-time eligibility for the EID applies even if the eligible individual begins to receive assistance from another housing agency, if the individual moves between public housing and Section 8 assistance, or if there are breaks in assistance.

***HACA Policy***

During the 24~~48~~-month eligibility period, HACA will conduct an interim reexamination each time there is a change in the family member's annual income that affects or is affected by the EID (e.g., when the family member's income falls to a level at or below his/her prequalifying income, when one of the exclusion periods ends and at the end of the lifetime maximum eligibility period).

**Individual Savings Accounts [24 CFR 960.255(d)]*****HACA Policy***

HACA chooses not to establish a system of individual savings accounts (ISAs) for Families who qualify for the EID.

**6-I.F. BUSINESS INCOME [24 CFR 5.609(b)(2)]**

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

**Business Expenses**

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

***HACA Policy***

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

**Business Expansion**

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

***HACA Policy***

*Business expansion* is defined as any capital expenditures made to add new business activities, to expand current facilities, or to operate the business in additional locations.



**EXHIBIT 6-4: EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES****24 CFR 5.617 Self-sufficiency incentives for persons with disabilities—Disallowance of increase in annual income**

(a) *Applicable programs.* The disallowance of increase in annual income provided by this section is applicable only to the following programs: HOME Investment Partnerships Program (24 CFR part 92); Housing Opportunities for Persons with AIDS (24 CFR part 574); Supportive Housing Program (24 CFR part 583); and the Housing Choice Voucher Program (24 CFR part 982).

(b) *Definitions.* The following definitions apply for purposes of this section.

*Disallowance.* Exclusion from annual income.

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

*Qualified family.* A family residing in housing assisted under one of the programs listed in paragraph (a) of this section or receiving tenant-based rental assistance under one of the programs listed in paragraph (a) of this section.

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

(2) Whose annual income increases as a result of increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or

(3) Whose annual income increases, as a result of new employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the responsible entity in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance-- provided that the total amount over a six-month period is at least \$500.

(c) *Disallowance of increase in annual income—*

(1) *Initial 12-month exclusion.* During the 12-month period beginning on the date on which a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA must exclude from the annual income (as defined in §5.609 of this title) of a qualified family any increase in the income of the family member as a result of employment over the baseline income of that family member. (2) *Phase-in of rent increase.* Upon the

expiration of the 12-month period defined in paragraph (b)(1) of this section and for the subsequent 12-month period, the PHA must exclude from the annual income of a qualified family at least 50 percent of any increase in income of such family member as a result of employment over the family member's baseline income.

(3) *Maximum 2-year disallowance.* The disallowance of increased income of an individual family member as provided in paragraph (b)(1) or (b)(2) of this section is limited to a lifetime 24-month period. It applies for a maximum of 12 months for disallowance under paragraph (b)(1) of this section and a maximum of 12 months for disallowance under paragraph (b)(2) of this section, during the 24-month period starting from the initial exclusion under paragraph (b)(1) of this section.

(4) *Effect of changes on currently participating families.* Families eligible for and participating in the disallowance of earned income under this section prior to May 9, 2016 will continue to be governed by this section in effect as it existed immediately prior to that date.

~~(1) Initial twelve month exclusion. During the cumulative twelve month period beginning on the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income (as defined in the regulations governing the applicable program listed in paragraph (a) of this section) of a qualified family any increase in income of the family member who is a person with disabilities as a result of employment over prior income of that family member.~~

~~(2) Second twelve month exclusion and phase in. During the second cumulative twelve month period after the date a member who is a person with disabilities of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the responsible entity must exclude from annual income of a qualified family fifty percent of any increase in income of such family member as a result of employment over income of that family member prior to the beginning of such employment.~~

~~(3) Maximum four year disallowance. The disallowance of increased income of an individual family member who is a person with disabilities as provided in paragraph (c)(1) or (c)(2) is limited to a lifetime 48 month period. The disallowance only applies for a maximum of twelve months for disallowance under paragraph (c)(1) and a maximum of twelve months for disallowance under paragraph (c)(2), during the 48 month period starting from the initial exclusion under paragraph (c)(1) of this section.~~

(d) *Inapplicability to admission.* The disallowance of increases in income as a result of employment of persons with disabilities under this section does not apply for purposes of admission to the program (including the determination of income eligibility or any income targeting that may be applicable).

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**(B) Placing FUP eligible families referred by CPS on HACA's HCV Waitlist**

Those eligible applicants on the current waitlist will have priority over families not on the wait list. If additional funding is available, and all eligible families on the waitlist are exhausted, the waitlist will be reopened for FUP eligible families only. Eligibility for the FUP vouchers will be based on the respective HUD Notice of Funding Availability and may be limited to referrals from the Texas state child protection agency.

**PART III: VERIFYING INCOME AND ASSETS (Streamlining rule published 3/8/2016 982.516)**

Chapter 6, Part I of this plan describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified. This part provides HACA policies that supplement the general verification procedures specified in Part I of this chapter.

HACA Policy

~~On January 22, 2013, HUD issued Notice PIH 2013-03, to acknowledge and address the budget and staff constraints that many PHAs have faced in recent years. The notice provides four optional methods to reduce administrative burden.~~

~~HUD posted Frequently Asked Questions (FAQs) about the notice on March 1, 2013.~~

~~On November 5, 2013, HUD issued Notice PIH 2013-26 to extend for an additional year the temporary compliance provisions described in Notice PIH 2013-03. Originally set to expire on March 31, 2014, the notice will now remain effective until March 31, 2015.~~

On January 22, 2013 HUD issued Notice PIH 2013-03 which granted administrative relief to PHAs by allowing applicant and resident self-certification of assets and the income from assets with a net value of less than \$5000. This administrative relief was temporary and renewed through 2015.

On March 8, 2016, HUD published the Streamlining Rule in the Federal Register. This rule made permanent changes to the way assets were verified.

~~One approved method to reduce administrative burden and streamline income recertification efforts, allows HACA to accept a family's written self-declaration of the~~

~~amount of assets equal to or less than \$5,000, and the amount of income expected to be received from those assets. This Asset verification method is approved through March 31, 2015 and any approved HUD extensions of this provision. If HUD doesn't approve an extension of this Asset verification method beyond March 31, 2015, HACA will verify all Assets following the verification hierarchy requirements.~~

The approved method to reduce administrative burden and streamline income recertification efforts states the following:



- Applicants must provide full third party verification (i.e. bank statements) at the time of determination of income eligibility.
- For a resident family with net assets equal to or less than \$5,000, a PHA may accept, for purposes of recertification of income, a family's declaration that it has net assets equal to or less than \$5,000, without taking additional steps to verify the accuracy of the declaration. The declaration must state the amount of income the family expects to receive from such assets; this amount must be included in the family's income.
- The PHA must obtain full third-party verification of assets every three years..
- The following HACA forms, which are signed by all adult family members, will serve as documentation of the family's self-declaration of asset income: HACA's housing application, HACA's Continued Occupancy Form, HCV program's Annual Re-certification form, and How to Report a Change form. If the family has net family assets equal to or less than \$5,000, HACA will not request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets.
- If the family has net assets in excess of \$5,000, HACA will request supporting documentation (e.g. bank statements) from the family to confirm the assets.
- If the family has net assets is less than \$5,000, HACA will request supporting documentation (e.g. bank statements) from the family to confirm the assets every three years and at the time of initial eligibility determination.
- Any assets reported by the family will be reported on the HUD Form 50058.

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### 7-III.A. EARNED INCOME

#### Tips

##### HACA Policy

Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year.

#### Wages

##### HACA Policy

For wages other than tips, the family must provide originals of the two most current, consecutive pay stubs.

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### 7-III.B. BUSINESS AND SELF EMPLOYMENT INCOME

##### HACA Policy

Business owners and self-employed persons will be required to provide:

An audited financial statement for the previous fiscal year if an audit was conducted. If an audit was not conducted, a statement of income and expenses must be submitted

and the business owner or self-employed person must certify to its accuracy.

All schedules completed for filing federal and local taxes in the preceding year. If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

HACA will provide a format for any person who is unable to provide such a statement to record income and expenses for the coming year. The business owner/self-employed person will be required to submit the information requested and to certify to its accuracy at all future reexaminations.

At any reexamination HACA may request documents that support submitted financial statements such as manifests, appointment books, cash books, or bank statements.

If a family member has been self-employed less than three (3) months, HACA will accept the family member's certified estimate of income and schedule an interim reexamination in three (3) months. If the family member has been self-employed for three (3) to twelve (12) months HACA will require the family to provide documentation of income and expenses for this period and use that information to project income.

### **7-III.C. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS**

#### **Streamlined Income Determination of Fixed Income Sources [24 CFR 982.516]**

On March 8, 2016, HUD published the Streamlining Rule in the Federal Register. According to this rule, for any family member with a fixed source of income, a PHA may elect to determine that family member's income by means of a streamlined income determination. A streamlined income determination must be conducted by applying, for each fixed-income source, the verified cost of living adjustment (COLA) or current rate of interest to the previously verified or adjusted income amount.

#### HACA Policy

HACA will apply this streamlined income determination for all fixed income sources in the following way:

- HACA will only use the streamlined income determination as part of a reexamination. HACA will require third-party verification of all income for applicants during the admissions process.
- A "family member with a fixed source of income" is defined as a family member whose income includes periodic payments at reasonably predictable levels from one or more of the following sources:
  - Social Security, Supplemental Security Income, Supplemental Disability Insurance;
  - Federal, state, local, or private pension plans;

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- Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other similar types of periodic receipts; or
  - Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.
- HACA will use a COLA or current rate of interest specific to the fixed source of income in order to adjust the income amount. HACA will verify the appropriate COLA or current rate of interest from a public source or through tenant-provided, third party-generated documentation. If no such verification is available, then HACA will obtain third-party verification of income amounts in order to calculate the change in income for the source.
- For any family member whose income is determined pursuant to a streamlined income determination, HACA will obtain third-party verification of all income amounts every 3 years.

### Social Security/SSI Benefits

#### HACA Policy

To verify the SS/SSI benefits of applicants, the HACA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member that receives social security benefits. If the family is unable to provide the document(s), HACA will help the applicant request a benefit verification letter from SSA's Web site at [www.ssa.gov](http://www.ssa.gov) or ask the family to request one by calling SSA at 1-800-772-1213. Once the applicant has received the benefit verification letter they will be required to provide it to the HACA.

To verify the SS/SSI benefits of participants, HACA will follow the streamlined income determination outlined above. When third-party verification is required, HACA will obtain information about Social Security/SSI benefits through the HUD EIV System and confirm with the resident(s) that the current listed benefit amount is correct. If the resident disputes the EIV-reported benefit amount, or if benefit information is not available in HUD systems, HACA will request a current SSA benefit verification letter from each family member that receives social security benefits. If a family member is unable to provide the document, HACA will help the resident request a benefit verification letter from SSA's Web site at [www.socialsecurity.gov](http://www.socialsecurity.gov) or ask the family to request one by calling SSA at 1-800-772-1213. Once the family has received the benefit verification letter, it will be required to provide the letter to HACA.

### 7-III.D. ALIMONY OR CHILD SUPPORT

#### HACA Policy

The methods HACA will use to verify alimony and child support payments differ depending on whether the family declares that it receives regular payments.

If the family declares that it *receives regular payments*, verification will be obtained in

executing the HAP contract. HACA will re-inspect the unit within 2 business days of notification to confirm appliances are installed and working properly.

**8-ILC. ANNUAL/BIENNIAL HQS INSPECTIONS [~~24 CFR 982.405(a)~~] (FR Streamlining Final Rule 3/8/2016 and Notice PIH 2016-05)**

HACA Policy

Each unit under HAP contract must be inspected ~~at least biennially~~~~annually~~ within ~~24~~~~12~~ months of the last full HQS inspection.

HACA may accept the results of inspections performed by HUD or inspection results for housing assisted under the HOME Investment Partnerships (HOME) program or housing financed using Low-Income Housing Tax Credits (LIHTCs).

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**Scheduling the Inspection**

HACA Policy

If an adult family member cannot be present on the scheduled date, the family should request that HACA reschedule the inspection.

HACA and the family will agree on a new inspection date that generally should take place within 5 business days of the originally- scheduled date. HACA may schedule an inspection more than 5 business days after the original date for good cause.

If the family misses the first scheduled appointment without requesting a new inspection date, HACA will automatically schedule a second inspection. If the family misses two scheduled inspections without PHA approval, HACA will consider the family to have violated its obligation to make the unit available for inspection. This may result in termination of the family's assistance in accordance with Chapter 12.

**8-IL.D. SPECIAL INSPECTIONS [HCV GB, p. 10-30]**

HACA will conduct a special inspection if the owner, family, or another source reports HQS violation in the unit.

HACA Policy

The owner and family are required to provide maintenance request in writing to the other party prior to requesting a special inspection. Excluding life threatening conditions, a reasonable amount of time must be provided to respond to, and complete the repairs. Requests for special inspections need to be made in writing explaining the reason for the request and include a copy of the written maintenance request submitted to the other party.



has no further relationship with the family. The initial PHA must contact the receiving PHA via email or other confirmed delivery method to determine whether the receiving PHA will administer or absorb the initial PHA's voucher. Based on the receiving PHA's response, the initial PHA must determine whether they will approve or deny the portability request [Notice PIH 2012-42].

PHAs commonly act as both the initial and receiving PHA because families may move into or out of their jurisdiction under portability. Each role involves different responsibilities. The PHA will follow the rules and policies in section 10-II.B when it is acting as the initial PHA for a family. It will follow the rules and policies in section 10-II.C when it is acting as the receiving PHA for a family.

In administering portability, the initial PHA and the receiving PHA must comply with financial procedures required by HUD, including the use of HUD-required forms [24 CFR 982.355(e)(5)].

PHAs must also comply with billing and payment deadlines. HUD may reduce an administrative fee to an initial or receiving PHA if the PHA does not comply with HUD portability requirements [24 CFR 982.355(e)(7)].

## 10-II.B. INITIAL PHA ROLE

### Allowable Moves under Portability

A family may move with voucher assistance only to an area where there is at least one PHA administering a voucher program [24 CFR 982.353(b)]. If there is more than one PHA in the area, the initial PHA provides the family with the contact information for the receiving PHAs that serve the area, and the family selects the receiving PHA. The family must inform the initial PHA which PHA it has selected. If the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family (24 CFR 982.255(b)). ~~initial PHA may choose the receiving PHA [24 CFR 982.355(b)].~~

Applicant families that have been issued vouchers as well as participant families may qualify to lease a unit outside the PHA's jurisdiction under portability. HUD regulations and PHA policy determine whether a family qualifies.

### *Applicant Families*

Under HUD regulations, most applicant families qualify to lease a unit outside HACA's jurisdiction under portability. However, HUD gives HACA discretion to deny a portability move by an applicant family for the same two reasons that it may deny any move by a participant family: insufficient funding and grounds for denial or termination of assistance. ~~If a PHA intends to deny a family permission to move under portability due to insufficient funding, the PHA must notify HUD within 10 business days of the determination to deny the move [24 CFR 982.355(e)].~~

### HACA Policy

In determining whether or not to deny an applicant family permission to move under portability because HACA lacks sufficient funding or has grounds for denying assistance to the family, the initial PHA will follow the policies established in section 10-I.B of this chapter. *If the PHA does deny the move due to insufficient funding, the PHA will notify HUD in writing within 10 business days of the PHA's determination to deny the move.*

In addition, HACA may establish a policy denying the right to portability to nonresident applicants during the first 12 months after they are admitted to the program [24 CFR 982.353(c)].

### HACA Policy

If neither the head of household nor the spouse/co-head of an applicant family had a domicile (legal residence) in HACA's jurisdiction at the time the family's initial application for assistance was submitted, the family must lease a unit within HACA's jurisdiction for at least 12 months before requesting portability.

HACA will consider exceptions to this policy for purposes of reasonable accommodation (see Chapter 2) or reasons related to domestic violence, dating violence sexual assault, or stalking.

~~However, any exception to this policy is subject to the approval of the receiving PHA [24 CFR 982.353(e)(3)].~~

### *Participant Families*

The initial PHA must not provide portable assistance for a participant if a family has moved out of its assisted unit in violation of the lease [24 CFR 982.353(b)]. The Violence against Women Act of 2013 (VAWA) creates an exception to this prohibition for families who are otherwise in compliance with program obligations but have moved to protect the health or safety of a family member who is or has been a victim of domestic violence, dating violence, sexual assault or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the unit [24 CFR 982.353(b)].

### HACA Policy

HACA will determine whether a participant family may move out of HACA's jurisdiction with continued assistance in accordance with the regulations and policies set forth here and in sections 10-I.A and 10-I.B of this chapter. HACA will notify the family of its determination in accordance with the approval policy set forth in section 10-I.C of this chapter.

### **Determining Income Eligibility**

#### *Applicant Families*

An applicant family may lease a unit in a particular area under portability only if the family is income eligible for admission to the voucher program in that area [24 CFR 982.353(d)(1)(~~3~~)]. The family must specify the area to which the family wishes to move [Notice 2012-4224 CFR 982.355(c)(1)].

The initial PHA is responsible for determining whether the family is income eligible in the area to which the family wishes to move ~~+~~[24 CFR 982.353(d)(1), 24 CFR 982.355(9)]~~24 CFR 982.355(e)(1)~~. If the applicant family is not income eligible in that area, HACA must inform the family that it may not move there and receive voucher assistance [Notice PIH 2012-42].

#### *Participant Families*

The income eligibility of a participant family is not re-determined if the family moves to a new jurisdiction under portability [24 CFR 982.353(d)(2), ~~24 CFR 982.355(e)(1)~~].

#### **Reexamination of Family Income and Composition**

No new reexamination of family income and composition is required for an applicant family.

##### HACA Policy

For a participant family approved to move out of its jurisdiction under portability, HACA generally will conduct a reexamination of family income and composition only if the family's annual reexamination must be completed on or before the initial billing deadline specified on form HUD-52665, Family Portability Information.

HACA will make any exceptions to this policy necessary to remain in compliance with HUD regulations.



## Briefing

The regulations and policies on briefings set forth in Chapter 5 of this plan require HACA to provide information on portability to all applicant families that qualify to lease a unit outside HACA's jurisdiction under the portability procedures. Therefore, no special briefing is required for these families.

### HACA Policy

No formal briefing will be required for a participant family wishing to move outside HACA's jurisdiction under portability. However, HACA will provide the family with the same oral and written explanation of portability that it provides to applicant families selected for admission to the program (see Chapter 5).

HACA will provide the name, address, and phone of the contact for HACA in the jurisdiction to which they wish to move. If there is more than one PHA with jurisdiction over the area to which the family wishes to move, the PHA will advise the family that the family must select the receiving PHA and notify the initial PHA of which receiving PHA was selected. The PHA will further inform the family that if the family prefers not to select the receiving PHA, the initial PHA will select the receiving PHA on behalf of the family.

HACA will advise the family that they will be under the receiving PHA's policies and procedures, including screening subsidy standards and voucher extension policies, and payment standards.

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## Voucher Issuance and Term

An applicant family has no right to portability until after the family has been issued a voucher [24 CFR 982.353(b)]. In issuing vouchers to applicant families, HACA will follow the regulations and procedures set forth in Chapter 5.

### HACA Policy

For families approved to move under portability, HACA will issue a new voucher within 20 business days of HACA's written approval to move.

The initial term of the voucher will be 60 days.

## Voucher Extensions and Expiration

### HACA Policy

HACA will approve no extensions to a voucher issued to an applicant or participant family porting out of HACA's jurisdiction except under the following circumstances: (a) the initial term of the voucher will expire before the portable family will be issued a voucher by the receiving PHA, (b) the family decides to return to the initial PHA's jurisdiction and search for a unit there, or (c) the family decides to search for a unit in a third PHA's jurisdiction. In such cases, the policies on voucher extensions set forth in Chapter 5, section 5-II.E, of this plan will apply, including the requirement that the family applies for an extension in writing prior to the expiration of the initial voucher term.



To receive or continue receiving assistance under the HACA's voucher program, a family that moves to another PHA's jurisdiction under portability must be under HAP contract in the receiving PHA's jurisdiction within 90 60 days following the expiration date of the initial PHA's voucher term (including any extensions). (See below under "Initial Billing Deadline" for one exception to this policy.)

### Preapproval Contact with the Receiving PHA

Prior to approving a family's request to move under portability, the initial PHA must contact the receiving PHA via e-mail or other confirmed delivery method to determine whether the receiving PHA will administer or absorb the family's voucher. Based on the receiving PHA's response, the initial PHA must determine whether it will approve or deny the move [Notice PIH 2012-42].

#### HACA Policy

HACA will use e-mail, when possible, to contact the receiving PHA regarding whether the receiving PHA will administer or absorb the family's voucher.

### Initial Notification to the Receiving PHA

After approving a family's request to move under portability, the initial PHA must promptly notify the receiving PHA via email or other confirmed delivery method to expect the family [24 CFR 982.355(c)(32); 24 CFR 982.355(c)(7)]. ~~This means that the initial PHA must contact the receiving PHA directly on the family's behalf [Notice PIH 2012-42]. to expect the family [24 CFR 982.355(c)(2)]. This means that the initial PHA must contact the receiving PHA directly on the family's behalf [Notice PIH 2012-42].~~ The initial PHA must also advise the family how to contact and request assistance from the receiving PHA [24 CFR 982.355(c)(62)].

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#### HACA Policy

Because the portability process is time-sensitive, HACA will notify the receiving PHA by phone, fax, or e-mail to expect the family. The initial PHA will also ask the receiving PHA to provide any information the family may need upon arrival, including the name, fax, e-mail and telephone number of the staff person responsible for business with incoming portable families and procedures related to appointments for voucher issuance. HACA will pass this information along to the family. HACA will also ask for the name, address, telephone number, fax and email of the person responsible for processing the billing information.

### Sending Documentation to the Receiving PHA

The initial PHA is required to send the receiving PHA the following documents:

Form HUD-52665, Family Portability Information, with Part I filled out  
[Notice PIH 2012-42]

A copy of the family's voucher [Notice PIH 2012-42]

A copy of the family's most recent form HUD-50058, Family Report, or, if necessary in the

case of an applicant family, family and income information in a format similar to that of form HUD-50058 [24 CFR 982.355(c)(74), Notice PIH 2012-42]

Copies of the income verifications backing up the form HUD-50058, including a copy of the family's current EIV data [24 CFR 982.355(c)(74), Notice PIH 2012-42]

#### HACA Policy

In addition to these documents, HACA will provide the following information, if available, to the receiving PHA:

- Social security numbers (SSNs)

- Documentation of SSNs for all nonexempt household members whose SSNs have not been verified through the EIV system

- Documentation of legal identity

- Documentation of citizenship or eligible immigration status

- Documentation of participation in the earned income disallowance (EID) benefit

- Documentation of participation in a family self-sufficiency (FSS) program

HACA will notify the family in writing regarding any information provided to the receiving PHA [HCV GB, p. 13-3].

#### **Initial Billing Deadline [Notice PIH 2012-42, [Letter to Executive Directors, 9/15/15](#)]**

~~When the initial PHA sends form HUD-52665 to the receiving PHA, it specifies in Part I the deadline by which it must receive the initial billing notice from the receiving PHA. This~~ The deadline for submission of initial billing is 90 ~~60~~ days following the expiration date of the voucher issued to the family by the initial PHA. If the initial PHA does not receive a billing notice by the deadline and does not intend to honor a late billing submission, it must contact the receiving PHA to determine the status of the family. If the receiving PHA reports that the family is not yet under HAP contract, the initial PHA may refuse to accept a late billing submission. If the receiving PHA reports that the family is under HAP contract and the receiving PHA cannot absorb the family, the initial PHA must accept a late billing submission; however, it may report to HUD the receiving PHA's failure to comply with the deadline.

#### HACA Policy

If HACA has not received an initial billing notice from the receiving PHA ~~by the deadline s~~ within 90 days of expiration of the IHA's voucher ~~specified on form HUD-52665~~, it will contact the receiving PHA by phone, fax, or e-mail on the next business day. If HACA reports that the family is not yet under HAP contract, HACA will inform the receiving PHA that it will not honor a late billing submission and will return any subsequent billings that it receives on behalf of the family. HACA will send the receiving PHA a written confirmation of its decision by mail.

HACA will allow an exception to this policy if the family includes a person with disabilities and the late billing is a result of a reasonable accommodation granted to the



family by the receiving PHA.

#### **Monthly Billing Payments [24 CFR 982.355(e), Notice PIH 2012-42]**

If the receiving PHA is administering the family's voucher, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. When reimbursing for administrative fees, the initial PHA must promptly reimburse the receiving PHA for the lesser of 80 percent of the initial PHA ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill [24 CFR 982.355(e)(2)].

The initial PHA is responsible for making billing payments in a timely manner. The first billing amount is due within 30 calendar days after the initial PHA receives Part II of form HUD-52665 from the receiving PHA. Subsequent payments must be received by the receiving PHA no later than the fifth business day of each month. The payments must be provided in a form and manner that the receiving PHA is able and willing to accept.

The initial PHA may not terminate or delay making payments under existing portability billing arrangements as a result of over leasing or funding shortfalls. HACA must manage its tenant-based program in a manner that ensures that it has the financial ability to provide assistance for families that move out of its jurisdiction under portability and are not absorbed by receiving HACA as well as for families that remain within its jurisdiction.

#### HACA Policy

The initial PHA will try to utilize direct deposit to ensure that the payment is received by the deadline unless the receiving PHA notifies the initial PHA that direct deposit is not acceptable to them.

#### **Annual Updates of Form HUD-50058**

If the initial PHA is being billed on behalf of a portable family, it should receive an updated form HUD-50058 each year from the receiving PHA. If the initial PHA fails to receive an updated 50058 by the family's annual reexamination date, the initial PHA should contact the receiving PHA to verify the status of the family.

#### **Denial or Termination of Assistance [24 CFR 982.355(c)(9)]**

~~If the initial PHA has grounds for denying or terminating assistance for a portable family that has not been absorbed by the receiving PHA, the initial PHA may act on those grounds at any time.~~ At any time, either the initial PHA or the receiving PHA may make a determination to deny or terminate assistance with the family in accordance with 24 CFR 982.552 and 24 CFR 982.553. ~~If the initial PHA has grounds for denying or terminating assistance for a portable family that has not been absorbed by the receiving PHA, the initial PHA may act on those grounds at any time.~~ (For PHA policies on denial and termination, see Chapters 3 and 12, respectively.)

## 10-II.C. RECEIVING PHA ROLE

If a family has a right to lease a unit in the receiving PHA's jurisdiction under portability, the receiving PHA must provide assistance for the family [24 CFR 982.355(10)]. HUD may determine in certain instances that a PHA is not required to accept incoming portable families, such as a PHA in a declared disaster area. However, the PHA must have approval in writing from HUD before refusing any incoming portable families [24 CFR 982.355(b)].

Administration of the voucher must be in accordance with the receiving PHA's policies. This requirement also applies to policies of Moving to Work agencies. The receiving PHA procedures and preferences for selection among eligible applicants do not apply to the family, and the receiving PHA waiting list is not used [24 CFR 982.355(c)(10)]. ~~The receiving PHA's procedures and preferences for selection among eligible applicants do not apply, and the receiving PHA's waiting list is not used [24 CFR 982.355(10)].~~ However, the family's unit, or voucher, size is determined in accordance with the subsidy standards of the receiving PHA [24 CFR 982.355(c)(12)], and the amount of the family's housing assistance payment is determined in the same manner as for other families in the receiving PHA's voucher program [24 CFR 982.355(e)(2)]. receiving PHA's policies on extensions of the voucher term apply [(24 CFR 982.355(c)(14)].

~~If a family has a right to lease a unit in the receiving PHA's jurisdiction under portability, the receiving PHA must provide assistance for the family [24 CFR 982.355(10)].~~

~~The receiving PHA's procedures and preferences for selection among eligible applicants do not apply, and the receiving PHA's waiting list is not used [24 CFR 982.355(10)]. However, the family's unit, or voucher, size is determined in accordance with the subsidy standards of the receiving PHA [24 CFR 982.355(7)], and the amount of the family's housing assistance payment is determined in the same manner as for other families in the receiving PHA's voucher program [24 CFR 982.355(e)(2)].~~

### Responding to Initial PHA's Request [24 CFR 982.355(c)]

The receiving PHA must respond via e-mail or other confirmed delivery method to the initial PHA's inquiry to determine whether the family's voucher will be billed or absorbed. ~~If [24 CFR 982.355(c)(3)].~~ If the receiving PHA informs the initial PHA that it will be absorbing the voucher, the receiving PHA cannot reverse its decision at a later date without consent of the initial PHA (24 CFR 982.355(c)(4)). ~~[Notice PIH 2012-42].~~

#### HACA Policy

HACA will use e-mail, when possible, to notify the initial PHA whether it will administer or absorb the family's voucher.

#### Initial Contact with Family



When a family moves into HACA's jurisdiction under portability, the family is responsible for promptly contacting HACA and complying with HACA's procedures for incoming portable families. The family's failure to comply may result in denial or termination of the receiving PHA's voucher [24 CFR 982.355(c)(8)].

If the voucher issued to the family by the initial PHA has expired, the receiving PHA ~~does not process the family's paperwork but instead refers the family back to the initial PHA~~ [Notice PIH 2012-42]. ~~must contact the initial PHA to determine if it will extend the voucher~~ [24 CFR 982.355(c)(13)].

If for any reason the receiving PHA refuses to process or provide assistance to a family under the portability procedures, the family must be given the opportunity for an informal review or hearing [Notice PIH 2012-42]. (For more on this topic, see later under "Denial or Termination

of Assistance.")

If for any reason the receiving PHA refuses to process or provide assistance to a family under the portability procedures, the family must be given the opportunity for an informal review or hearing [Notice PIH 2008-43]. (For more on this topic, see later under "Denial or Termination of Assistance.")

### Briefing

HUD allows the receiving PHA to require a briefing for an incoming portable family as long as the requirement does not unduly delay the family's search [Notice PIH2012-42].

#### HACA Policy

HACA will require the family to attend a briefing. HACA will provide the family with a briefing packet (as described in Chapter 5) and, in an individual briefing, will orally inform the family about HACA's payment and subsidy standards, procedures for requesting approval of a unit, the unit inspection process, and the leasing process.

### Income Eligibility and Reexamination

~~HUD allows the receiving PHA to conduct its own income reexamination of a portable family [24 CFR 982.355(c)(4)]. However, the receiving PHA may not delay voucher issuance or unit approval until the reexamination process is complete unless the reexamination is necessary to determine that an applicant family is income eligible for admission to the program in the area where the family wishes to lease a unit [Notice PIH 2012-42], 24 CFR 982.201(b)(4)].~~ The receiving PHA does not re-determine ~~income~~ eligibility for a portable family that was already receiving assistance in the initial PHA's voucher program [24 CFR 982.355(c)(4)]. ~~If the receiving PHA opts to conduct a new~~

reexamination for a current participant family, the receiving PHA may not delay issuing the family a voucher or otherwise delay approval of a unit [24 CFR 982.355(c)(11)].

#### HACA Policy

For any family moving into its jurisdiction under portability, HACA will conduct a new reexamination of family income and composition based on the current 50058 provided.

HACA will not delay issuing the family a voucher or delay approving a unit for the family until the reexamination process is complete unless the family is an applicant and HACA cannot otherwise confirm that the family is income eligible for admission to the program in the area where the unit is located.

In conducting its own reexamination, HACA will rely upon the current 50058 submitted by the Initial PHA along with any supporting documentation and verifications provided to the extent that they (a) accurately reflect the family's current circumstances and (b) were obtained within the last 120 days.

New information may be verified by documents provided by the family and readjusted retroactively to the initial start date of the first HAP, if necessary, when third party verification is received.

#### **Voucher Issuance**

When a family moves into its jurisdiction under portability, the receiving PHA is required to issue the family a voucher [24 CFR 982.355(c)(136)]. The family must submit a request for tenancy approval to the receiving PHA during the term of the receiving PHA's voucher [24 CFR 982.355(c)(156)].

#### ***Timing of Voucher Issuance***

HUD expects the receiving PHA to issue the voucher within two weeks after receiving the family's paperwork from the initial PHA if the information is in order, the family has contacted the receiving PHA, and the family complies with the receiving PHA's procedures [Notice PIH 2012-42].

#### HACA Policy

When a family ports into its jurisdiction, HACA will issue the family a voucher based on the paperwork provided by the initial PHA unless the family's paperwork from the initial PHA is incomplete, the family's circumstances have changed, the family's voucher from the initial PHA has expired or the family does not comply with HACA's procedures. HACA will update the family's information when verification has been completed.

#### ***Voucher Term***

The term of the receiving PHA's voucher may not expire before 30 calendar days from the expiration ~~the term~~ ~~the term~~ of the initial PHA's voucher [24 CFR 982.355(c)(136)].

#### HACA Policy

The receiving PHA's voucher will expire 30 calendar days from ~~on the same~~ expiration date ~~of the as the~~ initial PHA's voucher.

***Voucher Extensions [24 CFR 982.355(c)(146), Notice PIH 2012-42]***

~~The receiving PHA may provide additional search time to the family beyond the expiration date of the initial PHA's voucher; voucher~~ Once the receiving PHA issues the portable family a voucher, the receiving PHA's policies on extensions of the voucher term apply. The receiving PHA ~~if it does so, it must~~ inform the initial PHA of any ~~the~~ extension granted to the term of the voucher. ~~however, if it does so, it must inform the initial PHA of the extension.~~ It must also bear in mind the billing deadline provided by the initial PHA. Unless willing and able to absorb the family, the receiving PHA should ensure that any voucher expiration date would leave sufficient time to process a request for tenancy approval, execute a HAP contract, and deliver the initial billing to the initial PHA.

***HACA Policy***

HACA generally will not extend the term of the voucher that it issues to an incoming portable family unless HACA plans to absorb the family into its own program, in which case it will follow the policies on voucher extension set forth in section 5-II.E.

HACA will consider an exception to this policy as a reasonable accommodation to a person with disabilities (see Chapter 2).

***Voucher Suspensions [24 CFR 982.303, 24 CFR 982.355(c)(15)]***

If the family submits a request for tenancy approval during the term of the receiving PHA's voucher, the PHA must suspend the term of that voucher. The term of the voucher stops from the date that the family submits a request for PHA approval of the tenancy until the date the PHA notifies the family in writing whether the request has been approved or denied [24 CFR 982.4(b)] (see Section 5-II.E).



### Notifying the Initial PHA

The receiving PHA must promptly notify the initial PHA if the family has leased an eligible unit under the program or if the family fails to submit a request for tenancy approval for an eligible unit within the term of the receiving PHA's voucher [24 CFR 982.355(c)(168)]. The receiving PHA is required to use Part II of form HUD-52665, Family Portability Information, for this purpose.

[24 CFR 982.355(e)(5), Notice PIH 2012-42]. (For more on this topic and the deadline for notification, see below under "Administering a Portable Family's Voucher.")

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If an incoming portable family ultimately decides not to lease in the jurisdiction of the receiving PHA but instead wishes to return to the initial PHA's jurisdiction or to search in another jurisdiction, the receiving PHA must refer the family back to the initial PHA. In such a case the voucher of record for the family is once again the voucher originally issued by the initial PHA. Any extension of search time provided by the receiving PHA's voucher is only valid for the family's search in the receiving PHA's jurisdiction [Notice PIH 2012-42].

### Administering a Portable Family's Voucher

#### Portability Billing [24 CFR 982.355(e)]

To cover assistance for a portable family that was not absorbed, the receiving PHA bills the initial PHA for housing assistance payments and administrative fees. The amount of the housing assistance payment for a portable family in the receiving PHA's program is determined in the same manner as for other families in the receiving PHA's program.

The receiving PHA may bill the initial PHA for the lesser of 80 percent of the initial PHA's ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee for each program unit under contract on the first day of the month for which the receiving PHA is billing the initial PHA under portability. If the administrative fees are prorated for the HCV program, the proration will apply to the amount of the administrative fee for which the receiving PHA may bill (i.e., the receiving PHA may bill for the lesser of 80 percent of the initial PHA's prorated ongoing administrative fee or 100 percent of the receiving PHA's ongoing administrative fee).

If both PHAs agree, the PHAs may negotiate a different amount of reimbursement.

#### PHA Policy

Unless the PHA negotiates a different amount of reimbursement with the initial PHA, the PHA will bill the initial PHA the maximum amount of administrative fees allowed, ensuring any administrative fee proration has been properly applied.

#### *Initial Billing Deadline*

If a portable family's search for a unit is successful and the receiving PHA intends to administer the family's voucher, the receiving PHA must submit its initial billing notice (Part II of form



At least quarterly, HACA must also report an updated list of the addresses of units receiving assistance under the HCV program to the same public health department(s), unless the public health department(s) states that it does not wish to receive such a report.

#### HACA Policy

The public health department(s) has stated they **do not** wish to receive a report of an updated list of the addresses of units receiving assistance under the HCV program, on a quarterly basis. Therefore, HACA is not providing such a report.

### **PART VIII: DETERMINATION OF INSUFFICIENT FUNDING**

#### **16-VIII.A. OVERVIEW**

The HCV regulations allow PHAs to deny families permission to move and to terminate Housing Assistance Payments (HAP) contracts if funding under the consolidated ACC is insufficient to support continued assistance [24 CFR 982.314(e)(1) and 982.454]. **If a PHA denies a family a portability move based on insufficient funding, the PHA is required to notify the local HUD office within 10 business days [24 CFR 982.354].** Insufficient funding may also impact HACA's ability to issue vouchers to families on the waiting list. This part discusses the methodology HACA will use to determine whether or not HACA has sufficient funding to issue vouchers, approve moves, and to continue subsidizing all families currently under a HAP contract.

#### **16-VIII.B. METHODOLOGY**

##### HACA Policy

HACA will determine whether there is adequate funding to issue vouchers, approve moves to higher cost units and areas, and continue subsidizing all current participants by comparing HACA's annual budget authority to the annual total HAP needs on a monthly basis. The total HAP needs for the calendar year will be projected by establishing the actual HAP costs year to date. To that figure, HACA will add anticipated HAP expenditures for the remainder of the calendar year. Projected HAP expenditures will be calculated by multiplying the projected number of units leased per remaining months by the most current month's average HAP. The projected number of units leased per month will take into account the average monthly turnover of participant families. If the total annual HAP needs equal or exceed the annual budget authority, or if HACA cannot support the cost of the proposed subsidy commitment (voucher issuance or move) based on the funding analysis, HACA will be considered to have insufficient funding.

If it is determined that there is insufficient funding, HACA may suspend issuing vouchers, discontinue approving moves, discontinue entering into any new HAP Contracts, and may also terminate existing HAP contracts.

which it is feasible to project income.

#### Other examples of HACA initiated Interim Reexaminations

If at the time of the annual reexamination, tenant-provided documents were used on a provisional basis due to the lack of third-party verification, and third-party verification becomes available, HACA will conduct an interim reexamination.

If there has been a change in circumstances for a tenant or a tenant disputes the income calculation, HACA may conduct an interim reexamination.

HACA may conduct an interim reexamination at any time in order to correct an error in a previous reexamination, or to investigate a tenant fraud complaint.

#### Payment Standard Errors

If it is discovered during the screening process that the family was not downgraded or upgraded in error to the proper bedroom size based on current subsidy standard policy, HACA will conduct an interim to downgrade or upgrade to the proper bedroom size.

#### Family-Initiated Interim Reexaminations

HACA must adopt policies prescribing when and under what conditions the family must report changes in family income or expenses [24 CFR 982.516(c)]. In addition, HUD regulations require that the family be permitted to obtain an interim reexamination any time the family has experienced a change in circumstances since the last determination [24 CFR 982.516(b)(2)].

#### Reporting Requirements for Changes in income and family composition

##### HACA Policy

##### **Required Reporting**

The family is required to report the following in writing within 30 calendar days from the date of occurrence.

1. If the family is on zero income, the family must report any changes in income, regardless of the amount.
2. Families are required to report **new earned income and new sources of unearned income within 30 days from the date of occurrence.**  
~~a total household income increase of \$600.00 a month or more or \$7,200 or more annually.~~
3. All changes in family composition must be reported in writing within 30 days from the date of occurrence.
4. If the family is reporting a decrease in income, they must also report any increases in income, which have occurred.

##### **Not required to report**

The family is not required to report the following until the next annual re-examination.

1. Cost of living adjustments to recipients of Social Security, TANF and Veteran Assistance **or increased amounts of other unearned income.**



2. Families are not required to report increases in current earned income sources and/or increases in assets between annual reexaminations. ~~Total household income increases that total less than \$600.00 monthly or less than \$7,200 annually.~~

#### Optional Reporting Requirements

1. FSS participants may request rent increases be processed to increase the escrow account. ~~even if the income increase is less than \$600.00 per month or less than \$7,200 annually.~~

### 11-11.D. PROCESSING THE INTERIM REEXAMINATION

#### Method of Reporting

##### HACA Policy

The participant must complete an update form and provide necessary information to support the change. The participant must submit any required information or documents within 14 calendar days of receiving a request from HACA. This time frame may be extended for good cause with HACA approval. HACA will accept required documentation by mail, email, fax, or in person. When all necessary verification is complete, the housing eligibility specialist will complete a Rent Change Notice reflecting the change in rent portions and the effective date. A notice will be sent to the family and owner. Generally, the family will not be required to attend an interview for an interim reexamination. However, if HACA determines that an interview is warranted, the family may be required to attend.

#### Effective Dates

HACA must establish the time frames in which any changes that result from an interim reexamination will take effect [24 CFR 982.516(d)]. The changes may be applied either retroactively or prospectively, depending on whether there is to be an increase or a decrease in the family share of the rent, and whether the family reported any required information within the required time frames [HCV GB, p. 12-10].

##### HACA Policy

##### **If the family share of the rent is to increase:**

When the change is reported in a timely manner (within 30 calendar days from the effective date of the income increase), the family will be given a 30-day notice prior to the first of the month for any increase in tenant rent.

Cost of living adjustments to recipients of Social Security or SSI, Welfare and Veterans Assistance or increased amounts of other current unearned income will be calculated at the next annual re-examination.

Increases in assets would be calculated at the next re-examination.

Increases in current earned income would be calculated at the next re-examination (i.e. increase in pay rate or hours worked).

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Interim increases will be processed as a result of new earned income or new unearned income if the increase is greater than \$600.00 a month or equal to or greater than \$7,200 annually.

Monthly income increases that total less than \$600.00 a month or less than \$7,200 annually will be calculated at the next re-examination.

Interim increases, regardless of the amount, will be processed ~~except~~ when current household income is zero.

If a family reports an increase in income within 4 months of their next annual re-examination, HACA will include the interim change at the annual re-examination.

If HACA experiences a ~~change-reduction~~ in HCV administrative fees or ~~has-staffing limitations, the~~ staffing, the Vice President of Assisted Housing, with the approval of the President and CEO, has the discretion to make ~~a decision~~ changes regarding the procedure to process interim increases ~~equal to or great than \$600.00 a month or equal to or greater than \$7,200 annually at the next annual re-examination~~ by providing a written notice to staff outlining which interim increases will be processed and when to process interims.

In the event an increase in income was not reported in a timely manner, HACA may:

- Retroactively establish the correct Housing Assistance Payment and require the tenant to repay any amounts owed to HACA for the period they earned higher income but did not report;

- Terminate the participant from the program for willful intent to commit fraud; or

- Report the violation to the HUD Office of Inspector General and or local authorities for prosecution.

The family will be responsible for any overpaid subsidy and may be offered a repayment agreement in accordance with the policies in Chapter 14 and 16.

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#### **If the family share of the rent is to decrease:**

Changes will be made only after the tenant reports the change in writing by completing an update form and providing proper information or documentation. If the tenant reports the change in writing with proper documentation, the change will be effective the first of the following month. If staff is unable to process the change by the first of the month, retroactive rent will be paid back to the appropriate effective date.

If a family reports a decrease in income from the loss of welfare benefits due to fraud or non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program, the family's share of the rent will not be reduced [24 CFR 5.615]. For more information regarding the requirement to impute welfare income see Chapter 6.



meaning any member of the household, a guest, or another person under the tenant's control commits any of the following types of criminal activity (for applicable definitions see [24 CFR 5.100]):

Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of the premises by, other residents (including property management staff residing on the premises)

Any criminal activity that threatens the health or safety of, or the right to peaceful enjoyment of their residences by, persons residing in the immediate vicinity of the premises

Any violent criminal activity on or near the premises

Any drug-related criminal activity on or near the premises.

However, in the case of criminal activity directly related to domestic violence, dating violence, sexual assault or stalking, if the tenant or affiliated individual is the victim, the criminal activity may not be construed as cause for terminating the victim's tenancy (see section 12-II.E).

The owner may terminate tenancy during the term of the lease if any member of the household is:

Fleeing to avoid prosecution, custody, or confinement after conviction for a crime or an attempt to commit a crime that is a felony under the laws of the place from which the individual flees, or that, in the case of the State of New Jersey, is a high misdemeanor; or

Violating a condition of probation or parole imposed under federal or state law.

The owner may terminate tenancy during the term of the lease if any member of the household has engaged in abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

#### ***Evidence of Criminal Activity***

The owner may terminate tenancy and evict by judicial action a family for criminal activity by a covered person if the owner determines the covered person has engaged in the criminal activity, regardless of whether the covered person has been arrested or convicted for such activity and without satisfying the standard of proof used for a criminal conviction. *This is the case except in certain incidents where the criminal activity directly relates to domestic violence, dating violence, sexual assault, or stalking, and the tenant or an affiliated individual is the victim or threatened victim of the domestic violence, dating violence, sexual assault, or stalking.*

#### **Other Good Cause**

During the initial lease term, the owner may not terminate the tenancy for "other good cause" unless the owner is terminating the tenancy because of something the family did or failed to do. During the

initial lease term or during any extension term, other good cause includes the disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises. After the initial lease term, "other good cause" for termination of tenancy by the owner includes:

Failure by the family to accept the offer of a new lease or revision;

The owner's desire to use the unit for personal or family use, or for a purpose other than as a residential rental unit;

A business or economic reason for termination of the tenancy (such as sale of the property, renovation of the unit, or desire to lease the unit at a higher rent).

After the initial lease term, the owner may give the family notice at any time, in accordance with the terms of the lease.

~~Note that "other good cause" does not include vacating a property that has been foreclosed upon during the lease term prior to the sale of that property. However, if the new owner of the property will occupy the unit as a primary residence and the lease is not in the initial term, the new owner may terminate the tenancy following at least a ninety days notice to vacate to the tenant family.~~

~~If the lease is in the initial term, the new owner must wait until the end of the lease term to terminate the tenancy. [24 C.F.R. § 982.310(d)(2)(2012)] (Limits owner's right to terminate the tenancy during the initial term only to something the family did or failed to do.)~~

~~Further information on the protections afforded to tenants in the event of foreclosure can be found in Section 13 H.G and Notice PIH 2010-49].~~

### **12-III.C. EVICTION [24 CFR 982.310(e) and (f) and Form HUD-52641-A, Tenancy Addendum]**

The owner must give the tenant a written notice that specifies the grounds for termination of tenancy during the term of the lease. The tenancy does not terminate before the owner has given this notice, and the notice must be given at or before commencement of the eviction action.

The notice of grounds may be included in, or may be combined with, any owner eviction notice to the tenant.

Owner eviction notice means a notice to vacate, or a complaint or other initial pleading used under state or local law to commence an eviction action. The owner may only evict the tenant from the unit by instituting a court action. The owner must give HACA a copy of any eviction notice at the same time the owner notifies the family. The family is also required to give HACA a copy of any eviction notice (see Chapter 5).

#### HACA Policy

If the eviction action is finalized in court, the owner must provide HACA with documentation related to the eviction, including notice of the eviction date, as soon as



owner must be in writing and in a form that HACA finds acceptable. The new owner must provide HACA with a copy of the executed agreement.

#### HACA Policy

Assignment of the HAP contract will be approved only if the new owner is qualified to become an owner under the HCV program according to the policies in Section 13-I.D. of this chapter.

HACA must receive a signed, written request from the existing owner stating the name and address of the new HAP payee and the effective date of the assignment in order to change the HAP payee under an outstanding HAP contract.

Within 10 business days of receiving the owner's request, HACA will inform the current owner in writing whether the assignment may take place.

The new owner must provide a written certification to HACA that includes:

A copy of the escrow statement or other document showing the transfer of title and recorded deed;

A copy of the owner's IRS Form W-9, Request for Taxpayer Identification Number and Certification, or the social security number of the new owner;

The effective date of the HAP contract assignment;

A written agreement to comply with the terms of the HAP contract; and

A certification that the new owner is not a prohibited relative.

If the new owner does not agree to an assignment of the HAP contract, or fails to provide the necessary documents, HACA will terminate the HAP contract with the old owner. If the new owner wants to offer the family a new lease, and the family elects to stay with continued assistance, HACA will process the leasing in accordance with the policies in Chapter 9.

### **13-H.G. FORECLOSURE [HUD-52641 and Notice PIH 2010-49]**

~~Families receiving HCV assistance are entitled to certain protections set forth under the Protecting Tenants at Foreclosure Act (PTFA). Specifically, the HAP contract now contains language stating that in the case of any foreclosure, the immediate successor in interest in the property pursuant to the foreclosure will assume such interest subject to the lease between the prior owner and the tenant, and to the HAP contract between the prior owner and the PHA for the occupied unit. This provision of the HAP contract does not affect any state or local law that provides longer time periods or other additional protections for tenants.~~

~~If HACA learns that a property is in foreclosure, it must take the following actions:~~

~~Make all reasonable efforts to determine the status of the foreclosure and ownership of the~~

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property. (Further guidance on how to obtain this information can be found in Notice PIH 2010-49.)

Continue to make payments to the original owner until ownership legally transfers in accordance with the HAP contract.

Attempt to obtain a written acknowledgement of the assignment of the HAP contract from the successor in interest. The written agreement should include a request for owner information, such as a tax identification number, and payment instructions from the new owner. Even if the new owner does not acknowledge the assignment of the HAP contract in writing, the assignment is still effective by operation of law.

Following a foreclosure sale, the tenant is not obligated to pay the rent to a buyer at the sale until five days after receiving written notice of the name and address of the purchaser that requests payment. See Tex. Prop. Code Ann. § 24.005 (b) (Vernon Supp. 2012). If

the tenant has paid the rent to the prior owner before receiving this notice, then the tenant's obligation to pay the new owner begins with the next rent payment due under the lease. In order to protect tenants from fraudulent real estate scammers, the tenant should be advised to set rent aside and to pay the new owner only after receiving the required written notice.

Inform the tenant in the event that HACA is unable to make HAP payments to the successor in interest due an action or inaction by the successor that prevents such payments (e.g., rejection of payments or failure to maintain the property according to HQS), or due to an inability to identify the successor. HACA should also refer the tenant, as needed, to the local legal aid office in order to ensure adequate protection of the tenant's rights and enforcement of the successor in interest's performance under the HAP contract.

Make reasonable inquiries to determine whether the unit, in addition to having a tenant receiving HCV assistance, will be or has been assisted under the Neighborhood Stabilization Program (NSP). (For further guidance on cases in where the units have been assisted under the NSP, see Notice PIH 2010-49.)

HACA is also required to notify HCV applicants who have been issued a voucher, participant heads of household, and current and prospective owners of HCV-assisted housing of the protections afforded to tenants under the PTFA.

#### HACA Policy

HACA will provide all HCV applicants that have been issued a voucher with information regarding the PTFA at admission (see Section 5-1.B) and to participant heads of household at annual reexamination.

HACA will provide information regarding the PTFA to prospective owners when they begin their participation in the HCV program and to current HCV owners one time with the monthly HAP.

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~~Information to the tenants and owners will include a statement that the new owner must honor any remaining lease term and give at least a ninety days' notice to vacate. Also, that if the buyer intends to occupy the unit as a personal residence, the buyer may not terminate the tenancy during the initial term except for something the tenant does or fails to do.~~

~~Note that the foreclosure provision of the HAP contract and additional tenant protections under the Protecting Tenants at Foreclosure Act will sunset December 31, 2014. See Section 12-III.B for a discussion of foreclosure as it pertains to owner termination of tenancy.~~

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## CHAPTER 14 PROGRAM INTEGRITY INTRODUCTION

HACA is committed to ensuring that subsidy funds made available to HACA are spent in accordance with HUD requirements.

This chapter covers HUD and PHA policies designed to prevent, detect, investigate and resolve instances of program abuse or fraud. It also describes the actions that will be taken in the case of unintentional errors and omissions.

Part I: Preventing, Detecting, and Investigating Errors and Program Abuse. This part presents PHA policies related to preventing, detecting, and investigating errors and program abuse.

Part II: Corrective Measures and Penalties. This part describes the corrective measures HACA must and may take when errors or program abuses are found.

### PART I: PREVENTING, DETECTING, AND INVESTIGATING ERRORS AND PROGRAM ABUSE

#### 14-1.A. PREVENTING ERRORS AND PROGRAM ABUSE

HUD created the Enterprise Income Verification (EIV) system to provide PHAs with a powerful tool for preventing errors and detecting program abuse. PHAs are required to use the EIV system in its entirety in accordance with HUD administrative guidance [24 CFR 5.233]. PHAs are further required to:

Provide applicants and participants with form HUD-52675, "Debts Owed to PHAs and Terminations"

Require all adult members of an applicant or participant family to acknowledge receipt of form HUD-52675 by signing a copy of the form for retention in the family file

#### HACA Policy

To ensure that HACA's HCV program is administered effectively and according to the highest ethical and legal standards, HACA will employ a variety of techniques to ensure that both errors and intentional program abuse are rare.

## Updating Payment Standards

When HUD updates its FMRs, HACA must update its payment standards if the standards are no longer within the basic range [24 CFR 982.503(b)]. HUD may require HACA to make further adjustments if it determines that rent burdens for assisted families in HACA's jurisdiction are unacceptably high [24 CFR 982.503(g)].

### HACA Policy

HACA will review the appropriateness of the payment standards on an annual basis when the new FMRs are published, and at other times as determined necessary. In addition to ensuring the payment standards are always within the "basic range" HACA will consider the following factors when determining whether an adjustment should be made to the payment standard schedule:

**Funding Availability:** HACA will review the budget to determine the impact projected subsidy adjustments will have on funding available for the program and the number of families served.

**Average rental amounts for unassisted units** – HACA will review the average rental amounts from HACA's available units list and Multiple Listing Service for leased units.

Any changes to payment standard amounts will be approved by the Board of Commissioners and the effective date will be provided in writing to staff and program participants.

## Exception Payment Standards [982.503(c)]

The HACA must request HUD approval to establish payment standards that are higher than the basic range. At HUD's sole discretion, HUD may approve a payment standard amount that is higher than the basic range for a designated part of the FMR area. HUD may approve an exception payment standard amount (in accordance with program requirements) for all units, or for all units of a given size, leased by program families in the exception area. Any PHA with jurisdiction in the exception area may use the HUD-approved exception payment standard amount. The total population of all HUD-approved exception areas in an FMR area may not include more than 50 percent of the population of the FMR area.

### **Unit-by-Unit Exceptions [24 CFR 982.503(c)(2)(ii), 24 CFR 982.505(d), Notice PIH 2010-26, Streamlining Rule 3/8/2016 and Notice PIH 2016-05]**

Unit-by-unit exceptions to HACA's payment standards are generally not permitted. However, an exception may be made as a reasonable accommodation for a family that includes a person with disabilities. (See Chapter 2 for a discussion of reasonable accommodations.) This type of exception does not affect HACA's payment standard schedule.

HACA may establish ~~When needed as a reasonable accommodation, HACA may make an~~



exception ~~to the~~ payment standard of not more than 120 percent of the published FMR, for the approved unit size, if required as a reasonable accommodation in accordance with 24 CFR part 8 for a family that includes a person with a disability. Any unit approved under an exception payment standard must still meet the reasonable rent requirements found at 24 CFR 982.507. ~~without HUD approval if the exception amount does not exceed 110 percent of the applicable FMR for the unit size [HCV GB 7-9]. HACA may request HUD approval for an exception to the payment standard for a particular family if the required amount falls between 110 and 120 percent of the FMR.~~

#### HACA Policy

A family that requires a reasonable accommodation may request a higher payment standard at the time the Request for Tenancy Approval (RFTA) is submitted.

The family must submit a written request for a reasonable accommodation for an exception (higher) payment standard;

The family must provide supporting documentation from a medical professional which defines the need for the exception payment standard; and ~~document the need for the exception.~~

The family must provide a written explanation of why the features of the unit meet the needs of a family member with disabilities. For example, a unit may be suitable because of its physical features or proximity to a health care provider, accessible employment, or other required services.

In order to approve an exception payment standard, ~~or request an exception from HUD,~~ HACA must determine that:

There is a shortage of affordable units that would be appropriate for the family;

The family's TTP would otherwise exceed 40 percent of adjusted monthly income;

The rent for the unit is reasonable as determined by a rent reasonableness analysis conducted in accordance with HACA's rent reasonableness certification policy and in compliance with 24 CFR 982.507;

The unit has features that meet the needs of a family member with disabilities.;

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#### **"Success Rate" Payment Standard Amounts [24 CFR 982.503(e)]**

If a substantial percentage of families have difficulty finding a suitable unit, HACA may request a "success rate payment standard" that applies to the entire jurisdiction. If approved by HUD, a success rate payment standard allows HACA to set its payment standards at 90-110 percent of a higher FMR (the 50<sup>th</sup>, rather than the 40<sup>th</sup> percentile FMR). To support the request, HACA must demonstrate that during the most recent 6-month period for which information is available:

The term affiliated individual *member* means, with respect to a person:

- A spouse, parent, brother or sister, or child of that individual , or an individual to whom that individual stands in the position or place of a parent; or
- Any other individual tenant or lawful occupant living in the household of that individual : the victim of domestic violence, dating violence, sexual assault, or stalking.

The term *sexual assault* means:

- Any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks the capacity to consent

The term *stalking* means:

- ~~To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or~~
- ~~To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and~~
- ~~In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.~~ To engage in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

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#### 16-IX.C. NOTIFICATION [24 CFR 5.2005(a)] Notification to Public

HACA adopts the following policy to help ensure that all actual and potential beneficiaries of its HCV program are aware of their rights under VAWA.

##### HACA Policy

HACA will post the following information regarding VAWA in its offices and on its Web site. It will also make the information readily available to anyone who requests it.

A summary of the rights and protections provided by VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault or stalking (see sample notices in Exhibits 16-1 and 16-2)

The definitions of *domestic violence*, *dating violence*, *sexual assault* and *stalking* provided in VAWA (included in Exhibits 16-1 and 16-2)

VAWA defines *stalking* as ~~(A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person OR (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person AND (B) in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person, (ii) a member of the immediate family of that person, or (iii) the spouse or intimate partner of that person.~~ person engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.



## Definitions

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

VAWA defines *dating violence* as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

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

VAWA defines *sexual assault* as "any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks capacity to consent" (42 U.S.C. 13925(a)).

VAWA defines *stalking* as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress (A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person OR (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person AND (B) in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person, (ii) a member of the immediate family of that person, or (iii) the spouse or intimate partner of that person.

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**The Austin Chronicle**

**The Villager**

**El Mundo**

**Nokoa**

**Ahora Si**

**HACA may also advertise the RFPs in other trade journals and industry sources, including electronic advertising, as HACA determines is appropriate for the project.**

In addition to, or in place of advertising, HACA may, on an ongoing basis, also directly contact specific owners that have already been selected for Federal, state, or local housing assistance based on a previously held competition, to inform them of available PBV assistance. Any awards of PBV units selected under this method will be published in the Austin American Statesman within 30 days of the award.

Proposals will be reviewed on a first-come first-serve basis. HACA will evaluate each proposal on its merits using the following factors:

Owner experience and capability to build or rehabilitate housing as identified in the RFP;

Extent to which the project furthers HACA's goal of deconcentrating poverty and expanding housing and economic opportunities; and

Projects that will provide affordable housing and support services to individuals or families experiencing homelessness.

Projects which will provide affordable housing and support services to low-income or homeless veterans.

**PHA-Owned Units [24 CFR 983.51(e) and 983.59, and Notice PIH 2015-05]**

A PHA-owned unit may be assisted under the PBV program only if the HUD field office or HUD-approved independent entity reviews the selection process and determines that the PHA-owned units were appropriately selected based on the selection procedures specified in the PHA administrative plan. If the PHA selects a proposal for housing that is owned or controlled by the PHA, the PHA must identify the entity that will review the PHA proposal selection process and p

In the case of PHA-owned units, the term of the HAP contract and any HAP contract renewal must be agreed upon by the PHA and a HUD-approved independent entity. ~~the initial contract rent must be approved by an independent entity~~ In addition, an independent entity must determine the rent to owner, the redetermined rent to owner, and reasonable rent. ~~HIn addition, housing~~

quality standards inspections must also be conducted by an independent entity.

Perform specific functions with respect to rent determinations and inspections.

The independent entity that performs these program services may be the unit of general local government for the PHA jurisdiction (unless the PHA is itself the unit of general local government or an agency of such government) or another HUD-approved public or private independent entity.

#### HACA Policy

HACA may submit a proposal for project-based housing that is owned or controlled by HACA or its subsidiary. If the proposal for HACA-owned or controlled housing is selected, the HUD field office or a HUD-approved independent entity will review the selection process to determine if the HACA owned or controlled units were appropriately selected based on the selection procedures specified in HACA's administrative plan. HACA will make documentation available for public inspection regarding the basis of selection of a PVB proposal.

For HACA-owned or controlled housing, the initial contract rent will be approved by an independent entity. In addition, housing quality standards inspections will be conducted by an independent entity.

The PHA may only compensate the independent entity from PHA ongoing administrative fee income (including amounts credited to the administrative fee reserve). The PHA may not use other program receipts to compensate the independent entity for its services. The PHA and independent entity may not charge the family any fee for the appraisal or the services provided by the independent entity.

#### **PHA Notice of Owner Selection [24 CFR 983.51(d)]**

The PHA must give prompt written notice to the party that submitted a selected proposal and must also give prompt public notice of such selection. Public notice procedures may include publication of public notice in a local newspaper of general circulation and other means designed and actually operated to provide broad public notice.

#### HACA Policy

Within 15 business days of HACA making the selection, HACA will notify the selected owner in writing of the owner's selection for the PBV program. HACA will also notify in writing all owners that submitted proposals that were not selected and advise such owners of the name of the selected owner.

In addition, HACA will publish its notice for selection of PBV proposals for two consecutive days in the same newspapers and trade journals HACA used to solicit the proposals. The announcement will include the name of the owner that was selected for



## Chapter 18

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### Choice Mobility Policy

As part of the Rental Assistance Demonstration (RAD), HUD requires Housing Authorities to give residents the choice to request a Housing Choice Voucher after living in a Project Based Rental Assistance (PBRA) property for 24 months. HUD calls this "Choice Mobility". When HACA transitions Public Housing properties to PBRA, the Choice Mobility policy would be followed as outlined in this Chapter.

#### I. Definitions:

1. *Covered Project*: Any Public Housing property that has converted to the Project Based Rental Assistance (PBRA) program through RAD.
2. *Choice Mobility*: The opportunity for families to request a Housing Choice Voucher (HCV) and move into the private rental market with voucher assistance.
3. *Turnover Caps*: The maximum number of families that can receive a voucher in a calendar year. PHAs can establish caps for the maximum number of families that can receive a voucher from each property in the calendar year. PHAs can also establish caps for the maximum number of vouchers from all properties combined that can receive a voucher in a calendar year.

#### II. Eligibility and Voucher Caps

HUD seeks to provide all residents of Covered Projects with viable Choice Mobility options. The Housing Choice Voucher (HCV) program provides the most options for families to choose where they want to live within that housing authority's jurisdiction.

PHAs that are applying to convert the assistance of a project to PBRA are required to provide a Choice-Mobility option to residents of Covered Projects in accordance with the following:

- A. ***Resident Eligibility***. Residents have a right to move with tenant-based rental assistance (e.g., Housing Choice Voucher (HCV)) the later of: (a) 24 months from the date of execution of the HAP or (b) 24 months after the move-in date.
- B. ***Voucher Inventory Turnover Cap***. Recognizing the limitation on the availability of turnover vouchers from year to year, a voucher agency would not be required, in any year, to provide more than one-third of its turnover vouchers to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented the voucher agency must create and maintain a waiting list in the order in which the requests

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from eligible households were received.

### HACA Policy

HACA will provide all residents the opportunity to request a Housing Choice Voucher after the later of a) 24 months from the date of the execution of the HAP contract, or b) 24 months from the date of move in.

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- If a family moves from one covered project to another covered project, their 24 month clock resets. These families will have to wait for 24 months from the date of move in to the new property, before they can exercise Choice Mobility.
- If a family transfers within the same covered project, their 24 month clock does not reset. They will be eligible to request a Choice Mobility voucher at the later of: (a) 24 months from the date of execution of the HAP or (b) 24 months after the move-in date.
- A family may request the choice mobility voucher at any time after completing the 24 month requirement. They remain eligible as long as they continue living at the same covered project.
- A family that receives a Choice Mobility voucher, but allows it to expire without using it, can request another Choice Mobility voucher. However, they must wait 1 year from the date of the issuance of the expired voucher before requesting another Choice Mobility voucher. When they do request again, they will start the process from the beginning and are subject to any waiting lists in place at that time.

HACA will implement the voucher inventory cap. Each calendar year, the HCV program will only make 1/3 of its turnover vouchers available to families exercising Choice Mobility from any of its 18 covered projects transitioning into PBRA through the Rental Assistance Demonstration (RAD). HACA will establish an agency-wide Choice Mobility waiting list for times when there are more requests for vouchers than vouchers available due to the cap.

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HACA will not implement the project turnover cap.

The HCV program also provides the opportunity to move to other parts of the country by exercising the portability options. Families will be required to follow the housing authority's guidelines regarding when they can exercise the portability option.

### HACA Policy



In order to be eligible for the Choice Mobility option, families have to live in Austin, in a HACA owned PBRA property for at least 2 years. These families meet HACA's HCV program requirements and are eligible to exercise portability when they first receive a voucher.

### III. Notification of Eligibility

In keeping with HUD's goal to provide viable Choice Mobility options to residents of all covered projects, PHAs should provide clear notification and explanation of the Choice Mobility options available to them.

#### HACA Policy

At the time of the initial lease signing, HACA will provide a copy of the Choice Mobility policy to the family and explain the Choice Mobility option. HACA will provide clear direction and guidance regarding how to request a Choice Mobility voucher. Residents will be asked to sign a certification indicating that they received the Choice Mobility policy.

In addition, HACA will provide a written notification to the residents as part of the 90 Day letter that each families receives before their annual recertification appointment. (See Appendix 1)

If anything changes in the method for requesting the Choice Mobility voucher, HACA will provide written notification to the residents at least 30 days in advance of the change becoming effective.

### IV. Waiting Lists

PHA's that establish a voucher turnover cap are required to create a waiting list for families that request the Choice Mobility voucher.

#### HACA Policy

HACA will establish a Choice Mobility waiting list for all eligible families that request a voucher. The waiting list will be managed by HACA's centralized Admissions Department. Since HACA is not implementing a project turnover cap, there will be no project specific waiting lists. Eligible families that request the voucher will be placed directly onto the Choice Mobility waiting list.

HACA will remove families from the Choice Mobility waiting list who move out of the covered project before receiving a voucher.

- If a family moves out of the covered project into the private rental market after

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being placed on the Choice Mobility waiting list, they are no longer eligible for the voucher and their name will be removed from the Choice Mobility waiting list.

- If a family moves from one covered project to another covered project after being placed on the Choice Mobility waiting list, their 2 year clock resets. They will be removed from the Choice Mobility waiting list. They can re-apply once they have lived at the new covered project for 2 years.

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Families that are already on the regular HCV waiting list will be allowed to request a Choice Mobility voucher if they are eligible. Families will be allowed to keep their place on both lists until one of the following happens:

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- The family moves out of the covered project and is no longer eligible to be on the Choice Mobility list. The family will be removed from the Choice Mobility waiting list, but maintain their position on the regular HCV waiting list.
- The family voluntarily withdraws their name from one or both lists.
- The family receives a voucher and exercises the voucher by leasing up in the voucher program. The family will then be removed from the other list.
  - If a family receives a voucher through the regular HCV waiting list, but does not exercise the voucher (i.e. lease up in the voucher program), they will remain on the Choice Mobility waiting list.

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## V. Exercising the Choice Mobility Option

In order to ensure that all residents at all covered projects have an equal and fair opportunity to request and receive a Choice Mobility voucher, PHAs should provide clear guidance and instructions regarding how to apply for the voucher.

### HACA Policy

In order to maintain a safe, orderly and fair process for families to request a Choice Mobility voucher, HACA will implement the following:

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- ***Voucher Request:***
  - When a family is eligible to request a voucher, they must do so in writing using the voucher request form provided at the property (See Appendix 2).
  - The written request must be submitted to the management office at the covered property or at HACA's Central Administration building.
  - Once received, the property management staff or central office staff will forward the request to the Admissions Department to be placed on the Choice Mobility waiting list.
- ***Acknowledgement of Request:***

- Once the request is received and processed onto the Choice Mobility waiting list, the Admissions Department will send the family a notice acknowledging receipt of the voucher request (See Appendix 3).
- This is the family's confirmation that they are on the Choice Mobility waiting list.
- The acknowledgement of request will be sent to the family within 5 business days of receipt of the request.
- **Random Sorting:**
  - Once there are families on the Choice Mobility waiting list, HACA will select 1/3 of its monthly draw from the Choice Mobility waiting list.
  - Before each draw, HACA will conduct a random sort of the Choice Mobility waiting list.
  - The random sort protects each individual property from high volume resident turnover, while providing each family an equal opportunity to receive a voucher.

When a family is drawn from the Choice Mobility waiting list, they will be invited to attend the Housing Choice Voucher (HCV) program eligibility interview.

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## VI. Screening Process for the Choice Mobility HCV Voucher

In order to receive a Housing Choice voucher, families will be required to meet all the eligibility requirements for the HCV program in effect at the time of their eligibility processing. These requirements can be found in the HCV Administrative Plan.

### HACA Policy

HACA will screen all Choice Mobility families using the same criteria as for all other families. However, HACA will streamline the eligibility determination process in the following ways:

- HACA will use the certifications of identification, age, social security number and citizenship that it already has on file for the family.
- HACA will review the most recent certification and 50059 for basic information about the family composition and annual household income.
- HACA will only require new verification of income if the verifications for the most recent certification are too old to meet the criteria for the HCV program.

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If eligible to receive a voucher, families will follow the HCV program rules and guidelines for using the voucher. Families are reminded of the following:

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- ***The voucher has an expiration date.*** If extensions are available, families must follow the HCV program guidelines in effect at that time to request an extension. Failure to use the voucher before it expires will result in loss of the



voucher.

- ***Receipt of a voucher is not a guarantee that the family will be able to find a place to use the voucher.*** Landlords have their own screening criteria which families will have to meet to be able to live at that property.
- ***The family's lease at their current property requires at least 30 days notice to vacate.*** The family must provide this notice to their current property management staff.

## **VII. Transitioning from Project Based Rental Assistance to the Housing Choice Voucher Program**

When transitioning from PBRA to the HCV program with a Choice Mobility voucher, program participants are required to fulfill their obligations to the terms of the PBRA lease as well as all HCV requirements. Families are not allowed to receive assistance from both programs at the same time. To assist with the transition process and prevent duplicate assistance, PHA's should develop policies and guidelines to ensure that both program requirements are met.

### **HACA Policy**

Residents at a HACA PBRA property will be required to complete the following when transitioning to HACA's HCV program with a choice mobility voucher:

- Remain current on all rent, fees or other balances owed to the PBRA property.
  - Families with outstanding debts who are in a repayment agreement and who are current on their payments within the agreement are considered eligible.
  - Families with active repayment agreements must continue to make all payments until the balance is paid in full or risk losing their voucher assistance.
- Provide at least 30 days notice of their intent to vacate the unit to the property management.
- Participate in the move out inspection.
- Turn in their keys to the property management.
- Pay all move out expenses that may be charged after moving to their new home with voucher assistance.
  - If necessary, repayment agreements can be established to pay any outstanding move out balances.
  - Failure to pay the move out balance or to remain current in any repayment agreements that are established is grounds for termination of the family's voucher assistance.
- Pay all moving expenses related to the move from the PBRA property to their voucher assisted unit.

HACA and PBRA property staff will work to facilitate this process by doing the following:

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- Communicate between departments information related to the issuance of the voucher, move out notices, voucher extensions and specific dates of move out / move in.
  - Note: Coordination of communication between departments does not remove any of the family's obligations.
- Communicate the move out date from the PBRA program to the HCV Intake Team to prevent the overlapping of assistance.
  - The move out from PBRA will not be effective until the property manager receives the keys from the resident family.
  - The family will be required to pay the full rental cost for any days that they have moved in to their new unit before returning the keys to the PBRA property management.
  - The voucher assistance will not start until the day after the family provides the keys to the PBRA property management.

For a detailed flow chart of the transition process, please see Appendix 4.

### **VIII. Promoting Self-Sufficiency Through Choice Mobility**

The decision about where to live can have a significant impact on a family's journey toward self-sufficiency. Through the Choice Mobility voucher option, families living in the PBRA property are given the opportunity to make that decision. Therefore PHA's should strategize how to maximize the use of the Choice Mobility voucher as a self-sufficiency tool.

#### **HACA Policy**

Within available resources, HACA will intentionally strategize and leverage the utilization of specific supportive services to provide a solid foundation for the use of the Choice Mobility voucher as a self-sufficiency and resource building tool.

- HACA will explore how to efficiently and effectively use the 2 + years that families are living in PBRA to offer community development services that focus on preparing families for transition to use of a voucher in the private rental market. Such services may include, but are not limited to, financial literacy training, credit counseling and credit improvement, addressing rental history, increasing income through employment, financial coaching, and home maintenance and upkeep among others.
- HACA will explore how to use the resources available (i.e. opportunity mapping) to help direct families toward areas of higher opportunity when they are searching for neighborhoods and housing that meets their needs and where they can use the voucher. This will include helping families to understand how to use these tools to gain information on items such as schools, supportive services and transportation.



**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**AGENDA ITEM NO. 5**

**Presentation and Discussion of the proposed Changes to the Admissions and Continued Occupancy Policy which will go out for public comment beginning on May 23, 2016**

# **HOUSING AUTHORITY OF THE CITY OF AUSTIN**

## **BOARD OF COMMISSIONERS**

### **Presentation & Discussion**

**MEETING DATE:** May 19, 2016

**STAFF CONTACT:** Pilar Sanchez, Vice President of Housing and Community Development

#### **Presentation and Discussion of **Proposed Changes to the Admissions and Continued Occupancy Policy****

**ACTION:** Place out for Public Comment for 30 days beginning May 23, 2016 through 5:00 pm on June 21, 2016

#### **SUMMARY:**

HACA's Admissions and Continued Occupancy Policy was last revised and formally adopted on December 17, 2015. Since that time, HUD has issued a new Streamlining Rule and 2 PIH Notices with clarifying language regarding a number of policy items which are further explained below.

The proposed revisions to the Admissions and Continued Occupancy Policy (ACOP) will be posted for public comment on May 23<sup>rd</sup> through June 21<sup>st</sup> and will be brought back to the Board for approval at the July 22, 2016 Board meeting. Revisions to the ACOP are proposed for the following areas:

#### **Income Eligibility and Targeting**

The income limit for the Public Housing program is the Low income limit which is 80% of the median family income for our metropolitan statistical area. HUD also has a Very Low-income limit (50% of the median family income) which is used for the Housing Choice Voucher (HCV) program. Finally, HUD also establishes an "Extremely Low- Income" limit. This limit is used for targeting the lowest income families for our programs. HUD requires 40% of new admissions to the Public Housing program and 75% of new admissions to the HCV program to be extremely low-income families.

The streamlining rule formally changes the definition of extremely low-income families. Previously, the definition was a family whose income was below 30% of the median family income. The new definition is "a very low-income family whose income is below either the Federal poverty level or 30% of the median family income, whichever is higher." This change will make it easier for families to meet HUD's income targeting requirements.

#### **Disclosure and Verification of Social Security Numbers**

Currently, if a resident family adds a family member under the age of 6, the family was given 90 days to provide proof of the Social Security number for that child. This change is adding the same disclosure opportunities to families on the waiting list.

The change allows a family that adds a child under age six (6) within the six (6) months before admission to Public Housing to have 90 days to provide proof of the Social Security number.

### **Online Application Process**

This change will allow HACA to begin accepting applications for Public Housing using an online application process similar to what was used for the Section 8 waiting list opening.

### **Site-Based Waiting List**

This will change HACA's Public Housing waiting lists from community-wide to site-based. Current and future applicants will be given the opportunity to choose where they want to live. Families can be on waiting lists for multiple properties if they choose.

### **Applicant Portal**

This change will allow applicants on the Public Housing waiting list to update their information via an online Applicant Portal. This will reduce the need for applicants to travel to our office, allow them to update their information at any hour of the day, allow applicants to view their status in "real time", and reduce staff time spent on data entry.

### **Earned Income Disallowance (EID)**

In the Streamlining Rule, HUD is changing the maximum length of time for the earned income disallowance (EID) from 48 months to 24 months. The initial period of 100% disallowance will be for 12 months from the start of employment, regardless of whether the individual works all 12 months. The second period of 50% disallowance will be for 12 months, starting after the 100% disallowance period ends. The second period will end after 12 months, regardless of how many months the resident was employed. This change will significantly reduce the administrative burden of tracking the employment of the individual residents.

### **Asset Verification**

In 2013, HUD granted temporary administrative relief in the verification of assets. At that time, HUD allowed residents and applicants whose net value of assets was \$5000 or less to self-certify the value of the assets and the income received from the assets. The Streamlining Rule makes self-certification of assets worth less than \$5000 permanent for most annual recertifications, but requires full third party verification of all assets at new admission and every third year after that.

### **Prorated Rent for Mixed Eligibility Families**

HUD requires that assistance only be provided to US citizens or eligible immigrants. Families that include citizens and / or eligible immigrants as well as individuals without legal presence, HUD requires that the assistance be prorated. In the past, Public Housing used the maximum rents (95<sup>th</sup> percentile of subsidy for each bedroom size), as the means for determining how to prorate the assistance. With the Streamlining Rule, HUD now requires Public Housing to use the flat rent for the unit the family lives in to determine the pro-rated assistance. In cases where 30% of the family's income is greater than the flat rent, the family is required to pay 30% of their income.

### **Income Determination for Fixed Income Sources**

HUD's Streamlining Rule now allows PHAs to calculate the income from fixed income sources (Social Security, Pensions, Annuities, etc) by applying the documented cost of living adjustment (COLA) or percentage increase to the previous year's income calculation. PHAs are still required to third party verify the fixed income sources at new admission and every third year after that.

**Documentation and Verification of the Community Service & Self-sufficiency Requirement (CSSR)**

HUD's Streamlining Rule allows PHAs to accept self-certification of the completion of the CSSR by any non-exempt resident. The PHA must select a random sample of self-certifications and complete full third party verification to protect against fraud.

**ATTACHMENTS:**

- Summary of Changes to the ACOP
- Affected Sections of the HACA Admissions and Continued Occupancy Policy (ACOP)

**RECOMMENDATION:**

It is HACA's recommendation to request public comment on the proposed changes to the Admissions and Continued Occupancy Policy.

**FINANCE REVIEW:**

**X Proposed action does not require Finance Department review.**

- Fiscal Impact was approved by \_\_\_\_\_

\_\_\_\_\_  
Thomas Cherian, Vice-President of Finance



## Summary of Proposed Changes to the Admissions & Continued Occupancy Policy (ACOP)

Section	Page(s)	Summary of Proposed Change
<b>Chapter 3 - Section 3-II.A. INCOME ELIGIBILITY AND TARGETING</b>	Pages 31-32	<p><b>Change:</b> Updates the definition of "Extremely low-income family" to include very low-income families (income between 30-50% of the median family income) who are also below the federal poverty level.</p> <p><b>Rationale:</b> <i>This is a required change as part of the streamlining rule. The expansion of the definition makes it easier for PHAs to meet the income targeting requirements while also ensuring that no family below the federal poverty level would be denied housing due to the income targeting rules.</i></p>
<b>Chapter 3 - Section 3-II.C. SOCIAL SECURITY NUMBERS &amp; Chapter 7 - Section 7-II.B. SOCIAL SECURITY NUMBERS</b>	Pages 34-35 & Pages 138-139	<p><b>Change:</b> When a child under age 6 is added to the household up to six months before Admission of the household, this change allows the family 90 days to provide a SSN for the child. The family will be offered housing and the child considered a family member during this time.</p> <p><b>Rationale:</b> <i>This is a required change as part of the streamlining rule. The intent is to provide the family a sufficient amount of time to provide the SSN for a new addition to the family.</i></p>
<b>Chapter 4 - Section 4-I.B. APPLYING FOR ASSISTANCE</b>	Pages 54-55	<p><b>Change:</b> Changes the process for application to online web-based application. Paper applications still accepted for those in need of reasonable accommodation.</p> <p><b>Rationale:</b> <i>This change will streamline the application process for Public Housing and PBRA, reducing staff time for manual data entry. This will also make the application process more easily accessible from any location with internet access.</i></p>
<b>Chapter 4 - Section 4-II.B. ORGANIZATION OF THE WAITING LISTS</b>	Pages 57-58	<p><b>Change:</b> Creates a site-based waiting list for each property instead of the existing community-wide waiting list.</p> <p><b>Rationale:</b> <i>The change allows applicants to have a choice in where they live. This change also facilitates the transition from Public Housing to Project Based Rental Assistance through RAD.</i></p>
<b>Chapter 4 - Section 4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES</b>	Page 60	<p><b>Change:</b> Updates the language to reflect the option to electronically report changes through the Applicant Portal.</p> <p><b>Rationale:</b> <i>This change streamlines the update process, reducing staff time for manual entry. This also makes the reporting process easier for applicants, as they can do it without coming to our office from any location with internet access.</i></p>

Section	Page(s)	Summary of Proposed Change
<b>Chapter 6 - Section 6-I.E. EARNED INCOME DISALLOWANCE &amp; Chapter 6 - Section 6-III.E. FLAT RENTS AND FAMILY CHOICE IN RENTS</b>	Pages 88-90, Pages 119-120 & Pages 127-128	<p><b>Change:</b> The exclusion of earned income for the EID is for two years (24 months) maximum instead of four years (48 months). There will be 12 months at 100% exclusion and 12 months at 50% exclusion.</p> <p><b>Rationale:</b> <i>The tracking of the starts and stops of employment during the 48 months of EID was an administrative burden. HUD is granting this relief, streamlining the administrative work while still allowing the family a two year break on fully counting their earned income.</i></p>
<b>Chapter 6 - Section 6-I.G. ASSETS</b>	Pages 91-92	<p><b>Change:</b> HACA will conduct third-party verification of assets at Admission. After that, HACA will only third-party verify assets with a net value of \$5000 or less every three years. During the other two years, HACA will accept self-certification of the value of the asset and the anticipated income from the asset. HACA will conduct third-party verification of all assets valued over \$5000 every year.</p> <p><b>Rationale:</b> <i>This is part of HUD's streamlining rule. This is intended to provide administrative relief, while still maintaining accountability with regard to income from assets.</i></p>
<b>Chapter 6 - Section 6-III.D. PRORATED RENT FOR MIXED FAMILIES &amp; Chapter 17 - Section 17-II.C PUBLIC HOUSING MAXIMUM RENTS</b>	Page 117 & Pages 267-270	<p><b>Change:</b> The calculation for pro-rating rent for mixed families (families with some members with legal status and others without legal status) will now use the flat rent for the applicable unit instead of the maximum rent. In effect, this ends the need for maximum rents.</p> <p><b>Rationale:</b> <i>This is a required change as part of the streamlining rule. This is also more in line with the HCV program and PBRA which use contract rent to calculate the pro-rated rent.</i></p>
<b>Chapter 7 - Section 7-III.C. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS</b>	Pages 145-146	<p><b>Change:</b> HUD is allowing a streamlined income determination for any fixed income sources. The PHA can apply the verified COLA or % increase to the previous year's verified or adjusted amount. The income is subject to third-party verification at Admissions and every three years.</p> <p><b>Rationale:</b> <i>This is part of HUD's streamlining rule. This is intended to reduce the administrative burden of conducting annual reexaminations while still maintaining program integrity with protections against fraud.</i></p>
<b>Chapter 11 - Section 11-I.D. DOCUMENTATION AND VERIFICATION</b>	Pages 201-204	<p><b>Change:</b> Resident self-certification of completion of the CSSR is now allowed. If self-certification is accepted, the PHA must validate a sample of self-certifications to prevent fraud.</p> <p><b>Rationale:</b> <i>This change is part of the streamlining rule intended to reduce the administrative burden for the implementation of the CSSR.</i></p>

certification from the family and live-in aide stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care, and (2) would not be living in the unit except to provide the necessary supportive services.

HACA has the discretion not to approve a particular person as a live-in aide, and may withdraw such approval, if [24 CFR 966.4(d)(3)(i)]:

- The person commits or has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.
- The person has a history of drug-related criminal activity or violent criminal activity.
- The person currently owes rent or other amounts to HACA or to another PHA in connection with the housing choice voucher program or public housing assistance under the 1937 Act.

Within 20 business days of receiving a request for a live-in aide, including all required documentation related to the request, HACA will notify the family of its decision in writing. If HACA denies the request for a live-in aide or denies approval of a particular live-in aide, the family may request a grievance hearing within the required timeframe specified in the decision letter.

## **PART II: BASIC ELIGIBILITY CRITERIA**

### **3-II.A. INCOME ELIGIBILITY AND TARGETING**

#### **Income Limits**

HUD is required by law to set income limits that determine the eligibility of applicants for HUD's assisted housing programs, including the public housing program. The income limits are published annually and are based on HUD estimates of median family income in a particular area or county, with adjustments for family size.

#### **Types of Low-Income Families [24 CFR 5.603(b)]**

*Low-income family.* A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

*Very low-income family.* A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

*Extremely low-income family.* A very low-income family whose annual income does not exceed the higher of:

(1) The poverty guidelines established by the Department of Health and Human Services applicable to the family of the size involved (except in the case of families living in Puerto Rico or any other territory or possession of the United States); or

(2) Thirty (30) percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the area median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

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~~A family whose annual income does not exceed 30 percent of the median income for the area, adjusted for family size.~~

HUD may establish income ceilings higher or lower than 30, 50 or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.

#### **Using Income Limits for Eligibility [24 CFR 960.201]**

Income limits are used for eligibility only at admission. Eligibility is established by comparing a family's annual income with HUD's published income limits. To be income-eligible, a family must be a *low-income* family.

#### **Using Income Limits for Targeting [24 CFR 960.202(b)]**

At least 40 percent of the families admitted to the PHA's public housing program during a PHA fiscal year from the PHA waiting list must be *extremely low-income* families. This is called the "basic targeting requirement."

If admissions of extremely low-income families to the PHA's housing choice voucher program during a PHA fiscal year exceed the 75 percent minimum-targeting requirement for that program, such excess shall be credited against the PHA's public housing basic targeting requirement for the same fiscal year.

The fiscal year credit for housing choice voucher program admissions that exceed the minimum voucher program targeting requirement must not exceed the lower of:

- Ten percent of public housing waiting list admissions during the PHA fiscal year.
- Ten percent of waiting list admission to the PHA's housing choice voucher program during the PHA fiscal year.
- The number of qualifying low-income families who commence occupancy during the fiscal year of public housing units located in census tracts with a poverty rate of 30 percent or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.

For discussion of how income targeting is used in tenant selection, see Chapter 4.

#### **3-II.B. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5, Subpart E]**

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals) or noncitizens that have eligible immigration status. At least one family member must be a citizen, national or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance.

All applicant families must be notified of the requirement to submit evidence of their citizenship status when they apply. Where feasible, and in accordance with the PHA's Limited English Proficiency Plan, the notice must be in a language that is understood by the individual if the individual is not proficient in English.

#### **Declaration [24 CFR 5.508]**

HUD requires each family member to declare whether the individual is a citizen, a national or an eligible noncitizen, except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are considered to be ineligible



may request a hearing if they contest this determination. See Chapter 6 for a discussion of how rents are prorated, and Chapter 14 for a discussion of informal hearing procedures.

**Ineligible Families [24 CFR 5.514(d), (e), and (f)]**

A PHA may elect to provide assistance to a family before the verification of the eligibility of the individual or one family member [24 CFR 5.512(b)]. Otherwise, no individual or family may be assisted prior to the affirmative establishment by the PHA that the individual or at least one family member is eligible [24 CFR 5.512(a)].

**HACA Policy**

HACA will not provide assistance to a family before the verification of at least one family member as a citizen, national or eligible noncitizen is made.

When HACA determines that an applicant family does not include any citizens, nationals or eligible noncitizens, following the verification process, the family will be sent a written notice within 20 calendar days of the determination. The notice will explain the reasons for the denial of assistance and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request an informal hearing with HACA. The informal hearing with HACA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the informal hearing process.

Informal hearing procedures are contained in Chapter 14.

**Time Frame for Determination of Citizenship Status [24 CFR 5.508(g)]**

For new occupants joining the resident family the PHA must verify status at the first interim or regular reexamination following the person's occupancy, whichever comes first.

If an individual qualifies for a time extension for the submission of required documents, the PHA must grant such an extension for no more than 30 days [24 CFR 5.508(h)].

Each family member is required to submit evidence of eligible status only one time during continuous occupancy.

**HACA Policy**

HACA will verify the status of applicants at the time other eligibility factors are determined.

**3-II.C. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218, Notice PIH 2012-10, [HUD Streamlining Rule 3/8/2016](#)]**

The applicant and all members of the applicant's household must disclose the complete and accurate social security number (SSN) assigned to each household member, and the documentation necessary to verify each SSN. A detailed discussion of acceptable documentation is provided in Chapter 7.

**Note:** These requirements do not apply to noncitizens who do not contend eligible immigration status, and they do not apply to existing program participants as of January 31, 2010, who have previously disclosed their SSN and HUD has determined the SSN to be valid.

In addition, each participant who has not previously disclosed an SSN, has previously disclosed an SSN that HUD or the SSA determined was invalid, or has been issued a new SSN must submit their complete and accurate SSN and the documentation required to verify the SSN at the time of the next interim or annual recertification. Participants age 62 or older as of January 31, 2010, whose determination of eligibility was begun before January 31, 2010, are exempt from this requirement and remain exempt even if they move to a new assisted unit. The PHA must deny assistance to an applicant family if they do not meet the SSN disclosure and documentation requirements contained in 24 CFR 5.216.

#### HACA Policy

If the provided documentation is not acceptable evidence of the social security number, HACA will explain to the applicant the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to HACA within 90 calendar days. The explanation and request will be documented in the applicant file. If the applicant family is otherwise eligible to participate in the program, the family will maintain its position on the waiting list for this 90 calendar day period.

If all household members have not disclosed their SSN at the time a unit becomes available, the available unit will be offered to the next eligible applicant family on the waiting list. At the conclusion of the 90 calendar day period and if the applicant family has still not submitted acceptable evidence of the SSN, HACA will grant the family an additional 90 calendar day period to comply with the SSN disclosure and documentation requirement if 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.

If a child under the age of 6 years was added to the assistance applicant household within the 6-month period prior to the household's date of admission, the assistance applicant may become a participant, so long as the documentation required in this section is provided to the processing entity within 90 calendar days from the date of admission into the program. The processing entity must grant an extension of one additional 90-day period if the processing entity determines that, in its discretion, the assistance applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside the control of the assistance applicant. If the applicant family fails to produce the documentation required in this section within the required time period, the housing authority may terminate assistance or tenancy of the individual participant or the entire family.

#### HACA Policy

HACA will grant one additional 90-day extension if needed for reasons beyond the resident's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family or other emergency.

Verification of Legal Identity for Adults	Verification of Legal Identity for Children
Certificate of birth, naturalization papers Church issued baptismal certificate Current, valid driver's license or Department of Motor Vehicle identification card U.S. military discharge (DD 214) U.S. passport	Certificate of birth Adoption papers Custody agreement Health and Human Services ID School records School or government-issued photo ID for age 16 and over

If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

If none of these documents can be provided and at the HACA's discretion, a third party who knows the person may attest to the person's identity. The certification must be provided in a format acceptable to the HACA and be signed in the presence of a PHA representative or HACA notary public. Legal identity will be verified on an as needed basis.

#### **7-ILB. SOCIAL SECURITY NUMBERS [24 CFR 5.216, ~~and~~ Notice PIH 2012-10 and the Streamlining Rule]**

The family must provide documentation of a valid social security number (SSN) for each member of the household, with the exception of individuals who do not contend eligible immigration status. Exemptions also include, existing residents who were at least 62 years of age as of January 31, 2010, and had not previously disclosed an SSN.

The PHA must accept the following documentation as acceptable evidence of the social security number:

- An original SSN card issued by the Social Security Administration (SSA)
- An original SSA-issued document, which contains the name and SSN of the individual
- An original document issued by a federal, state or local government agency, which contains the name and SSN of the individual

The PHA may only reject documentation of an SSN provided by an applicant or resident if the document is not an original document, if the original document has been altered, mutilated, or is not legible, or if the document appears to be forged.

#### **HACA Policy**

If the provided documentation is not acceptable evidence of the social security number, HACA will explain to the applicant or resident the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to HACA within 90 calendar days. The explanation and request will be documented in the tenant file.

When the resident requests to add a new household member who is at least 6 years of age or who is under the age of 6 and has an SSN, the resident must provide the complete and accurate SSN assigned to each new member at the time of reexamination or recertification, in addition to the documentation required to verify it. The PHA may not add the new household member until such documentation is provided.

When a resident requests to add a new household member who is under the age of 6 and has not been assigned an SSN, the resident must provide the SSN assigned to each new child and the required documentation within 90 calendar days of the child being added to the household. A 90-day extension will be granted if the PHA determines that the resident's failure to comply was due to unforeseen circumstances and was outside of the resident's control. During the period the PHA is awaiting documentation of the SSN, the child will be counted as part of the assisted household.

#### HACA Policy

HACA will grant one additional 90-day extension if needed for reasons beyond the resident's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family or other emergency.

If a child under the age of 6 years was added to the assistance applicant household within the 6-month period prior to the household's date of admission, the assistance applicant may become a participant, so long as the documentation required in this section is provided to the processing entity within 90 calendar days from the date of admission into the program. The processing entity must grant an extension of one additional 90-day period if the processing entity determines that, in its discretion, the assistance applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside the control of the assistance applicant. If the applicant family fails to produce the documentation required in this section within the required time period, the housing authority may terminate assistance or tenancy of the individual participant or the entire family.

#### HACA Policy

HACA will grant one additional 90-day extension if needed for reasons beyond the resident's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family or other emergency.

▲ Social security numbers must be verified only once during continuously-assisted occupancy.

#### HACA Policy

HACA will verify each disclosed SSN by:

- Obtaining documentation from applicants and residents that is acceptable as evidence of social security numbers.
- Making a copy of the original documentation submitted, returning it to the individual and retaining a copy in the file folder.

Once an individual's status is classified as "verified" in HUD's EIV system, HACA will retain and secure all SSN documents in the tenant file throughout the family's tenancy in Public Housing. Thereafter, it will be retained in accordance with HACA's record retention policies,

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## PART I: THE APPLICATION PROCESS

### 4-1.A. OVERVIEW

This part describes the policies that guide HACA's efforts to distribute and accept applications, and to make preliminary determinations of applicant family eligibility that affect placement of the family on the waiting list. This part also describes HACA's obligation to ensure the accessibility of the application process.

### 4-1.B. APPLYING FOR ASSISTANCE

Any family that wishes to reside in public housing must apply for admission to the program [24 CFR 1.4(b)(2)(ii), 24 CFR 960.202(a)(2)(iv), and PH Occ GB, p. 68]. HUD permits the PHA to determine the format and content of its applications, as well as how such applications will be made available to interested families and how applications will be accepted by the PHA. However, the PHA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of the PHA's application [Notice PIH 2009-36].

#### HACA Policy

Due to the high volume of applicants seeking public housing, HACA utilizes a two-step application process. Under the two-step application process, HACA initially will require families to provide only the information needed to make an initial assessment of the family's preliminary eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and the amount of rent the family will pay when selected from the waiting list.

The first step in the application process is the submission of the pre-application. Pre-applications are accepted through the application web portal at [www.austin.apply4housing.com](http://www.austin.apply4housing.com). HACA will also maintain paper applications, as a reasonable accommodation, if there is the presence of a disability. Under no circumstances will anyone be denied the right to submit an application.

HACA offers several methods of applying for assistance.

1. Families may obtain application forms from HACA's Central office during normal business hours, Monday through Friday from 8 a.m. to 5 p.m., with the exception of holidays. Except as specified below, no applications will be taken by phone.
2. If the head of household resides outside of the Austin metropolitan area, is elderly or has a verifiable disability which prevents the applicant, or person on the applicant's behalf, to obtain an application from the HACA Central Offices (1124 S. IH 35, Austin, Texas 78704), HACA will mail the application to the applicant via first class mail.
3. Application forms may also be accessed via HACA's website at [www.hacanet.org](http://www.hacanet.org) in the How to Obtain Housing section. Downloadable application forms may be printed, filled out and completed. Applications are available in English and in Spanish.
4. Families may complete the application online through HACA's web application. The web application can be accessed through HACA's website at [www.hacanet.org](http://www.hacanet.org).

Completed paper applications must be returned to HACA by mail, by fax to the Admissions Department or submitted in person during normal business hours to the HACA Central Office at 1124 S. IH35, Austin, Texas 78704. Normal business hours are



~~Monday through Friday, 8:00 AM to 5:00 PM, with the exception of holidays. Applications must be complete in order to be accepted by HACA for processing. The application must be signed by the applicant or a person with power of attorney on behalf of the applicant. No applications will be taken over the telephone. Incomplete applications will not be accepted and will not be file stamped with the date and time, and will be returned to the applicant. If the application was mailed, an Admissions representative will highlight the incomplete portions of the application and mail the application back to the applicant for completion.~~

~~Under no circumstances will anyone be denied the right to request or submit an application. Applicants may complete the application at HACA's Central Offices during normal business hours or may take the application to complete it elsewhere and bring it back during normal business hours. Upon receipt, the application will be file stamped with the date and time it was received.~~

Unless unable due to a disability, the applicant shall complete all required fields of the application through the application web portal. ~~fill out all entries on the application form in ink or by a typewriter or complete the online electronic application.~~ If the applicant is unable to complete the application ~~form~~, by verifying the need to make a reasonable accommodation through documentation or visual observation, as applicable, and the applicant has represented that he or she has no one to assist him or her, a HACA employee shall assist the applicant in completing the application ~~form~~ based upon the information provided by the applicant.

The entire pre-application must be completed and submitted before the applicant will be placed on the waiting list. The system will confirm submission if all application requirements have been fulfilled. The web portal will apply an electronic date and time received stamp to each application in accordance with the confirmation of successful submission.

~~Corrections to the application are to be made by lining through the original entry and substituting the correct data. Such changes are to be dated and signed by the person making the change with a notation specifying the reasons for the change.~~

~~The application must be completely filled out and signed by the applicant before acceptance. Upon completion and signature of the application, the application will be file stamped by date and time as specified above and referred to the Admissions Department. Electronic applications will also be marked with the date and time of the application.~~

~~Complete signatures are to be used by HACA employees in signing all applications, leases and entries to historical sheets and verification documentation.~~

#### 4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

The PHA must take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard PHA application process.

##### **Disabled Populations [24 CFR 8; PH Occ GB, p. 68]**

The PHA must provide reasonable accommodation to the needs of individuals with disabilities.

The application taking facility and the entire application process must be fully accessible, or the

PHA must provide an alternate approach that provides equal access to the application process. Chapter 2 provides a full discussion of HACA's policies related to providing reasonable accommodations for people with disabilities.

**Limited English Proficiency**

PHAs are required to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on HACA's policies related to ensuring access to people with limited English proficiency (LEP).

**4-I.D. PLACEMENT ON THE WAITING LIST**

The PHA must review each completed [pre](#)-application received and make a preliminary assessment of the family's eligibility. The PHA shall place on the waiting list families for whom the list is open unless the PHA determines the family to be ineligible. Where the family is determined to be ineligible, the PHA must notify the family in writing [24 CFR 960.208(a); PH Occ GB, p. 41]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

**Ineligible for Placement on the Waiting List**HACA Policy

If HACA can determine from the information provided that a family is preliminarily ineligible, the family will not be placed on the waiting list (see Chapter 3 for specific information on preliminary ineligibility). Where a family is determined to be preliminarily ineligible, HACA will send written notification of the preliminary ineligibility determination within 30 days of receiving a completed application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing and explain the process for doing so (see Chapter 14). If, upon conclusion of the informal hearing process, the family's preliminary eligibility is restored, the family's original date and time of [the pre](#)-application will be restored on the waiting list.

**Eligible for Placement on the Waiting List**HACA Policy

HACA will send written notification of the preliminary eligibility determination within 30 days of receiving a completed application. If applicable, the notice will also indicate the waiting list preference(s) for which the family appears to qualify.

Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. A final determination of eligibility and qualification for preferences will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list according to HACA preference(s) and the date and time their complete [pre](#)-application is received by HACA. Any complete application received by mail or by fax will be file stamped with the date which shall be the same business day of receipt and the time shall be specified as 5:00 p.m. Applications

faxed to HACA after business hours will be file stamped as received the following business day and the time shall be specified as 5:00 p.m.

HACA will assign families on the waiting list according to the bedroom size for which a family qualifies as established according to HACA's occupancy standards (see Chapter 5). Families may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (as long as the unit is not overcrowded according to HACA standards and local codes). However, in these cases, the family must agree not to request a transfer for two years after admission, unless they have a change in family size or composition.

## **PART II: MANAGING THE WAITING LIST**

### **4-II.A. OVERVIEW**

The PHA must have policies regarding the type of waiting list it will utilize as well as the various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for public housing and conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how the PHA may structure its waiting list and how families must be treated if they apply for public housing at a PHA that administers more than one assisted housing program.

### **4-II.B. ORGANIZATION OF THE WAITING LIST**

The PHA's public housing waiting list shall be organized in such a manner to allow the PHA to accurately identify and select families in the proper order, according to the admissions policies described in this ACOP.

#### HACA Policy

The waiting list will contain the following information for each applicant listed:

- Name and address
- Social Security number (on the electronic copy)
- Unit size required
- Amount and source of annual income
- Date and time of application or application number
- Admission preference, if any
- Rank

The PHA may adopt one community-wide waiting list or site-based waiting lists. The PHA must obtain approval from HUD through submission of its Annual Plan before it may offer site-based waiting lists. Site-based waiting lists allow families to select the development where they wish to reside and must be consistent with all applicable civil rights and fair housing laws and regulations [24 CFR 903.7(b)(2)].

#### HACA Policy

HACA will maintain ~~one single community-wide~~ site-based waiting lists for each of its developments. Within the list, HACA will designate subparts to easily identify who

should be offered the next available unit (i.e. mixed populations, general occupancy, unit size, and accessible units).

~~HACA will not adopt site-based waiting lists.~~

HUD directs that a family that applies to reside in public housing must be offered the opportunity to be placed on the waiting list for any tenant-based or project-based voucher or moderate rehabilitation program that the PHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs [24 CFR 982.205(a)(2)(i)].

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, housing choice voucher and other subsidized housing programs [24 CFR 982.205(a)(1)].

#### HACA Policy

HACA will not merge the public housing waiting list with the waiting list for any other program HACA operates.

### **4-ILC. OPENING AND CLOSING THE WAITING LIST**

#### **Closing the Waiting List**

The PHA is permitted to close the waiting list, in whole or in part, if it has an adequate pool of families to fill its developments. The PHA may close the waiting list completely, or restrict intake by preference, type of project, or by size and type of dwelling unit. [PH Occ GB, p. 31].

#### HACA Policy

HACA may close the waiting list when the estimated waiting period for housing applicants on the list reaches 24 months for the most current applicants. Where HACA has particular preferences or other criteria that require a specific category of family, HACA may elect to continue to accept applications from these applicants while closing the waiting list to others.

HACA will announce by public notice the closing of the waiting list. If the list remains open to certain categories of families, this information will be contained in the notice. The notice will be published at least 30 days prior to HACA closing the list.

#### **Reopening the Waiting List**

If the waiting list has been closed, it may be reopened at any time. The PHA should publish a notice in local newspapers of general circulation, minority media and other suitable media outlets that the PHA is reopening the waiting list. Such notice must comply with HUD fair housing requirements. The PHA should specify who may apply, and where and when applications will be received.

#### HACA Policy

HACA will announce the reopening of the waiting list at least 30 days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice. The notice will specify where, when, and how applications are to be received.

HACA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

- Austin American-Statesman
- El Mundo
- The Villager
- Nokoa
- Ahora Si
- The Austin Chronicle

Notices may also be sent to organizations that typically assist low income families, including but not limited to:

- Salvation Army
- Caritas
- Any Baby Can
- Front Steps

#### **4-ILD. FAMILY OUTREACH [24 CFR 903.2(d); 24 CFR 903.7(a) and (b)]**

The PHA should conduct outreach as necessary to ensure that the PHA has a sufficient number of applicants on the waiting list to fill anticipated vacancies and to assure that the PHA is affirmatively furthering fair housing and complying with the Fair Housing Act.

Because HUD requires the PHA to serve a specified percentage of extremely low income families, the PHA may need to conduct special outreach to ensure that an adequate number of such families apply for public housing.

PHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations.
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program.
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class.

PHA outreach efforts must be designed to inform qualified families about the availability of units under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers.
- Developing informational materials and flyers to distribute to other agencies.
- Providing application forms to other public and private agencies that serve the low income population.
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities.

#### HACA Policy

HACA will monitor the characteristics of the population being served and the characteristics of the population as a whole in HACA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.



#### 4-IL.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

##### HACA Policy

While the family is on the waiting list, the family must inform HACA of changes in family size or composition, preference status or contact information, including current residence, mailing address and phone number. The changes must be [be requested through the applicant portal or](#) submitted in writing to the Admissions department. Update forms are available at HACA's Central Office in English and in Spanish. Update forms may also be accessed via HACA's website at [www.hacanet.org](http://www.hacanet.org) ~~in the How to Obtain Housing section.~~ Forms may be downloaded, printed and completed. Completed update forms may be mailed, faxed or submitted in person to HACA's Admissions department. To avoid unauthorized changes, a photo ID must be presented in person or via fax, to confirm the applicant's identity before any requested changes to the application are made by the Admissions department.

~~When submitting changes through the applicant portal Applicants will also have the option to report changes in family circumstances electronically via the Applicant Portal. When first logging into the portal,~~ applicants will be required to provide identity information (name, date of birth, social security number) to access their account. Once verified, they will receive a username and password for future logins to the Applicant Portal. The portal will be accessible through HACA's website at [www.hacanet.org](http://www.hacanet.org).

Changes in an applicant's circumstances while on the waiting list may affect the family's qualification for a particular bedroom size or entitlement to a preference. When an applicant reports a change that affects their placement on the waiting list, the waiting list will be updated accordingly.

#### 4-IL.F. UPDATING THE WAITING LIST

HUD requires the PHA to establish policies to use when removing applicant names from the waiting list [24 CFR 960.202(a)(2)(iv)].

##### **Purging the Waiting List**

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to the PHA's request for information or updates because of the family member's disability, the PHA must, upon the family's request, reinstate the applicant family to their former position on the waiting list as a reasonable accommodation [24 CFR 8.4(a), 24 CFR 100.204(a), and PH Occ GB, p. 39 and 40]. See Chapter 2 for further information regarding reasonable accommodations.

##### HACA Policy

The waiting list will be updated as needed to ensure that all applicants and applicant information is current and timely.

To update the waiting list, HACA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that HACA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

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

End of participation in a training program must be reported in accordance with HACA's interim reporting requirements (see chapter on reexaminations).

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

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

#### **HACA Policy**

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

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

***Earned Income Disallowance.*** The earned income disallowance is discussed in section 6-I.E below.

### **6-I.E. EARNED INCOME DISALLOWANCE [24 CFR 960.255]**

The earned income disallowance (EID) encourages people to enter the work force by not including the full value of increases in earned income for a period of time. The full text of 24 CFR 960.255 is included as Exhibit 6-4 at the end of this chapter. Eligibility criteria and limitations on the disallowance are summarized below.

#### **Eligibility**

This disallowance applies only to adult individuals in families already participating in the public housing program (not at initial examination). The disallowance is not available to adults who do not have eligible immigration status. Income increases that are disallowed pertain strictly to earned income only. To qualify, the family must experience an increase in annual income that is the result of one of the following events:

- Employment of a family member who was previously unemployed for one or more years prior to employment. *Previously unemployed* includes a person who annually has earned not more than the minimum wage applicable to the community multiplied by 500 hours. The applicable minimum wage is the federal minimum wage unless there is a higher state or local minimum wage.
- Increased earnings by a family member whose earnings increase during participation in an economic self-sufficiency or job-training program. A self-sufficiency program includes a program designed to encourage, assist, train or facilitate the economic independence of HUD-assisted families or to provide work to such families [24 CFR 5.603(b)].

- New employment or increased earnings by a family member who has received benefits or services under Temporary Assistance for Needy Families (TANF) or any other state program funded under Part A of Title IV of the Social Security Act within the past six months. If the benefits are received in the form of monthly maintenance, there is no minimum amount. If the benefits or services are received in a form other than monthly maintenance, such as one-time payments, wage subsidies or transportation assistance, the total amount received over the six-month period must be at least \$500.

### Calculation of the Disallowance

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

#### HACA Policy

HACA defines *prior income*, or *prequalifying income*, as the family member's last certified income prior to qualifying for the EID. This income amount will be recorded on the family's last Form 50058.

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

### *Initial 12-Month Exclusion*

During the initial 12-month exclusion period, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded. ~~The 12 months are cumulative and need not be consecutive.~~

#### HACA Policy

The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings. This applies regardless of whether the eligible member reported the employment or increase in earnings in a timely manner (within 10 days of occurrence) or not. Example: an eligible family member reports a new job to the Housing Manager on June 12, 2008. HACA's third party verification confirms that the family member actually started employment on January 5, 2008. The initial EID exclusion period for this family member will begin on February 1, 2008.

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

During the second 12-month exclusion period, the exclusion is reduced to half (50 percent) of any increase in income attributable to employment or increased earnings. ~~The 12 months are cumulative and need not be consecutive.~~

### *Lifetime Limitation*

The EID has a ~~four~~two-year (~~48~~24-month) lifetime maximum. The ~~four~~two-year eligibility period begins at the same time that the initial exclusion period begins and ends ~~48~~24 months later. The one-time eligibility for the EID applies even if the eligible individual begins to receive assistance from another housing agency, if the individual moves between public housing and Section 8 assistance, or if there are breaks in assistance.

#### HACA Policy

During the ~~48~~24-month eligibility period, HACA will conduct an interim reexamination each time there is a change in the family member's annual income that affects or is affected by the EID (e.g., when the family member's income falls to a level at or below his/her prequalifying income, when one of the exclusion periods ends and at the end of the lifetime maximum eligibility period).

**Individual Savings Accounts [24 CFR 960.255(d)]**HACA Policy

HACA chooses not to establish a system of individual savings accounts (ISAs) for Families who qualify for the EID.

**6-I.F. BUSINESS INCOME [24 CFR 5.609(b)(2)]**

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

**Business Expenses**

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

HACA Policy

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

**Business Expansion**

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

HACA Policy

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

**Capital Indebtedness**

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

HACA Policy

***Flat Rent Impact Analysis Calculation***

In order to conduct a flat rent impact analysis, the PHA must multiply the family's current rent amount by 1.35 and compare the result to the flat rent under the PHA's policies.

**Example:** A family was paying a flat rent of \$500 per month. At their annual recertification, the PHA has increased the flat rent for their unit size to \$700. The PHA would conduct a flat rent impact analysis as follows:

$$\$500 \times 1.35 = \$675$$

Since the PHA's increased flat rent of \$700 would result in a rent increase of more than 35 percent, the PHA would offer the family the choice to pay either \$675 per month or an income-based rent. The flat rent increase would need to be phased in.

**HACA Policy**

HACA will review flat rents on an annual basis, and adjust them as necessary to ensure that flat rents continue to mirror market rent values. As required by Section 210 of the 2014 Appropriations Act, effective June 1, 2014 a PHA must also ensure that established flat rents are no less than 80 percent of the current applicable Fair Market Rents and that they will not cause a family's existing rental payment to increase more than 35 percent. The PHA will conduct a flat rent impact analysis to determine the percentage increase in the family's rent amount. If the increase is greater than 35 percent, the PHA will phase in the rent increase at the maximum amount annually over a three-year period so that it does not exceed 35 percent in any year until the flat rent is fully phased in. If the increase is 35 percent or less, there will be no phase-in. [Notice PIH 2014-12].

**Flat Rents and Earned Income Disallowance [A&O FAQs]**

Because the EID is a function of income-based rents, a family paying flat rent cannot qualify for the EID even if a family member experiences an event that would qualify the family for the EID. If the family later chooses to pay income-based rent, they would only qualify for the EID if a new qualifying event occurred.

A family currently paying flat rent that previously qualified for the EID while paying income-based rent and is currently within their ~~48~~24 month period would have the 12 ~~cumulative~~ months of full (100 percent) and phase-in (50 percent) exclusion continue while paying flat rent as long as the employment that is the subject of the exclusion continues, and the ~~48~~24-month lifetime limit would continue uninterrupted. A family paying flat rent could therefore see a family member's ~~48~~24-month lifetime limit expire while the family is paying flat rent.

**Flat Rents and Mixed Families [A&O FAQs]**

Mixed families electing to pay flat rent must first have a flat rent worksheet completed to see if the flat rent must be prorated. The worksheet is located in Appendix III of the *Form HUD-50058 Instruction Booklet*.



~~If the flat rent is greater than or equal to the public housing maximum rent, there is no proration of flat rent and the family pays the flat rent for the unit.~~

~~If the flat rent is less than the maximum rent, the worksheet will calculate a prorated flat rent. The mixed family will pay the prorated flat rent.~~

#### EXHIBIT 6-4: EARNED INCOME DISALLOWANCE

##### 24 CFR 960.255 Self-sufficiency incentive—Disallowance of increase in annual income.

(a) *Definitions.* The following definitions apply for purposes of this section.

*Disallowance.* Exclusion from annual income.

*Previously unemployed* includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

*Qualified family.* A family residing in public housing:

(i) Whose annual income increases as a result of employment of a family member who was unemployed for one or more years previous to employment;

(ii) Whose annual income increases as a result of increased earnings by a family member during participation in any economic self-sufficiency or other job training program; or

(iii) Whose annual income increases, as a result of new employment or increased earnings of a family member, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the PHA in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance—provided that the total amount over a six-month period is at least \$500.

(b) *Disallowance of increase in annual income.*

(1) *Initial 12-month exclusion.* During the 12-month period beginning on the date on which a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA must exclude from the annual income (as defined in §5.609 of this title) of a qualified family any increase in the income of the family member as a result of employment over the baseline income of that family member.

~~*Initial twelve-month exclusion.* During the cumulative twelve-month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA must exclude from annual income (as defined in §5.609 of this title) of a qualified family any increase in income of the family member as a result of employment over prior income of that family member.~~

(2) *Phase-in of rent increase.* Upon the expiration of the 12-month period defined in paragraph (b)(1) of this section and for the subsequent 12-month period, the PHA must exclude from the annual income of a qualified family at least 50 percent of any increase in income of such family member as a result of employment over the family member's baseline income.

(3) *Maximum 2-year disallowance.* The disallowance of increased income of an individual family member as provided in paragraph (b)(1) or (b)(2) of this section is limited to a lifetime 24-month period. It applies for a maximum of 12 months for disallowance under paragraph (b)(1) of this section and a maximum of 12 months for disallowance under paragraph (b)(2) of this section, during the 24-month period starting from the initial exclusion under paragraph (b)(1) of this section.

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(4) Effect of changes on currently participating families. Families eligible for and participating in the disallowance of earned income under this section prior to May 9, 2016 will continue to be governed by this section in effect as it existed immediately prior to that date.

~~(2) Second twelve month exclusion and phase-in. During the second cumulative twelve month period after the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA must exclude from annual income of a qualified family fifty percent of any increase in income of such family member as a result of employment over income of that family member prior to the beginning of such employment.~~

~~(3) Maximum four year disallowance. The disallowance of increased income of an individual family member as provided in paragraph (b)(1) or (b)(2) of this section is limited to a lifetime 48 month period. It only applies for a maximum of twelve months for disallowance under paragraph (b)(1) and a maximum of twelve months for disallowance under paragraph (b)(2), during the 48 month period starting from the initial exclusion under paragraph (b)(1) of this section.~~

(c) *Inapplicability to admission.* The disallowance of increases in income as a result of employment under this section does not apply for purposes of admission to the program (including the determination of income eligibility and income targeting).

(d) *Individual Savings Accounts.* As an alternative to the disallowance of increases in income as a result of employment described in paragraph (b) of this section, a PHA may choose to provide for individual savings accounts for public housing residents who pay an income-based rent, in accordance with a written policy, which must include the following provisions:

- (1) The PHA must advise the family that the savings account option is available;
- (2) At the option of the family, the PHA must deposit in the savings account the total amount that would have been included in tenant rent payable to the PHA as a result of increased income that is disallowed in accordance with paragraph (b) of this section;
- (3) Amounts deposited in a savings account may be withdrawn only for the purpose of:
  - (i) Purchasing a home;
  - (ii) Paying education costs of family members;
  - (iii) Moving out of public or assisted housing; or
  - (iv) Paying any other expense authorized by the PHA for the purpose of promoting the economic self-sufficiency of residents of public housing;
- (4) The PHA must maintain the account in an interest bearing investment and must credit the family with the net interest income, and the PHA may not charge a fee for maintaining the account;
- (5) At least annually the PHA must provide the family with a report on the status of the account; and
- (6) If the family moves out of public housing, the PHA shall pay the tenant any balance in the account, minus any amounts owed to the PHA

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

### **Negative Business Income**

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

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

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

#### HACA Policy

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

### **Co-owned Businesses**

#### HACA Policy

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

## **6-I.G. ASSETS [24 CFR 5.609(b)(3), ~~and~~ 24 CFR 5.603(b) and 24 CFR 960.259]**

### **Overview**

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

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

Exhibit 6-1 provides the regulatory requirements for calculating income from assets [24 CFR 5.609(b)(3)], and Exhibit 6-3 provides the regulatory definition of *net family assets*. This section begins with a discussion of general policies related to assets and then provides HUD rules and PHA policies related to each type of asset.

## General Policies

~~On January 22, 2013 HUD issued Notice PIH 2013-03 effective until March 31, 2014. The notice acknowledges and addresses the budget and staff constraints that PHAs have had to face in recent years. On November 5, 2013, HUD issued Notice PIH 2013-26 to extend for an additional year the temporary compliance provisions described in Notice PIH 2013-03. Originally set to expire on March 31, 2014, the notice will now remain effective until March 31, 2015.~~

~~To address these burdens, the notice gives a series of four optional methods to reduce administrative burden. On January 22, 2013 HUD issued Notice PIH 2013-03 which granted administrative relief to PHAs by allowing applicant and resident self-certification of assets and the income from assets with a net value of less than \$5000. This administrative relief was temporary and renewed through 2015.~~

~~On March 8, 2016, HUD published the Streamling Rule in the Federal Register. This rule made permanent changes to the way assets were verified, although with modifications to the process outlined in Notice PIH 2013-03.~~

~~One~~The approved method to reduce administrative burden and streamline income recertification efforts states the following:

- Applicants must provide full third party verification (i.e. bank statements) at the time of determination of income eligibility.
- For a resident family with net assets equal to or less than \$5,000, a PHA may accept, for purposes of recertification of income, a family's declaration that it has net assets equal to or less than \$5,000, without taking additional steps to verify the accuracy of the declaration. The declaration must state the amount of income the family expects to receive from such assets; this amount must be included in the family's income.
- However, the PHA must obtain full third-party verification of assets every three years, allows HACA to accept a family's written self declaration of the amount of assets equal to or less than \$5,000, and the amount of income expected to be received from those assets. This Asset verification method is approved through March 31, 2014 and any approved HUD extensions of this provision. If HUD doesn't approve an extension of this Asset verification method beyond March 31, 2014, HACA will verify all Assets following the verification hierarchy requirements:

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The following HACA forms, which are signed by all adult family members, will serve as documentation of the family's self-declaration of asset income: ~~HACA housing application,~~ HACA's Continued Occupancy Form and the Public Housing Update Form. If the family has net family assets equal to or less than \$5,000, HACA will not request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets. If the family has net assets in excess of \$5,000, HACA will request supporting documentation (e.g. bank statements) from the family to confirm the assets.

Any assets reported by the family will be reported on the HUD Form 50058.

## Income from Assets

The PHA generally will use current circumstances to determine both the value of an asset and the anticipated income from the asset. As is true for all sources of income, HUD authorizes the PHA



The tenant rent calculations must reflect any changes in the PHA's utility allowance schedule [24 CFR 960.253(c)(3)].

#### HACA Policy

Unless HACA is required to revise utility allowances retroactively, revised utility allowances will be applied to a family's rent calculations at the first interim or annual reexamination after the allowance is adopted.

#### **6-III.D. PRORATED RENT FOR MIXED FAMILIES [24 CFR 5.520]**

HUD regulations prohibit assistance to ineligible family members. A *mixed family* is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. The PHA must prorate the assistance provided to a mixed family. The PHA will first determine TTP as if all family members were eligible and then prorate the rent based upon the number of family members that actually are eligible. To do this, the PHA must:

- (1) Subtract the TTP from ~~a maximum~~ the PHA-established flat rent applicable to the unit. The result is the maximum subsidy for which the family could qualify if all members were eligible (family maximum subsidy).
- (2) Divide the family maximum subsidy by the number of persons in the family to determine the maximum subsidy per each family member who is eligible (member maximum subsidy).
- (3) Multiply the member maximum subsidy by the number of eligible family members.
- (4) Subtract the subsidy calculated in the last step from the ~~maximum~~ PHA-established flat rent applicable to the unit. This is the prorated TTP.
- (5) Subtract the utility allowance for the unit from the prorated TTP. This is the prorated rent for the mixed family.

#### HACA Policy

- Revised public housing ~~maximum-flat~~ rents will be applied to a family's rent calculation at the first interim or annual reexamination after the revision is adopted. In instances where a mixed family's TTP is higher than the current ~~maximum~~ flat rent amount for the family's bedroom size, HACA will apply the higher TTP for purposes of determining family rent.
- For policies related to the establishment of the public housing ~~maximum~~ flat rent see Chapter 16.

#### **6-III.E. FLAT RENTS AND FAMILY CHOICE IN RENTS [24 CFR 960.253]**

##### **Flat Rents [24 CFR 960.253(b)]**

The flat rent is designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.

Changes in family income, expenses or composition will not affect the flat rent amount because it is outside the income-based formula.

Policies related to the reexamination of families paying flat rent are contained in Chapter 9, and policies related to the establishment and review of flat rents are contained in Chapter 16.

conditioning installed. A surcharge schedule for air conditioning has been established at the following properties:

- Lakeside Apartments
- Salina Apartments
- North Loop Apartments

#### **176-I.D. NOTICE REQUIREMENTS [965.502]**

The PHA must give notice to all residents of proposed allowances and scheduled surcharges, and revisions thereof. The notice must be given in the manner provided in the lease and must:

- Be provided at least 60 days before the proposed effective date of the allowances, scheduled surcharges or revisions.
- Describe the basis for determination of the allowances, scheduled surcharges or revisions, including a statement of the specific items of equipment and function whose utility consumption requirements were included in determining the amounts of the allowances and schedule of surcharges.
- Notify residents of the place where the PHA's documentation on which allowances and surcharges are based is available for inspection.
- Provide all residents an opportunity to submit written comments during a period expiring not less than 30 days before the proposed effective date of the allowances, scheduled surcharges or revisions.

#### **176-I.E. REASONABLE ACCOMMODATION [24 CFR 965.508]**

On request from a family that includes a disabled or elderly person, the PHA must approve a utility allowance that is higher than the applicable amount for the dwelling unit if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family [PH Occ GB, p. 172].

Likewise, residents with disabilities may not be charged for the use of certain resident-supplied appliances if there is a verified need for special equipment because of the disability [PH Occ GB, p. 172].

See Chapter 2 for policies regarding the request and approval of reasonable accommodations.

### **PART II: ESTABLISHING FLAT RENTS ~~AND PUBLIC HOUSING MAXIMUM RENTS~~**

#### **176-II.A. OVERVIEW**

Flat rents are designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.

Public housing ~~maximum~~flat rents are ~~needed~~also used to prorate assistance for a mixed family. A mixed family is one whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigrations status [24 CFR 5.504].

This part discusses how the PHA establishes and updates flat rents ~~and public housing maximum rents~~. Policies related to the use of flat rents, family choice of rent, flat rent hardships and ~~public housing maximum~~use of flat rents for prorating assistance for mixed families are discussed in Chapter 6.

**176-II.B. FLAT RENTS [24 CFR 960.253(b), United States Housing Act of 1937 (42 U.S. Code § 1437a(a)(2)(B)(i), Notice PIH 2014-12 and Notice PIH 2015-13]**

**Establishing Flat Rents**

Flat rents for public housing units are based on the market rent charged for comparable units in the private unassisted rental market. The flat rent should be equal to the estimated rent for which the PHA could promptly lease the public housing unit after preparation for occupancy. As required by Section 210 of the 2014 Appropriations Act and further amended by the 2015 Appropriations Act, PHAs must ensure that the flat rent is no less than the lower of 80 percent of:

1. the applicable Fair Market Rents established under Section 8(c) of the United States Housing Act of 1937; or
2. at the discretion of the Secretary, such other applicable fair market rental established by the Secretary that the Secretary determines more accurately reflects local market conditions and is based on an applicable market area that is geographically smaller than the applicable market area used for purposes of the applicable fair market rental under Section 8(c) of the United States Housing Act of 1937.

Notice PIH 2015-13 further identifies that the Small Area Fair Market Rentals (SAFMR) established by HUD satisfies the criteria identified as the second option. Whether the PHA chooses the FMR or the SAFMR, the flat rent is subject to utility adjustments. PHAs are now required to apply a utility allowance to flat rents. Flat rents at 80 percent of the FMR or SAFMR must be reduced by the amount of the unit's utility allowance, if any. Should the 80 percent threshold increase a family's existing rental payment by more than 35 percent, the new flat rent must be phased in to ensure existing rental payments do not increase by more than 35 percent annually.

**Review of Flat Rents**

The PHA must ensure that flat rents continue to mirror market rent values as well as comply with the provisions laid out in the 2014 Appropriations Act and PIH Notice 2014-12. No later than 90 days after HUD publishes new annual FMRs, PHAs must revise flat rents as necessary based on the rent reasonableness analysis and changes to the FMR. The PHA must offer changes to the flat rent to all new admissions and to existing families at the next annual rent option.

If the FMR falls from year to year, the PHA may, but is not required to, lower the flat rent to 80 percent of the current FMR.

**HACA Policy**

HACA will review flat rents on an annual basis, and adjust them as necessary to ensure that flat rents continue to mirror market rent values, are no less than 80% of the current applicable Fair Market Rents (FMR) or Small Area Fair Market Rents (SAFMR) and will not cause a family's existing rental payment to increase more than 35%. If the FMR or SAFMR is lower than the previous year, HACA may reduce flat rents to at least 80 percent of the current FMR or SAFMR.

PHAs that determine that reasonable rents would be less than 60 percent of the applicable FMR may choose to request an exception flat rent. In order to demonstrate the need for an exception flat rent, PHAs are required to submit a market analysis methodology that demonstrates the value for the unit. While HUD does not prescribe a particular formula for determining the

market analysis, PHAs must compare the public housing unit in the area using the following factors:

- Location, quality, size, unit type, age of the unit, and
- Amenities, housing services, maintenance, and utilities the PHA will provide under the lease.

#### HACA Policy

If HACA determines that reasonable rents would be less than 60 percent of the applicable FMR, the HACA will request an exception flat rent and conduct the market survey.

### **Posting of Flat Rents**

#### HACA Policy

HACA will publicly post the schedule of flat rents in a conspicuous manner in the applicable HACA community's bulletin board as well as at HACA's Central Office.

### **Documentation of Flat Rents [24 CFR 960 Interim Rule]**

The PHA is not required to maintain documentation regarding the PHA's methods of determining a unit's flat rent, as the process setting flat rents is now less reliant upon discretionary actions by the PHA, except in the case of exception requests, which require documentation provided by PHAs.

## **~~16-II.C. PUBLIC HOUSING MAXIMUM RENTS~~**

### **~~Establishing Public Housing Maximum Rents~~**

~~PHAs are prohibited from making financial assistance available to persons who are not citizens or nationals of the United States, and to those who do not have eligible immigration status [24 CFR 5.500]. Therefore, in order to assist mixed families, PHAs must prorate assistance. Public housing maximum rents are needed in order to calculate the tenant rent for a mixed family.~~

~~The public housing maximum rent is based on value of the 95<sup>th</sup> percentile of the total tenant payment (TTP) for each tenant within the PHA. PHAs may calculate a maximum rent on either a PHA or project wide basis. A separate maximum rent can be provided for each separate project or projects may be combined into logical groups, if appropriate. HUD recommends that a single project basis be avoided for a project unless at least 50 dwelling units are involved.~~

~~PHAs may use the "direct comparison" or the "unit distribution" method for establishing the public housing maximum rents for each unit size. Appendix H, of Guidebook 7465.G, Restrictions on Assistance to Noncitizens provides detailed guidance on how to establish public housing maximum rents using the methodologies identified above.~~

### **~~Review of Public Housing Maximum Rents~~**

#### ~~HACA Policy~~

~~HACA will recalculate the public housing maximum rents on an annual basis.~~

### **~~Posting of Public Housing Maximum Rents~~**

#### ~~HACA Policy~~

HACA will publicly post the schedule of public housing maximum rents in a conspicuous manner in the applicable HACA community's bulletin board as well as at HACA's Central Office.

#### **Documentation of Public Housing Maximum Rents**

##### HACA Policy

HACA will maintain records that document how HACA determined the 95<sup>th</sup> percentile of TTP whether the maximum rent was determined HACA wide, project wide or with groupings of projects and the methodology used to determine maximum rents for each unit size.

### **PART III: FAMILY DEBTS TO THE PHA**

#### **176-III.A. OVERVIEW**

This part describes the PHA's policies for recovery of monies owed to the PHA by families.

##### HACA Policy

When an action or inaction of a resident family results in the underpayment of rent or other amounts, HACA holds the family liable to repay any difference between underpayments to HACA and the actual amounts owed to HACA.

HACA will enter into repayment agreements in accordance with the policies contained in this part as a means to recover actual amounts owed as determined by HACA. When a family refuses to repay monies owed to HACA, HACA will utilize other available collection alternatives including, but not limited to, the following:

- Collection agencies
- Small claims court
- Civil law suit
- State income tax set-off program

#### **176-III.B. REPAYMENT POLICY**

##### **Family Debts to the PHA**

##### HACA Policy

Any amount owed to HACA by a public housing family must be repaid. If the family is unable to repay the debt within 30 days of receipt of written notification of the full amount, HACA will offer to enter into a repayment agreement in accordance with the policies below.

If the family refuses to repay the debt, does not enter into a repayment agreement or breaches a repayment agreement, HACA will terminate the family's tenancy in accordance with the policies in Chapter 13. HACA will also pursue other modes of collection.

##### **General Repayment Agreement Guidelines**

##### ***Payment Thresholds***

Notice PIH 2010-19 acknowledges that PHAs have the discretion to establish "thresholds and policies" for repayment agreements with families [24 CFR 982.552(c)(1)(vii)].



person will be required to submit the information requested and to certify to its accuracy at all future reexaminations.

At any reexamination HACA may request documents that support submitted financial statements such as manifests, appointment books, cashbooks or bank statements.

If a family member has been self-employed less than 3 months, HACA will accept the family member's certified estimate of income. If the family member has been self-employed for 3 to 12 months, HACA will require the family to provide documentation of income and expenses for this period and use that information to project income.

### 7-III.C. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS

#### Streamlined Income Determination of Fixed Income Sources [24 CFR 960.257]

On March 8, 2016 HUD published the Streamlining Rule in the Federal Register. According to this rule, for any family member with a fixed source of income, a PHA may elect to determine that family member's income by means of a streamlined income determination. A streamlined income determination must be conducted by applying, for each fixed-income source, the verified cost of living adjustment (COLA) or current rate of interest to the previously verified or adjusted income amount.

#### HACA Policy

HACA will apply this streamlined income determination for all fixed income sources in the following way:

- HACA will only use the streamlined income determination as part of a reexamination. HACA will require third-party verification of all income for applicants during the admissions process.
- A "family member with a fixed source of income" is defined as a family member whose income includes periodic payments at reasonably predictable levels from one or more of the following sources:
  - Social Security, Supplemental Security Income, Supplemental Disability Insurance;
  - Federal, state, local, or private pension plans;
  - Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other similar types of periodic receipts; or
  - Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.
- HACA will use a COLA or current rate of interest specific to the fixed source of income in order to adjust the income amount. HACA will verify the appropriate COLA or current rate of interest from a public source or through tenant-provided, third party-generated documentation. If no such verification is available, then HACA will obtain third-party verification of income amounts in order to calculate the change in income for the source.
- For any family member whose income is determined pursuant to a streamlined income determination, HACA will obtain third-party verification of all income amounts every 3 years.

#### Social Security/SSI Benefits

#### HACA Policy

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To verify the SS/SSI benefits of applicants, HACA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member who receives social security benefits. If a family member is unable to provide the document, HACA help the applicant request a benefit verification letter from SSA's Web site at [www.socialsecurity.gov](http://www.socialsecurity.gov) or ask the family to request one by calling SSA at 1-800-772-1213. Once the family has received the original benefit verification letter, it will be required to provide the letter to HACA.

To verify the SS/SSI benefits of residents, HACA will follow the streamlined income determination outlined above. When third-party verification is required, HACA will obtain information about social security/SSI benefits through HUD's EIV system and confirm with the resident(s) that the current listed benefit amount is correct. If the resident disputes the EIV-reported benefit amount, or if benefit information is not available in HUD systems, HACA will request a current SSA benefit verification letter from each family member that receives social security benefits. If a family member is unable to provide the document, HACA will help the resident request a benefit verification letter from SSA's Web site at [www.socialsecurity.gov](http://www.socialsecurity.gov) or ask the family to request one by calling SSA at 1-800-772-1213. Once the family has received the benefit verification letter, it will be required to provide the letter to HACA.

#### **7-III.D. ALIMONY OR CHILD SUPPORT**

##### HACA Policy

The way HACA will seek verification for alimony and child support differs depending on whether the family declares that it receives regular payments.

If the family declares that it ***receives regular payments***, verification will be sought in the following order.

- As a form of upfront income verification, HACA will access child support information via the Texas Office of Attorney General (OAG) child support online portal. Information accessed is limited to the custodial parent's case number(s), names of children related to each listed case, and a record of the last 12 payments received for each case, if any. Written consent by the family is secured via the OAG Form 1825, which is kept in the family's file.
- Copy of the receipts and/or payment stubs for the most recent 3 month period prior to the recertification effective date
- Copy of divorce decree to include signed child support and/or alimony order
- If the custodial parent does not have a Social Security number, or if HACA is unable to access the custodial parent's case information for any other reason, HACA will request a third party written verification from the state or local child support enforcement agency
- Third-party verification form from the person paying the support.
- Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If the family declares that it ***receives irregular or no payments***, in addition to the verification process listed above, HACA may require the family to provide evidence that it has taken all reasonable efforts to collect amounts due. This may include:

exemption status. This will ensure that the head of household is aware of the CSSR status and requirements of all household members.

#### **11-I.C. DETERMINATION OF EXEMPTION STATUS AND COMPLIANCE [24 CFR 960.605(c)(3)]**

##### **Annual Determination**

##### ***Determination of Exemption Status***

An exempt individual is excused from the CSSR [24 CFR 960.603(a)].

##### **HACA Policy**

At least 60 days prior to lease renewal, HACA will review and verify the exemption status of all adult family members. This verification will only be done on an annual basis unless the family reports a change or HACA has reason to believe that an individual's exemption status has changed. For individuals who are exempt because they are 62 years of age and older, verification of exemption status will be done only at the initial examination.

Upon completion of the verification process, HACA will notify the family of its determination in accordance with the policy in Section 11-I.B., Notification Requirements.

##### ***Determination of Compliance***

The PHA must review resident family compliance with the CSSR annually, at least 30 days prior to the end of the 12-month lease term [24 CFR 960.605(c)(3)]. As part of this review, the PHA must verify that any family member that is not exempt from the CSSR has met his or her service obligation.

##### **HACA Policy**

Approximately 90 days prior to the end of the lease term, HACA will provide written notice requiring the family to submit documentation that all subject family members have complied with the service requirement. The family will be required to submit HACA required documentation form(s) at their scheduled annual reexamination interview.

If the family fails to submit the required documentation at the interview, or by the HACA approved extension, the subject family members will be considered noncompliant with community service requirements, and notices of noncompliance will be issued pursuant to the policies in Section 11-I.E., Noncompliance.

##### **Change in Status between Annual Determinations**

##### **HACA Policy**

##### **Exempt to Nonexempt Status**

If an exempt individual becomes nonexempt during the 12-month lease term, it is the family's responsibility to report this change to HACA within 10 calendar days.

Within 10 business days of a family reporting such a change, or HACA determining such a change is necessary, HACA will provide a 30-day written

notice of the effective date of the requirement, and a copy of the CSSR Information Packet which includes the CSSR policy, a list of agencies in the community that provide volunteer and/or training opportunities, as well as a documentation form on which the family member may record the activities performed and number of hours contributed.

The effective date of non-exemption will be the first of the month following 30-day notice.

### **Nonexempt to Exempt Status**

If a nonexempt person becomes exempt during the 12-month lease term, it is the family's responsibility to report this change to HACA within 10 calendar days. Any claim of exemption will be verified by HACA in accordance with the policy at 11-I.D., Documentation and Verification of Exemption Status.

Within 10 business days of a family reporting such a change, or HACA determining such a change is necessary, HACA will provide the family written notice that the family member is no longer subject to the CSSR, if HACA is able to verify the exemption.

The exemption will be effective immediately.

### **11-I.D. DOCUMENTATION AND VERIFICATION [24 CFR 960.605(c)(4) and 24 CFR 960.607]**

The PHA must retain reasonable documentation of CSSR performance or exemption in participant files.

### **Documentation and Verification of Exemption Status**

#### HACA Policy

All family members who claim they are exempt from the CSSR will be required to sign the CSSR exemption certification form. HACA will provide a completed copy to the family upon request and will keep a copy in the tenant file.

HACA will verify that an individual is exempt from the CSSR by following the verification hierarchy and documentation requirements in Chapter 7.

HACA makes the final determination whether or not to grant an exemption from the CSSR. If a resident does not agree with HACA determination, s/he can dispute the decision through the HACA's grievance procedures (see Chapter 14).

### **Documentation and Verification of Compliance**

At each regularly scheduled reexamination, each nonexempt family member presents ~~a signed standardized certification form developed by the PHA~~ documentation of CSSR activities performed over the last 12 months ~~[Notice PIH 2009-48]~~.

~~PHAs must obtain third-party verification of CSSR completion administered through outside organizations. Each PHA develops a standardized form with places for signature confirmation by supervisors, instructors, or counselors certifying the number of hours contributed. Additional supporting documentation may be requested of the resident to verify CSSR participation or exemption. Acceptable documentation demonstrating compliance include the following:~~

- A signed certification to the PHA by such other organization where the family performed the qualifying activities stating who performed the activities, when they were performed and for how many hours.
- A signed self-certification to the PHA by the family member stating that he or she has performed the qualifying activities. The signed self-certification must include the following:
  - A statement that the family member contributed at least 8 hours per month of community service not including political activities within the community in which the adult resides; or participated in an economic self-sufficiency program (as that term is defined in 24 CFR 5.603(b)) for at least 8 hours per month;
  - The name, address, and a contact person at the community service provider; or the name, address, and contact person for the economic self-sufficiency program;
  - The date(s) during which the tenant completed the community service activity, or participated in the economic self-sufficiency program;
  - A description of the activity completed; and
  - A certification that the tenant's statement is true.

• Copies of the certification forms and supporting documents must be retained in the PHA files. If the PHA accepts self-certifications, the PHA must validate a sample of these self-certifications using third-party verification.

#### HACA Policy

HACA will accept both third-party verification and self-certification of completion of the CSSR. If anyone in the family is subject to the CSSR, HACA will provide the family with CSSR documentation forms at move-in, at lease renewal, when a family member becomes subject to the requirement during the lease term, or upon request by the family.

Each individual who is subject to the requirement will be required to record their CSSR activities and the number of hours contributed on the required form. The certification form will also include places for signatures and phone numbers of supervisors, instructors and counselors certifying to the number of hours contributed. Or the family member can provide the self-certification as outlined above.

Families will be required to submit the documentation to HACA, upon request by HACA.

If HACA has reasonable cause to believe that the certification provided by the family is false or fraudulent, HACA has the right to request additional documentation be provided by the resident to verify CSSR participation.

An individual subject to the CSSR must complete the hours him/ herself. No other resident may perform the CSSR hours on another resident's behalf. CSSR hours may not be "donated" by another resident to an individual subject to completion of community service.

HACA will validate a sample of self-certifications. On an annual basis (beginning at the anniversary date of the implementation of self-certification), HACA will determine the number of family members that self-certified their CSSR for the previous 12 months. Then, using the chart below, HACA will determine the appropriate sample size and validate the self-certifications. [PIH Notice 2016-06, Attachment C]

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<u>Universe Size</u>	<u>Sample Size AT LEAST</u>
<u>&lt; or = 10</u>	<u>ALL</u>
<u>15</u>	<u>13</u>
<u>20</u>	<u>16</u>
<u>25</u>	<u>19</u>
<u>30</u>	<u>21</u>
<u>35</u>	<u>24</u>
<u>40</u>	<u>26</u>
<u>50</u>	<u>29</u>
<u>60</u>	<u>33</u>
<u>100</u>	<u>41</u>
<u>150</u>	<u>47</u>
<u>200</u>	<u>51</u>
<u>250</u>	<u>54</u>
<u>300</u>	<u>56</u>
<u>350</u>	<u>57</u>
<u>400</u>	<u>58</u>
<u>450</u>	<u>59</u>
<u>500</u>	<u>60</u>
<u>600</u>	<u>61</u>
<u>700</u>	<u>62</u>
<u>800</u>	<u>63</u>
<u>900</u>	<u>63</u>
<u>1000</u>	<u>64</u>
<u>1500</u>	<u>65</u>
<u>2500</u>	<u>66</u>

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## 11-I.E. NONCOMPLIANCE

### Initial Noncompliance

The lease specifies that it is renewed automatically for all purposes, unless the family fails to comply with the CSSR. Violation of the requirement is grounds for nonrenewal of the lease at the end of the 12-month lease term, but not for termination of tenancy during the course of the 12-month lease term [24 CFR 960.603(b)].

If the tenant or another family member has violated the CSSR, the PHA may not renew the lease upon expiration of the 12-month term of the lease, unless the tenant and any other noncompliant family member enter into a written work-out agreement with the PHA. Under this agreement the tenant or noncompliant family member must agree to cure the noncompliance by completing the additional CSSR hours needed to make up the total number of hours required, over the 12-month term of the new lease. In addition, all other members of the family who are subject to the requirement must be in compliance or must no longer be residing in the unit [24 CFR 960.607(c)], Notice PIH 2009-48].

*Notice of Initial Noncompliance [24 CFR 960.607(b)]*

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**AGENDA ITEM NO. 6**

**Presentation and Discussion of the proposed Tenant Selection Plans for PBRA Family properties, PBRA & LIHTC Family properties and PBRA & LIHTC Elderly / Disabled properties which will go out for public comment beginning on May 23, 2016**

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## BOARD OF COMMISSIONERS

### Presentation & Discussion

**MEETING DATE:** May 19, 2016

**STAFF CONTACT:** Pilar Sanchez, Vice President of Housing and Community Development

#### Presentation and Discussion of **Proposed Tenant Selection Plans for Properties Moving to PBRA or a Combination of PBRA and LIHTC**

**ACTION:** Place out for Public Comment for 30 days beginning May 23, 2016 through 5:00 pm on June 21, 2016

#### **SUMMARY:**

As part of the Rental Assistance Demonstration (RAD), HUD requires Housing Authorities to adopt a Tenant Selection Plan (TSP). Owners must develop and make public written tenant selection policies and procedures that include descriptions of the eligibility requirements and income limits for admission. The contents of the plan must be consistent with the purpose of improving housing opportunities and be reasonably related to program eligibility and an applicant's ability to perform the obligations of the lease (HUD Guidebook 4350.3, Chapter 4, Paragraph 4-3).

The RAD policy team reviewed the nine properties that are in the first phase of HACA's RAD conversion. While each property will have its own Tenant Selection Plan, the basic content will remain the same. The main differences will revolve around whether the property is a family site or a mixed elderly / disabled site, and whether the property is only participating in the Project Based Rental Assistance (PBRA) program or layered with PBRA and the Low Income Housing Tax Credit (LIHTC) program.

As a result of these variables, the policy team identified three different TSPs that would be needed in the first phase:

- TSP for Family Sites that are only PBRA properties
- TSP for Family Sites that are PBRA and LIHTC properties
- TSP for Mixed Sites (Elderly / Disabled) that are PBRA and LIHTC properties

Even within these three different TSPs, the majority of the content is the same. All three plans are being presented today. They have been attached to this summary along with a sheet that outlines the differences between the three.

#### **Key Points:**

The change from Public Housing to PBRA will require a change in the waiting list preferences that we offer. HACA will continue to offer a disability preference and involuntarily displaced preference at all properties. The elderly preference will only be offered at Mixed Elderly / Disabled sites. However, the elderly preference will be weighted to grant the highest preference to the elderly at these sites. HACA anticipates that it will continue to serve the same number of elderly and disabled households.

The TSPs state that HACA will make use of site-based waiting lists for each property. This issue is also part of the proposed ACOP changes coming before the Board today as well.

HACA is maintaining its current screening criteria for income limits, criminal history, rental history, ability to establish utility service and overall suitability.

The TSPs will reflect a change in transfer policy. Those changes include the following:

- In the PBRA program, a family cannot transfer from one property to another property. If they wish to live at another property, they can apply and get on that property's waiting list.
- Transfers take a higher priority over new move ins from the waiting list.
- The need for a quick move to another property due to VAWA concerns is accomplished by granting a preference on the waiting list to families living at HACA properties with a verified VAWA situation.
- The order of transfer priority was adjusted slightly, moving over-housed families ahead of under-housed families.

The TSPs will reflect some changes in the occupancy standards, including the following:

- Families can be on the waiting list at a property for more than one bedroom size, if they qualify.
- The occupancy standards must take into account "anticipated children" (unborn child, child currently in foster care, children in process to be adopted or brought into the home via foster care, etc)
- The minimum number allowed in each bedroom size was adjusted for the 3 and 5 bedroom standards to better reflect the basic guide of 2 people per bedroom.
- HACA kept the exception allowing children of opposite genders over age 7 to have separate rooms and the exception allowing individuals from different generations to have separate bedrooms.

The TSPs with LIHTC properties have a lower income limit (60% of the median family income) as well as other minor differences. A full summary of the differences between PBRA and PBRA / LIHTC properties is included as an attachment to this summary.

**Public Comment:**

The PBRA Family Site Tenant Selection Plan, the PBRA / LIHTC Family Site Tenant Selection Plan and the PBRA / LIHTC Mixed Site Tenant Selection Plan will be posted for public comment on May 23<sup>rd</sup> through June 21<sup>st</sup> and will be brought back to the Board for approval at the July 22, 2016 Board meeting.

**ATTACHMENTS:**

- Comparison of the Similarities and Differences between the Three TSPs
- PBRA Family Site Tenant Selection Plan
- PBRA / LIHTC Family Site Tenant Selection Plan
- PBRA / LIHTC Elderly/Disabled Site Tenant Selection Plan

**RECOMMENDATION:**

It is HACA's recommendation to request public comment on the proposed Tenant Selection Plans.

**FINANCE REVIEW:**

**X Proposed action does not require Finance Department review.**

- Fiscal Impact was approved by \_\_\_\_\_

\_\_\_\_\_  
Thomas Cherian, Vice-President of Finance

## Tenant Selection Plans - Comparison

Family PBRA, Family PBRA & LIHTC, Elderly / Disabled PBRA & LIHTC

	Family PBRA Tenant Selection Plan		Family PBRA & LIHTC Tenant Selection Plan		Elderly / Disabled PBRA & LIHTC Tenant Selection Plan	
Section	Summary	Page(s)	Summary	Page(s)	Summary	Page(s)
<b>Owner &amp; Property Information</b>	Address and contact information for property and owner (HACA). No changes from current.	5	Same	5	Same	5
<b>The Purpose of the Resident Selection Plan</b>	TSP is intended as a way to ensure residents are selected according to HUD policy and agency plans. This is similar to the Public Housing ACOP, Chapters 3-5.	5	Same	5	Same	5
<b>Rules of Conduct</b>	Sets the expectation that applicants, residents and staff will conduct themselves in a professional manner. Reminds everyone that abusive and disruptive behavior works against a healthy relationship. Assistance animals and children are welcome, but must be supervised.	6	Same	6	Same	6
<b>Smoke Free Housing</b>	Provides information about HACA's smoke free policy. The information about enforcement is found in the House Rules.	6	Same	6	Same	6
<b>Security Deposit Requirements</b>	Security deposit will be based on the resident's total tenant payment (TTP) or 30% of their adjusted monthly income. This is a change from current policy of \$75 deposit for Elderly and Disabled families and \$150 deposit for all others.	6	Same	6	Same	6
<b>Pets</b>	Identifies basic pet policy of 2 pets per household. Directs families to the Pet Rules for all other details. All remains the same as current policy except increasing the pet deposit from \$50/pet to \$100/pet.	7	Same	7	Same	7



	Family PBRA Tenant Selection Plan		Family PBRA & LIHTC Tenant Selection Plan		Elderly / Disabled PBRA & LIHTC Tenant Selection Plan	
Section	Summary	Page(s)	Summary	Page(s)	Summary	Page(s)
<b>Assistance Definition</b>	Property is a PBRA property, does not accept HCV tenant vouchers and is not an assisted living facility. All residents must be able to fulfill the lease requirements. Residents must be able to live independently or with the assistance of an aide paid at the resident's expense.	7-8	Property is a PBRA property, does not accept HCV tenant vouchers and is not an assisted living facility. All residents must be able to fulfill the lease requirements. Residents must be able to live independently or with the assistance of an aide paid at the resident's expense. If there are any LIHTC-only units, HCV vouchers will be accepted.	7-8	Property is a PBRA property, does not accept HCV tenant vouchers and is not an assisted living facility. All residents must be able to fulfill the lease requirements. Residents must be able to live independently or with the assistance of an aide paid at the resident's expense. If there are any LIHTC-only units, HCV vouchers will be accepted.	7-8
<b>Fair Housing Policies</b>	HACA will follow the Fair Housing Act, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, VAWA, LEP and Equal Access Rule. HACA currently follows all these under Public Housing.	8-9	Same	8-9	Same	8-9
<b>Property Eligibility Requirements</b>	Family site open to all families; PBRA guidelines; uses the PBRA income limit of 80% of median family income; and uses the occupancy standards as outlined. Change from current Public Housing policy in occupancy standards.	9-11	Family site open to all families; PBRA and LIHTC guidelines; uses the LIHTC income limit of 60% of median family income; uses occupancy standards as outlined. Change from Public Housing policy in income limits and occupancy standards.	9-11	Elderly / Disabled site open to families that meet the definition of Elderly households or disabled households; uses the LIHTC income limit of 60% of median family income; uses occupancy standards as outlined. Change from Public Housing policy in income limits and occupancy standards.	10-13
<b>Program Eligibility</b>	Sets eligibility requirements, rules about SSN disclosure, citizenship or immigrant status requirements, single residence requirement, PBRA student rule and prohibition of non-citizen students. All the same as Public Housing except student rule.	11-15	Sets eligibility requirements, rules about SSN disclosure, citizenship or immigrant status requirements, single residence requirement, PBRA and LIHTC student rule and prohibition of non-citizen students. All the same as Public Housing except student rules.	11-16	Sets eligibility requirements, rules about SSN disclosure, citizenship or immigrant status requirements, single residence requirement, PBRA and LIHTC student rule and prohibition of non-citizen students. All the same as Public Housing except student rules.	13-17

	Family PBRA Tenant Selection Plan		Family PBRA & LIHTC Tenant Selection Plan		Elderly / Disabled PBRA & LIHTC Tenant Selection Plan	
Section	Summary	Page(s)	Summary	Page(s)	Summary	Page(s)
<b>Procedures for Taking Pre-Applications &amp; Applications</b>	Outlines how HACA will take pre-applications (online and in person), initial eligibility requirements; process for completing application as part of eligibility interview and all required documents. Change from current Public Housing process by adding online application and portal.	15-18	Same	16-18	Same	17-20
<b>Live-in Aides</b>	Outlines Live-in Aide requirements and eligibility screening.	18	Same	18	Same	20
<b>Waiting Lists</b>	Provides guidelines for establishing waiting lists, maintaining the waiting list, removing applicants from the list and following income targeting rules for selecting applicants. Same as current Public Housing policy.	18-20	Same	18-21	Same	20-22
<b>Preferences</b>	Preference will be granted to current residents (transfers) over waiting list applicants. On the waiting list, preference will be granted to VAWA victims from other PBRA properties, involuntarily displaced families and disabled families. The preferences are weighted in the order listed and will be verified. If denied, the family will have opportunity to appeal the denial of preference. Preference status can change while on the waiting list and there are exceptions to the preference rules. This is different from the preferences currently used in Public Housing.	21-23	Same	21-23	Preference will be granted to current residents (transfers) over waiting list applicants. On the waiting list, preference will be granted to Elderly and Near-Elderly families, involuntarily displaced families and disabled families. The preferences are weighted in the order listed and will be verified. If denied, the family will have opportunity to appeal the denial of preference. Preference status can change while on the waiting list and there are exceptions to the preference rules. This is different from the preferences currently used in Public Housing.	23-25

	Family PBRA Tenant Selection Plan		Family PBRA & LIHTC Tenant Selection Plan		Elderly / Disabled PBRA & LIHTC Tenant Selection Plan	
Section	Summary	Page(s)	Summary	Page(s)	Summary	Page(s)
<b>Privacy Policy</b>	States that HACA will comply with the Privacy Act of 1974. Same as current policy.	23	Same	24	Same	25
<b>Verification</b>	Outlines what is verified, method and sources of verification, consent requirements and consequence for refusal to provide consent. Mostly the same as current Public Housing policy except that verification period is 120 days (PH is 60) and requirement for 18 year old to sign consent within 30 days.	23-26	Same	24-26	Same	26-28
<b>Misrepresentation</b>	Intentional misrepresentation of any eligibility requirement is grounds for denial of the application. Same as current Public Housing policy.	26	Same	26	Same	28
<b>Applicant Screening Criteria</b>	HACA will screen for criminal history, credit history, ability to establish utility service, rental history, duplicate HUD assistance. This is the same as HACA's current policy.	27-31	Same	27-32	Same	29-33
<b>Rejecting Ineligible or Unqualified Applicants</b>	Gives reasons for rejection and the rights to appeal. Same as current HACA policy.	32-33	Same	32-33	Same	34-35
<b>Informal Hearings for PBRA Applicants</b>	Copied straight from the current ACOP as required by RAD notice.	33-37	Same	34-37	Same	36-39
<b>Offering an Apartment</b>	Provides the order in which accessible units and non-accessible units will be offered. Significantly different from current Public Housing policy.	38-39	Provides the order in which accessible units and non-accessible units will be offered. Incorporates LIHTC guidelines regarding transfers. Significantly different from current Public Housing policy.	38-40	Provides the order in which accessible units and non-accessible units will be offered. Incorporates LIHTC guidelines regarding transfers. Significantly different from current Public Housing policy.	40-42

	Family PBRA Tenant Selection Plan		Family PBRA & LIHTC Tenant Selection Plan		Elderly / Disabled PBRA & LIHTC Tenant Selection Plan	
Section	Summary	Page(s)	Summary	Page(s)	Summary	Page(s)
<b>Right to Refusal</b>	Applicants will be given only one offer. The exceptions are when a non-accessible unit is offered to a family needing an accessible unit, or an accessible unit is offered to a family not needing an accessible unit. This policy is slightly different than current Public Housing policy.	40	Applicants will be given only one offer. The exceptions are when a non-accessible unit is offered to a family needing an accessible unit, or an accessible unit is offered to a family not needing an accessible unit. This policy is slightly different than current Public Housing policy.	41	Applicants will be given only one offer. The exceptions are when a non-accessible unit is offered to a family needing an accessible unit, or an accessible unit is offered to a family not needing an accessible unit, or a family is offered a unit near an animal and they do not wish to live near an animal. Policy is different than current policy.	43
<b>Timeframe for Taking Possession of a Unit by the Applicant Family</b>	Timeframes for taking possession of the unit. Different from current Public Housing policy.	41	Same	42	Same	43
<b>Unit Transfer Policies</b>	Establishes the unit transfer order of priority. This is different from current Public Housing Policy.	42-43	Establishes the unit transfer order of priority. Also incorporates LIHTC transfer requirements. This is different from current policy.	42-44	Establishes the unit transfer order of priority. Also incorporates LIHTC transfer requirements. This is different from current policy.	44-46
<b>Changes in Household Composition</b>	Family must report changes in household composition. Changes will prompt an interim to adjust household composition and income / rent. Same as current Public Housing policy.	43-44	Same	44-45	Same	46-47
<b>Apartment Inspections</b>	List of types and frequency of inspections. Same as current Public Housing policy.	45	Same	45	Same	47
<b>Changes to the Resident Selection Plan</b>	Changes in the Tenant Selection Plan will prompt a purge process. Different from current Public Housing policy.	45	Same	46	Same	48
<b>Appendix A – Request for Reasonable Accommodation or Modification</b>	Provides policy for how applicants and residents can request an accommodation or modification. Same policy as current Public Housing policy.	46	Same	47	Same	49

	Family PBRA Tenant Selection Plan		Family PBRA & LIHTC Tenant Selection Plan		Elderly / Disabled PBRA & LIHTC Tenant Selection Plan	
Section	Summary	Page(s)	Summary	Page(s)	Summary	Page(s)
<b>Appendix B – Citizen/Non-citizen Eligibility</b>	Provides explanation of citizenship, eligible non-citizen status, documentation to support.	47-50	Same	48-51	Same	50-53
<b>Appendix C: Dual Subsidy Notice</b>	Provides a written form for families to declare that they are not receiving duplicate assistance. This is a new form, but not a new policy.	51	Same	52	Same	54
<b>Appendix D – Verification of Household Composition</b>	Provides a form for families to declare family composition and sets rules for guests, live-in aides, etc. New form, but same policy.	52-54	Same	53-55	Same	55-57
<b>Appendix E – VAWA Policy</b>	Provides current VAWA policy.	55-57	Same	56-58	Same	58-60



***(Property Name)***  
**Tenant Selection Plan**

**Project Based Rental Assistance  
for a Family Site**



## (Property Name) Tenant Selection Plan

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## (Property Name) Tenant Selection Plan

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## (Property Name) Tenant Selection Plan

### **OWNER/AGENT & PROPERTY INFORMATION**

<b>Owner/Agent Name</b>	Housing Authority of the City of Austin (HACA)
<b>Owner/Agent Contact Name</b>	
<b>Owner/Agent Address</b>	1124 S IH 35
<b>Owner/Agent City, State, Zip</b>	Austin, TX 78704
<b>Owner/Agent Phone #</b>	(512) 477-4488
<b>Owner/Agent Fax</b>	(512) 472-2958
<b>Owner/Agent TTY/TTD/Relay</b>	
<b>Property Name</b>	Property Name
<b>Property Contact Name</b>	Property Manager
<b>Address</b>	Property Address
<b>City, State, Zip</b>	Austin, TX 78704
<b>Phone</b>	Property Phone Number
<b>Fax</b>	Property Fax Number
<b>TTY/TDD/Audio Relay</b>	711 National Voice Relay

Applications for housing at this property are only received online or at the owner/agent's office location. Applications are not received at the property management office.

All references to office locations within this Tenant Selection Plan include both the HACA Central Office and the Property Management Office unless otherwise indicated.

### **THE PURPOSE OF THE RESIDENT SELECTION PLAN**

The resident selection plan helps to ensure that residents are selected for occupancy in accordance with HUD requirements and established management policies.

Please contact the management office if you need help understanding this document.

- Contacte por favor la oficina de gestión si usted necesita ayuda a comprender este documento. (Spanish)
- Por favor contate o escritório de gerência se deve ajudar entendimento este documento. (Portuguese)
- Si vous avez besoin d'aide à la compréhension de ce document, veuillez communiquer avec le Bureau de gestion. (French)
- Souple kontakte Biwo jesyon a si w bezwen èd pou konprann dokiman sa a. (Haitian Creole)
- Xin liên lạc với văn phòng điều hành nếu bạn cần giúp đỡ sự hiểu biết tài liệu này. (Vietnamese)
- Пожалуйста свяжитесь с офисом управления, если Вам нужна помощь в понимании этого документа. (Russian)
- Bitte kontaktieren Sie das Leitungsbüro, wenn Sie helfen müssen, dieses Dokument zu verstehen. (German)
- 請聯絡管理辦公室，如果你需要幫助理解這份文件。(Chinese)
- もしこの文書を理解しているための助けを必要としていれば、経営オフィスと連絡を取ってください。(Japanese)





### **RULES OF CONDUCT**

The relationship between a landlord (owner/agent) and a resident or applicant is a business relationship. A courteous and businesslike attitude is required from both parties. The owner/agent reserves the right to refuse to conduct business with anyone who is verbally abusive, swears, is disrespectful, makes threats, uses discriminatory language, appears to be intoxicated or under the influence of alcohol or drugs, is argumentative, or in general displays an attitude, at any time, which causes the owner/agent or the property staff to believe we would not have a positive business relationship.

If an applicant or any member of the applicant's family demonstrates unprofessional behavior in the presence of the management team or other residents/applicants, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

If the applicant or any member of the applicant's family exhibits threatening behavior, appears to be intoxicated or under the influence of alcohol or illegal drugs or attempts to intimidate the staff, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

To ensure the privacy of property staff, property residents and applicants, applicants and residents are asked to refrain from use of cell phones or other electronic devices, except those necessary to alleviate the symptoms of a disability, by residents or applicants, while in the management office or Administration Central Office.

Assistance Animals are always welcome in the management office. Please keep all pets outside the management office at all times.

Children are always welcome. When in the Central office or management office, minors must be supervised. Admissions Department and property management staff are not responsible for child care or supervision.

Admissions Department staff is not permitted to accept any money, gifts, services or favors connected with the application process, criminal or credit checks, eligibility determination, apartment selection, or associated with any aspect of residency on this property. If property staff solicits any mandatory payment for any part of the application process, the applicant should notify the owner/agent. **XXXX ENTER CONTACT INFORMATION HERE XXXX.**

### **SMOKE FREE HOUSING**

Smoking is prohibited in any area of the property, both private and common, whether enclosed or outdoors. This policy applies to all owner/agents, property staff, applicants, residents, guests, and servicepersons. "Smoking" shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, cigar, pipe, hookah, other tobacco products, marijuana including medical marijuana, herbal smoking products "Legal Weed" or products known as "bath salts" or other legal or illegal substances.

### **SECURITY DEPOSIT REQUIREMENTS**

The owner/agent must collect a security deposit at the time of the initial lease execution. The owner/agent will comply with any HUD rules and applicable state and local laws governing the security deposit. The security deposit amount is based on the Total Tenant Payment (TTP) calculated at move in.

If the move-in certification requires correction, and the TTP is recalculated, the security deposit requirement will be recalculated as well. Otherwise, the amount of the security deposit established at move-in does not change when a resident's rent changes.



## (Property Name) Tenant Selection Plan

The resident is expected to pay the security deposit from his/her own resources and/or other public or private sources. An applicant will be rejected if he/she does not have sufficient funds to pay the deposit.

### **PETS**

Residents are allowed to keep 2 pets in the unit.

Certain restrictions apply and are outlined in the property Pet Rules. Pets and assistance animals must be approved before they are allowed to live in the unit. Copies of the Pet Rules and Assistance Animals Policy are available upon request.

When applicable, residents must agree to pay any required pet deposit and must agree to abide by the property's Pet Rules and Assistance Animal Policies.

If an applicant wishes to request approval of an assistance animal – necessary to alleviate the symptoms or side-effects of a disability, the applicant (or applicant's representative) must request a reasonable accommodation. Please review the process to request a reasonable accommodation in Appendix A. The applicant should also review the Assistance Animal Policy which is available upon request.

### ***PET DEPOSIT***

The Pet Rules require residents who own dogs or cats (pets) or keep dogs or cats (pets) in their units to pay a refundable pet deposit. This deposit is in addition to any other financial obligation generally imposed on residents of the property.

The pet deposit is \$100.00 per animal. A minimum of \$50.00 is required at the time the pet is brought on to the premises. The resident will have the option to pay the remaining balance in increments of \$10.00 per month until the \$100.00 pet deposit is collected. Residents are allowed to pay the entire pet deposit in increments greater than those described if he/she chooses to do so.

The owner/agent will use the pet deposit only to pay reasonable expenses directly attributable to the presence of the pet on the property. Such expenses would include, but not be limited to, the cost of repairs and replacement to the unit, fumigation of the unit, and the cost of animal care facilities.

The owner/agent will return the unused portion of a pet deposit to the resident within a reasonable time after the resident moves from the property or no longer owns or keeps a household pet in the unit. Residents, their guests and/or service providers are required to comply with the property Pet Rules.

Assistance animals that assist persons with disabilities are exempt from the pet policy and from the refundable pet deposit. Residents, guests and service providers will be required to comply with the Assistance Animal Policy.

### **ASSISTANCE DEFINITION**

The property is operating under the guidelines established for the HUD Project Based Rental Assistance program. A person must be capable of fulfilling the lease requirements.

### ***SUBSIDY***

Residents at this property are offered subsidized rent. This means the rent that a household pays is based upon the household income. The family will pay 30% of their adjusted household income. The balance of the contract rent is subsidized by the Federal Government. The rent amounts paid by residents may vary.



***TENANT-BASED VOUCHERS***

The owner/agent may not admit an applicant with a voucher to a unit with Project Based Rental Assistance unless the applicant agrees to give up the voucher prior to occupancy. This will be verified with the former housing provider.

If the owner/agent discovers that any household member failed to give up current HUD housing assistance before moving to (Property Name), no rent subsidy or utility allowance will be provided by HUD until the day after the move out or surrender of the currently subsidized unit.

Household members who sign the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD. Applicants should consult with the local HUD office if the former landlord is accepting subsidy after move out.

Please note that housing assistance provided through HUD's multi-family housing program is not the same as the housing assistance provided through the voucher program. If any family member moves out, the housing subsidy will not move with the family as it does with a voucher. The family will be required to re-apply to a PHA to receive a voucher.

***ASSISTED LIVING***

This is not an assisted living property. The owner/agent and property staff do not provide, nor have the authority to provide, any personal care or personal supervision services. All care and supervision services must be provided by the resident or aides supervised by the resident or the resident's representative(s). The owner/agent and property staff do not provide assistance with personal activities or daily living.

**FAIR HOUSING POLICIES**

***FAIR HOUSING***

The Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability, and familial status. In addition, the city of Austin has added Fair Housing protections based on creed, student status, marital status, sexual orientation, gender identity and age.

***TITLE VI OF THE CIVIL RIGHTS ACT OF 1964***

The owner/agent complies with Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance from HUD.

***SECTION 504 OF THE REHABILITATION ACT OF 1973***

The owner/agent complies with Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination, based on the presence of a disability in all programs or activities operated by recipients of federal financial assistance.

Although Section 504 protections often overlap with the disability discrimination prohibitions included in the Fair Housing Act, Section 504 differs in that it imposes broader affirmative obligations to make their programs, as a whole, accessible to persons with disabilities.

- Coordinating Efforts to Comply with Section 504 Requirements  
The owner/agent has designated a person to address questions or requests regarding the specific needs of residents and applicants with disabilities. This person is referred to as the Section 504 Coordinator.



## (Property Name) Tenant Selection Plan

Name of Section 504 Coordinator:	Vice President of Housing and Community Development
Address:	1124 S IH 35, Austin, TX 78704
Phone Number:	(512) 477-4488
TDD/TTY Number:	711 Voice Relay

- Requests for Reasonable Accommodation or Modification

In accordance with the Fair Housing Act and Section 504 of the Rehabilitation Act, the owner/agent will make reasonable accommodations or modifications for individuals with disabilities (applicants or residents) unless these modifications would change the fundamental nature of the housing program or result in undue financial and administrative burden. Please see Appendix A for additional information.

### ***COMPLIANCE WITH REQUIREMENTS OUTLINED IN THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013***

The owner/agent understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault or stalking, people who have been victims of violence have certain protections provided through the Violence Against Women Reauthorization Act of 2013 (VAWA 2013).

If any applicant wishes to exercise the protections provided in the VAWA 2013, he/she should contact the owner/agent immediately.

The owner/agent will not assume that any act is a result of abuse covered under the VAWA 2013. In order to receive the protections outlined in the VAWA 2013, the applicant/applicant must specify that he/she wishes to exercise these protections.

Please see Appendix E for a copy of the owner/agent's VAWA Policy.

### ***AVAILABILITY OF ASSISTANCE FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY***

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency LEP" requires the owner/agent to develop and implement a system to provide housing assistance so persons with Limited English Proficiency (LEP) can have meaningful access to assisted housing opportunities. The owner/agent will provide for such meaningful access consistent with, and without unduly burdening the fundamental mission of the property. The owner/agent will work to ensure that people who apply for and/or qualify for housing assistance are provided meaningful access to HUD's housing assistance program.

### ***THE EQUAL ACCESS RULE***

The owner/agent ensures that HUD's core housing programs are open to all eligible persons regardless of sexual orientation, gender identity or marital status in accordance with *The Equal Access Rule*.

### **ELIGIBILITY REQUIREMENTS**

#### ***PROPERTY ELIGIBILITY DEFINITION***

- Household/Resident Type

This multi-family Project Based Rental Assistance property is designed to provide housing to families who meet the eligibility and screening requirements.

- Income Limits

Income limits vary by household size. The owner/agent will provide applicants a copy of the income limits for the property area upon request. In addition, applicants can review the income limits by



## (Property Name) Tenant Selection Plan

accessing the following web site. <http://www.huduser.org/datasets/il.html>. HUD requires that property managers incorporate the most recently published income limits when determining eligibility.

For this property, qualified applicant households must meet the following income limit requirements:

Subsidy	Type of Income Limit
<b>Project Based Rental Assistance</b>	<b>Low</b> – 80% of median income <b>Very low</b> – 50% of median income <b>Extremely low</b> – very low income household whose income equals or is less than the greater of poverty level or 30% of median income

- Occupancy Standards

Occupancy standards serve to prevent the over-utilization or under-utilization of units that can result in an inefficient use of housing funding. Occupancy standards also ensure that residents are treated fairly and consistently and receive adequate housing space.

Below, please find this property's occupancy standards description:

Number of Bedrooms	Min. # Household Members	Max. # Household Members
0	1	1
1	1	2
2	2	4
3	4	6
4	6	8
5	8	10

- Generally, two persons are expected to share a bedroom. The family will be allowed one bedroom for each two persons within the household. Exceptions to this rule and to the minimum number of household members guide above include the following circumstances:
  - Two children of the opposite sex, with one at least seven (7) years of age, will not be required to share a bedroom,
  - Persons of different generations (grandparent and grandchild, parent and child) will not be required to share a bedroom.
- A couple (married or unmarried, same sex or opposite sex) engaged in a consensual sexual relationship will be allocated one bedroom.
- Authorized live-in aides will be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family.
- Single-person families will be allocated either a zero (efficiency) or one bedroom unit.
- Anticipated children will be included. Anticipated children include:
  - Children expected to be born to a pregnant woman;
  - Children in process of being adopted by an adult family member;
  - Children whose custody is being obtained by an adult family member;
  - Foster children who will reside in the unit;
  - Children who are temporarily in a foster home who will return to the family; and
  - Children in joint custody arrangements who are present in the household 50% or more of the time.





## (Property Name) Tenant Selection Plan

- A household that contains a family member (not the head of household or spouse) who is enrolled as a full-time student at an institution of higher learning and who is on the lease will be counted for the purposes of establishing occupancy standards for unit size if:
  - the family member is enrolled and actively attending a two-year or four-year college or university; and
  - the family member resides in the public housing unit during school breaks and holidays.

Any household placed in a unit size different from that defined in these Occupancy Standards shall agree to transfer to an appropriate size unit at the same property when one becomes available.

- Verifying the Need for an Accessible Unit

When an applicant requests an accessible unit or a unit preference, such as a first floor unit, the owner/agent will conduct inquiries to:

- Verify that the applicant is qualified for the unit, which is only available to persons with a disability or to persons with a particular type of disability.
- Verify that the applicant needs the features of the unit as an accommodation to his or her disability.
- Verify that the applicant is qualified to receive a priority on the waiting list available to persons with a disability or to persons with a particular type of disability.

### **PROGRAM ELIGIBILITY**

- Eligibility Standards

Based on federal regulations, the owner/agent may admit only eligible applicants. In the selection of applicants for admission, eligibility criteria have been established in accordance with HUD guidelines. The following eligibility standards will be applied in accordance with HUD requirements:

- The household's annual income must not exceed program income limits at move-in;
- The Head-of-Household (HOH), co-Head-of-Household and the spouse (regardless of age) and all adults in each household must sign an Authorization for Release of Information (HUD Forms 9887 and 9887A) and owner/agent created verification documents prior to receiving assistance and annually thereafter;
- The unit for which the household is applying must be the household's only residence;
- An applicant must agree to pay the rent required by the program under which the applicant will receive assistance;
- Only U.S. citizens or eligible non-citizens may receive assistance (*See additional information below and in Appendix B*);
- Applicants who claim eligible status must disclose Social Security Numbers for all household members and provide proof of the numbers reported (*See additional information below*);
- The household size must be appropriate for the available apartments (*See Occupancy Standards*);
- All information reported by the household is subject to verification.

- Disclosure and Verification of Social Security Numbers

All household members receiving HUD housing assistance or applying to receive HUD housing assistance are required to provide a Social Security Number and adequate documentation necessary to verify that number. This rule applies to all household members including live-in aides, foster children and foster adults. Adequate documentation includes a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:



- Original Social Security card
- Driver's license with SSN
- Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union.
- Earnings statements on payroll stubs
- Bank statement
- Form 1099
- Benefit award letter
- Retirement benefit letter
- Life insurance policy
- Court records

- Exceptions to Disclosure of Social Security Number

The Social Security Number requirements do not apply to:

- Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
- Individuals who do not contend eligible immigration status. When applicants and residents are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed.

If, at the time a unit becomes available, all non-exempt household members have not provided adequate documentation necessary to verify Social Security Numbers, the next eligible applicant must be offered the available unit.

All non-exempt household members have ninety (90) days-from the date they are first notified that a unit is available-to provide documentation necessary to verify the Social Security Numbers. During this 90-day period, the household may retain its place on the waiting list, but will not be considered again until the required documentation is provided.

If, after ninety (90) days, the applicant is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the household will be determined ineligible and removed from the waiting list.

The applicant may apply again, after obtaining the appropriate documentation. The applicant will be placed on the waiting list based on the date and time the **new** application is received.

- Secondary Verification of the Social Security Number

The Social Security Number provided will be compared to the information recorded in the Social Security Administration database through HUD's Enterprise Income Verification System (EIV) to ensure that the Social Security Number, birth date and last name match.

If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provides an inaccurate Social Security Number, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud.

- Citizenship/Immigration Status Requirements

Applicants are required to declare U.S. citizenship or submit evidence of eligible immigration status for each household member seeking housing assistance. The owner/agent is required to obtain the following:

- Family Composition List (*lists all household members who will reside in the assisted unit*)
- Citizenship Declaration - Each household member listed on the Family Composition List must complete a declaration of citizen or non-citizen status
- Forms and/or evidence of citizen/immigration status as required by HUD

Additional information regarding submission and verification of proof of citizenship status or eligible non-citizen status can be found in Appendix B.

If any applicant has questions or experiences difficulty providing the described information or determining the type of documentation required, the applicant should contact the management office. If any applicant is unable to provide the required documentation in the timeframe indicated in Appendix B, the applicant must contact the management office to request an extension. If any applicant fails to provide this information in the timeframes described, the owner/agent cannot provide assistance and the application will be rejected.

The owner/agent will offer the household assistance, providing subsidy to those eligible household members whose documents were received on time, when the following criteria is met:

- At least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible based on all of the criteria in this resident selection plan
- Assistance/unit is available
- The household is the next household to be selected from the waiting list

Proof of declared citizenship status must be provided for all household members. Members who claim U.S. citizenship can provide any documents approved by HUD or the Department of Homeland Security (DHS) to prove citizenship. Additional information is provided in Addendum B.

Non-citizens claiming eligible status must follow the guidance provided in Addendum B and in 24 CFR to prove eligible non-citizen status.

Applicants must be able to provide proof of citizenship or legal immigration status.

Citizenship eligibility must be reviewed after move-in if eligibility status can change. If any household member is determined to be an ineligible non-citizen, either at application or after move-in, assistance and/or tenancy may be denied, terminated or prorated as appropriate.

- Single Residence/Subsidy Criteria

A household is eligible for assistance only if the unit will be the household's only residence. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit.



**Applicants MUST disclose if they are currently receiving HUD housing assistance.** Residents can only receive subsidy for one unit/residence at a time. This prohibition does not prevent a person who is currently receiving assistance from applying for an assisted unit in another property.

If, for any reason, an applicant moves in to this property before moving out of another subsidized unit, the new resident will be required to pay market rent until the move out from the previous property is complete and the resident is eligible to receive HUD subsidy for this property. Assistance in the new unit will begin, if the household is still eligible, the day after assistance ends for the previous unit.

There is an exception to this rule. Children in joint custody arrangements can receive HUD housing assistance in two units when both parent/guardian families receive HUD housing assistance. However, only one household may use the \$480 dependent deduction to determine adjusted income. In these cases, additional verification is required. The owner/agent will request:

- Verification of the custody/guardianship/living arrangement - *Please see Appendix D for additional information*
- Verification of the use of the \$480 deduction. The owner/agent will verify use of the \$480 dependent deduction with the other owner/agent if :
  - The child will live in the unit at least 50% of the time and
  - The parent wishes to claim the \$480 deduction, and
  - Both families are receiving HUD housing assistance

All adults will be required to sign the Acknowledgement in Appendix C.

- Eligibility of Students Enrolled at an Institute for Higher Education  
Student eligibility is determined at move-in/initial certification and at each annual certification. Student eligibility may also be reviewed at interim certification if student status has changed since the last certification. All adult students are required to report any change in their student status. A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall not be provided to any individual who:
  - Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; and
  - Is under the age of 24; and
  - Is not married; and
  - Is not a veteran of the United States Military; and
  - Does not have a dependent child; and
  - Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of November 30, 2005; and
  - Is not living with his or her parents who are receiving Section 8 assistance; and
  - Is not individually eligible to receive Section 8 assistance or has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance.

**NOTE:** *Unless the student can demonstrate his or her independence from parents, the student must be eligible to receive Section 8 assistance **and** the parents (individually or jointly) must be eligible (income eligible) to receive Section 8 assistance in order for the student to receive Section 8 assistance.*



For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate independence from, parents. While owner/agents may use additional criteria for determining the student's independence from parents, owner/agents must use, and the student must meet, at a minimum **all** of the following criteria to be eligible for Section 8 assistance. The student must:

- Be of legal contract age under state law;
- Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, **or**, meet the U.S. Department of Education's definition of an independent student;
- Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
- Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.
- If an ineligible student is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated

**NOTE:** *An owner/agent cannot evict or require an ineligible student to move from a unit as long as the student is in compliance with the terms of the lease.*

Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition shall be considered income to that individual, except for:

- A person 24 years of age or older with dependent children as defined by HUD or
- A person living with his/her parents

The definition of tuition is consistent with the definition provided by the Department of Education and includes all mandatory fees associated with being enrolled at that institution of higher education.

- Prohibition of Assistance to Noncitizen Students

Noncitizen students and their noncitizen families may not receive assistance. Noncitizen students are not eligible for continuation of assistance or temporary deferral of termination of assistance. A noncitizen student is defined as an individual who is as follows:

- A resident of another country to which the individual intends to return;
- A bona fide student pursuing a course of study in the United States; and
- A person admitted to the United States solely for the purpose of pursuing a course of study as indicated on an F-1 or M-1 student visa.

This prohibition applies to the noncitizen student's noncitizen spouse and noncitizen children. However, spouses and children who are U.S. citizens may receive assistance. For example, a family that includes a noncitizen student married to a U.S. citizen is a mixed family.

## **PROCEDURES FOR TAKING PRE-APPLICATIONS & APPLICATIONS**

It is the owner/agent's policy to accept and process applications in accordance with HUD guidance. The owner/agent will make a reasonable accommodation to assist in the application process if the applicant or any member of the applicant household is disabled.





## (Property Name) Tenant Selection Plan

### **PRE-APPLICATIONS**

Applicants will first complete a pre-application to have their name placed on the waiting list for housing at [name of property]. Pre-applications can be submitted on the internet at [www.austin.apply4housing.com](http://www.austin.apply4housing.com). The owner/agent will also accept the application in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

### ***Pre-applications are not accepted at the property site.***

The entire pre-application must be completed in full and submitted before the applicant will be placed on the waiting list. Confirmation of successful submission will be provided by the online application portal if all requirements are met.

Due to long waiting lists and depending on the preferences for which an applicant family may qualify, the time spent on the waiting list may be anywhere from several months to several years. While waiting on the waiting list, applicants may check the status of their application by creating an account at <https://austin.ourpha.com/applicants>. In this applicant portal, applicants can update their contact information, report changes to their application and check the status of their application. It is the applicant's responsibility to keep all contact information current.

- Incomplete Pre-Applications  
Electronic submissions of pre-applications cannot be submitted if they are incomplete. For pre-applications accepted by an alternate means, if the pre-application is not complete, the owner/agent will attempt to contact the applicant to obtain missing information. The applicant will have ten (10) business days to respond and provide missing information. If the applicant fails to provide required information within the ten (10) day period, the owner/agent will return the application.
- Preliminary Determination of Applicant Eligibility  
Information needed to determine applicant eligibility shall be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and property eligibility requirements. Upon receipt of the completed pre-application, the owner/agent will make a preliminary eligibility determination before adding a household to the waiting list or initiating final eligibility tasks.

The owner/agent will review the pre-application to ensure that there are no obvious factors that would make the applicant ineligible. Obvious factors include, but are not limited to:

- Owing a debt to the Housing Authority of the City of Austin (any property or program) that is still within the 4 year statute of limitations;
- Having been evicted (or vacated in lieu of eviction) from any HACA program within 5 years for drug related activity;
- Having been evicted (or vacated in lieu of eviction) from any HACA program within 2 years for any reason other than drug related activity;
- Head of household or co-head is currently living at this property;
- Having been denied admission to this program within the past 12 months for any reason at any property owned and administered by the Housing Authority of the City of Austin.
- Having rejected a housing offer for a unit of the same size at the same property within the last 12 months.

If an applicant is preliminarily ineligible, the owner/agent will send a notice to the applicant indicating that they are not eligible, including the reason(s) why they were determined ineligible and stating the



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family's rights to appeal the decision. This action will be completed in agreement with the owner/agent's Grievance and Appeals Policy which is available to the applicant upon request.

If a preliminary eligibility review indicates that a household is preliminarily eligible for tenancy, but units of appropriate size are not available, the owner/agent will place the household on the waiting list for the property and notify the household when their name comes to the top of the waiting list.

If an applicant is otherwise eligible but no appropriate unit exists in the property, the owner/agent will reject the pre-application.

The owner/agent will notify the applicant family if their pre-application is rejected for any reason.

### **APPLICATIONS**

When the applicant family reaches the top of the waiting list, they will receive an invitation by mail to come to an eligibility interview.

- Applicant families can receive up to 3 invitations to attend an eligibility interview.
- If a family does not attend the scheduled appointment, a notice will be sent to the family and their name will be withdrawn from the waiting list. If the family responds within fifteen (15) calendar days of the notice and requests to be rescheduled, they will be placed back on the waiting list with their same date and time.
- Once the family misses their third scheduled appointment, they are no longer eligible to be placed back on the waiting list. The family will be required to submit a new application and start the process from the beginning.

During the eligibility interview process, the applicant family will complete a full application. All documents in the Application Package must be **completed in full**, signed and dated in order to be accepted. All adult applicants must complete the application package as instructed.

Upon request, the owner/agent/agent will provide interested parties with a copy of the application package. The person who is indicated as the Head-of-Household (HOH) must execute and sign all documents that are included in the application package. Before completing or executing any forms, additional copies should be made for all adult household members and in some cases for minors who will live in the unit.

The owner/agent will require applicants to provide several documents as verification and proof of eligibility for housing. These will include:

- A government issued photo ID - used for verifying the identity of all applicants. A birth certificate or other government issued document which includes the applicant's name and date of birth – used to verify the age of all applicant family members.
- Proof of citizenship – which may include a US birth certificate, US passport or other government issued documents demonstrating citizenship.
- Proof of immigration status (if applicable) - which may include a permanent resident card, employment authorization card, I-94 visa or other government issued document indicating valid immigration status.
- A Social Security card or any other government issued document including the name and full SSN of all applicants.



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- Verification of all sources of income, including (but not limited to) check stubs for employment, SS / SSI award letters, VA Pension award letters, TANF award letter, proof of child support and verification of asset income.

### ***FINAL DETERMINATION OF ELIGIBILITY***

Once the applicant family completes the eligibility interview, all eligibility criteria will be reviewed before a final eligibility determination is made. Being eligible, however, does not guarantee that the application will be approved. All adult applicants (and if appropriate minors) will be subject to the certain screening based on landlord/rental history, credit history and criminal history. If the screening process determines that the family meets HUD's and the owner/agent's standards for admission, the family is found eligible.

### **LIVE-IN AIDES**

Please contact the HACA central office Admissions Department if a live-in aide will be moving in to the unit. If the family plans to include a live-in aide, the live-in aide is not required to complete the same application forms. Live-in aides must complete the Live-in Aide Questionnaire and participate in screening and other O/A verifications that are required.

The live-in aide must meet HUD's definition of a live-in aide. The live-in aide has no rights to the unit as a remaining family member and must agree to relinquish possession of the unit within a reasonable time if the resident is absent for an extended period of time or if the resident leaves for any reason. The live-in aide will be required to sign an acknowledgement the live-in aide has no right of residency or occupancy if the resident is absent or if the resident moves out for any reason including death.

### **WAITING LISTS**

To ensure that applicants are appropriately and fairly selected for the next available unit, it is essential for the owner/agent to maintain waiting lists. The owner/agent will place the applicant household on the waiting list after preliminary eligibility determination is complete.

Applicants will have the option of specifying a desired unit size or multiple unit sizes when completing the pre-application. The applicant will be placed on the waiting list for all indicated unit sizes/types as long as:

- The applicant household meets the Occupancy Standards described in this plan, and
- The waiting list for the unit size is open

The applicant Head-of-Household (HOH) will be contacted, based on the waiting list selection criteria, and offered housing for the first unit that becomes available based on the selection guidelines described in this plan.

Families can select the option to be placed on the waiting list for multiple unit sizes at the same property. If the family is determined to be eligible and accepts a unit offer, at that time they will be removed from the other bedroom size waiting lists for that property.

### ***MAINTAINING WAITING LISTS***

It is the policy of the owner/agent to administer its waiting list as required by HUD handbooks and regulations. The owner/agent will update the waiting list by removing the names of applicants who are no longer interested in or no longer qualify for the PBRA program.

On a regular basis, as determined by the owner/agent considering the length of the waiting list, the owner/agent will contact each applicant household by mail, using the address provided on the pre-application.



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Applicants are responsible for updating their application with any changes in address. The Head-of-Household (HOH) will be the only person contacted unless otherwise requested.

If this letter is unable to be delivered by the United States Postal Service, the application will be rejected and the household will be removed from the waiting list.

If the Head-of-Household (HOH) fails to respond to the owner/agent inquiries regarding the desire to remain on the waiting list, the application will be rejected and the household will be removed from the waiting list.

In addition, an adult member of the applicant household must contact the Admissions Department, in writing, if household information changes (i.e. number of household members, number of future household members, criminal history, income, etc.). If the household size or composition changes, the owner/agent will:

- Update the waiting list information and
- Decide whether the household needs the same or a different unit

If, as a result of the household composition change, it is determined that the household will be on the waiting list for a different unit than originally indicated, the household will maintain their place on the waiting list for the new unit. If the waiting list is currently closed for the appropriate unit size, the application will be rejected and the household will be removed from the waiting list. If there are no units of the appropriate size on the property, the household will be rejected and will be removed from the waiting list.

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

The owner/agent will remove an applicant's name from the waiting list when if any of the following apply:

- Applicant requests that the household name be removed
- The unit that is needed – using household size as the basis – has changed, and no appropriate size/type unit exists in the property
- The unit that is needed – using household size as the basis – has changed, and the waiting list is closed for that unit size/type
- Applicant fails to meet eligibility requirements
- Applicant fails to meet occupancy standards
- Applicant fails to meet screening requirements
- Applicant is rejected for any reason described in this plan
- Applicant cannot be contacted by US Mail (letters are returned or undeliverable) Applicant fails to keep application information up to date based on the requirements described in this plan
- Applicant was clearly advised, in writing, of the requirement to tell owner/agent of his/her continued interest in housing by a particular time and failed to do so
- Applicant refused offer of a unit (*See Right to Refusal Policy for additional information.*)

If an applicant is removed from the waiting list, *and subsequently the owner/agent determines that* an error was made in removing the applicant, the applicant will be reinstated at the original place on the waiting list.

If an applicant is removed from the waiting list and later, the applicant household feels that they are now qualified for assistance/tenancy, the applicant household must submit a new application. The applicant will be placed on the waiting list, as necessary, based on the submission date and time of the **new** application.



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There are certain situations when the owner/agent may refuse to accept an application. The owner/agent will not accept pre-applications from individuals or families who:

- Were denied admission to any of HACA's housing programs within the last 12 months because of criminal history, derogatory rental history, unreported income or fraud.
- Owe a move out balance or debt to HACA for previous tenancy in any of HACA's housing programs that is not barred by the statute of limitations. There is a four year statute of limitations which ends the latter of:
  - Four years from the date the debt became delinquent; or
  - Four years from the date the final payment would have been do if the applicant signed a repayment agreement.
- Has been evicted or moved out in lieu of eviction from another property managed or owned by the owner/agent, or from the Public Housing or Housing Choice Voucher programs within the past two years for any reason other than drug related.
- Has been evicted or moved out in lieu of eviction from a federally assisted property or program for drug related reasons in the last five years
- Are currently housed at this property (*Does not apply to adults that are not the head of household, co-head or spouse.*)
- Voluntarily moved out of HACA's Public Housing or [name of property] within the last 12 months.
- Rejected a housing offer at the same property within the past year.

In addition, if an applicant previously accepted a unit offered by the owner/agent and the applicant failed to take possession of the unit on the agreed upon date without notice to the owner/agent, the owner/agent reserves the right to refuse all future applications.

### ***SELECTING APPLICANTS FROM THE WAITING LIST***

When an applicant family reaches the top of the waiting list, they will be invited in to the HACA Central Office Admissions Department to complete an eligibility interview. Once the family has been certified eligible, they will wait for the next unit to become available.

The owner/agent will contact the next certified eligible household *based on the selection criteria described in this plan* and make a housing offer to the family. No decisions to offer the unit shall be made until all information presented by the applicant has been verified and the final eligibility determination is complete.

- Income Targeting  
Based on the HUD contract for this property, the owner/agent is required to comply with the Income Targeting Requirement. Income Targeting requires that the owner/agent implement policies to ensure that, during the property fiscal year, 40% of all households that move in to the property or who begin receiving assistance fall within the Extremely Low Income Limits for the area where the property is located.

At this time, no special selection methods are required to meet the Income Targeting requirements. The owner/agent is required to monitor compliance throughout the year. If, after periodic review, the owner/agent discovers that the Income Targeting Requirement will not be attained, the owner/agent will only select, in order, those applicants whose income falls within the extremely-low income levels. Once the Income Targeting Requirement is met, the owner/agent will return to the "natural" selection order.





### **PREFERENCES**

Applicants with preferences are selected from the waiting list and receive an opportunity for an eligibility interview earlier than those who do not have a preference.

Assigning preferences to applicants who meet certain criteria is a method intended to provide housing opportunities to applicants based upon household circumstances.

Preferences affect only the order applicants are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible. Preferences are not permitted if they, in any way, interfere with affirmative marketing efforts or fair housing requirements.

- Owner/agent-Adopted Preferences

**Unit Transfer Preference:** Residents who have submitted a Unit Transfer Request and who are deemed eligible for the transfer are given preference on the waiting list. This means that a resident transferring from one unit to another will be offered a unit before an applicant. Unit transfers (on-property) will be weighted and offered in the following order:

- Emergency / Safety
- Reasonable Accommodation Request
- Over Housed
- Under Housed
- Make an Accessible Unit Available

- HUD Approved Preference

**Preference for Victims of Domestic Violence who reside at any HACA owned property (HACA VAWA):**

Existing applicants or new applicants who currently reside at a HACA owned property will be offered the opportunity to claim a preference based on the protections offered in the VAWA Reauthorization Act of 2013. Such status will be verified, and when such verification is complete, applicant families will be added to the waiting list with a VAWA preference.

Documentation of eligibility for this preference will be required. See the VAWA policy located in Appendix E for a full explanation of acceptable documentation.

**Preference for Families that have been Involuntarily Displaced by Natural Disaster or Government Action (Involuntarily Displaced):**

Existing applicants or new applicants will be offered the opportunity to claim that they have been involuntarily displaced within six months of claiming the preference. Such status will be verified, and when such verification is complete, applicant families will be added to the waiting list with an involuntarily displaced preference.

Examples of involuntary displacement include, but are not limited to, displacement due to hurricane, tornado, flood, fire, or the exercise of eminent domain.

Documentation of eligibility for this preference is required. Sufficient documentation includes:

- Documents from FEMA, the State of Texas, the City of Austin or any other government agency indicating the destruction (or no longer livable status) of the applicant's residence due to natural disaster or government action within the previous 6 months.



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- Documents from the Red Cross or other disaster support agency indicating that the applicant's residence has been destroyed or is no longer habitable due to natural disaster or government action.

**Preference for Disabled Head of Household, Disabled Spouse or Disabled Co-head (Disability):** Existing applicants and new applicants will be offered the opportunity to disclose the disability status of the head of household, spouse or co-head. Such status will be verified, and when such verification is complete, the applicant family will be added to the waiting list with a disability preference

Proof of disability will be required to receive this preference. Sufficient documentation includes:

- A Social Security award letter,, SSI award letter, or Social Security Disability award letter indicating that the applicant is disabled; or
- Verification by a qualified medical professional indicating that the applicant meets the HUD definition of disability. This verification will be sent by the HACA Admissions Department staff to the qualified medical professional identified by the applicant and will be accompanied by a release of information and consent signed by the applicant.

- Preference Weights

The owner/agent will apply different weights to each preference. The heavier the weight, the higher the applicant will move up on the waiting list. Applicant families are limited to one preference per household. If the family qualifies for more than one preference, the preference with the heaviest weight will be applied. The weights for each preference are as follows:

- 3 HACA VAWA
- 2 Involuntarily Displaced
- 1 Disability

- Verification of Preferences

All preferences will be verified using the verification methodology described in this resident selection plan. This verification will be conducted at the time of the eligibility interview.

- When a Request for Preference is Denied

If it is determined that an applicant does not meet the criteria for receiving a preference, the applicant will receive written notice of this determination within ten (10) business days.

The notice will contain the reasons for the determination. The applicant has the right to appeal the decision. All requests for appeal must be received within fifteen (15) calendar days from the date of notification of denial. See the full appeals process located in this tenant selection plan.

- Change in Preference Status While on the Waiting List

Occasionally households on the waiting list who did not qualify for a preference when they applied will experience a change in circumstances that qualifies them for a preference. In such cases, it is the responsibility of the applicant to contact the owner/agent so that their change in status may be verified and the waiting list can be updated to reflect the preference as appropriate.

To the extent the verification determines the household does now qualify for a preference, they will be selected from the waiting list in accordance with the preference and the date the application was received.



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- Exceptions to the Preference Rule

Management must give priority to current residents:

- Residing in a unit that has been determined uninhabitable due to flood, fire or other natural disaster
- When a unit is designated for rehabilitation or repair

These situations represent extenuating circumstances and the normal selection order may be adjusted to address the needs of these residents.

### ***OPENING AND CLOSING WAITING LIST***

In order to ensure that applicants on the waiting list are processed in a reasonable amount of time, the owner/agent may stop accepting applications and close waiting lists in whole or in part. Decisions about closing and opening the waiting list will be based on the number of applications available for a particular size and type of apartment and the ability of the owner/agent to house an applicant in an appropriate apartment within a reasonable period of time.

On a regular basis, the owner/agent/agent will review the number of families on the waiting list to determine whether the waiting list may be closed. If the owner/agent has sufficient applications, the waiting list may be closed completely. Notices announcing that the waiting list is closed or open will be publicly announced in the following manner:

- Local newspapers
- Publications described in the Affirmative Fair Housing Marketing Plan
- Flyers distributed through Social Service agencies as described in the Affirmative Fair Housing Marketing Plan

Interested parties who insist on submitting applications when the waiting list is closed will not be considered. The application **will not be reviewed** and will be returned.

During the period when the waiting list is closed, the owner/agent **will not** maintain a list of individuals who wish to be notified when the waiting list is reopened.

### **PRIVACY POLICY**

It is the policy of the owner/agent to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the owner/agent.

Neither the property owner/agent nor its agents shall disclose any personal information contained in its records to any person or agency, other than HUD, its Contract Administrators or other federal/state entity or investor auditing entities, unless the individual about whom information is requested gives written consent to such disclosure. Such consent may be provided in an equally effective manner, as a reasonable accommodation, when there is the presence of a disability.

This Privacy Policy in no way limits the owner/agent's ability to collect such information to determine eligibility, compute rent, or determine an applicant's suitability for tenancy.



### **VERIFICATION**

The owner/agent shall obtain verifications in compliance with requirements set forth by the Department of Housing and Urban Development. After the preliminary eligibility determination, no decision to approve an application shall be made until information provided on the application form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed. All information relative to the following items must be verified as described in these procedures.

### ***INFORMATION TO BE VERIFIED***

Information to be verified includes, but is not limited to:

- Eligibility for Admission, such as
  - Income
  - Assets And Asset Income
  - Identification
  - Age
  - Household Composition
  - Social Security Numbers
  - Citizenship And/or Legal Status
  - Student Status
  - Current HUD Assistance
- Allowances, such as
  - Age
  - Disability
  - Full Time Student Status
  - Child Care Expenses
  - Disability Assistance Expenses
  - Medical Expenses (For Elderly/Disabled Households Only)
- Preferences
  - HACA VAWA status
  - Involuntarily Displaced status
  - Disability status
- Compliance with Resident Screening Guidelines, such as
  - Criminal History
  - Credit History
  - Rental/Residence History
- The Need for an Accessible Unit

### ***METHODS OF VERIFICATION***

Verifications will be attempted in the following order:

- Enterprise Income Verification (EIV)
- Upfront Income Verification (UIV)
- Applicant provided third party documents (i.e. check stubs, award letters, etc)
- Third-party form verification (as appropriate)
- Third-party oral verification (if available)

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- In the absence of any of the above, notarized or witnessed statements from the household member. Each file will be documented, when appropriate, to show that staff attempted to obtain third-party verification before relying on family certification.

### ***SOURCES OF INFORMATION***

Sources of information may include, **but are not limited to:**

- Any member of the applicant household
- Present and former housing providers/landlords
- Present and former employers
- Banks
- Insurance Companies
- Any Asset Manager
- Family members
- Any person or organization providing gifts/regular contributions to the household
- Credit Screening providers
- Criminal Screening providers
- Eviction Screening providers
- Social workers/Parole Officers
- Court records
- Drug Treatment Centers
- Health Providers
- Physicians
- Clergy
- Schools/Institutes of Higher Education
- Department of Homeland Security (DHS)
- Department of Health and Human Services (HHS)
- The Internal Revenue Service (IRS)
- The Social Security Administration (SSA)
- Medicare/Medicaid
- Representative of the United States Armed Forces
- Any federal/local benefit providers
- Pharmacies
- Utility Providers
- Local and non-local law enforcement
- Automated criminal databases
- Sexual Offenders registries when available
- The world wide web (internet)
- HUD's EIV system

The owner/agent will be the final judge of the credibility of any verification submitted by an applicant. If the owner/agent questions the validity of a document or the validity of information provided, it will be reviewed by management staff for a ruling regarding acceptability.





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### **PERIOD FOR VERIFICATION**

Only verified information that is less than 120 days old may be used for verification. Verified information not subject to change (such as a person's date of birth) will not be re-verified.

### **CONSENT AND VERIFICATION FORMS**

Regardless of age, the Head-of-Household (HOH), the co-Head-of-Household (HOH) the spouse of the Head-of-Household (HOH) and all adult members of a household must sign HUD's consent forms so that the owner/agent can verify eligibility:

- HUD-9887, *Notice and Consent for the Release of Information to HUD and to a PHA*
- HUD-9887-A, *Applicant's/Resident's Consent to the Release of Information Verification by Owner/agents of Information Supplied by Individuals Who Apply for Housing Assistance*

Consent and verification forms protect the rights and privacy of residents and applicants by allowing them to have control over any information collected about them.

All adult members of an applicant or resident household must also sign individual verification forms authorizing the owner/agent to verify household income and applicable eligibility factors (e.g., disability status) and to allow for screening.

When a minor living in the unit turns 18, he/she will have thirty (30) days to meet with the management staff and sign appropriate forms. Failure to do so will result in termination of subsidy for the entire household.

### **PROVISIONS FOR REFUSAL TO SIGN**

If any member of the applicant's household does not sign and submit the consent forms as required, the owner/agent must reject the application and deny assistance and/or tenancy.

### **MISREPRESENTATION**

Any information, provided by the applicant that proves to be untrue may be used to disqualify the applicant because of misrepresentation or attempted fraud. The owner/agent will not take any action to reduce or deny assistance based on inconsistent information received during the verification process until the owner/agent has independently investigated the information.

The owner/agent considers false information about the following to be grounds for rejecting an applicant:

- Identity
- Social Security Numbers/Information
- Income
- Assets/Income From Assets
- Household Composition
- Disability
- Birth Date/Age
- Citizenship, Naturalization, And/or Eligible Immigration Status
- Eviction History
- Criminal History
- Sexual Offender Status
- Eligibility For Preferences and Priorities



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- Allowances
- Current/Previous Residence History
- Current Housing Assistance
- Status As A Student

Unintentional errors that do not cause preferential treatment will not be used as a basis to reject applicants.

### **APPLICANT SCREENING CRITERIA**

Screening is performed in a manner that is reasonable, consistent, and complies with fair housing laws.

Screening is used to help ensure that households admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes.

Anyone who wishes to live on the property must be screened prior to moving in. This includes, but is not limited to, live-in aides, security/police officers or additional household members wishing to move-in after the initial move-in. *Certain exceptions apply to children/minors.* The current screening guidelines in place at the time the new household member applies will be used to determine eligibility for admission.

### **SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY**

HUD has established standards that prohibit admission of:

- Any household in which any member was evicted in the last three years from federally assisted housing for drug-related criminal activity
- Any household in which any member was engaged in the production of methamphetamine.
- \*A household in which any member is currently engaged in illegal use of drugs or for which the owner/agent has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents
- Any household member who is subject to any state lifetime sex offender registration requirement
- Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse

\*"Currently engaged in" is defined as any use of illegal drugs during the previous six months.

In addition to HUD requirements, the owner/agent has established a policy to reject all applications where the applicant or any household member has engaged in criminal activity as described in this document.

The owner/agent will reject applications if any household member's criminal history includes one or more of the following:

- Sex Offender Registration: Applicant, or any member of the applicant family, is or ever has been subject to registration under a state sex offender registration program
- Record of any conviction or adjudication, other than acquittal, of the following felonies by any household member, regardless of when it happened:
  - Capital Murder
  - Murder / Manslaughter
  - Arson
  - Kidnapping



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- Child Molestation
- Treason
- Rape or Crimes of a Sexual Nature
- Incest
- Crimes involving explosives
- Crimes involving terrorism
- Gross Lewdness
  
- If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past four years, the family will be denied admission:
  - Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution or use of a drug or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].
  - Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].
  - Criminal activity that may threaten the health, safety or welfare of other tenants [24 CFR 960.203(c)(3)].
  - Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon.
  - Assault, aggravated assault, assault by threat, stalking.
  - Physical violence to persons or property, or criminal activity that has as one of its elements the use, attempted use or threatened use of physical force against the person or property of another.
  - Criminal activity that may threaten the health or safety of HACA staff, contractors, subcontractors or agents.
  - Three or more convictions of alcohol-related criminal activity, including Driving under the Influence and Public Intoxication.
  - Burglary of a Habitation.
  - If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past three years, the family will be denied admission:
    - A pattern of abuse of alcohol, including, but not limited to, public intoxication and driving while intoxicated.
    - A pattern of fraud committed against a governmental entity.
    - A pattern of theft or fraud.
    - A pattern of organized criminal activity.
    - A pattern of prostitution.

A pattern (for the purposes listed above) consists of three or more incidences, with a minimum of one incident occurring within the past three years. The owner/agent will not use arrest records as the sole basis for denying admission to the program.

If a resident or applicant has requested VAWA protections and such protections have been justified based on owner/agent investigation, the abuser/perpetrator will not be approved to live on the property.

If the owner/agent is unable to complete required criminal or sexual offender screening, the application will be rejected. If the owner/agent determines that a sex offender is part of the household, the owner/agent will allow the household to remove the sex offender from the application. Removal must be documented using the change of address receipt from the Texas Department of Sex Offender Registration.



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The household will have five (5) business days to provide verification that the household member has alternative housing or that the household member has applied for alternative housing. Failure to provide such documentation will result in rejection of the application for all household members.

The owner/agent reserves the right to monitor household composition after move-in. If the owner/agent discovers that a sex offender has moved in to the unit, assistance will be terminated and the household will be evicted in accordance with HUD requirements. Any assistance paid-in-error must be returned to HUD.

United States Code Title 8, subsection 1324(a)(1)(A) prohibits the harboring of illegal aliens. The provision of housing to illegal aliens is a fundamental component of harboring. All applicants will be required to provide proof of citizenship or legal immigration status.

If criminal screening indicates that the applicant has an unacceptable criminal history, the owner/agent will reject the applicant in accordance with HUD guidance and the owner/agent's standards for applicant rejection.

- Consideration of Extenuating Circumstances

In deciding whether to exercise discretion to admit an individual who has engaged in prohibited criminal activity, the owner/agent will consider all of the circumstances relevant to the particular admission decision, including but not limited to: the seriousness of the offending action; the effect that denial of the entire household would have on family members not involved in the criminal activity; and the extent to which the applicant has taken all reasonable steps to prevent or mitigate the criminal activity.

Additionally, when specifically considering whether to deny admission for illegal drug use by a household member who is no longer engaged in such activity, the owner/agent will consider whether the household member is participating in or has successfully completed a drug rehabilitation program, or has otherwise been rehabilitated successfully.

- Criminal Screening Discoveries

If the criminal background investigation indicates that the applicant does not meet the criminal screening criteria, the owner/agent will reject the applicant in accordance with HUD guidance and the owner/agent's standards for applicant rejection. Before rejecting the household, the owner/agent will compare the information provided by the applicant with the criminal history report. If the information conflicts, the owner/agent will:

- Notify the household of the proposed action based on the information;
- Provide a copy of the criminal history report;
- Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency;
- Allow the household the opportunity to remove the household member.

In this situation, applicants will have seven (7) calendar days to resolve the discrepancy. If the applicant fails to contact the owner/agent or indicates that he/she cannot provide documentation to refute the criminal discovery, the owner/agent will reject the application and remove the household from the waiting list. The owner/agent will notify the applicant family of the rejection in writing. The family will have the opportunity to request an appeal of the denial according to the terms of the grievance policy within this tenant selection plan.



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If, after move-in, the owner/agent discovers that there was criminal history that would have resulted in rejection, the owner/agent will contact the resident to ascertain the accuracy of the criminal report. If the resident would have been rejected had the information been known at the time of the eligibility determination, the owner/agent will take appropriate action including notifying HUD's Office of the Inspector General of potential fraud and pursuing termination of tenancy (eviction).

### ***SCREENING FOR CREDIT HISTORY***

The owner/agent reviews each adult applicant's credit history. The owner/agent does not consider medical bills/expenses, credit score, or the lack of credit history, when reviewing credit history.

Credit history will be reviewed to determine the following:

- If there is any debt owed to a prior landlord or HUD;
- If there are any evictions that have not been reported;
- If there are any other housing related judgments against the applicant.

Applicants will be rejected in the following situations:

- The family owes a debt to a federally assisted housing program which has not been repaid and the family has not established a repayment agreement.
- The family has a pattern of debts owed to housing and residential programs within the past two years.

If the applicant has no credit history, the credit screening will be considered "positive".

### ***SCREENING FOR ABILITY TO ESTABLISH UTILITY SERVICE***

The owner/agent will also screen applicant households for the ability to establish utility services in the name of at least one adult family member. All adult applicants will be required to sign the consent for Release of Information from Austin Energy.

Applicant households which do not have any adult members able to establish service with Austin Energy will be given 7 days to resolve the issue with Austin Energy. If the household is unable to do so, the application will be rejected.

### ***SCREENING FOR RENTAL HISTORY***

If any member of the applicant household has been evicted from any property owned or managed by the Housing Authority of the City of Austin for lease violations within the last two years, that applicant household will be rejected.

The owner/agent will review rental history with any landlord indicated in the past two (2) years. The owner/agent will also review information provided through automated databases including eviction databases. The application will be rejected for any of the following:

- The family has been evicted from federally assisted housing within the past 2 years;
- The family has a pattern of disturbance of neighbors, destruction of property or living or housekeeping habits at prior residences within the past two years which may adversely affect the health, safety or welfare of other tenants.
- The family has a pattern of eviction from housing or termination from residential programs within the past five years (considering relevant circumstances).





## (Property Name) Tenant Selection Plan

If the applicant fails to identify one or more residences where he/she lived in the last two (2) years, the applicant will be rejected and the household will be removed from the waiting list.

The owner/agent will contact the prior property owner/agent (as indicated above) and inquire about the following information:

- Adherence to the Lease & Community Policies
- Compliance with certification reporting requirements
- Rental Payment Performance
- Compliance with requirements to fully and accurately disclose income information in a timely manner
- Requirement to Return Assistance Paid in Error due to under-reporting income or un-reported income
- Unit Maintenance/Damage
- Record of Disturbing Neighbors
- Complaints

If information obtained is negative the applicant will be rejected. Negative responses include but are not limited to:

- A pattern of failure to comply with the lease
- A pattern of failure to comply with House Rules, Pet Rules or Assistance Animal Rules
- Failure to fully and accurately report income, new employment or changes in household composition in a timely manner (if required)
- Providing false information
- Attempting to receive or receiving HUD assistance in multiple units/homes
- Slow or no response to requests to recertify
- Poor rental payment history (average more than two (2) late payments per year, record of bounced checks, any outstanding balance)
- A pattern of poor unit maintenance or damage to the unit beyond normal wear-and-tear
- Complaints from neighbors regarding actions that directly affect the peace and quiet comfort of others living in the community
- Record of actions that interfered with or prevented the previous landlord from effectively managing the property.
- A pattern of outstanding balances owed by any household member to a prior landlord

If the applicant has no landlord history, the landlord screening will be considered “positive”.

### ***SCREENING FOR RECEIPT OF HUD ASSISTANCE IN ANOTHER UNIT***

All applicants must disclose if they are currently receiving HUD housing assistance. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit on this property. HUD provides the owner/agent with information about an applicant’s current status as a HUD housing assistance recipient.

The owner/agent will use the **Existing Tenant Report** provided via HUD’s Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD housing assistance. This applies to all household members and to new members of an existing household, including minors, foster children/adults, and live-in aides.



## (Property Name) Tenant Selection Plan

Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin. Special consideration applies to:

- Minor children where two assisted families share custody
- Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit (*Split household/Swap household*)

If the owner/agent/agent discovers a discrepancy between the information on the application and the information provided by EIV, the applicant will be notified and will have **5 business days** to respond to the inquiry.

If an applicant fails to fully and accurately disclose receipt of HUD assistance or rental history, the application will be rejected and the applicant and all members of the applicant household will be removed from the waiting list.

If any household member receives or attempts to receive HUD housing assistance while receiving HUD housing assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges.

### **REJECTING INELIGIBLE OR UNQUALIFIED APPLICANTS**

The owner/agent reserves the right to reject applicants for admission based on any of the following:

- No unit of the appropriate size exists on the property
- The household fails to meet the HUD indicated eligibility requirements for the assistance program/property
- Any non-exempt member of the household fails to provide a Social Security Number or adequate documentation to verify the Social Security Number (SSN)
- Any member of the household fails to meet the applicant screening requirements
- Any member of the household fails to sign appropriate verification documents
- Misrepresentation
- Fraud
- Any member of the household fails to respond to management inquiries for additional information during the application process
- The owner/agent is unable to contact the applicant via US Mail (letters undeliverable or returned) and/or by phone (number disconnected or changed)
- Any member of the household has a record of eviction, for lease violations, from any property managed by the owner/agent or HACA
- Any member of the household has a pattern of eviction, for lease violations, from any property within the last two years
- There is a pattern of outstanding or overdue payments to a previous landlord
- There is record of outstanding or overdue payments to HUD
- The household is unable to establish utilities in the new unit
- The household is unable to pay the security deposit required
- The household is unable to take possession of the unit within the timeframes outlined in this plan
- The household is unable to pay the first month's rent (TTP)



## (Property Name) Tenant Selection Plan

- The household does not have a need for an accessible unit and refuses one unit offer

### **REJECTION NOTICES**

The owner/agent will promptly notify the household (Head-of-Household (HOH), in writing, of the denial of admission or assistance. A rejection letter will be sent to the Head-of-Household via First Class Mail. The rejection letter will include the reason(s) for the rejection.

### **APPEALING THE DECISION TO REJECT**

Any applicant may make a request to appeal the denial in writing within **fifteen (15) calendar days from the date of the rejection**. The owner/agent will accept the request in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability. Such requests are to be submitted to the Admissions Department in HACA's central office building. If there is no appeal request **within fifteen (15) days**, the rejection will be considered final. Reasons to appeal include:

- The applicant believes the decision has been made in error
- The applicant believes there are extenuating circumstances that should be considered
- The applicant or a member of the applicant's household is a victim of abuse covered by the Violence Against Women Act and the applicant feels the applicant's status as a victim contributes to the decision to deny
- The applicant or a member of the applicant's household is a person with a disability, and the applicant believes a reasonable accommodation would allow the owner/agent to continue processing the application
- The applicant's household was rejected because the application includes someone who is a registered sex offender and the applicant wishes to remove that household member

Any staff person engaged in the initial review will not be involved in the appeal. HACA's designated hearing officer will conduct the informal review.

Applicants may bring a representative to assist in the appeal meeting. Applicants and/or their representatives have the right to request a reasonable accommodation to:

- Assist in facilitating your request for appeal
- To assist in your participation during the appeal meeting

The hearing officer will provide written notification of a final decision within ten (10) business days of the informal review.

For complete details about the appeals process, see the Grievance and Appeals Policy. This policy is available upon request.

### **INFORMAL HEARINGS FOR PBRA APPLICANT**

Through PIH Notice 2012-32 Rev. 2, HUD provided guidance that the grievance procedures afforded to families living in Conventional Public Housing before conversion through RAD to Project Based Rental Assistance (PBRA) must be continued after the conversion. Below is the full account of all grievance procedures for applicants to the PBRA property.



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When the owner/agent makes a decision that has a negative impact on an applicant family, the family is often entitled to appeal the decision. For applicants, the appeal takes the form of an informal hearing. HUD regulations do not provide a structure for or requirements regarding informal hearings for applicants (except with regard to citizenship status, to be covered in Part II). This part discusses the owner/agent's policies necessary to respond to applicant appeals through the informal hearing process.

### ***INFORMAL HEARING PROCESS [24 CFR 960.208(A) AND PH Occ GB, P. 58]***

Informal hearings are provided for PBRA applicants. An applicant is someone who has applied for admission to the PBRA program, but is not yet a resident in the program. Informal hearings are intended to provide a means for an applicant to dispute a determination of ineligibility for admission to a project [24 CFR 960.208(a)]. Applicants to PBRA are not entitled to the same hearing process afforded residents in the owner/agent grievance procedure [24 CFR 966.53(a) and PH Occ GB, p. 58].

Informal hearings provide the applicant a means to hear the details of the reasons for rejection, and an opportunity to present evidence to the contrary if available and to claim mitigating circumstances if possible.

- Use of Informal Hearing Process

The owner/agent will only offer the opportunity of an informal hearing to applicants who have been determined as ineligible for admission.

- Notice of Denial

The owner/agent will give an applicant prompt notice of a decision denying eligibility for admission. The notice will contain a brief statement of the reasons for the owner/agent's decision, and will also state that the applicant may request an informal hearing to dispute the decision. The notice must describe how to obtain the informal hearing.

The Notice of Denial letter will inform the applicant that he/she has a right to be represented by legal counsel when disputing the owner/agent's decision denying eligibility for admission.

Prior to notification of denial based on information obtained from criminal or sex offender registration records, the family, in some cases, must be given the opportunity to dispute the information in those records which would be the basis of the denial.

- Scheduling an Informal Hearing

A request for an informal hearing must be made in writing and delivered to the owner/agent either in person, by fax, by email or by first class mail, by the close of the business day, no later than 15 calendar days from the date of owner/agent's notification of denial of admission.

Owner/agent will send written notice of the informal hearing within 30 business days of the family's request. Owner/agent will make every effort to hold the hearing within 45 calendar days of receiving the request for the hearing.

- Conducting an Informal Hearing [PH Occ GB, p. 58]

The informal hearing will be conducted by an appointed Hearing Officer who is a person other than the one who made the decision under review, or a subordinate of this person.

The applicant will be provided an opportunity to present written or oral objections to the decision of the owner/agent.



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The Hearing Officer will render a decision on whether admission should be granted or denied.

- Informal Hearing Decision [PH Occ GB, p. 58]

The owner/agent will notify the applicant of owner/agent's final decision, including a brief statement of the reasons for the final decision.

In rendering a decision, the owner/agent will evaluate the following matters:

- Whether or not the grounds for denial were stated factually in the notice.
- The validity of grounds for denial of admission. If the grounds for denial are not specified in the regulations or in the owner/agent's policy, then the decision to deny assistance will be overturned. See the Tenant Selection Plan for a detailed discussion of the grounds for applicant denial.
- The validity of the evidence. The owner/agent will evaluate whether the facts presented prove the grounds for denial of admission. If the facts prove that there are grounds for denial, and the denial is required by HUD, the owner/agent will uphold the decision to deny admission.
- If the facts prove the grounds for denial, the Hearing Officer will make the final decision to deny admissions.

The owner/agent will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice will be mailed within 15 calendar days of the informal hearing to the applicant and his or her representative, if any.

If the informal hearing decision overturns the denial, processing for admission will resume. The owner/agent will make every effort to resume the screening process for reinstated applicants within 20 calendar days of the hearing decision.

If the family fails to appear for their informal hearing, the denial of admission will stand and the family will be so notified.

The applicant may request that the Hearing Officer consider a request for Reasonable Accommodations under the Fair Housing Act and Section 504 with respect to past conduct (see below).

If the basis for the denial relates to family violence, the applicant may qualify for an exception under the Violence Against Women Amendments.

The Notice of Denial letter will inform the applicant that he/she has a right to be represented by legal counsel when disputing the owner/agent's decision denying eligibility for admission.

### ***REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES [24 CFR 966.7]***

Persons with disabilities may request reasonable accommodations to participate in the informal hearing process and the owner/agent must consider such accommodations. The owner/agent must also consider reasonable accommodation requests pertaining to the reasons for denial if related to the person's disability. See the Reasonable Accommodation Policy for more detail pertaining to reasonable accommodation requests.

### ***HEARING AND APPEAL PROVISIONS FOR NON-CITIZENS [24 CFR 5.514]***

Denial or termination of assistance based on immigration status is subject to special hearing and notice rules. These special hearings are referred to in the regulations as informal hearings, but the requirements for such



## (Property Name) Tenant Selection Plan

hearings are different from the informal hearings used to deny applicants for reasons other than immigration status.

Assistance to a family may not be delayed, denied or terminated on the basis of immigration status at any time prior to a decision under the United States Citizenship and Immigration Services (USCIS) appeal process. Assistance to a family may not be terminated or denied while the owner/agent's hearing is pending, but assistance to an applicant may be delayed pending the completion of the informal hearing. A decision against a family member, issued in accordance with the USCIS appeal process or the owner/agent's informal hearing process, does not preclude the family from exercising the right, that may otherwise be available, to seek redress directly through judicial procedures.

- Notice of Denial or Termination of Assistance [24 CFR 5.514(d)]  
The notice of denial or termination of assistance for noncitizens must advise the family of any of the following that apply:
  - That financial assistance will be denied or terminated, and provide a brief explanation of the reasons for the proposed denial or termination of assistance.
  - The family may be eligible for proration of assistance.
  - In the case of a resident, the criteria and procedures for obtaining relief under the provisions for preservation of families [24 CFR 5.514 and 5.518].
  - That the family has a right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or explanation in support of the appeal.
  - That the family has a right to request an informal hearing with the owner/agent either upon completion of the USCIS appeal or in lieu of the USCIS appeal.
  - For applicants, assistance may not be delayed until the conclusion of the USCIS appeal process, but assistance may be delayed during the period of the informal hearing process.
- United States Citizenship and Immigration Services Appeal Process [24 CFR 5.514(e)]  
When the owner/agent receives notification that the USCIS secondary verification failed to confirm eligible immigration status, the following process will be observed:
  - The owner/agent will notify the family of the results of the USCIS verification within 10 calendar days of receiving the results.
  - The family will have 30 days from the date of the owner/agent's notification to request an appeal of the USCIS results. The request for appeal must be made by the family in writing directly to the USCIS.
  - The family must provide the owner/agent with a copy of the written request for appeal and proof of mailing within 10 calendar days of sending the request to USCIS.

The family must forward to the designated USCIS office any additional documentation or written explanation in support of the appeal. This material must include a copy of the USCIS document verification request (used to process the secondary request) or such other form specified by the USCIS, and a letter indicating that the family is requesting an appeal of the USCIS immigration status verification results.

The USCIS will notify the family, with a copy to the owner/agent, of its decision. When the USCIS notifies the owner/agent of the decision, the owner/agent must notify the family of its right to request an informal hearing.

The owner/agent will send written notice to the family of its right to request an informal hearing within





10 business days of receiving notice of the USCIS decision regarding the family's immigration status.

- Informal Hearing Procedures for Applicants [24 CFR 5.514(f)]

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, an applicant family may request that the owner/agent provide a hearing. The request for a hearing must be made either within 30 days of receipt of the owner/agent's notice of denial, or within 30 days of receipt of the USCIS appeal decision.

The informal hearing procedures for applicant families are described below.

- ***Informal Hearing Officer***

The owner/agent must provide an informal hearing before an impartial individual, other than a person who made or approved the decision under review, and other than a person who is a subordinate of the person who made or approved the decision.

- ***Evidence***

The family will be provided the opportunity to examine and copy at the family's expense or \$.10 per page, at a reasonable time in advance of the hearing, any documents in the possession of the owner/agent pertaining to the family's eligibility status or in the possession of the USCIS (as permitted by USCIS requirements), including any records and regulations that may be relevant to the hearing.

The family will be provided the opportunity to present evidence and arguments in support of eligible status. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The family must also be provided the opportunity to refute evidence relied upon by the owner/agent, and to confront and cross-examine all witnesses on whose testimony or information the owner/agent relies.

- ***Representation and Interpretive Services***

The family is entitled to be represented by an attorney or other designee, at the family's expense, and to have such person make statements on the family's behalf.

The family is entitled to arrange for an interpreter to attend the hearing, at the expense of the family, or the owner/agent, as may be agreed upon by the two parties. If the family does not arrange for their own interpreter, the owner/agent is still obligated to provide oral translation services in accordance with its LEP Plan.

- ***Recording of the Hearing***

The family is entitled to have the hearing recorded by audiotape. The owner/agent will not provide a transcript of an audio taped informal hearing.

- ***Hearing Decision***

The owner/agent must provide the family with a written notice of the final decision, based solely on the facts presented at the hearing, within 10 business days of the date of the informal hearing. The notice must state the basis for the decision.

- **Retention of Documents [24 CFR 5.514(h)]**

The owner/agent must retain for a minimum of 5 years the following documents that may have been submitted to the owner/agent by the family, or provided to the owner/agent as part of the USCIS appeal or the owner/agent's informal hearing process:

- The application for assistance
- The form completed by the family for income reexamination
- Photocopies of any original documents, including original USCIS documents
- The signed verification consent form
- The USCIS verification results
- The request for a USCIS appeal
- The final USCIS determination
- The request for an informal hearing
- The final informal hearing decision

### **OFFERING AN APARTMENT**

When a unit becomes available and eligibility is determined, available units will be offered using one or more of the following methods:

- In writing, using the mailing address provided by the applicant family.
- Over the phone, using the contact phone numbers provided by the applicant family.
- By email, using the contact email address(es) provided by the applicant family.

If the owner/agent is unable to contact the household within five (5) business days from the date of the letter, the offer will be cancelled and the apartment will be offered to the next applicant based on the selection criteria described in this plan.

Failure to respond to the owner/agent will be considered a refusal of the unit offer. (See Right to Refusal policies.) It is the applicant family's responsibility to keep all contact information current with the Admissions Department.

### ***OFFERING ACCESSIBLE UNITS***

Units that have been made accessible in accordance with the Universal Federal Accessibility Standards or the Americans with Disabilities Act Accessibility Guidelines will be offered to applicant households with disabled members first. In some cases, the owner/agent may implement marketing effort to ensure that disabled households occupy accessible units.

Units with communication accessible features will be offered to households with a verified need for communication accessible units first.

Units with mobility accessible features will be offered to households with a verified need for mobility accessible units first.

After move-in, if the members of the household who required the special features of the accessible unit no longer reside in the unit, and where the lease permits, the owner/agent will require the remaining members of the household to move to a unit without accessibility features when such a unit of the appropriate size becomes available.

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If there is no household on the waiting list that has requested an accessible unit, the unit will then be offered to the next household based on the selection order. Before the applicant can accept that accessible unit, all adult members of the applicant household must sign an agreement that includes a requirement to move, at the household's expense, to the first available non-accessible unit that meets the household's occupancy requirements as described in this plan. The resident household will not be required to move if:

- No unit that meets the household's occupancy requirements is available
- There is no applicant household on the waiting list requesting an accessible unit

In either of the cases above, the household must take possession of the unit within the timeframes outlined in this plan. If the applicant fails to move in within the established timeframes, assistance will be terminated. This rule in no way affects the single residence criteria. The household can only accept assistance in one unit on any given day.

### ***OFFERING UNITS TO DISABLED APPLICANTS REQUESTING ACCESSIBILITY FEATURES***

The owner/agent will not skip over a household that has reached the top of the waiting list and has indicated a need for certain unit features because of a disability.

The household will be given the opportunity to benefit from the program and decide, in compliance with the Fair Housing Act and Section 504, whether a unit meets the needs of the disabled household member. The household may accept the unit and request some modification to the unit as a reasonable accommodation. See the owner/agent's Reasonable Accommodation Policy in Appendix A for information about requesting a reasonable modification.

### ***OFFERING UNITS TO APPLICANTS OR RESIDENTS WITH PREFERENCES***

Applicants/residents with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference.

### ***APPLICANT/RESIDENT SELECTION ORDER***

**Accessible Apartments** will be offered in the following order:

- The next household on the transfer list who is requesting an accessible unit. Offers will be made in order according to the weighted transfer list preferences:
  - Emergency / Safety (with need for an accessible unit)
  - Reasonable Accommodation (with need for an accessible unit)
  - Over Housed (with need for an accessible unit)
  - Under Housed (with need for an accessible unit)
- The next applicant on the waiting list who is requesting an accessible unit. Offers will be made in order according to the weighted waiting list preferences:
  - HACA Resident VAWA preference (with need for an accessible unit)
  - Involuntarily Displaced preference (with need for an accessible unit)
  - Disability preference (with need for an accessible unit)
- When there is no one in need of the accessibility features for this unit, the offer will be given to the next household on the transfer list. Offers will be made in order according to the weighted transfer list preferences:



## (Property Name) Tenant Selection Plan

- Emergency / Safety
  - Reasonable Accommodation
  - Over Housed
  - Under Housed
- When there is no one in need of the accessibility features of this unit, the offer will be given to the next applicant on the waiting list. Offers will be made in order according to the weighted waiting list preferences:
  - HACA Resident VAWA
  - Involuntarily Displaced
  - Disability

**Standard Apartments** will be offered in the following order:

- The next household on the transfer list, regardless of need for an accessible unit. Offers will be made in order according to the weighted transfer list preferences:
  - Emergency / Safety
  - Reasonable Accommodation
  - Over Housed
  - Under Housed
  - Resident has no need for accessible feature in current unit
- The next applicant on the waiting list, regardless of need for an accessible unit. Offers will be made in order according to the weighted waiting list preferences:
  - HACA Resident VAWA
  - Involuntarily Displaced
  - Disability

### ***RIGHT TO REFUSAL***

The Right to Refusal Policy applies to applicants and existing residents who have submitted a Unit Transfer Request. Residents requesting unit transfer and applicants will be offered available units based on the information included in this resident selection plan.

Each household will only be offered the opportunity to accept an offered apartment one (1) time. If a resident/applicant does not wish to accept an offered apartment, they have the right to refuse the offer.

Residents/applicants must notify the owner/agent of their intent to refuse the unit offer by using one or more of the following methods:

- In writing (delivered by fax, mail or other means)
- By email
- Over the phone

***Note: If the refusal is made over the phone, contact must be made with a member of the management staff. Leaving a message is not adequate.***



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When an applicant or resident refuses a unit, the unit will be offered to the next qualified household based on the selection order described above.

When a resident refuses a transfer offer, the terms of the lease require that the assistance be terminated and the resident be required to pay the full contract rent.

When an applicant refuses an offered unit, the household will be removed from the waiting list and will have to wait one calendar year before applying again.

Right to refusal policies will be modified in two cases:

- If a disabled applicant or resident is at the top of the waiting list, they will be offered units as they become available regardless of whether they include accessible features. A disabled household has the right to refuse an unlimited number of non-accessible units or units that do not meet the specific accessibility requirements for the family. This modification applies only when the offered unit is a non-accessible unit. The one refusal limit still applies when an accessible unit which meets the family's requirements is offered. Note: *Certain restrictions apply to non-elderly disabled households when HUD's program eligibility requires the need for an accessible unit.*
- If an applicant or resident household with no disabled members is at the top of the waiting list, and there are no disabled households on the waiting list, that household may be offered an accessible unit. An applicant household with no disabled household members has the right to refuse an unlimited number of accessible units or units that do not meet their needs.

### **TIMEFRAME FOR TAKING POSSESSION OF A UNIT BY AN APPLICANT FAMILY**

When a housing offer is made, the applicant family must meet the following timeframes for taking possession of the offered unit:

- Within 2 business days from the date the offer is received, the applicant family must make contact with the property management staff. At that time, the property management staff will notify the family of the anticipated date that the unit will be available to be viewed.
- Once the unit is ready to view, the property management will schedule an appointment to view the unit. Failure to attend the scheduled appointment is considered a rejection of the housing offer.
- Within 3 calendar days of viewing the unit, the applicant family must accept or reject the unit. No response by close of business on the third day is considered a rejection of the housing offer.
- Within 2 calendar days of accepting an offer, the applicant family must pay the security deposit and the prorated first month's rent. At that time, the family will receive the keys and are considered to have taken possession of the unit. Failure to take possession of the unit by close of business on the second day is considered a rejection of the unit.

When the first housing offer is rejected and a second (or subsequent) offer is made, the applicant family must meet the following timeframes for taking possession of the offered unit:

- Within 2 business days from the date the offer is received, the applicant family must make contact with the property management staff. At that time, the property management staff will schedule an appointment to view the unit. Failure to attend the scheduled appointment is considered a rejection of the housing offer.



## (Property Name) Tenant Selection Plan

- Within 4 calendar days of viewing the unit, the applicant family must accept or reject the unit. No response by close of business on the third day is considered a rejection of the housing offer.
- Within 4 calendar days of accepting an offer, the applicant family must pay the security deposit and the prorated first month's rent. At that time, the family will receive the keys and are considered to have taken possession of the unit. Failure to take possession of the unit by close of business on the second day is considered a rejection of the unit.

If the applicant household does not complete appropriate paperwork and does not take possession of the unit within the timeframes outlined above, the applicant will be subsequently rejected and removed from the waiting list. Extenuating circumstances will be considered, including the following:

- The family is dealing with a documented medical or other family emergency. In this case the owner/agent and family will negotiate an appropriate solution which may include offering the family the next unit.
- The family is required to give 30 days' notice to their current landlord which is part of another federally assisted housing program.

When the family rejects the unit or does not meet the outlined timeframes, the owner/agent reserves the right to refuse subsequent applications. The unit will be offered to the next eligible applicant/resident based on the selection order described in this plan.

### **UNIT TRANSFER POLICIES**

The owner/agent will accept requests for transfer in the following situations:

- ***Emergency / Safety:*** The household needs to move due to a life-threatening situation. Life-threatening situations include the following:
  - Due to no fault of the resident(s), the unit is uninhabitable and cannot be made habitable in a reasonable amount of time;
  - A household member has experienced a medical condition which makes the current unit uninhabitable or unsafe;
  - A household member is in danger of retaliation;
  - A household member is a victim of domestic violence and qualifies for VAWA protections.
- ***Reasonable Accommodation:*** A family member has a verified need for an accessible unit.
- ***Over Housed:*** The household is in a unit that is larger than they qualify for according to the owner/agent's subsidy standards.
- ***Under Housed:*** The household is in a unit that is smaller than they qualify for according to the owner/agent's subsidy standards.
- ***Unneeded Accessibility Feature:*** The family does not require or no longer needs the accessibility features of a unit in which they are living. However, another family does need that accessibility feature.

Unit transfer requests that do not fall into one of these categories will not be approved. Families requesting to move for any other reason will be provided with information on how to apply for housing assistance at the other properties managed or owned and operated by the Housing Authority of the City of Austin.

Existing residents must complete a Unit Transfer Request. The Unit Transfer Request must be completed and signed by the head of household and all adult household members who wish to move. The owner/agent will





## (Property Name) Tenant Selection Plan

accept the Unit Transfer Request in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

Special consideration is given when the unit transfer is requested because there is:

- A verified medical need for a different unit
- A verified need for an accessible unit
- There is a need for a unit transfer of a household that does not require the accessibility features of a unit in which they are living to accommodate a disabled resident/applicant on the waiting list.
- A change in household size that makes the current unit too large or too small for the family based on the owner/agent's occupancy standards

With the exception of Emergencies and Reasonable Accommodations, unit transfers will be granted only if:

- The household has not given notice to move
- The resident is not being evicted
- The resident is current for all outstanding charges
- The resident complies with lease provisions regarding decent safe and sanitary conditions of current unit

A household living in an apartment too large for its needs will not be required to move if there are no applicants waiting for the bedroom size to be vacated by the transfer.

An appropriate sized unit will be available before the resident household is required to move. At that time, the household will have thirty (30) days to complete the transfer.

### ***SECURITY DEPOSITS, PET DEPOSITS & UNIT TRANSFERS***

When a resident transfers to a new unit with all other household members, the owner/agent will charge a new security deposit and refund the security deposit for the old unit less any outstanding amounts for rent, fees or damages. If the move out expenses exceed the security deposit, the family will receive an itemized bill which must be paid within 30 days of receipt of the bill.

When a resident owns a pet, the original unit will be assessed for damages caused by the pet. The pet deposit will be reduced by charges for those damages and the resident will be required to obtain a pet deposit balance of \$100.00 per animal for the new unit. The resident will be allowed to pay the new pet deposit balance due in \$10.00 monthly payments until the \$100.00 pet deposit balance is reached.

### ***SECURITY DEPOSITS & UNIT TRANSFERS***

When a resident transfers to a new unit with all other household members, the owner/agent will charge a new security deposit and refund the security deposit for the old unit less any outstanding amounts for rent, fees or damages. If the move out expenses exceed the security deposit, the family will receive an itemized bill which must be paid within 30 days of receipt of the bill.

### **CHANGES IN HOUSEHOLD COMPOSITION**

#### ***ADDING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY***

The owner/agent must approve any new adult household member before he/she moves in to the unit. Eligibility criteria, screening criteria and compliance with occupancy standards will be reviewed before the new household member is approved or denied.



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The request to add a new household member will not be considered if the resident has provided notice to vacate the unit. This helps prevent applicants from “jumping” ahead on the waiting list.

Any new adult household member will be considered an applicant and must participate in the eligibility determination and screening processes described in the tenant selection plan in place at the time of the eligibility determination.

The rent/assistance payment will be re-calculated to reflect any income or allowances for the new household member. If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the addition of the new household member.

This policy applies to live-in aides as well. Screening criteria will also be applied to live-in aides, **except for the criterion regarding credit performance or the ability to pay rent on time** because live-in aides are not responsible for rental payments. However, live in aides must meet other screening criteria established by the owner/agent. Income and/or allowances received by live-in aides will not be considered.

Information about new household members who are minors must be provided to the owner/agent as quickly as possible but within no more than thirty (30) calendar days. This includes, as applicable, required eligibility information including Social Security Numbers, proof of citizenship or non-citizen eligibility and other pertinent information.

If the new household member is under the age of six, special consideration regarding Social Security Number disclosure and verification of Social Security Numbers is given. The household will be given ninety (90) calendar days to provide the Social Security Number and adequate documentation to verify the Social Security Number provided. In some cases, an additional ninety (90) days may be provided.

If the household fails to provide the required Social Security Number information within the allotted timeframe, the household's tenancy will be terminated (eviction) in accordance with HUD requirements.

Each dependent child that lives in the unit may be eligible for a \$480 deduction that decreases the monthly rent payment by roughly \$12.00 per month. The rent payment will be re-calculated to reflect any income or allowances for the new household member.

If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the addition of the new household member.

Failure to notify the owner/agent about changes in household composition as described above may result in retroactive rent changes and/or termination of subsidy/tenancy for the entire household. Please contact the owner/agent or property staff if you have questions about this policy.

### ***REMOVING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY***

Residents must notify the owner/agent if any household member listed on the lease or on HUD Form 50059 leaves the unit. This notification must occur as quickly as possible but within no more than thirty (30) calendar days.



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Upon notice, the rent payment will be re-calculated to remove any income or allowances for the previous household member. If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the removal of the household member.

Failure to provide notice to the owner/agent, within thirty (30) days, could result in rent increases retroactive to the first of the month after the household member left. Subsidy paid in error will be returned, as required, to the Department of Housing & Urban Development.

If the resident fails to notify the owner/agent of a change in household composition within thirty (30) calendar days, and that change would result in a rent decrease, the owner/agent will make the decrease effective the first of the month following the notice. No retroactive rent credits will be returned to the resident.

Failure to notify the owner/agent about changes in household composition may result in termination of subsidy and/or tenancy for the entire household. Please contact the owner/agent if you have questions about this policy.

### **APARTMENT INSPECTIONS**

All apartments must undergo periodic inspection conducted by the on-site management team, HUD or HUD's representatives/agents. These inspections include not only interior but also exterior inspections. Residents have the right to be present, and are, in fact encouraged, to be present during unit inspection.

**The move-in inspection** is an opportunity to familiarize the new resident with the property and the unit, as well as to document its current condition. By performing move-in inspections, the owner/agent and residents are assured that the unit is in livable condition and is free of damages. A move-in inspection gives the owner/agent an opportunity to familiarize residents with the operation of appliances and equipment in the unit.

**The move-out inspection** is conducted when a household vacates a unit. The owner/agent will list the damages on the Unit Inspection Form and compare it with the Unit Inspection Form completed at move-in to determine if there is any damage or excessive wear-and-tear.

In addition, the owner/agent will perform **unit inspections on at least an annual basis** to determine whether the appliances and equipment in the unit are functioning properly and to assess whether a component needs to be repaired or replaced.

This is also an opportunity to determine any damage to the unit and, if so, make the necessary repairs. At this time, residents may be charged for damages to the unit so long as those damages are not the result of normal wear-and-tear.

**Housekeeping inspections** will be conducted on a semi-annual (every 6 months) basis. Housekeeping inspections provide the owner/agent the opportunity to verify that the unit is being properly cared for and to verify the need for any necessary repairs.

**HUD, or its authorized contractor(s), has the right to inspect the units** and the entire property to ensure that the property is being well maintained. These inspections assure HUD that owner/agents and their agents are fulfilling their obligations under the regulatory agreements and/or subsidy contracts and that residents are provided with decent, safe, and sanitary housing.



### **CHANGES TO THE RESIDENT SELECTION PLAN**

Applicants will be notified in writing when the resident selection plan undergoes significant change or when preferences are added or removed. At that time, applicants will be:

- Given an opportunity to review the new plan
- Notified of changes to preferences
- Asked if they wish to remain on the waiting list

If the applicant household does not respond, that household will be deemed ineligible and removed from the waiting list.

The current resident selection plan, in place at the time of final eligibility determination, will be used to make a final decision to approve or reject the application.

**APPENDIX A – REQUEST FOR REASONABLE ACCOMMODATION OR MODIFICATION**

The owner/agent is committed to complying with the Fair Housing Act and Section 504 of the Rehabilitation Act by ensuring that its policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of housing services or programs solely on the basis of such disabilities.

If an individual with a disability requests an accommodation or modification, the owner/agent will fulfill these requests, unless doing so would result in a fundamental alteration in the nature of the program or create an undue financial and administrative burden. In such a case, if possible, the owner/agent will offer an alternative solution that would not result in a financial or administrative burden.

- The owner/agent informs all applicants/residents that, at any time, the applicant/resident or a person acting on behalf of the applicant/resident may make a request for reasonable accommodation or modification for an individual with a disability.
- At the time of application, all applicants are provided with a copy of the Reasonable Accommodation - Modification Policy. This is provided in writing as part of the Application Package or, upon the applicant's request, the Policy will be provided in an equally effective format.
- All applicants/residents are provided with a Reasonable Accommodation/Modification Request Form when requesting a reasonable accommodation or modification. The request will be accepted in an equally effective format, as a reasonable accommodation, if there is the presence of a disability. A resident or applicant may submit the request in writing, orally, or use another equally effective means of communication to request an accommodation or modification.
- Residents and applicants may contact the management office located within their property for information about requests.
- The owner/agent will provide an initial reply to requests as quickly as possible, but no more than ten (10) business days from the receipt of the request unless the owner/agent explains the delay. Response may include but is not limited to:
  - Request Approval
  - Request Denial
  - Request for Additional Information or Verification of Need
- The owner/agent will consent to or deny the request as quickly as possible. Unless the owner/agent explains the delay, the applicant/resident will be notified of the decision to consent or deny within no more than thirty (30) calendar days after receiving all necessary information and documentation from the resident and/or appropriate verification sources. All decisions to grant or deny reasonable accommodations will be communicated in writing or, if required/requested, in an alternative format. Exceptions to the thirty (30) day period for notification of the owner/agent's decision on the request will be provided to the resident setting forth the reasons for the delay.
- If the request for reasonable accommodation or modification is denied, the requestor has the right to appeal the decision within fifteen (15) business days of the date of the written notification of denial. The appeal meeting will be conducted by a person who was not originally involved in the decision to deny.

For full explanation of reasonable accommodation requests, see the owner/agent's Reasonable Accommodation policy. The policy is available upon request.



### **APPENDIX B – CITIZEN/NON-CITIZEN ELIGIBILITY**

Applicants are required to declare U.S. Citizenship or submit evidence of eligible immigration status for each of household member seeking housing assistance. The owner/agent is required to obtain the following documents:

- Family Composition List (lists all household members who will reside in the assisted unit)
- Citizenship Declaration (Each household member listed on the Household Summary Sheet must complete)
- Forms and/or evidence of citizen/immigration status

If you have any questions or difficulty in providing the described information or determining the type of documentation required, please contact the management office. If you are unable to provide the required documentation in the timeframe indicated, you must contact the management office and request an extension. If you fail to provide this information, the owner/agent cannot provide assistance.

The owner/agent will offer the household assistance, providing subsidy to those household members whose documents were received on time when the following criteria is met:

- Assistance/unit is available
- The household has come to the top of the waiting list
- At least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible based on all of the criteria in this resident selection plan

If any household member is determined to be an ineligible non-citizen, either at application or after move-in, assistance may be prorated or terminated.

### **REQUIRED DOCUMENTATION**

The owner/agent must obtain the following documentation for each household member regardless of age:

- ☐ From U.S. citizens, a signed declaration of citizenship. The owner/agent requires verification of the declaration. The following documents will be accepted as proof of citizenship
  - United States (U.S.) Passport
  - U.S. birth certificate
  - Other documentation as provided by HUD or DHS
- ☐ From non-citizens claiming eligible status who is 62 or older:
  - A signed declaration of eligible immigration status and
  - Proof of age
- ☐ From non-citizens claiming eligible status who is not 62 or older:
  - A signed declaration of eligible immigration status **and**
  - A signed consent form **and**
  - One of the DHS-approved documents
    - Form I-551, *Permanent Resident Card*.
    - Form 1-94, *Arrival-Departure Record* annotated with one of the following:
      - “Admitted as a Refugee Pursuant to Section 207”;
      - “Section 208” or “Asylum”;
      - “Section 243(h)” or “Deportation stayed by Attorney General”; or
      - “Paroled Pursuant to Section 212(d)(5) of the INA.”



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- Form I-94, *Arrival-Departure Record* (with no annotation) accompanied by one of the following:
  - A final court decision granting asylum (but only if no appeal is taken);
  - A letter from an DHS asylum officer granting asylum (if application was filed on or after October 1, 1990) or from an DHS district director granting asylum (application filed was before October 1, 1990);
  - A court decision granting withholding of deportation; or
  - A letter from an asylum officer granting withholding of deportation (if application was filed on or after October 1, 1990).
- A receipt issued by the DHS indicating that an application for issuance of a replacement document in one of the above-listed categories has been made and that the applicant's entitlement to the document has been verified.
- Other acceptable evidence.

If other documents are determined by the DHS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the Federal Register.

### ***TIMEFRAMES FOR SUBMITTING EVIDENCE OF CITIZENSHIP/IMMIGRATION STATUS TO THE OWNER/AGENT***

Applicants must submit required documentation of citizenship/immigration status no later than the date the owner/agent initiates verification of other eligibility factors (pre application or application). Owner/agents determine the applicant's citizenship or immigration status during the initial eligibility determination prior to move-in.

If the applicant cannot supply the documentation within the owner/agent's specified timeframe, the owner/agent **may** grant the applicant an extension of not more than thirty (30) days, **but only if** the applicant certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation. (Although the extension period may not exceed thirty (30) days, the owner/agent may establish a shorter extension period based on the circumstances of the individual case.)

The owner/agent will inform the applicant in writing (or, if required/requested, in an alternative format) if an extension request is granted or denied. If the request is granted, the owner/agent will include the new deadline for submitting the documentation. If the request is denied, the owner/agent will state the reasons for the denial in the response. When granting or rejecting extensions, the owner/agent will treat applicants consistently.

### ***REVIEWING AND VERIFICATION OF A HOUSEHOLD'S CITIZENSHIP/IMMIGRATION STATUS***

Owner/agents will conduct primary verification through the (Systematic Alien Verification for Entitlements) SAVE ASVI database - the Department of Homeland Security (DHS) automated system. After accessing the ASIV database, the owner/agent enters the required data fields.

The system will display one of the following messages for immigration status confirmation on the screen.

- Lawful Permanent Resident
- Temporary Resident
- Conditional Resident
- Asylee
- Refugee



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- Cuban\Haitian Entrant
- Conditional Entrant

**Secondary verification.** If the message “institute secondary verification” is displayed on the screen, the manual verification process must be used. Within ten (10) days of receiving an “Institute Secondary Verification” response, the owner/agent will prepare DHS Form G-845S, *Document Verification Request*. The owner/agent will send DHS Form G-845S and photocopies of the DHS documents submitted by the applicant to the DHS office serving the property’s jurisdiction.

The DHS will return to the owner/agent a copy of DHS Form G-845S indicating the results of the automated and manual search.

### **NOTIFICATION TO APPLICANTS**

Owner/agents will notify households in writing that they are:

- ☐ Eligible for assistance
- ☐ Eligible for partial assistance, as a mixed household

The owner/agent/agent will notify applicants and/or residents in writing if they are found to be ineligible based upon citizenship/immigration status.

### **MIXED HOUSEHOLDS**

A mixed household—a household with one or more ineligible members and one or more eligible household members—may receive:

- Prorated assistance
- Continued assistance

### **APPEALING DETERMINATIONS OF INELIGIBILITY**

The owner/agent will notify the household in writing as soon as possible if the secondary verification process returns a negative result.

The applicant or resident has thirty (30) days from receipt of the notice to choose which option to follow.

The applicant or resident may appeal the owner/agent’s decision directly to the DHS. The applicant or resident must send a copy of the appeal directly to the owner/agent. The DHS should respond to the appeal within thirty (30) days.

If the DHS decision results in a positive determination of eligibility, the owner/agent can provide the appropriate housing assistance. If the DHS decision results in a negative determination of eligibility, the household has **thirty (30) days** to request a hearing with the owner/agent.

### **PROHIBITION AGAINST DELAY OF ASSISTANCE**

Owner/agents may not delay the household’s assistance if the applicant or resident submitted immigration information in a timely manner but the DHS verification or appeals process has not been completed.

If a unit is available, the household has come to the top of the waiting list, and at least one member of the household has submitted the required documentation in a timely manner and has been determined to be



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eligible, the owner/agent will offer the household a unit and provide full assistance to those household members whose documents were received on time. The owner/agent will continue to provide full assistance to such households until information establishing the immigration status of any remaining non-citizen household members has been received and verified.



**APPENDIX C: DUAL SUBSIDY NOTICE**

I understand that my application to move to **NAME OF PROPERTY** with the rest of my household members has met preliminary eligibility requirements.

I have indicated, on the application, that:

1. ☐ I am not currently receiving HUD assistance in another unit
2. ☐ I am currently receiving HUD assistance in another unit.

According to the current HUD lease, if I am living in a community and receiving HUD project-based assistance, I must provide a 30-day notice to the agent managing the property where assistance is currently provided.

*If the owner/agent discovers that any household member failed to move out of a HUD assisted residence before moving to **NAME OF PROPERTY**, no rent subsidy or utility allowance will be provided by the Department of Housing and Urban Development until the day after the move out is complete. Household members who signed the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD.*

3. ☐ I am the recipient of a housing voucher.

I understand that HUD prohibits residents from benefiting from Housing Voucher assistance in a unit assisted through HUD's Section 8 program.

*I understand that HUD prohibits residents from benefiting from Housing Voucher assistance in a unit assisted through HUD's Section 8 program. When the application is submitted the household will be added to the waiting list. A unit will be offered in accordance with the resident selection plan. If the family later moves out of the project, the project subsidy will not move with the family as it does with a voucher. If you wish to participate in the voucher program after move-out, you will need to reapply to the PHA to receive another voucher.*

*All household members must be removed from or forfeit the voucher before receiving HUD assistance for a unit on this property. If the owner/agent discovers that any household member failed to give up current HUD assistance before moving to **NAME OF PROPERTY**, no rent subsidy or utility allowance will be provided by the Department of Housing and Urban Development until the day after the move out is complete.*

*Household members who signed the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD.*

This information will be verified using the Existing Tenant Report in EIV. If EIV indicates a conflict and verification information indicates that the information provided is not true, and the EIV information is verified, then the owner/agent will reject the application based on misrepresentation of information.



### **APPENDIX D – VERIFICATION OF HOUSEHOLD COMPOSITION**

In compliance with HUD's Rental Housing Integrity Improvement Project (RHIIP), the owner/agent will make every effort to ensure that the correct assistance is provided to those who seek housing assistance.

If an applicant household indicates that one or more members should be removed from the application, the owner/agent will accept such notification from the Head-of-Household (HOH) (HOH) if it is provided on a notarized form provided by the owner/agent agent. The following rules apply.

If the household is being rejected because a member is registered as a sex offender in any state lifetime sex offender registry, the owner/agent will take extra steps to ensure that the sex offender is not housed in any unit on the property. The household will have to provide documentation to prove that the sex offender will live at another location. Acceptable documentation includes, but is not limited to:

- Confirmation from a landlord with copy of an executed lease
- Confirmation from local police
- Confirmation from anyone who maintains sex offender registries including but not limited to:
  - Dru Djodin Sex Offender Registry
  - Megan's List
  - State or Federal Sex Offender Registries
- New driver's license with new address

Information will be confirmed for up to one year after move-in.

If it is discovered that the household allowed any registered sex offender to live in the unit, the applicant must understand that he/she is not qualified to receive subsidy or live on the property. All subsidy paid-in-error must be returned to HUD. Because this is a material lease violation, all household members must vacate the unit within 30 days.

One of the key requirements, at application and during residency, is to disclose who will be living in the unit at any given time. It is important to understand the difference between a resident and a guest.

**Resident:** A resident is any person who is listed on the application, on any Family Summary submitted and on the lease who will reside in the unit.

**Guest:** A guest is a person who visits any resident and may stay overnight no more than seven (7) consecutive nights in a one-year period and may stay overnight no more than thirty (30) non-consecutive nights in any one-year period without express written consent of the owner/agent.

If the owner/agent suspects that a guest should actually be classified as a resident, the owner/agent will request a meeting with the Head-of-Household (HOH).

In accordance with HUD requirements, the resident will have ten (10) days to meet with the owner/agent. Failure to respond to the request to meet will result in termination of assistance beginning the first of the month following the 10-day notice.

If the owner/agent suspects that a guest is actually living in the unit, the owner/agent will ask for verification of alternative residence. Samples of such verification include one or more of the following:



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- Verification with the United States Postal Service that no mail, for the guest, is delivered to the unit address
- \*A current driver's license for the "guest" with an alternative address
- \*A current lease indicating an alternative residence
- \*A current utility bill in the person's name showing an alternative address
- \*A current insurance policy or other such invoice/bill showing an alternative address

*\*Current means issued/created within the last thirty (90) days.*

In addition, the resident(s), indicated on the lease, must sign a notarized statement confirming that the guest does not violate the guest policy as indicated above and does not reside in the unit.

**Live-in Aides:** A live-in aide must meet HUD's definition of a live-in aide:

- Is essential to the care and well-being of the resident
- Is not dependent on the resident for support
- Is only living in the unit to provide essential support

If a resident or applicant requests a live-in aide, the owner/agent is required to verify the need for a live-in aide using third-party verification.

Live-in Aides are required to complete the Live-in Aide Questionnaire. The information on the Live-in Aide questionnaire will be verified and the prospective live-in aide will be screened in accordance with the resident selection plan in place at the time of review. The live-in aide will not be screened for the "ability to pay rent" since the live-in aide is not responsible for rent payment.

The live-in aide must be approved and must sign the House Rules and the HUD-approved Live-in Aide Addendum before move-in. The owner/agent must sign a revised 50059 before the live-in aide is allowed to move-in. If a live-in aide moves in prior to screening and prior to signing required forms, the owner/agent will issue a notice of lease violation and may pursue other action including, but not limited to eviction of the live-in aide, termination of assistance and/or termination of tenancy.

**Children/Minors:** At move-in, all non-exempt household members, including children, must have a Social Security Number and adequate documentation to verify the Social Security Number.

When children are later added to the household, the following will be required.

For children who are born, adopted or in foster care or in another legal custodial relationship with an existing household member, the owner/agent requires the following:

- Social Security Number and proof that the number is valid
  - For children under the age of 6 years old - must be provided within ninety (90) days or owner/agent is required to terminate tenancy.
  - An additional ninety (90) may be provided if extenuating circumstances exist
- Proof of age/legal custodial arrangement
  - Birth certificate indicating that a household member is a parent; or
  - Adoption paperwork indicating that a household member is a parent as appropriate; or





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- Verification from the foster agency indicating the unit as the primary residence of the foster child as appropriate; or
- Other documents proving legal custody arrangement as appropriate

For children who are not part of a legal custody arrangement who will be living in the unit, the owner/agent requires:

- Social Security Number and proof that the number is valid
  - For children under the age of 6 years old - must be provided within ninety (90) days or owner/agent is required to termination of tenancy. An additional ninety (90) may be provided if extenuating circumstances exist
- Two forms of proof that the child resides with a member of the household
  - Verification from a government organization indicating that the unit will be the primary residence for the minor (examples include but are not limited to school records, children services agencies, foster programs, etc.)
  - Verification from a medical professional in the know indicating that the unit will be the primary residence for the minor
  - Verification from a social service organization indicating that the unit will be the primary residence of the minor (examples include but are not limited to homeless shelters, shelters for victims of domestic violence, etc.)
  - A signed, notarized statement from an adult household member claiming guardianship of the minor child

The owner/agent does not and will not establish policies intended to exclude children. If none of the household members can provide documentation for minors, as described above, the owner/agent will meet with the resident to discuss reasonable alternatives. The owner/agent will be the final judge of what is considered adequate documentation proving household composition/residency.



#### **APPENDIX E – VAWA POLICY**

The Violence Against Women Act (VAWA) provides protections to women or men who are the victims of domestic violence, dating violence, sexual assault and/or stalking. The owner/agent understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault and/or stalking, people who have been victims of violence have certain rights under the Violence Against Women Act Reauthorization of 2013.

This policy is intended to support or assist victims of domestic violence, dating violence, sexual assault and/or stalking and protect victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing as a consequence of their status as a victim of domestic violence, sexual assault, dating violence and/or stalking.

VAWA protections are not provided to guests, unauthorized residents or service providers (including live-in aides) hired by the resident.

VAWA ensures that victims are not denied housing and housing assistance is not terminated **solely** because the person is a victim of an act covered under the VAWA (domestic violence, dating violence, stalking and/or sexual assault).

However, being a victim of an act covered under the VAWA is not reason to change the eligibility or applicant screening requirements set forth in the tenant selection plan unless such requirements interfere with protections provided under the VAWA. Being a victim of an act covered under the VAWA is not reason to waive requirements set forth in the HUD Model Lease or in any lease attachment or HUD approved lease addendum unless such requirements interfere with protections provided under the VAWA.

The owner/agent will not assume that any act is a result of abuse covered under the Violence Against Women Act. In order to receive the protections outlined in the VAWA, the applicant/resident must specify that he/she wishes to exercise these protections. If any applicant or resident wishes to exercise the protections provided in the VAWA, he/she should contact the owner/agent immediately. The owner/agent is committed to ensuring that the Privacy Act is enforced in this and all other situations.

#### **CONFIDENTIALITY**

The identity of the victim and all information provided to owner/agent relating to the incident(s) of abuse covered under the VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is

- Requested or consented to by the victim in writing;
- Required for use in an eviction proceeding or termination of assistance; or
- Otherwise required by applicable law.

The certification form provides notice to the resident of the confidentiality of the form and the limits thereof. The owner/agent will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files. If the documentation is stored electronically, the owner/agent will keep this information in an electronic file that is separate from the applicant or resident file with secured access only to authorized individuals.



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### **REQUESTS & CERTIFICATION**

When the owner/agent responds to a request for protections provided under the VAWA the owner/agent will request that an individual complete, sign, and submit a certification form, within fourteen (14) calendar days of the request. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

If necessary, the victim may request additional time to submit the certification.

The victim is not required to name his/her abuser if doing so would result in imminent threat or if the victim does not know the name of his/her abuser.

The owner/agent understands that the delivery of the certification form to the applicant/resident via mail may place the victim at risk, (e.g., the abuser may monitor the mail). The owner/agent will work with the applicant/resident in making acceptable delivery arrangements, such as inviting them into the office to pick up the certification form or making other discreet arrangements.

If the applicant/resident has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the applicant/resident may submit written proof of this outreach in lieu of the certification form. The owner/agent may accept the following:

- A federal, state, tribal, territorial, or local police record or court record or
- Documentation signed and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) From whom the victim has sought assistance in addressing domestic violence, dating violence and/or stalking or the effects of the abuse. The signatory attests under penalty of perjury (28 U.S.C. §1746) to his/her belief that the incident in question represents bona fide abuse, and the victim of domestic violence, dating violence and/or stalking has signed or attested to the documentation.

If the applicant is currently living in a shelter established to protect victims of violence covered under the VAWA, the owner/agent will accept verification of such living arrangement in lieu of additional verification.

To ensure that a person is not wrongly accused of committing an act covered under the VAWA, the owner/agent will carefully evaluate abuse claims as to avoid denial, termination of assistance, termination of tenancy or eviction based on false or unsubstantiated accusations.

The applicant/resident is required to provide all necessary documentation to the owner/agent no more than ten (10) business days after submitting the certification to the owner/agent. If the victim is unable to provide required documentation within the required timeframe, the owner/agent will deny the request.

The owner/agent will review and respond to requests to exercise protections provided under the VAWA within ten (10) business days of receiving all required documentation. The owner/agent may provide the response in any manner acceptable to the victim and the owner/agent. Responses include:

- Approval of the Request
- Denial of the Request
- Request for additional information



## (Property Name) Tenant Selection Plan

### **LEASE BIFURCATION**

If the owner/agent determines that physical abuse caused by a resident is clear and present, the law provides the owner/agent with the authority to bifurcate a lease (i.e., remove, evict, or terminate housing assistance to any abuser, while allowing the victim, who lawfully occupies the home, to maintain tenancy.)

The owner/agent may attempt to evict the abuser, but residents should know that state/local tenant/landlord laws prevail and the owner/agent must comply with such laws. The owner/agent cannot guarantee that a court will award or enforce an eviction.

Owner/agents must keep in mind that the eviction of or the termination action against the individual must be in accordance with the procedures prescribed by federal, state, and local law. The owner/agent is committed to attempting to assist the victim, however, evictions are generally carried out through the court system and the owner/agent cannot override or circumvent a legal decision.

In the event that one household member is removed from the unit because of engaging in acts of domestic violence, dating violence, sexual assault and/or stalking against another household member, an appropriate certification will be processed reflecting the change in household composition. Special consideration will be given if the remaining household members are not qualified to remain in the unit as a "remaining household member".

### **CRIMINAL ACTS**

Victims are encouraged to seek police/legal protection from their abuser. In some cases, the owner/agent may file a restraining order against the abuser to prevent the abuser from entering the property. If there is a restraining order against the abuser and the resident willingly allows or invites the abuser onto the premises, the owner/agent may seek termination of assistance and/or tenancy.

*In accordance with the regulation at 24 CFR 5.861, the owner/agent may terminate tenancy and evict the tenant through judicial action for criminal activity by a covered person if the Landlord determines that the covered person has engaged in the criminal activity, regardless of whether the covered person has been arrested, or convicted for such activity and without satisfying a criminal standard of proof of the activity.*

The owner/agent will take into account individual circumstances when making a determination to terminate tenancy; such circumstances might include, among other things, the seriousness of the offending action, the extent of participation by the leaseholder in the offending action, and whether the leaseholder, if not the wrongdoer, took all feasible steps to prevent the offending action from occurring and has removed the offending person from the lease or otherwise banned the offending person from the premises in the future.

### **LEASE ADDENDUM**

Any HUD approved lease addendum will be implemented and provided in accordance with HUD guidance.



***(Property Name)***  
**Tenant Selection Plan**

**Project Based Rental Assistance &  
Low Income Housing Tax Credit  
for a Family Site**



## (Property Name) Tenant Selection Plan

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## (Property Name) Tenant Selection Plan

### **OWNER/AGENT & PROPERTY INFORMATION**

<b>Owner/Agent Name</b>	Housing Authority of the City of Austin (HACA)
<b>Owner/Agent Contact Name</b>	
<b>Owner/Agent Address</b>	1124 S IH 35
<b>Owner/Agent City, State, Zip</b>	Austin, TX 78704
<b>Owner/Agent Phone Number</b>	(512) 477-4488
<b>Owner/Agent Fax</b>	(512) 472-2958
<b>Owner/Agent TTY/TTD/Relay</b>	
<b>Property Name</b>	Property Name
<b>Property Contact Name</b>	Property Manager
<b>Address</b>	Property Address
<b>City, State, Zip</b>	Austin, TX 78704
<b>Phone</b>	Property Phone Number
<b>Fax</b>	Property Fax Number
<b>TTY/TDD/Audio Relay</b>	711 National Voice Relay

Applications for housing at this property are only received online or at the owner/agent's office location. Applications are not received at the property management office.

All references to office locations within this Tenant Selection Plan include both the HACA Central Office and the Property Management Office unless otherwise indicated.

### **THE PURPOSE OF THE RESIDENT SELECTION PLAN**

The resident selection plan helps to ensure that residents are selected for occupancy in accordance with HUD requirements and established management policies.

Please contact the management office if you need help understanding this document.

- Contacte por favor la oficina de gestión si usted necesita ayuda a comprender este documento. (Spanish)
- Por favor contate o escritório de gerência se deve ajudar entendimento este documento. (Portuguese)
- Si vous avez besoin d'aide à la compréhension de ce document, veuillez communiquer avec le Bureau de gestion. (French)
- Souple kontakte Biwo jesyon a si w bezwen èd pou konprann dokiman sa a. (Haitian Creole)
- Xin liên lạc với văn phòng điều hành nếu bạn cần giúp đỡ sự hiểu biết tài liệu này. (Vietnamese)
- Пожалуйста свяжитесь с офисом управления, если Вам нужна помощь в понимании этого документа. (Russian)
- Bitte kontaktieren Sie das Leitungsbüro, wenn Sie helfen müssen, dieses Dokument zu verstehen. (German)
- 請聯絡管理辦公室，如果你需要幫助理解這份文件。(Chinese)
- もしこの文書を理解しているための助けを必要としていれば、経営オフィスと連絡を取ってください。(Japanese)



### **RULES OF CONDUCT**

The relationship between a landlord (owner/agent) and a resident or applicant is a business relationship. A courteous and businesslike attitude is required from both parties. The owner/agent reserves the right to refuse to conduct business with anyone who is verbally abusive, swears, is disrespectful, makes threats, uses discriminatory language, appears to be intoxicated or under the influence of alcohol or drugs, is argumentative, or in general displays an attitude, at any time, which causes the owner/agent or the property staff to believe we would not have a positive business relationship.

If an applicant or any member of the applicant's family demonstrates unprofessional behavior in the presence of the management team or other residents/applicants, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

If the applicant or any member of the applicant's family exhibits threatening behavior, appears to be intoxicated or under the influence of alcohol or illegal drugs or attempts to intimidate the staff, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

To ensure the privacy of property staff, property residents and applicants, applicants and residents are asked to refrain from use of cell phones or other electronic devices, except those necessary to alleviate the symptoms of a disability, by residents or applicants, while in the management office or Administration Central Office.

Assistance Animals are always welcome in the management office. Please keep all pets outside the management office at all times.

Children are always welcome. When in the Central office or management office, minors must be supervised. Admissions Department and property management staff are not responsible for child care or supervision.

Admissions Department staff is not permitted to accept any money, gifts, services or favors connected with the application process, criminal or credit checks, eligibility determination, apartment selection, or associated with any aspect of residency on this property. If property staff solicits any mandatory payment for any part of the application process, the applicant should notify the owner/agent. **XXXX ENTER CONTACT INFORMATION HERE XXXX.**

### **SMOKE FREE HOUSING**

Smoking is prohibited in any area of the property, both private and common, whether enclosed or outdoors. This policy applies to all owner/agents, property staff, applicants, residents, guests, and servicepersons. "Smoking" shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, cigar, pipe, hookah, other tobacco products, marijuana including medical marijuana, herbal smoking products "Legal Weed" or products known as "bath salts" or other legal or illegal substances.

### **SECURITY DEPOSIT REQUIREMENTS**

The owner/agent must collect a security deposit at the time of the initial lease execution. The owner/agent will comply with any HUD rules and applicable state and local laws governing the security deposit. The security deposit amount is based on the Total Tenant Payment (TTP) calculated at move in.

If the move-in certification requires correction, and the TTP is recalculated, the security deposit requirement will be recalculated as well. Otherwise, the amount of the security deposit established at move-in does not change when a resident's rent changes.



## (Property Name) Tenant Selection Plan

The resident is expected to pay the security deposit from his/her own resources and/or other public or private sources. An applicant will be rejected if he/she does not have sufficient funds to pay the deposit.

### **PETS**

Residents are allowed to keep 2 pets in the unit.

Certain restrictions apply and are outlined in the property Pet Rules. Pets and assistance animals must be approved before they are allowed to live in the unit. Copies of the Pet Rules and Assistance Animals Policy are available upon request.

When applicable, residents must agree to pay any required pet deposit and must agree to abide by the property's Pet Rules and Assistance Animal Policies.

If an applicant wishes to request approval of an assistance animal – necessary to alleviate the symptoms or side-effects of a disability, the applicant (or applicant's representative) must request a reasonable accommodation. Please review the process to request a reasonable accommodation in Appendix A. The applicant should also review the Assistance Animal Policy which is available upon request.

### **PET DEPOSIT**

The Pet Rules require residents who own dogs or cats (pets) or keep dogs or cats (pets) in their units to pay a refundable pet deposit. This deposit is in addition to any other financial obligation generally imposed on residents of the property.

The pet deposit is \$100.00 per animal. A minimum of \$50.00 is required at the time the pet is brought on to the premises. The resident will have the option to pay the remaining balance in increments of \$10.00 per month until the \$100.00 pet deposit is collected. Residents are allowed to pay the entire pet deposit in increments greater than those described if he/she chooses to do so.

The owner/agent will use the pet deposit only to pay reasonable expenses directly attributable to the presence of the pet on the property. Such expenses would include, but not be limited to, the cost of repairs and replacement to the unit, fumigation of the unit, and the cost of animal care facilities.

The owner/agent will return the unused portion of a pet deposit to the resident within a reasonable time after the resident moves from the property or no longer owns or keeps a household pet in the unit. Residents, their guests and/or service providers are required to comply with the property Pet Rules.

Assistance animals that assist persons with disabilities are exempt from the pet policy and from the refundable pet deposit. Residents, guests and service providers will be required to comply with the Assistance Animal Policy.

### **ASSISTANCE DEFINITION**

The property is operating under the guidelines established for two layered housing programs - the HUD Project Based Rental Assistance (PBRA) program and the Low Income Housing Tax Credit (LIHTC) program. Of the XXX tax credit units at this property, XXX are also layered with PBRA subsidy. Because this plan covers the eligibility and tenant selection requirements for both programs, there are some areas of the plan that will only be applicable to one program. Those areas are identified throughout the plan. A person must be capable of fulfilling the lease requirements.



***SUBSIDY***

Residents at this property are offered subsidized rent. This means the rent that a household pays is based upon the household income. The family will pay 30% of their adjusted household income. The balance of the contract rent is subsidized by the Federal Government. The rent amounts paid by residents may vary.

***TENANT-BASED VOUCHERS***

The owner/agent may not admit an applicant with a voucher to a unit with Project Based Rental Assistance unless the applicant agrees to give up the voucher prior to occupancy. This will be verified with the former housing provider.

If the owner/agent discovers that any household member failed to give up current HUD housing assistance before moving to **NAME OF PROPERTY**, no rent subsidy or utility allowance will be provided by HUD until the day after the move out or surrender of the currently subsidized unit.

Household members who sign the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD. Applicants should consult with the local HUD office if the former landlord is accepting subsidy after move-out.

Please note that housing assistance provided through HUD's multi-family housing program is not the same as the housing assistance provided through the voucher program. If any family member moves out, the housing subsidy will not move with the family as it does with a voucher. The family will be required to re-apply to a PHA to receive a voucher.

***ASSISTED LIVING***

This is not an assisted living property. The owner/agent and property staff do not provide, nor have the authority to provide, any personal care or personal supervision services. All care and supervision services must be provided by the resident or aides supervised by the resident or the resident's representative(s). The owner/agent and property staff do not provide assistance with personal activities or daily living.

**FAIR HOUSING POLICIES**

***FAIR HOUSING***

The Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability, and familial status. In addition, the city of Austin has added Fair Housing protections based on creed, student status, marital status, sexual orientation, gender identity and age.

***TITLE VI OF THE CIVIL RIGHTS ACT OF 1964***

The owner/agent complies with Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance from HUD.

***SECTION 504 OF THE REHABILITATION ACT OF 1973***

The owner/agent complies with Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination, based on the presence of a disability in all programs or activities operated by recipients of federal financial assistance.

Although Section 504 protections often overlap with the disability discrimination prohibitions included in the Fair Housing Act, Section 504 differs in that it imposes broader affirmative obligations to make their programs, as a whole, accessible to persons with disabilities.





## (Property Name) Tenant Selection Plan

- Coordinating Efforts to Comply with Section 504 Requirements

The owner/agent has designated a person to address questions or requests regarding the specific needs of residents and applicants with disabilities. This person is referred to as the Section 504 Coordinator.

Name of Section 504 Coordinator:	Vice President of Housing and Community Development
Address:	1124 S IH 35, Austin, TX 78704
Phone Number:	(512) 477-4488
TDD/TTY Number:	711 Voice Relay

- Requests for Reasonable Accommodation or Modification

In accordance with the Fair Housing Act and Section 504 of the Rehabilitation Act, the owner/agent will make reasonable accommodations or modifications for individuals with disabilities (applicants or residents) unless these modifications would change the fundamental nature of the housing program or result in undue financial and administrative burden. Please see Appendix A for additional information.

### ***COMPLIANCE WITH REQUIREMENTS OUTLINED IN THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013***

The owner/agent understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault or stalking, people who have been victims of violence have certain protections provided through the Violence Against Women Reauthorization Act of 2013 (VAWA 2013).

If any applicant wishes to exercise the protections provided in the VAWA 2013, he/she should contact the owner/agent immediately.

The owner/agent will not assume that any act is a result of abuse covered under the VAWA 2013. In order to receive the protections outlined in the VAWA 2013, the applicant/applicant must specify that he/she wishes to exercise these protections.

Please see Appendix E for a copy of the owner/agent's VAWA Policy.

### ***AVAILABILITY OF ASSISTANCE FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY***

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency LEP)" requires the owner/agent to develop and implement a system to provide housing assistance so persons with Limited English Proficiency (LEP) can have meaningful access to assisted housing opportunities. The owner/agent will provide for such meaningful access consistent with, and without unduly burdening the fundamental mission of the property. The owner/agent will work to ensure that people who apply for and/or qualify for housing assistance are provided meaningful access to HUD's housing assistance program.

### ***THE EQUAL ACCESS RULE***

The owner/agent ensures that HUD's core housing programs are open to all eligible persons regardless of sexual orientation, gender identity or marital status in accordance with *The Equal Access Rule*.

### **ELIGIBILITY REQUIREMENTS**

#### ***PROPERTY ELIGIBILITY DEFINITION***

- Household/Resident Type

This multi-family PBRA / LIHTC property is designed to provide housing to families who meet the eligibility and screening requirements.



## (Property Name) Tenant Selection Plan

- Income Limits

Income limits vary by program type (PBRA or LIHTC) and household size. The owner/agent will provide applicants a copy of the income limits for the property area upon request. In addition, applicants can review the income limits by accessing the following web site. <http://www.huduser.org/datasets/il.html>.

HUD requires that property managers incorporate the most recently published income limits when determining eligibility. The IRS “hold harmless” rule states that if the income limits go down, the property can maintain the highest level of income limits in effect after the property was placed in service with tax credits.

This property is a layered property with all units required to meet both the PBRA and LIHTC income limit requirements. Both income limits are based off a percentage of the median family income for the Austin – Round Rock – San Marcos metropolitan statistical area. Since the LIHTC income limit is lower, by default it becomes the effective income limit for the property.

For this property, qualified applicant households must meet the following income limit requirements:

Subsidy	Type of Income Limit
<b>Project Based Rental Assistance (PBRA)</b>	<b>Low</b> – 80% of median income <b>Very low</b> – 50% of median income <b>Extremely low</b> – very low income household whose income equals or is less than the greater of poverty level or 30% of median income
<b>Low Income Housing Tax Credit (LIHTC)</b>	<b>Low</b> – 60% of median family income

- Occupancy Standards

Occupancy standards serve to prevent the over-utilization or under-utilization of units that can result in an inefficient use of housing funding. Occupancy standards also ensure that residents are treated fairly and consistently and receive adequate housing space.

Below, please find this property’s occupancy standards description:

Number of Bedrooms	Min. # Household Members	Max. # Household Members
0	1	1
1	1	2
2	2	4
3	4	6
4	6	8
5	8	10

- Generally, two persons are expected to share a bedroom. The family will be allowed one bedroom for each two persons within the household. Exceptions to this rule and to the minimum number of household members guide above include the following circumstances:
  - Two children of the opposite sex, with one at least seven (7) years of age, will not be required to share a bedroom,
  - Persons of different generations (grandparent and grandchild, parent and child) will not be required to share a bedroom.



## (Property Name) Tenant Selection Plan

- A couple (married or unmarried, same sex or opposite sex) engaged in a consensual sexual relationship will be allocated one bedroom.
- Authorized live-in aides will be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family.
- Single-person families will be allocated either a zero (efficiency) or one bedroom unit.
- Anticipated children will be included. Anticipated children include:
  - Children expected to be born to a pregnant woman;
  - Children in process of being adopted by an adult family member;
  - Children whose custody is being obtained by an adult family member;
  - Foster children who will reside in the unit;
  - Children who are temporarily in a foster home who will return to the family; and
  - Children in joint custody arrangements who are present in the household 50% or more of the time.
- A household that contains a family member (not the head of household or spouse) who is enrolled as a full-time student at an institution of higher learning and who is on the lease will be counted for the purposes of establishing occupancy standards for unit size if:
  - the family member is enrolled and actively attending a two-year or four-year college or university; and
  - the family member resides in the public housing unit during school breaks and holidays.

Any household placed in a unit size different from that defined in these Occupancy Standards shall agree to transfer to an appropriate size unit at the same property when one becomes available.

- Verifying the Need for an Accessible Unit

When an applicant requests an accessible unit or a unit preference, such as a first floor unit, the owner/agent will conduct inquiries to:

- Verify that the applicant is qualified for the unit, which is only available to persons with a disability or to persons with a particular type of disability.
- Verify that the applicant needs the features of the unit as an accommodation to his or her disability.
- Verify that the applicant is qualified to receive a priority on the waiting list available to persons with a disability or to persons with a particular type of disability.

### **PROGRAM ELIGIBILITY**

- Eligibility Standards

Based on federal regulations, the owner/agent may admit only eligible applicants. In the selection of applicants for admission, eligibility criteria have been established in accordance with HUD guidelines. The following eligibility standards will be applied in accordance with HUD requirements:

- The household's annual income must not exceed program income limits at move-in;
- The Head-of-Household (HOH), co-Head-of-Household and the spouse (regardless of age) and all adults in each household must sign an Authorization for Release of Information (HUD Forms 9887 and 9887A) and owner/agent created verification documents prior to receiving assistance and annually thereafter;
- The unit for which the household is applying must be the household's only residence;



- An applicant must agree to pay the rent required by the program under which the applicant will receive assistance;
  - Only U.S. citizens or eligible non-citizens may receive assistance (*See additional information below and in Appendix B*);
  - Applicants who claim eligible status must disclose Social Security Numbers for all household members and provide proof of the numbers reported (*See additional information below*);
  - The household size must be appropriate for the available apartments (*See Occupancy Standards*);
  - All information reported by the household is subject to verification.
- Disclosure and Verification of Social Security Numbers

All household members receiving HUD housing assistance or applying to receive HUD housing assistance are required to provide a Social Security Number and adequate documentation necessary to verify that number. This rule applies to all household members including live-in aides, foster children and foster adults. Adequate documentation includes a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

    - Original Social Security card
    - Driver's license with SSN
    - Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union.
    - Earnings statements on payroll stubs
    - Bank statement
    - Form 1099
    - Benefit award letter
    - Retirement benefit letter
    - Life insurance policy
    - Court records
  - Exceptions to Disclosure of Social Security Number

The Social Security Number requirements do not apply to:

    - Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
    - Individuals who do not contend eligible immigration status. When applicants and residents are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed.

If, at the time a unit becomes available, all non-exempt household members have not provided adequate documentation necessary to verify Social Security Numbers, the next eligible applicant must be offered the available unit.

All non-exempt household members have ninety (90) days-from the date they are first notified that a unit is available-to provide documentation necessary to verify the Social Security Numbers. During this 90-day period, the household may retain its place on the waiting list, but will not be considered again until the required documentation is provided.

If, after ninety (90) days, the applicant is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the household will be determined ineligible and removed from the waiting list.

The applicant may apply again, after obtaining the appropriate documentation. The applicant will be placed on the waiting list based on the date and time the **new** application is received.

- Secondary Verification of the Social Security Number (PBRA Only)

The Social Security Number provided will be compared to the information recorded in the Social Security Administration database through HUD's Enterprise Income Verification System (EIV) to ensure that the Social Security Number, birth date and last name match.

If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provides an inaccurate Social Security Number, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud.

- Citizenship/Immigration Status Requirements

Applicants are required to declare U.S. citizenship or submit evidence of eligible immigration status for each household member seeking housing assistance. The owner/agent is required to obtain the following:

- Family Composition List (*lists all household members who will reside in the assisted unit*)
- Citizenship Declaration - Each household member listed on the Family Composition List must complete a declaration of citizen or non-citizen status
- Forms and/or evidence of citizen/immigration status as required by HUD

Additional information regarding submission and verification of proof of citizenship status or eligible non-citizen status can be found in Appendix B.

If any applicant has questions or experiences difficulty providing the described information or determining the type of documentation required, the applicant should contact the management office. If any applicant is unable to provide the required documentation in the timeframe indicated in Appendix B, the applicant must contact the management office to request an extension. If any applicant fails to provide this information in the timeframes described, the owner/agent cannot provide assistance and the application will be rejected.

The owner/agent will offer the household assistance, providing subsidy to those eligible household members whose documents were received on time, when the following criteria is met:

- At least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible based on all of the criteria in this resident selection plan
- Assistance/unit is available
- The household is the next household to be selected from the waiting list

Proof of declared citizenship status must be provided for all household members. Members who claim U.S. citizenship can provide any documents approved by HUD or the Department of Homeland Security (DHS) to prove citizenship. Additional information is provided in Addendum B.

Non-citizens claiming eligible status must follow the guidance provided in Addendum B and in 24 CFR to prove eligible non-citizen status.



## (Property Name) Tenant Selection Plan

Applicants must be able to provide proof of citizenship or legal immigration status.

Citizenship eligibility must be reviewed after move-in if eligibility status can change. If any household member is determined to be an ineligible non-citizen, either at application or after move-in, assistance and/or tenancy may be denied, terminated or prorated as appropriate.

- Single Residence/Subsidy Criteria

A household is eligible for assistance only if the unit will be the household's only residence. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit.

**Applicants MUST disclose if they are currently receiving HUD housing assistance.** Residents can only receive subsidy for one unit/residence at a time. This prohibition does not prevent a person who is currently receiving assistance from applying for an assisted unit in another property.

If, for any reason, an applicant moves in to this property before moving out of another subsidized unit, the new resident will be required to pay market rent until the move out from the previous property is complete and the resident is eligible to receive HUD subsidy for this property. Assistance in the new unit will begin, if the household is still eligible, the day after assistance ends for the previous unit.

There is an exception to this rule. Children in joint custody arrangements can receive HUD housing assistance in two units when both parent/guardian families receive HUD housing assistance. However, only one household may use the \$480 dependent deduction to determine adjusted income. In these cases, additional verification is required. The owner/agent will request:

- Verification of the custody/guardianship/living arrangement - *Please see Appendix D for additional information*
- Verification of the use of the \$480 deduction. The owner/agent will verify use of the \$480 dependent deduction with the other owner/agent if :
  - The child will live in the unit at least 50% of the time and
  - The parent wishes to claim the \$480 deduction, and
  - Both families are receiving HUD housing assistance

All adults will be required to sign the Acknowledgement in Appendix C.

- Eligibility of Students Enrolled at an Institute for Higher Education

Student eligibility is determined at move-in/initial certification and at each annual certification. Student eligibility may also be reviewed at interim certification if student status has changed since the last certification. All adult students are required to report any change in their student status. A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall not be provided to any individual who:

- Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; and
- Is under the age of 24; and
- Is not married; and
- Is not a veteran of the United States Military; and
- Does not have a dependent child; and





- Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of November 30, 2005; and
- Is not living with his or her parents who are receiving Section 8 assistance; and
- Is not individually eligible to receive Section 8 assistance or has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance.

**NOTE:** *Unless the student can demonstrate his or her independence from parents, the student must be eligible to receive Section 8 assistance **and** the parents (individually or jointly) must be eligible (income eligible) to receive Section 8 assistance in order for the student to receive Section 8 assistance.*

For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate independence from, parents. While owner/agents may use additional criteria for determining the student's independence from parents, owner/agents must use, and the student must meet, at a minimum **all** of the following criteria to be eligible for Section 8 assistance. The student must:

- Be of legal contract age under state law;
- Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, **or**, meet the U.S. Department of Education's definition of an independent student;
- Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
- Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.
- If an ineligible student is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated

**NOTE:** *An owner/agent cannot evict or require an ineligible student to move from a unit as long as the student is in compliance with the terms of the lease.*

Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition shall be considered income to that individual, except for:

- A person 24 years of age or older with dependent children as defined by HUD or
- A person living with his/her parents

The definition of tuition is consistent with the definition provided by the Department of Education and includes all mandatory fees associated with being enrolled at that institution of higher education.

- Additional Tax Credit Eligibility Requirements for Students Enrolled at an Institute of Higher Education  
Households composed entirely of full-time students are not eligible for tax credit program unless, they meet one of these 5 criteria:
  - Married and filing a joint tax return or eligible to file a joint tax return, or
  - Single parent, at least 1 child, neither of whom is a dependent on another person's tax return, except for the return of the other parent of the child, or
  - Receiving welfare or TANF, or



## (Property Name) Tenant Selection Plan

- Participating in job-training program funded through Workforce Investment Act, or
- Household member was a participant in the foster care program.
- **Prohibition of Assistance to Noncitizen Students**  
Noncitizen students and their noncitizen families may not receive assistance. Noncitizen students are not eligible for continuation of assistance or temporary deferral of termination of assistance. A noncitizen student is defined as an individual who is as follows:
  - A resident of another country to which the individual intends to return;
  - A bona fide student pursuing a course of study in the United States; and
  - A person admitted to the United States solely for the purpose of pursuing a course of study as indicated on an F-1 or M-1 student visa.

This prohibition applies to the noncitizen student's noncitizen spouse and noncitizen children. However, spouses and children who are U.S. citizens may receive assistance. For example, a family that includes a noncitizen student married to a U.S. citizen is a mixed family.

### **PROCEDURES FOR TAKING PRE-APPLICATIONS & APPLICATIONS**

It is the owner/agent's policy to accept and process applications in accordance with HUD guidance. The owner/agent will make a reasonable accommodation to assist in the application process if the applicant or any member of the applicant household is disabled.

#### ***PRE-APPLICATIONS***

Applicants will first complete a pre-application to have their name placed on the waiting list for housing at [name of property]. Pre-applications can be submitted on the internet at [www.austin.apply4housing.com](http://www.austin.apply4housing.com). The owner/agent will also accept the application in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

#### ***Pre-applications are not accepted at the property site.***

The entire pre-application must be completed in full and submitted before the applicant will be placed on the waiting list. Confirmation of successful submission will be provided by the online application portal if all requirements are met.

Due to long waiting lists and depending on the preferences for which an applicant family may qualify, the time spent on the waiting list may be anywhere from several months to several years. While waiting on the waiting list, applicants may check the status of their application by creating an account at <https://austin.ourpha.com/applicants>. In this applicant portal, applicants can update their contact information, report changes to their application and check the status of their application. It is the applicant's responsibility to keep all contact information current.

- **Incomplete Pre-Applications**  
Electronic submissions of pre-applications cannot be submitted if they are incomplete. For pre-applications accepted by an alternate means, if the pre-application is not complete, the owner/agent will attempt to contact the applicant to obtain missing information. The applicant will have ten (10) business days to respond and provide missing information. If the applicant fails to provide required information within the ten (10) day period, the owner/agent will return the application.



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- Preliminary Determination of Applicant Eligibility

Information needed to determine applicant eligibility shall be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and property eligibility requirements.

Upon receipt of the completed pre-application, the owner/agent will make a preliminary eligibility determination before adding a household to the waiting list or initiating final eligibility tasks.

The owner/agent will review the pre-application to ensure that there are no obvious factors that would make the applicant ineligible. Obvious factors include, but are not limited to:

- Owing a debt to the Housing Authority of the City of Austin (any property or program) that is still within the 4 year statute of limitations;
- Having been evicted (or vacated in lieu of eviction) from any HACA program within 5 years for drug related activity;
- Having been evicted (or vacated in lieu of eviction) from any HACA program within 2 years for any reason other than drug related activity;
- Head of household or co-head is currently living at this property;
- Having been denied admission to this program within the past 12 months for any reason at any property owned and administered by the Housing Authority of the City of Austin.
- Having rejected a housing offer for a unit of the same size at the same property within the last 12 months.

If an applicant is preliminarily ineligible, the owner/agent will send a notice to the applicant indicating that they are not eligible, including the reason(s) why they were determined ineligible and stating the family's rights to appeal the decision. This action will be completed in agreement with the owner/agent's Grievance and Appeals Policy which is available to the applicant upon request.

If a preliminary eligibility review indicates that a household is preliminarily eligible for tenancy, but units of appropriate size are not available, the owner/agent will place the household on the waiting list for the property and notify the household when their name comes to the top of the waiting list.

If an applicant is otherwise eligible but no appropriate unit exists in the property, the owner/agent will reject the pre-application.

The owner/agent will notify the applicant family if their pre-application is rejected for any reason.

### **APPLICATIONS**

When the applicant family reaches the top of the waiting list, they will receive an invitation by mail to come to an eligibility interview.

- Applicant families can receive up to 3 invitations to attend an eligibility interview.
- If a family does not attend the scheduled appointment, a notice will be sent to the family and their name will be withdrawn from the waiting list. If the family responds within fifteen (15) calendar days of the notice and requests to be rescheduled, they will be placed back on the waiting list with their same date and time.
- Once the family misses their third scheduled appointment, they are no longer eligible to be placed back on the waiting list. The family will be required to submit a new application and start the process from the beginning.



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During the eligibility interview process, the applicant family will complete a full application. All documents in the Application Package must be **completed in full**, signed and dated in order to be accepted. All adult applicants must complete the application package as instructed.

Upon request, the owner/agent/agent will provide interested parties with a copy of the application package. The person who is indicated as the Head-of-Household (HOH) must execute and sign all documents that are included in the application package. Before completing or executing any forms, additional copies should be made for all adult household members and in some cases for minors who will live in the unit.

The owner/agent will require applicants to provide several documents as verification and proof of eligibility for housing. These will include:

- A government issued photo ID - used for verifying the identity of all applicants. A birth certificate or other government issued document which includes the applicant's name and date of birth – used to verify the age of all applicant family members.
- Proof of citizenship – which may include a US birth certificate, US passport or other government issued documents demonstrating citizenship.
- Proof of immigration status (if applicable) - which may include a permanent resident card, employment authorization card, I-94 visa or other government issued document indicating valid immigration status.
- A Social Security card or any other government issued document including the name and full SSN of all applicants.
- Verification of all sources of income, including (but not limited to) check stubs for employment, SS / SSI award letters, VA Pension award letters, TANF award letter, proof of child support and verification of asset income.

### ***FINAL DETERMINATION OF ELIGIBILITY***

Once the applicant family completes the eligibility interview, all eligibility criteria will be reviewed before a final eligibility determination is made. Being eligible, however, does not guarantee that the application will be approved. All adult applicants (and if appropriate minors) will be subject to the certain screening based on landlord/rental history, credit history and criminal history. If the screening process determines that the family meets HUD's and the owner/agent's standards for admission, the family is found eligible.

### **LIVE-IN AIDES**

Please contact the HACA central office Admissions Department if a live-in aide will be moving in to the unit. If the family plans to include a live-in aide, the live-in aide is not required to complete the same application forms. Live-in aides must complete the Live-in Aide Questionnaire and participate in screening and other O/A verifications that are required.

The live-in aide must meet HUD's definition of a live-in aide. The live-in aide has no rights to the unit as a remaining family member and must agree to relinquish possession of the unit within a reasonable time if the resident is absent for an extended period of time or if the resident leaves for any reason. The live-in aide will be required to sign an acknowledgement the live-in aide has no right of residency or occupancy if the resident is absent or if the resident moves out for any reason including death.

### **WAITING LISTS**

To ensure that applicants are appropriately and fairly selected for the next available unit, it is essential for the owner/agent to maintain waiting lists. The owner/agent will place the applicant household on the waiting list after preliminary eligibility determination is complete.



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Applicants will have the option of specifying a desired unit size or multiple unit sizes when completing the pre-application. The applicant will be placed on the waiting list for all indicated unit sizes/types as long as:

- The applicant household meets the Occupancy Standards described in this plan, and
- The waiting list for the unit size is open

The applicant Head-of-Household (HOH) will be contacted, based on the waiting list selection criteria, and offered housing for the first unit that becomes available based on the selection guidelines described in this plan.

Families can select the option to be placed on the waiting list for multiple unit sizes at the same property. If the family is determined to be eligible and accepts a unit offer, at that time they will be removed from the other bedroom size waiting lists for that property.

### ***MAINTAINING WAITING LISTS***

It is the policy of the owner/agent to administer its waiting list as required by HUD handbooks and regulations. The owner/agent will update the waiting list by removing the names of applicants who are no longer interested in or no longer qualify for the PBRA and/or LIHTC program.

On a regular basis, as determined by the owner/agent considering the length of the waiting list, the owner/agent will contact each applicant household by mail, using the address provided on the pre-application. Applicants are responsible for updating their application with any changes in address. The Head-of-Household (HOH) will be the only person contacted unless otherwise requested.

If this letter is unable to be delivered by the United States Postal Service, the application will be rejected and the household will be removed from the waiting list.

If the Head-of-Household (HOH) fails to respond to the owner/agent inquiries regarding the desire to remain on the waiting list, the application will be rejected and the household will be removed from the waiting list. In addition, an adult member of the applicant household must contact the Admissions Department, in writing, if household information changes (i.e. number of household members, number of future household members, criminal history, income, etc.). If the household size or composition changes, the owner/agent will:

- Update the waiting list information and
- Decide whether the household needs the same or a different unit

If, as a result of the household composition change, it is determined that the household will be on the waiting list for a different unit than originally indicated, the household will maintain their place on the waiting list for the new unit. If the waiting list is currently closed for the appropriate unit size, the application will be rejected and the household will be removed from the waiting list. If there are no units of the appropriate size on the property, the household will be rejected and will be removed from the waiting list.

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

The owner/agent will remove an applicant's name from the waiting list when if any of the following apply:

- Applicant requests that the household name be removed
- The unit that is needed – using household size as the basis – has changed, and no appropriate size/type unit exists in the property



## (Property Name) Tenant Selection Plan

- The unit that is needed – using household size as the basis – has changed, and the waiting list is closed for that unit size/type
- Applicant fails to meet eligibility requirements
- Applicant fails to meet occupancy standards
- Applicant fails to meet screening requirements
- Applicant is rejected for any reason described in this plan
- Applicant cannot be contacted by US Mail (letters are returned or undeliverable) Applicant fails to keep application information up to date based on the requirements described in this plan
- Applicant was clearly advised, in writing, of the requirement to tell owner/agent of his/her continued interest in housing by a particular time and failed to do so
- Applicant refused offer of a unit (*See Right to Refusal Policy for additional information.*)

If an applicant is removed from the waiting list, and subsequently the owner/agent determines that an error was made in removing the applicant, the applicant will be reinstated at the original place on the waiting list.

If an applicant is removed from the waiting list and later, the applicant household feels that they are now qualified for assistance/tenancy, the applicant household must submit a new application. The applicant will be placed on the waiting list, as necessary, based on the submission date and time of the **new** application.

There are certain situations when the owner/agent may refuse to accept an application. The owner/agent will not accept pre-applications from individuals or families who:

- Were denied admission to any of HACA's housing programs within the last 12 months because of criminal history, derogatory rental history, unreported income or fraud.
- Owe a move out balance or debt to HACA for previous tenancy in any of HACA's housing programs that is not barred by the statute of limitations. There is a four year statute of limitations which ends the latter of:
  - Four years from the date the debt became delinquent; or
  - Four years from the date the final payment would have been due if the applicant signed a repayment agreement.
- Has been evicted or moved out in lieu of eviction from another property managed or owned by the owner/agent, or from the Public Housing or Housing Choice Voucher programs within the past two years for any reason other than drug related.
- Has been evicted or moved out in lieu of eviction from a federally assisted property or program for drug related reasons in the last five years
- Are currently housed at this property (*Does not apply to adults that are not the head of household, co-head or spouse.*)
- Voluntarily moved out of HACA's Public Housing or [name of property] within the last 12 months.
- Rejected a housing offer at the same property within the past year.

In addition, if an applicant previously accepted a unit offered by the owner/agent and the applicant failed to take possession of the unit on the agreed upon date without notice to the owner/agent, the owner/agent reserves the right to refuse all future applications.





### ***SELECTING APPLICANTS FROM THE WAITING LIST***

When an applicant family reaches the top of the waiting list, they will be invited in to the HACA Central Office Admissions Department to complete an eligibility interview. Once the family has been certified eligible, they will wait for the next unit to become available.

The owner/agent will contact the next certified eligible household *based on the selection criteria described in this plan* and make a housing offer to the family. No decisions to offer the unit shall be made until all information presented by the applicant has been verified and the final eligibility determination is complete.

- **Income Targeting (PBRA Only)**

Based on the HUD contract for this property, the owner/agent is required to comply with the Income Targeting Requirement. Income Targeting requires that the owner/agent implement policies to ensure that, during the property fiscal year, 40% of all households that move in to the property or who begin receiving assistance fall within the Extremely Low Income Limits for the area where the property is located.

At this time, no special selection methods are required to meet the Income Targeting requirements. The owner/agent is required to monitor compliance throughout the year. If, after periodic review, the owner/agent discovers that the Income Targeting Requirement will not be attained, the owner/agent will only select, in order, those applicants whose income falls within the extremely-low income levels. Once the Income Targeting Requirement is met, the owner/agent will return to the “natural” selection order.

### ***PREFERENCES (PBRA ONLY)***

Applicants with preferences are selected from the waiting list and receive an opportunity for an eligibility interview earlier than those who do not have a preference.

Assigning preferences to applicants who meet certain criteria is a method intended to provide housing opportunities to applicants based upon household circumstances.

Preferences affect only the order applicants are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible. Preferences are not permitted if they, in any way, interfere with affirmative marketing efforts or fair housing requirements.

- **Owner/agent-Adopted Preferences**

**Unit Transfer Preference:** Residents who have submitted a Unit Transfer Request and who are deemed eligible for the transfer are given preference on the waiting list. This means that a resident transferring from one unit to another will be offered a unit before an applicant. Unit transfers (on-property) will be weighted and offered in the following order:

- Emergency / Safety
- Reasonable Accommodation Request
- Over Housed
- Under Housed
- Make an Accessible Unit Available

## (Property Name) Tenant Selection Plan

- HUD Approved Preference

**Preference for Victims of Domestic Violence who reside at any HACA owned property (HACA VAWA):**

Existing applicants or new applicants who currently reside at a HACA owned property will be offered the opportunity to claim a preference based on the protections offered in the VAWA Reauthorization Act of 2013. Such status will be verified, and when such verification is complete, applicant families will be added to the waiting list with a VAWA preference.

Documentation of eligibility for this preference will be required. See the VAWA policy located in Appendix \_\_\_ for a full explanation of acceptable documentation.

**Preference for Families that have been Involuntarily Displaced by Natural Disaster or Government Action (Involuntarily Displaced):** Existing applicants or new applicants will be offered the opportunity to claim that they have been involuntarily displaced within six months of claiming the preference. Such status will be verified, and when such verification is complete, applicant families will be added to the waiting list with an involuntarily displaced preference.

Examples of involuntary displacement include, but are not limited to, displacement due to hurricane, tornado, flood, fire, or the exercise of eminent domain.

Documentation of eligibility for this preference is required. Sufficient documentation includes:

- Documents from FEMA, the State of Texas, the City of Austin or any other government agency indicating the destruction (or no longer livable status) of the applicant's residence due to natural disaster or government action within the previous 6 months.
- Documents from the Red Cross or other disaster support agency indicating that the applicant's residence has been destroyed or is no longer habitable due to natural disaster or government action.

**Preference for Disabled Head of Household, Disabled Spouse or Disabled Co-head (Disability):** Existing applicants and new applicants will be offered the opportunity to disclose the disability status of the head of household, spouse or co-head. Such status will be verified, and when such verification is complete, the applicant family will be added to the waiting list with a disability preference

Proof of disability will be required to receive this preference. Sufficient documentation includes:

- A Social Security award letter,, SSI award letter, or Social Security Disability award letter indicating that the applicant is disabled; or
- Verification by a qualified medical professional indicating that the applicant meets the HUD definition of disability. This verification will be sent by the HACA Admissions Department staff to the qualified medical professional identified by the applicant and will be accompanied by a release of information and consent signed by the applicant.

- Preference Weights

The owner/agent will apply different weights to each preference. The heavier the weight, the higher the applicant will move up on the waiting list. Applicant families are limited to one preference per household. If the family qualifies for more than one preference, the preference with the heaviest weight will be applied. The weights for each preference are as follows:



## (Property Name) Tenant Selection Plan

- 3 HACA VAWA
- 2 Involuntarily Displaced
- 1 Disability
- Verification of Preferences  
All preferences will be verified using the verification methodology described in this resident selection plan. This verification will be conducted at the time of the eligibility interview.
- When a Request for Preference is Denied  
If it is determined that an applicant does not meet the criteria for receiving a preference, the applicant will receive written notice of this determination within ten (10) business days.

The notice will contain the reasons for the determination. The applicant has the right to appeal the decision. All requests for appeal must be received within fifteen (15) calendar days from the date of notification of denial. See the full appeals process located in this tenant selection plan.

- Change in Preference Status While on the Waiting List  
Occasionally households on the waiting list who did not qualify for a preference when they applied will experience a change in circumstances that qualifies them for a preference. In such cases, it is the responsibility of the applicant to contact the owner/agent so that their change in status may be verified and the waiting list can be updated to reflect the preference as appropriate.

To the extent the verification determines the household does now qualify for a preference, they will be selected from the waiting list in accordance with the preference and the date the application was received.

- Exceptions to the Preference Rule  
Management must give priority to current residents:
  - Residing in a unit that has been determined uninhabitable due to flood, fire or other natural disaster
  - When a unit is designated for rehabilitation or repair

These situations represent extenuating circumstances and the normal selection order may be adjusted to address the needs of these residents.

### ***OPENING AND CLOSING WAITING LIST***

In order to ensure that applicants on the waiting list are processed in a reasonable amount of time, the owner/agent may stop accepting applications and close waiting lists in whole or in part. Decisions about closing and opening the waiting list will be based on the number of applications available for a particular size and type of apartment and the ability of the owner/agent to house an applicant in an appropriate apartment within a reasonable period of time.

On a regular basis, the owner/agent/agent will review the number of families on the waiting list to determine whether the waiting list may be closed. If the owner/agent has sufficient applications, the waiting list may be closed completely. Notices announcing that the waiting list is closed or open will be publicly announced in the following manner:

- Local newspapers



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- Publications described in the Affirmative Fair Housing Marketing Plan
- Flyers distributed through Social Service agencies as described in the Affirmative Fair Housing Marketing Plan

Interested parties who insist on submitting applications when the waiting list is closed will not be considered. The application **will not be reviewed** and will be returned.

During the period when the waiting list is closed, the owner/agent **will not** maintain a list of individuals who wish to be notified when the waiting list is reopened.

### **PRIVACY POLICY**

It is the policy of the owner/agent to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the owner/agent.

Neither the property owner/agent nor its agents shall disclose any personal information contained in its records to any person or agency, other than HUD, its Contract Administrators or other federal/state entity or investor auditing entities, unless the individual about whom information is requested gives written consent to such disclosure. Such consent may be provided in an equally effective manner, as a reasonable accommodation, when there is the presence of a disability.

This Privacy Policy in no way limits the owner/agent's ability to collect such information to determine eligibility, compute rent, or determine an applicant's suitability for tenancy.

### **VERIFICATION**

The owner/agent shall obtain verifications in compliance with requirements set forth by the Department of Housing and Urban Development. After the preliminary eligibility determination, no decision to approve an application shall be made until information provided on the application form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed. All information relative to the following items must be verified as described in these procedures.

### ***INFORMATION TO BE VERIFIED***

Information to be verified includes, but is not limited to:

- Eligibility for Admission, such as
  - Income
  - Assets And Asset Income
  - Identification
  - Age
  - Household Composition
  - Social Security Numbers
  - Citizenship And/or Legal Status
  - Student Status
  - Current HUD Assistance
- Allowances, such as
  - Age
  - Disability
  - Full Time Student Status
  - Child Care Expenses



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- Disability Assistance Expenses
- Medical Expenses (For Elderly/Disabled Households Only)
- Preferences
  - HACA VAWA status
  - Involuntarily Displaced status
  - Disability status
- Compliance with Resident Screening Guidelines, such as
  - Criminal History
  - Credit History
  - Rental/Residence History
- The Need for an Accessible Unit

### ***METHODS OF VERIFICATION***

Verifications will be attempted in the following order:

- Enterprise Income Verification (EIV) – For PBRA Only
- Upfront Income Verification (UIV)
- Applicant provided third party documents (i.e. check stubs, award letters, etc)
- Third-party form verification (as appropriate)
- Third-party oral verification (if available)
- In the absence of any of the above, notarized or witnessed statements from the household member. Each file will be documented, when appropriate, to show that staff attempted to obtain third-party verification before relying on family certification.

### ***SOURCES OF INFORMATION***

Sources of information may include, **but are not limited to:**

- Any member of the applicant household
- Present and former housing providers/landlords
- Present and former employers
- Banks
- Insurance Companies
- Any Asset Manager
- Family members
- Any person or organization providing gifts/regular contributions to the household
- Credit Screening providers
- Criminal Screening providers
- Eviction Screening providers
- Social workers/Parole Officers
- Court records
- Drug Treatment Centers
- Health Providers
- Physicians
- Clergy
- Schools/Institutes of Higher Education
- Department of Homeland Security (DHS)
- Department of Health and Human Services (HHS)



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- The Internal Revenue Service (IRS)
- The Social Security Administration (SSA)
- Medicare/Medicaid
- Representative of the United States Armed Forces
- Any federal/local benefit providers
- Pharmacies
- Utility Providers
- Local and non-local law enforcement
- Automated criminal databases
- Sexual Offenders registries when available
- The world wide web (internet)
- HUD's EIV system (For PBRA Only)

The owner/agent will be the final judge of the credibility of any verification submitted by an applicant. If the owner/agent questions the validity of a document or the validity of information provided, it will be reviewed by management staff for a ruling regarding acceptability.

### **PERIOD FOR VERIFICATION**

Only verified information that is less than 120 days old may be used for verification. Verified information not subject to change (such as a person's date of birth) will not be re-verified.

### **CONSENT AND VERIFICATION FORMS**

Regardless of age, the Head-of-Household (HOH), the co-Head-of-Household (HOH) the spouse of the Head-of-Household (HOH) and all adult members of a household must sign HUD's consent forms so that the owner/agent can verify eligibility:

- HUD-9887, *Notice and Consent for the Release of Information to HUD and to a PHA*
- HUD-9887-A, *Applicant's/Resident's Consent to the Release of Information Verification by Owner/agents of Information Supplied by Individuals Who Apply for Housing Assistance*

Consent and verification forms protect the rights and privacy of residents and applicants by allowing them to have control over any information collected about them.

All adult members of an applicant or resident household must also sign individual verification forms authorizing the owner/agent to verify household income and applicable eligibility factors (e.g., disability status) and to allow for screening.

When a minor living in the unit turns 18, he/she will have thirty (30) days to meet with the management staff and sign appropriate forms. Failure to do so will result in termination of subsidy for the entire household.

### **PROVISIONS FOR REFUSAL TO SIGN**

If any member of the applicant's household does not sign and submit the consent forms as required, the owner/agent must reject the application and deny assistance and/or tenancy.

### **MISREPRESENTATION**

Any information, provided by the applicant that proves to be untrue may be used to disqualify the applicant because of misrepresentation or attempted fraud. The owner/agent will not take any action to reduce or deny





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assistance based on inconsistent information received during the verification process until the owner/agent has independently investigated the information.

The owner/agent considers false information about the following to be grounds for rejecting an applicant:

- Identity
- Social Security Numbers/Information
- Income
- Assets/Income From Assets
- Household Composition
- Disability
- Birth Date/Age
- Citizenship, Naturalization, And/or Eligible Immigration Status
- Eviction History
- Criminal History
- Sexual Offender Status
- Eligibility For Preferences and Priorities
- Allowances
- Current/Previous Residence History
- Current Housing Assistance
- Status As A Student

Unintentional errors that do not cause preferential treatment will not be used as a basis to reject applicants.

### **APPLICANT SCREENING CRITERIA**

Screening is performed in a manner that is reasonable, consistent, and complies with fair housing laws.

Screening is used to help ensure that households admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes.

Anyone who wishes to live on the property must be screened prior to moving in. This includes, but is not limited to, live-in aides, security/police officers or additional household members wishing to move-in after the initial move-in. *Certain exceptions apply to children/minors.* The current screening guidelines in place at the time the new household member applies will be used to determine eligibility for admission.

### ***SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY***

HUD has established standards that prohibit admission of:

- Any household in which any member was evicted in the last three years from federally assisted housing for drug-related criminal activity
- Any household in which any member was engaged in the production of methamphetamine.
- \*A household in which any member is currently engaged in illegal use of drugs or for which the owner/agent has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents
- Any household member who is subject to any state lifetime sex offender registration requirement
- Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by



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other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse

\*"Currently engaged in" is defined as any use of illegal drugs during the previous six months.

In addition to HUD requirements, the owner/agent has established a policy to reject all applications where the applicant or any household member has engaged in criminal activity as described in this document.

The owner/agent will reject applications if any household member's criminal history includes one or more of the following:

- Sex Offender Registration: Applicant, or any member of the applicant family, is or ever has been subject to registration under a state sex offender registration program
- Record of any conviction or adjudication, other than acquittal, of the following felonies by any household member, regardless of when it happened:
  - Capital Murder
  - Murder / Manslaughter
  - Arson
  - Kidnapping
  - Child Molestation
  - Treason
  - Rape or Crimes of a Sexual Nature
  - Incest
  - Crimes involving explosives
  - Crimes involving terrorism
  - Gross Lewdness
- If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past four years, the family will be denied admission:
  - Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution or use of a drug or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].
  - Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].
  - Criminal activity that may threaten the health, safety or welfare of other tenants [24 CFR 960.203(c)(3)].
  - Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon.
  - Assault, aggravated assault, assault by threat, stalking.
  - Physical violence to persons or property, or criminal activity that has as one of its elements the use, attempted use or threatened use of physical force against the person or property of another.
  - Criminal activity that may threaten the health or safety of HACA staff, contractors, subcontractors or agents.
  - Three or more convictions of alcohol-related criminal activity, including Driving under the Influence and Public Intoxication.
  - Burglary of a Habitation.
  - If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past three years, the family will be denied admission:



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- A pattern of abuse of alcohol, including, but not limited to, public intoxication and driving while intoxicated.
- A pattern of fraud committed against a governmental entity.
- A pattern of theft or fraud.
- A pattern of organized criminal activity.
- A pattern of prostitution.

A pattern (for the purposes listed above) consists of three or more incidences, with a minimum of one incident occurring within the past three years. The owner/agent will not use arrest records as the sole basis for denying admission to the program.

If a resident or applicant has requested VAWA protections and such protections have been justified based on owner/agent investigation, the abuser/perpetrator will not be approved to live on the property.

If the owner/agent is unable to complete required criminal or sexual offender screening, the application will be rejected. If the owner/agent determines that a sex offender is part of the household, the owner/agent will allow the household to remove the sex offender from the application. Removal must be documented using the change of address receipt from the Texas Department of Sex Offender Registration.

The household will have five (5) business days to provide verification that the household member has alternative housing or that the household member has applied for alternative housing. Failure to provide such documentation will result in rejection of the application for all household members.

The owner/agent reserves the right to monitor household composition after move-in. If the owner/agent discovers that a sex offender has moved in to the unit, assistance will be terminated and the household will be evicted in accordance with HUD requirements. Any assistance paid-in-error must be returned to HUD.

United States Code Title 8, subsection 1324(a)(1)(A) prohibits the harboring of illegal aliens. The provision of housing to illegal aliens is a fundamental component of harboring. All applicants will be required to provide proof of citizenship or legal immigration status.

If criminal screening indicates that the applicant has an unacceptable criminal history, the owner/agent will reject the applicant in accordance with HUD guidance and the owner/agent's standards for applicant rejection.

- Consideration of Extenuating Circumstances

In deciding whether to exercise discretion to admit an individual who has engaged in prohibited criminal activity, the owner/agent will consider all of the circumstances relevant to the particular admission decision, including but not limited to: the seriousness of the offending action; the effect that denial of the entire household would have on family members not involved in the criminal activity; and the extent to which the applicant has taken all reasonable steps to prevent or mitigate the criminal activity. Additionally, when specifically considering whether to deny admission for illegal drug use by a household member who is no longer engaged in such activity, the owner/agent will consider whether the household member is participating in or has successfully completed a drug rehabilitation program, or has otherwise been rehabilitated successfully.

- Criminal Screening Discoveries

If the criminal background investigation indicates that the applicant does not meet the criminal screening criteria, the owner/agent will reject the applicant in accordance with HUD guidance and the



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owner/agent's standards for applicant rejection. Before rejecting the household, the owner/agent will compare the information provided by the applicant with the criminal history report. If the information conflicts, the owner/agent will:

- Notify the household of the proposed action based on the information;
- Provide a copy of the criminal history report;
- Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency;
- Allow the household the opportunity to remove the household member.

In this situation, applicants will have seven (7) calendar days to resolve the discrepancy. If the applicant fails to contact the owner/agent or indicates that he/she cannot provide documentation to refute the criminal discovery, the owner/agent will reject the application and remove the household from the waiting list. The owner/agent will notify the applicant family of the rejection in writing. The family will have the opportunity to request an appeal of the denial according to the terms of the grievance policy within this tenant selection plan.

If, after move-in, the owner/agent discovers that there was criminal history that would have resulted in rejection, the owner/agent will contact the resident to ascertain the accuracy of the criminal report. If the resident would have been rejected had the information been known at the time of the eligibility determination, the owner/agent will take appropriate action including notifying HUD's Office of the Inspector General of potential fraud and pursuing termination of tenancy (eviction).

### ***SCREENING FOR CREDIT HISTORY***

The owner/agent reviews each adult applicant's credit history. The owner/agent does not consider medical bills/expenses, credit score, or the lack of credit history, when reviewing credit history. Credit history will be reviewed to determine the following:

- If there is any debt owed to a prior landlord or HUD;
- If there are any evictions that have not been reported;
- If there are any other housing related judgments against the applicant.

Applicants will be rejected in the following situations:

- The family owes a debt to a federally assisted housing program which has not been repaid and the family has not established a repayment agreement.
- The family has a pattern of debts owed to housing and residential programs within the past two years.

If the applicant has no credit history, the credit screening will be considered "positive".

### ***SCREENING FOR ABILITY TO ESTABLISH UTILITY SERVICE***

The owner/agent will also screen applicant households for the ability to establish utility services in the name of at least one adult family member. All adult applicants will be required to sign the consent for Release of Information from Austin Energy.

Applicant households which do not have any adult members able to establish service with Austin Energy will be given 7 days to resolve the issue with Austin Energy. If the household is unable to do so, the application will be rejected.



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### **SCREENING FOR RENTAL HISTORY**

If any member of the applicant household has been evicted from any property owned or managed by the Housing Authority of the City of Austin for lease violations within the last two years, that applicant household will be rejected.

The owner/agent will review rental history with any landlord indicated in the past two (2) years. The owner/agent will also review information provided through automated databases including eviction databases. The application will be rejected for any of the following:

- The family has been evicted from federally assisted housing within the past 2 years;
- The family has a pattern of disturbance of neighbors, destruction of property or living or housekeeping habits at prior residences within the past two years which may adversely affect the health, safety or welfare of other tenants.
- The family has a pattern of eviction from housing or termination from residential programs within the past five years (considering relevant circumstances).

If the applicant fails to identify one or more residences where he/she lived in the last two (2) years, the applicant will be rejected and the household will be removed from the waiting list.

The owner/agent will contact the prior property owner/agent (as indicated above) and inquire about the following information:

- Adherence to the Lease & Community Policies
- Compliance with certification reporting requirements
- Rental Payment Performance
- Compliance with requirements to fully and accurately disclose income information in a timely manner
- Requirement to Return Assistance Paid in Error due to under-reporting income or un-reported income
- Unit Maintenance/Damage
- Record of Disturbing Neighbors
- Complaints

If information obtained is negative the applicant will be rejected. Negative responses include but are not limited to:

- A pattern of failure to comply with the lease
- A pattern of failure to comply with House Rules, Pet Rules or Assistance Animal Rules
- Failure to fully and accurately report income, new employment or changes in household composition in a timely manner (if required)
- Providing false information
- Attempting to receive or receiving HUD assistance in multiple units/homes
- Slow or no response to requests to recertify
- Poor rental payment history (average more than two (2) late payments per year, record of bounced checks, any outstanding balance)
- A pattern of poor unit maintenance or damage to the unit beyond normal wear-and-tear
- Complaints from neighbors regarding actions that directly affect the peace and quiet comfort of others living in the community



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- Record of actions that interfered with or prevented the previous landlord from effectively managing the property.
- A pattern of outstanding balances owed by any household member to a prior landlord

If the applicant has no landlord history, the landlord screening will be considered “positive”.

### **SCREENING FOR RECEIPT OF HUD ASSISTANCE IN ANOTHER UNIT (PBRA ONLY)**

All applicants must disclose if they are currently receiving HUD housing assistance. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit on this property. HUD provides the owner/agent with information about an applicant's current status as a HUD housing assistance recipient.

The owner/agent will use the **Existing Tenant Report** provided via HUD's Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD housing assistance. This applies to all household members and to new members of an existing household, including minors, foster children/adults, and live-in aides.

Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin. Special consideration applies to:

- Minor children where two assisted families share custody
- Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit (*Split household/Swap household*)

If the owner/agent/agent discovers a discrepancy between the information on the application and the information provided by EIV, the applicant will be notified and will have **5 business days** to respond to the inquiry.

If an applicant fails to fully and accurately disclose receipt of HUD assistance or rental history, the application will be rejected and the applicant and all members of the applicant household will be removed from the waiting list.

If any household member receives or attempts to receive HUD housing assistance while receiving HUD housing assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges.

### **REJECTING INELIGIBLE OR UNQUALIFIED APPLICANTS**

The owner/agent reserves the right to reject applicants for admission based on any of the following:

- No unit of the appropriate size exists on the property
- The household fails to meet the HUD indicated eligibility requirements for the assistance program/property
- Any non-exempt member of the household fails to provide a Social Security Number or adequate documentation to verify the Social Security Number (SSN)
- Any member of the household fails to meet the applicant screening requirements





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- Any member of the household fails to sign appropriate verification documents
- Misrepresentation
- Fraud
- Any member of the household fails to respond to management inquiries for additional information during the application process
- The owner/agent is unable to contact the applicant via US Mail (letters undeliverable or returned) and/or by phone (number disconnected or changed)
- Any member of the household has a record of eviction, for lease violations, from any property managed by the owner/agent or HACA
- Any member of the household has a pattern of eviction, for lease violations, from any property within the last two years
- There is a pattern of outstanding or overdue payments to a previous landlord
- There is record of outstanding or overdue payments to HUD
- The household is unable to establish utilities in the new unit
- The household is unable to pay the security deposit required
- The household is unable to take possession of the unit within the timeframes outlined in this plan
- The household is unable to pay the first month's rent (TTP)
- The household does not have a need for an accessible unit and refuses one unit offer

### **REJECTION NOTICES**

The owner/agent will promptly notify the household (Head-of-Household (HOH)), in writing, of the denial of admission or assistance. A rejection letter will be sent to the Head-of-Household via First Class Mail. The rejection letter will include the reason(s) for the rejection.

### **APPEALING THE DECISION TO REJECT**

Any applicant may make a request to appeal the denial in writing within **fifteen (15) calendar days from the date of the rejection**. The owner/agent will accept the request in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability. Such requests are to be submitted to the Admissions Department in HACA's central office building. If there is no appeal request **within fifteen (15) days**, the rejection will be considered final. Reasons to appeal include:

- The applicant believes the decision has been made in error
- The applicant believes there are extenuating circumstances that should be considered
- The applicant or a member of the applicant's household is a victim of abuse covered by the Violence Against Women Act and the applicant feels the applicant's status as a victim contributes to the decision to deny
- The applicant or a member of the applicant's household is a person with a disability, and the applicant believes a reasonable accommodation would allow the owner/agent to continue processing the application
- The applicant's household was rejected because the application includes someone who is a registered sex offender and the applicant wishes to remove that household member

Any staff person engaged in the initial review will not be involved in the appeal. HACA's designated hearing officer will conduct the informal review.

Applicants may bring a representative to assist in the appeal meeting. Applicants and/or their representatives have the right to request a reasonable accommodation to:



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- Assist in facilitating your request for appeal
- To assist in your participation during the appeal meeting

The hearing officer will provide written notification of a final decision within ten (10) business days of the informal review.

For complete details about the appeals process, see the Grievance and Appeals Policy. This policy is available upon request.

### **INFORMAL HEARINGS FOR PBRA APPLICANTS**

Through PIH Notice 2012-32 Rev. 2, HUD provided guidance that the grievance procedures afforded to families living in Conventional Public Housing before conversion through RAD to Project Based Rental Assistance (PBRA) must be continued after the conversion. Below is the full account of all grievance procedures for applicants to the PBRA property.

When the owner/agent makes a decision that has a negative impact on an applicant family, the family is often entitled to appeal the decision. For applicants, the appeal takes the form of an informal hearing. HUD regulations do not provide a structure for or requirements regarding informal hearings for applicants (except with regard to citizenship status, to be covered in Part II). This part discusses the owner/agent's policies necessary to respond to applicant appeals through the informal hearing process.

### ***INFORMAL HEARING PROCESS [24 CFR 960.208(A) AND PH Occ GB, P. 58]***

Informal hearings are provided for PBRA applicants. An applicant is someone who has applied for admission to the PBRA program, but is not yet a resident in the program. Informal hearings are intended to provide a means for an applicant to dispute a determination of ineligibility for admission to a project [24 CFR 960.208(a)]. Applicants to PBRA are not entitled to the same hearing process afforded residents in the owner/agent grievance procedure [24 CFR 966.53(a) and PH Occ GB, p. 58].

Informal hearings provide the applicant a means to hear the details of the reasons for rejection, and an opportunity to present evidence to the contrary if available and to claim mitigating circumstances if possible.

- Use of Informal Hearing Process  
The owner/agent will only offer the opportunity of an informal hearing to applicants who have been determined as ineligible for admission.
- Notice of Denial  
The owner/agent will give an applicant prompt notice of a decision denying eligibility for admission. The notice will contain a brief statement of the reasons for the owner/agent's decision, and will also state that the applicant may request an informal hearing to dispute the decision. The notice must describe how to obtain the informal hearing.

The Notice of Denial letter will inform the applicant that he/she has a right to be represented by legal counsel when disputing the owner/agent's decision denying eligibility for admission.

Prior to notification of denial based on information obtained from criminal or sex offender registration records, the family, in some cases, must be given the opportunity to dispute the information in those records which would be the basis of the denial.



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- Scheduling an Informal Hearing

A request for an informal hearing must be made in writing and delivered to the owner/agent either in person, by fax, by email or by first class mail, by the close of the business day, no later than 15 calendar days from the date of owner/agent's notification of denial of admission.

Owner/agent will send written notice of the informal hearing within 30 business days of the family's request. Owner/agent will make every effort to hold the hearing within 45 calendar days of receiving the request for the hearing.

- Conducting an Informal Hearing [PH Occ GB, p. 58]

The informal hearing will be conducted by an appointed Hearing Officer who is a person other than the one who made the decision under review, or a subordinate of this person.

The applicant will be provided an opportunity to present written or oral objections to the decision of the owner/agent.

The Hearing Officer will render a decision on whether admission should be granted or denied.

- Informal Hearing Decision [PH Occ GB, p. 58]

The owner/agent will notify the applicant of owner/agent's final decision, including a brief statement of the reasons for the final decision.

In rendering a decision, the owner/agent will evaluate the following matters:

- Whether or not the grounds for denial were stated factually in the notice.
- The validity of grounds for denial of admission. If the grounds for denial are not specified in the regulations or in the owner/agent's policy, then the decision to deny assistance will be overturned. See the Tenant Selection Plan for a detailed discussion of the grounds for applicant denial.
- The validity of the evidence. The owner/agent will evaluate whether the facts presented prove the grounds for denial of admission. If the facts prove that there are grounds for denial, and the denial is required by HUD, the owner/agent will uphold the decision to deny admission.
- If the facts prove the grounds for denial, the Hearing Officer will make the final decision to deny admissions.

The owner/agent will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice will be mailed within 15 calendar days of the informal hearing to the applicant and his or her representative, if any.

If the informal hearing decision overturns the denial, processing for admission will resume. The owner/agent will make every effort to resume the screening process for reinstated applicants within 20 calendar days of the hearing decision.

If the family fails to appear for their informal hearing, the denial of admission will stand and the family will be so notified.

The applicant may request that the Hearing Officer consider a request for Reasonable Accommodations under the Fair Housing Act and Section 504 with respect to past conduct (see below).



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If the basis for the denial relates to family violence, the applicant may qualify for an exception under the Violence Against Women Amendments.

The Notice of Denial letter will inform the applicant that he/she has a right to be represented by legal counsel when disputing the owner/agent's decision denying eligibility for admission.

### ***REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES [24 CFR 966.7]***

Persons with disabilities may request reasonable accommodations to participate in the informal hearing process and the owner/agent must consider such accommodations. The owner/agent must also consider reasonable accommodation requests pertaining to the reasons for denial if related to the person's disability. See the Reasonable Accommodation Policy for more detail pertaining to reasonable accommodation requests.

### ***HEARING AND APPEAL PROVISIONS FOR NON-CITIZENS [24 CFR 5.514]***

Denial or termination of assistance based on immigration status is subject to special hearing and notice rules. These special hearings are referred to in the regulations as informal hearings, but the requirements for such hearings are different from the informal hearings used to deny applicants for reasons other than immigration status.

Assistance to a family may not be delayed, denied or terminated on the basis of immigration status at any time prior to a decision under the United States Citizenship and Immigration Services (USCIS) appeal process. Assistance to a family may not be terminated or denied while the owner/agent's hearing is pending, but assistance to an applicant may be delayed pending the completion of the informal hearing.

A decision against a family member, issued in accordance with the USCIS appeal process or the owner/agent's informal hearing process, does not preclude the family from exercising the right, that may otherwise be available, to seek redress directly through judicial procedures.

- Notice of Denial or Termination of Assistance [24 CFR 5.514(d)]  
The notice of denial or termination of assistance for noncitizens must advise the family of any of the following that apply:
  - That financial assistance will be denied or terminated, and provide a brief explanation of the reasons for the proposed denial or termination of assistance.
  - The family may be eligible for proration of assistance.
  - In the case of a resident, the criteria and procedures for obtaining relief under the provisions for preservation of families [24 CFR 5.514 and 5.518].
  - That the family has a right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or explanation in support of the appeal.
  - That the family has a right to request an informal hearing with the owner/agent either upon completion of the USCIS appeal or in lieu of the USCIS appeal.
  - For applicants, assistance may not be delayed until the conclusion of the USCIS appeal process, but assistance may be delayed during the period of the informal hearing process.
- United States Citizenship and Immigration Services Appeal Process [24 CFR 5.514(e)]  
When the owner/agent receives notification that the USCIS secondary verification failed to confirm eligible immigration status, the following process will be observed:



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- The owner/agent will notify the family of the results of the USCIS verification within 10 calendar days of receiving the results.
- The family will have 30 days from the date of the owner/agent's notification to request an appeal of the USCIS results. The request for appeal must be made by the family in writing directly to the USCIS.
- The family must provide the owner/agent with a copy of the written request for appeal and proof of mailing within 10 calendar days of sending the request to USCIS.

The family must forward to the designated USCIS office any additional documentation or written explanation in support of the appeal. This material must include a copy of the USCIS document verification request (used to process the secondary request) or such other form specified by the USCIS, and a letter indicating that the family is requesting an appeal of the USCIS immigration status verification results.

The USCIS will notify the family, with a copy to the owner/agent, of its decision. When the USCIS notifies the owner/agent of the decision, the owner/agent must notify the family of its right to request an informal hearing.

The owner/agent will send written notice to the family of its right to request an informal hearing within 10 business days of receiving notice of the USCIS decision regarding the family's immigration status.

- Informal Hearing Procedures for Applicants [24 CFR 5.514(f)]  
After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, an applicant family may request that the owner/agent provide a hearing. The request for a hearing must be made either within 30 days of receipt of the owner/agent's notice of denial, or within 30 days of receipt of the USCIS appeal decision.

The informal hearing procedures for applicant families are described below.

- **Informal Hearing Officer**  
The owner/agent must provide an informal hearing before an impartial individual, other than a person who made or approved the decision under review, and other than a person who is a subordinate of the person who made or approved the decision.
- **Evidence**  
The family will be provided the opportunity to examine and copy at the family's expense or \$.10 per page, at a reasonable time in advance of the hearing, any documents in the possession of the owner/agent pertaining to the family's eligibility status or in the possession of the USCIS (as permitted by USCIS requirements), including any records and regulations that may be relevant to the hearing.

The family will be provided the opportunity to present evidence and arguments in support of eligible status. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The family must also be provided the opportunity to refute evidence relied upon by the owner/agent, and to confront and cross-examine all witnesses on whose testimony or information the owner/agent relies.



- ***Representation and Interpretive Services***

The family is entitled to be represented by an attorney or other designee, at the family's expense, and to have such person make statements on the family's behalf.

The family is entitled to arrange for an interpreter to attend the hearing, at the expense of the family, or the owner/agent, as may be agreed upon by the two parties. If the family does not arrange for their own interpreter, the owner/agent is still obligated to provide oral translation services in accordance with its LEP Plan.

- ***Recording of the Hearing***

The family is entitled to have the hearing recorded by audiotape. The owner/agent will not provide a transcript of an audio taped informal hearing.

- ***Hearing Decision***

The owner/agent must provide the family with a written notice of the final decision, based solely on the facts presented at the hearing, within 10 business days of the date of the informal hearing. The notice must state the basis for the decision.

- ***Retention of Documents [24 CFR 5.514(h)]***

The owner/agent must retain for a minimum of 5 years the following documents that may have been submitted to the owner/agent by the family, or provided to the owner/agent as part of the USCIS appeal or the owner/agent's informal hearing process:

- The application for assistance
- The form completed by the family for income reexamination
- Photocopies of any original documents, including original USCIS documents
- The signed verification consent form
- The USCIS verification results
- The request for a USCIS appeal
- The final USCIS determination
- The request for an informal hearing
- The final informal hearing decision

### **OFFERING AN APARTMENT**

When a unit becomes available and eligibility is determined, available units will be offered using one or more of the following methods:

- In writing, using the mailing address provided by the applicant family.
- Over the phone, using the contact phone numbers provided by the applicant family.
- By email, using the contact email address(es) provided by the applicant family.

If the owner/agent is unable to contact the household within five (5) business days from the date of the letter, the offer will be cancelled and the apartment will be offered to the next applicant based on the selection criteria described in this plan.

Failure to respond to the owner/agent will be considered a refusal of the unit offer. (See Right to Refusal policies.) It is the applicant family's responsibility to keep all contact information current with the Admissions Department.





### ***OFFERING ACCESSIBLE UNITS***

Units that have been made accessible in accordance with the Universal Federal Accessibility Standards or the Americans with Disabilities Act Accessibility Guidelines will be offered to applicant households with disabled members first. In some cases, the owner/agent may implement marketing effort to ensure that disabled households occupy accessible units.

Units with communication accessible features will be offered to households with a verified need for communication accessible units first.

Units with mobility accessible features will be offered to households with a verified need for mobility accessible units first.

After move-in, if the members of the household who required the special features of the accessible unit no longer reside in the unit, and where the lease permits, the owner/agent will require the remaining members of the household to move to a unit without accessibility features when such a unit of the appropriate size becomes available.

If there is no household on the waiting list that has requested an accessible unit, the unit will then be offered to the next household based on the selection order. Before the applicant can accept that accessible unit, all adult members of the applicant household must sign an agreement that includes a requirement to move, at the household's expense, to the first available non-accessible unit that meets the household's occupancy requirements as described in this plan. The resident household will not be required to move if:

- No unit that meets the household's occupancy requirements is available
- There is no applicant household on the waiting list requesting an accessible unit

In either of the cases above, the household must take possession of the unit within the timeframes outlined in this plan. If the applicant fails to move in within the established timeframes, assistance will be terminated. This rule in no way affects the single residence criteria. The household can only accept assistance in one unit on any given day.

### ***OFFERING UNITS TO DISABLED APPLICANTS REQUESTING ACCESSIBILITY FEATURES***

The owner/agent will not skip over a household that has reached the top of the waiting list and has indicated a need for certain unit features because of a disability.

The household will be given the opportunity to benefit from the program and decide, in compliance with the Fair Housing Act and Section 504, whether a unit meets the needs of the disabled household member. The household may accept the unit and request some modification to the unit as a reasonable accommodation. See the owner/agent's Reasonable Accommodation Policy in Appendix A for information about requesting a reasonable modification.

### ***OFFERING UNITS TO APPLICANTS OR RESIDENTS WITH PREFERENCES***

Applicants/residents with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference.

### ***APPLICANT/RESIDENT SELECTION ORDER***

**Accessible Apartments** will be offered in the following order:



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- \*The next household on the transfer list who is requesting an accessible unit. Offers will be made in order according to the weighted transfer list preferences:
  - Emergency / Safety (with need for an accessible unit)
  - Reasonable Accommodation (with need for an accessible unit)
  - Over Housed (with need for an accessible unit)
  - Under Housed (with need for an accessible unit)
- The next applicant on the waiting list who is requesting an accessible unit. Offers will be made in order according to the weighted waiting list preferences:
  - HACA Resident VAWA preference (with need for an accessible unit)
  - Involuntarily Displaced preference (with need for an accessible unit)
  - Disability preference (with need for an accessible unit)
- \*When there is no one in need of the accessibility features for this unit, the offer will be given to the next household on the transfer list. Offers will be made in order according to the weighted transfer list preferences:
  - Emergency / Safety
  - Reasonable Accommodation
  - Over Housed
  - Under Housed
- When there is no one in need of the accessibility features of this unit, the offer will be given to the next applicant on the waiting list. Offers will be made in order according to the weighted waiting list preferences:
  - HACA Resident VAWA
  - Involuntarily Displaced
  - Disability

***\*Note: If the next family on the transfer list is currently over 140% of the LIHTC income limit for their family size, a transfer will only be offered to another unit in the same building, in accord with the LIHTC "Next Available Unit" rule. The definition of "building" for this property is outlined on IRS Form 8806. In this case, if the family cannot move to another building, the offer will be made to the next family on the transfer list.***

**Standard Apartments** will be offered in the following order:

- \*The next household on the transfer list, regardless of need for an accessible unit. Offers will be made in order according to the weighted transfer list preferences:
  - Emergency / Safety
  - Reasonable Accommodation
  - Over Housed
  - Under Housed
  - Resident has no need for accessible feature in current unit



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- The next applicant on the waiting list, regardless of need for an accessible unit. Offers will be made in order according to the weighted waiting list preferences:
  - HACA Resident VAWA
  - Involuntarily Displaced
  - Disability

***\*Note: If the next family on the transfer list is currently over 140% of the LIHTC income limit for their family size, a transfer will only be offered to another unit in the same building, in accord with the LIHTC "Next Available Unit" rule. The definition of "building" for this property is outlined on IRS Form 8806. In this case, if the family cannot move to another building, the offer will be made to the next family on the transfer list.***

### **RIGHT TO REFUSAL**

The Right to Refusal Policy applies to applicants and existing residents who have submitted a Unit Transfer Request. Residents requesting unit transfer and applicants will be offered available units based on the information included in this resident selection plan.

Each household will only be offered the opportunity to accept an offered apartment one (1) time. If a resident/applicant does not wish to accept an offered apartment, they have the right to refuse the offer.

Residents/applicants must notify the owner/agent of their intent to refuse the unit offer by using one or more of the following methods:

- In writing (delivered by fax, mail or other means)
- By email
- Over the phone

***Note: If the refusal is made over the phone, contact must be made with a member of the management staff. Leaving a message is not adequate.***

When an applicant or resident refuses a unit, the unit will be offered to the next qualified household based on the selection order described above.

When a resident refuses a transfer offer, the terms of the lease require that the assistance be terminated and the resident be required to pay the full contract rent.

When an applicant refuses an offered unit, the household will be removed from the waiting list and will have to wait one calendar year before applying again.

Right to refusal policies will be modified in two cases:

- If a disabled applicant or resident is at the top of the waiting list, they will be offered units as they become available regardless of whether they include accessible features. A disabled household has the right to refuse an unlimited number of non-accessible units or units that do not meet the specific accessibility requirements for the family. This modification applies only when the offered unit is a non-accessible unit. The one refusal limit still applies when an accessible unit which meets the family's requirements is offered. Note: *Certain restrictions apply to non-elderly disabled households when HUD's program eligibility requires the need for an accessible unit.*



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- If an applicant or resident household with no disabled members is at the top of the waiting list, and there are no disabled households on the waiting list, that household may be offered an accessible unit. An applicant household with no disabled household members has the right to refuse an unlimited number of accessible units or units that do not meet their needs.

### ***TIMEFRAME FOR TAKING POSSESSION OF A UNIT BY AN APPLICANT FAMILY***

When a housing offer is made, the applicant family must meet the following timeframes for taking possession of the offered unit:

- Within 2 business days from the date the offer is received, the applicant family must make contact with the property management staff. At that time, the property management staff will notify the family of the anticipated date that the unit will be available to be viewed.
- Once the unit is ready to view, the property management will schedule an appointment to view the unit. Failure to attend the scheduled appointment is considered a rejection of the housing offer.
- Within 3 calendar days of viewing the unit, the applicant family must accept or reject the unit. No response by close of business on the third day is considered a rejection of the housing offer.
- Within 2 calendar days of accepting an offer, the applicant family must pay the security deposit and the prorated first month's rent. At that time, the family will receive the keys and are considered to have taken possession of the unit. Failure to take possession of the unit by close of business on the second day is considered a rejection of the unit.

When the first housing offer is rejected and a second (or subsequent) offer is made, the applicant family must meet the following timeframes for taking possession of the offered unit:

- Within 2 business days from the date the offer is received, the applicant family must make contact with the property management staff. At that time, the property management staff will schedule an appointment to view the unit. Failure to attend the scheduled appointment is considered a rejection of the housing offer.
- Within 4 calendar days of viewing the unit, the applicant family must accept or reject the unit. No response by close of business on the third day is considered a rejection of the housing offer.
- Within 4 calendar days of accepting an offer, the applicant family must pay the security deposit and the prorated first month's rent. At that time, the family will receive the keys and are considered to have taken possession of the unit. Failure to take possession of the unit by close of business on the second day is considered a rejection of the unit.

If the applicant household does not complete appropriate paperwork and does not take possession of the unit within the timeframes outlined above, the applicant will be subsequently rejected and removed from the waiting list. Extenuating circumstances will be considered, including the following:

- The family is dealing with a documented medical or other family emergency. In this case the owner/agent and family will negotiate an appropriate solution which may include offering the family the next unit.
- The family is required to give 30 days' notice to their current landlord which is part of another federally assisted housing program.



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When the family rejects the unit or does not meet the outlined timeframes, the owner/agent reserves the right to refuse subsequent applications. The unit will be offered to the next eligible applicant/resident based on the selection order described in this plan.

### **UNIT TRANSFER POLICIES**

The owner/agent will accept requests for transfer in the following situations:

- **Emergency / Safety:** The household needs to move due to a life-threatening situation. Life-threatening situations include the following:
  - Due to no fault of the resident(s), the unit is uninhabitable and cannot be made habitable in a reasonable amount of time;
  - A household member has experienced a medical condition which makes the current unit uninhabitable or unsafe;
  - A household member is in danger of retaliation;
  - A household member is a victim of domestic violence and qualifies for VAWA protections.
- **Reasonable Accommodation:** A family member has a verified need for an accessible unit.
- **Over Housed:** The household is in a unit that is larger than they qualify for according to the owner/agent's subsidy standards.
- **Under Housed:** The household is in a unit that is smaller than they qualify for according to the owner/agent's subsidy standards.
- **Unneeded Accessibility Feature:** The family does not require or no longer needs the accessibility features of a unit in which they are living. However, another family does need that accessibility feature.

Unit transfer requests that do not fall into one of these categories will not be approved. Families requesting to move for any other reason will be provided with information on how to apply for housing assistance at the other properties managed or owned and operated by the Housing Authority of the City of Austin.

Existing residents must complete a Unit Transfer Request. The Unit Transfer Request must be completed and signed by the head of household and all adult household members who wish to move. The owner/agent will accept the Unit Transfer Request in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

Special consideration is given when the unit transfer is requested because there is:

- A verified medical need for a different unit
- A verified need for an accessible unit
- There is a need for a unit transfer of a household that does not require the accessibility features of a unit in which they are living to accommodate a disabled resident/applicant on the waiting list.
- A change in household size that makes the current unit too large or too small for the family based on the owner/agent's occupancy standards

With the exception of Emergencies and Reasonable Accommodations, unit transfers will be granted only if:

- The household has not given notice to move
- The resident is not being evicted
- The resident is current for all outstanding charges
- The resident complies with lease provisions regarding decent safe and sanitary conditions of current unit



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A household living in an apartment too large for its needs will not be required to move if there are no applicants waiting for the bedroom size to be vacated by the transfer. An appropriate sized unit will be available before the resident household is required to move. At that time, the household will have thirty (30) days to complete the transfer.

A household whose annual gross income is over 140% of the LIHTC income limit for their household size will only be allowed to transfer to another unit within their same building (as defined by *BIN – Building Identification Number* – on IRS Form 8609).

### ***SECURITY DEPOSITS, PET DEPOSITS & UNIT TRANSFERS***

When a resident transfers to a new unit with all other household members, the owner/agent will charge a new security deposit and refund the security deposit for the old unit less any outstanding amounts for rent, fees or damages. If the move out expenses exceed the security deposit, the family will receive an itemized bill which must be paid within 30 days of receipt of the bill.

When a resident owns a pet, the original unit will be assessed for damages caused by the pet. The pet deposit will be reduced by charges for those damages and the resident will be required to obtain a pet deposit balance of \$100.00 per animal for the new unit. The resident will be allowed to pay the new pet deposit balance due in \$10.00 monthly payments until the \$100.00 pet deposit balance is reached.

### ***SECURITY DEPOSITS & UNIT TRANSFERS***

When a resident transfers to a new unit with all other household members, the owner/agent will charge a new security deposit and refund the security deposit for the old unit less any outstanding amounts for rent, fees or damages. If the move out expenses exceed the security deposit, the family will receive an itemized bill which must be paid within 30 days of receipt of the bill.

### **CHANGES IN HOUSEHOLD COMPOSITION**

#### ***ADDING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY***

The owner/agent must approve any new adult household member **before** he/she moves in to the unit. Eligibility criteria, screening criteria and compliance with occupancy standards will be reviewed before the new household member is approved or denied.

The request to add a new household member will not be considered if the resident has provided notice to vacate the unit. This helps prevent applicants from “jumping” ahead on the waiting list.

Any new adult household member will be considered an applicant and must participate in the eligibility determination and screening processes described in the tenant selection plan in place at the time of the eligibility determination.

(For PBRA Only) In addition, the rent/assistance payment will be re-calculated to reflect any income or allowances for the new household member. If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the addition of the new household member.

This policy applies to live-in aides as well. Screening criteria will also be applied to live-in aides, **except for the criterion regarding credit performance or the ability to pay rent on time** because live-in aides are not





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responsible for rental payments. However, live in aides must meet other screening criteria established by the owner/agent. Income and/or allowances received by live-in aides will not be considered.

Information about new household members who are minors must be provided to the owner/agent as quickly as possible but within no more than thirty (30) calendar days. This includes, as applicable, required eligibility information including Social Security Numbers, proof of citizenship or non-citizen eligibility and other pertinent information.

If the new household member is under the age of six, special consideration regarding Social Security Number disclosure and verification of Social Security Numbers is given. The household will be given ninety (90) calendar days to provide the Social Security Number and adequate documentation to verify the Social Security Number provided. In some cases, an additional ninety (90) days may be provided.

If the household fails to provide the required Social Security Number information within the allotted timeframe, the household's tenancy will be terminated (eviction) in accordance with HUD requirements.

(For PBRA Only) Each dependent child that lives in the unit may be eligible for a \$480 deduction that decreases the monthly rent payment by roughly \$12.00 per month. The rent payment will be re-calculated to reflect any income or allowances for the new household member.

If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the addition of the new household member.

Failure to notify the owner/agent about changes in household composition as described above may result in retroactive rent changes and/or termination of subsidy/tenancy for the entire household. Please contact the owner/agent or property staff if you have questions about this policy.

### ***REMOVING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY***

Residents must notify the owner/agent if any household member listed on the lease, on HUD Form 50059 or on the LIHTC Tenant Income Certification (TIC) leaves the unit. This notification must occur as quickly as possible but within no more than thirty (30) calendar days.

(For PBRA Only) Upon notice, the rent payment will be re-calculated to remove any income or allowances for the previous household member. If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the removal of the household member.

Failure to provide notice to the owner/agent, within thirty (30) days, could result in rent increases retroactive to the first of the month after the household member left. Subsidy paid in error will be returned, as required, to the Department of Housing & Urban Development.

If the resident fails to notify the owner/agent of a change in household composition within thirty (30) calendar days, and that change would result in a rent decrease, the owner/agent will make the decrease effective the first of the month following the notice. No retroactive rent credits will be returned to the resident.



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Failure to notify the owner/agent about changes in household composition may result in termination of subsidy and/or tenancy for the entire household. Please contact the owner/agent if you have questions about this policy.

### **APARTMENT INSPECTIONS**

All apartments must undergo periodic inspection conducted by the on-site management team, HUD or HUD's representatives/agents. These inspections include not only interior but also exterior inspections. Residents have the right to be present, and are, in fact encouraged, to be present during unit inspection.

**The move-in inspection** is an opportunity to familiarize the new resident with the property and the unit, as well as to document its current condition. By performing move-in inspections, the owner/agent and residents are assured that the unit is in livable condition and is free of damages. A move-in inspection gives the owner/agent an opportunity to familiarize residents with the operation of appliances and equipment in the unit.

**The move-out inspection** is conducted when a household vacates a unit. The owner/agent will list the damages on the Unit Inspection Form and compare it with the Unit Inspection Form completed at move-in to determine if there is any damage or excessive wear-and-tear.

In addition, the owner/agent will perform **unit inspections on at least an annual basis** to determine whether the appliances and equipment in the unit are functioning properly and to assess whether a component needs to be repaired or replaced.

This is also an opportunity to determine any damage to the unit and, if so, make the necessary repairs. At this time, residents may be charged for damages to the unit so long as those damages are not the result of normal wear-and-tear.

**Housekeeping inspections** will be conducted on a semi-annual (every 6 months) basis. Housekeeping inspections provide the owner/agent the opportunity to verify that the unit is being properly cared for and to verify the need for any necessary repairs.

**TDHCA and HUD, or its authorized contractor(s), have the right to inspect the units** and the entire property to ensure that the property is being well maintained. These inspections assure HUD that owner/agents and their agents are fulfilling their obligations under the regulatory agreements and/or subsidy contracts and that residents are provided with decent, safe, and sanitary housing.

### **CHANGES TO THE RESIDENT SELECTION PLAN**

Applicants will be notified in writing when the resident selection plan undergoes significant change or when preferences are added or removed. At that time, applicants will be:

- Given an opportunity to review the new plan
- Notified of changes to preferences
- Asked if they wish to remain on the waiting list

If the applicant household does not respond, that household will be deemed ineligible and removed from the waiting list.

The current resident selection plan, in place at the time of final eligibility determination, will be used to make a final decision to approve or reject the application.



### **APPENDIX A – REQUEST FOR REASONABLE ACCOMMODATION OR MODIFICATION**

The owner/agent is committed to complying with the Fair Housing Act and Section 504 of the Rehabilitation Act by ensuring that its policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of housing services or programs solely on the basis of such disabilities.

If an individual with a disability requests an accommodation or modification, the owner/agent will fulfill these requests, unless doing so would result in a fundamental alteration in the nature of the program or create an undue financial and administrative burden. In such a case, if possible, the owner/agent will offer an alternative solution that would not result in a financial or administrative burden.

- The owner/agent informs all applicants/residents that, at any time, the applicant/resident or a person acting on behalf of the applicant/resident may make a request for reasonable accommodation or modification for an individual with a disability.
- At the time of application, all applicants are provided with a copy of the Reasonable Accommodation - Modification Policy. This is provided in writing as part of the Application Package or, upon the applicant's request, the Policy will be provided in an equally effective format.
- All applicants/residents are provided with a Reasonable Accommodation/Modification Request Form when requesting a reasonable accommodation or modification. The request will be accepted in an equally effective format, as a reasonable accommodation, if there is the presence of a disability. A resident or applicant may submit the request in writing, orally, or use another equally effective means of communication to request an accommodation or modification.
- Residents and applicants may contact the management office located within their property for information about requests.
- The owner/agent will provide an initial reply to requests as quickly as possible, but no more than ten (10) business days from the receipt of the request unless the owner/agent explains the delay. Response may include but is not limited to:
  - Request Approval
  - Request Denial
  - Request for Additional Information or Verification of Need
- The owner/agent will consent to or deny the request as quickly as possible. Unless the owner/agent explains the delay, the applicant/resident will be notified of the decision to consent or deny within no more than thirty (30) calendar days after receiving all necessary information and documentation from the resident and/or appropriate verification sources. All decisions to grant or deny reasonable accommodations will be communicated in writing or, if required/requested, in an alternative format. Exceptions to the thirty (30) day period for notification of the owner/agent's decision on the request will be provided to the resident setting forth the reasons for the delay.
- If the request for reasonable accommodation or modification is denied, the requestor has the right to appeal the decision within fifteen (15) business days of the date of the written notification of denial. The appeal meeting will be conducted by a person who was not originally involved in the decision to deny.

For full explanation of reasonable accommodation requests, see the owner/agent's Reasonable Accommodation policy. The policy is available upon request.



### **APPENDIX B – CITIZEN/NON-CITIZEN ELIGIBILITY**

Applicants are required to declare U.S. Citizenship or submit evidence of eligible immigration status for each of household member seeking housing assistance. The owner/agent is required to obtain the following documents:

- Family Composition List (lists all household members who will reside in the assisted unit)
- Citizenship Declaration (Each household member listed on the Household Summary Sheet must complete)
- Forms and/or evidence of citizen/immigration status

If you have any questions or difficulty in providing the described information or determining the type of documentation required, please contact the management office. If you are unable to provide the required documentation in the timeframe indicated, you must contact the management office and request an extension. If you fail to provide this information, the owner/agent cannot provide assistance.

The owner/agent will offer the household assistance, providing subsidy to those household members whose documents were received on time when the following criteria is met:

- Assistance/unit is available
- The household has come to the top of the waiting list
- At least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible based on all of the criteria in this resident selection plan

If any household member is determined to be an ineligible non-citizen, either at application or after move-in, assistance may be prorated or terminated.

### **REQUIRED DOCUMENTATION**

The owner/agent must obtain the following documentation for each household member regardless of age:

- ☐ From U.S. citizens, a signed declaration of citizenship. The owner/agent requires verification of the declaration. The following documents will be accepted as proof of citizenship
  - United States (U.S.) Passport
  - U.S. birth certificate
  - Other documentation as provided by HUD or DHS
- ☐ From non-citizens claiming eligible status who is 62 or older:
  - A signed declaration of eligible immigration status and
  - Proof of age
- ☐ From non-citizens claiming eligible status who is not 62 or older:
  - A signed declaration of eligible immigration status **and**
  - A signed consent form **and**
  - One of the DHS-approved documents
    - Form I-551, *Permanent Resident Card*.
    - Form 1-94, *Arrival-Departure Record* annotated with one of the following:
      - “Admitted as a Refugee Pursuant to Section 207”;
      - “Section 208” or “Asylum”;
      - “Section 243(h)” or “Deportation stayed by Attorney General”; or
      - “Paroled Pursuant to Section 212(d)(5) of the INA.”

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- Form I-94, *Arrival-Departure Record* (with no annotation) accompanied by one of the following:
  - A final court decision granting asylum (but only if no appeal is taken);
  - A letter from an DHS asylum officer granting asylum (if application was filed on or after October 1, 1990) or from an DHS district director granting asylum (application filed was before October 1, 1990);
  - A court decision granting withholding of deportation; or
  - A letter from an asylum officer granting withholding of deportation (if application was filed on or after October 1, 1990).
- A receipt issued by the DHS indicating that an application for issuance of a replacement document in one of the above-listed categories has been made and that the applicant's entitlement to the document has been verified.
- Other acceptable evidence.

If other documents are determined by the DHS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the Federal Register.

### ***TIMEFRAMES FOR SUBMITTING EVIDENCE OF CITIZENSHIP/IMMIGRATION STATUS TO THE OWNER/AGENT***

Applicants must submit required documentation of citizenship/immigration status no later than the date the owner/agent initiates verification of other eligibility factors (pre application or application). Owner/agents determine the applicant's citizenship or immigration status during the initial eligibility determination prior to move-in.

If the applicant cannot supply the documentation within the owner/agent's specified timeframe, the owner/agent **may** grant the applicant an extension of not more than thirty (30) days, **but only if** the applicant certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation. (Although the extension period may not exceed thirty (30) days, the owner/agent may establish a shorter extension period based on the circumstances of the individual case.)

The owner/agent will inform the applicant in writing (or, if required/requested, in an alternative format) if an extension request is granted or denied. If the request is granted, the owner/agent will include the new deadline for submitting the documentation. If the request is denied, the owner/agent will state the reasons for the denial in the response. When granting or rejecting extensions, the owner/agent will treat applicants consistently.

### ***REVIEWING AND VERIFICATION OF A HOUSEHOLD'S CITIZENSHIP/IMMIGRATION STATUS***

Owner/agents will conduct primary verification through the (Systematic Alien Verification for Entitlements) SAVE ASVI database - the Department of Homeland Security (DHS) automated system. After accessing the ASIV database, the owner/agent enters the required data fields.

The system will display one of the following messages for immigration status confirmation on the screen.

- Lawful Permanent Resident
- Temporary Resident
- Conditional Resident
- Asylee
- Refugee



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- Cuban\Haitian Entrant
- Conditional Entrant

**Secondary verification.** If the message “institute secondary verification” is displayed on the screen, the manual verification process must be used.

Within ten (10) days of receiving an “Institute Secondary Verification” response, the owner/agent will prepare DHS Form G-845S, *Document Verification Request*. The owner/agent will send DHS Form G-845S and photocopies of the DHS documents submitted by the applicant to the DHS office serving the property’s jurisdiction.

The DHS will return to the owner/agent a copy of DHS Form G-845S indicating the results of the automated and manual search.

### **NOTIFICATION TO APPLICANTS**

Owner/agents will notify households in writing that they are:

- ☐ Eligible for assistance
- ☐ Eligible for partial assistance, as a mixed household

The owner/agent/agent will notify applicants and/or residents in writing if they are found to be ineligible based upon citizenship/immigration status.

### **MIXED HOUSEHOLDS**

A mixed household—a household with one or more ineligible members and one or more eligible household members—may receive:

- Prorated assistance
- Continued assistance

### **APPEALING DETERMINATIONS OF INELIGIBILITY**

The owner/agent will notify the household in writing as soon as possible if the secondary verification process returns a negative result.

The applicant or resident has thirty (30) days from receipt of the notice to choose which option to follow.

The applicant or resident may appeal the owner/agent’s decision directly to the DHS. The applicant or resident must send a copy of the appeal directly to the owner/agent. The DHS should respond to the appeal within thirty (30) days.

If the DHS decision results in a positive determination of eligibility, the owner/agent can provide the appropriate housing assistance. If the DHS decision results in a negative determination of eligibility, the household has **thirty (30) days** to request a hearing with the owner/agent.

### **PROHIBITION AGAINST DELAY OF ASSISTANCE**

Owner/agents may not delay the household’s assistance if the applicant or resident submitted immigration information in a timely manner but the DHS verification or appeals process has not been completed.





## (Property Name) Tenant Selection Plan

If a unit is available, the household has come to the top of the waiting list, and at least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible, the owner/agent will offer the household a unit and provide full assistance to those household members whose documents were received on time. The owner/agent will continue to provide full assistance to such households until information establishing the immigration status of any remaining non-citizen household members has been received and verified.



**APPENDIX C: DUAL SUBSIDY NOTICE**

I understand that my application to move to **NAME OF PROPERTY** with the rest of my household members has met preliminary eligibility requirements.

I have indicated, on the application, that:

1. ☐ I am not currently receiving HUD assistance in another unit
2. ☐ I am currently receiving HUD assistance in another unit.

According to the current HUD lease, if I am living in a community and receiving HUD project-based assistance, I must provide a 30-day notice to the agent managing the property where assistance is currently provided.

*If the owner/agent discovers that any household member failed to move out of a HUD assisted residence before moving to **NAME OF PROPERTY**, no rent subsidy or utility allowance will be provided by the Department of Housing and Urban Development until the day after the move out is complete. Household members who signed the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD.*

3. ☐ I am the recipient of a housing voucher.

I understand that HUD prohibits residents from benefiting from Housing Voucher assistance in a unit assisted through HUD's Section 8 program.

*I understand that HUD prohibits residents from benefiting from Housing Voucher assistance in a unit assisted through HUD's Section 8 program. When the application is submitted the household will be added to the waiting list. A unit will be offered in accordance with the resident selection plan. If the family later moves out of the project, the project subsidy will not move with the family as it does with a voucher. If you wish to participate in the voucher program after move-out, you will need to reapply to the PHA to receive another voucher.*

*All household members must be removed from or forfeit the voucher before receiving HUD assistance for a unit on this property. If the owner/agent discovers that any household member failed to give up current HUD assistance before moving to **NAME OF PROPERTY**, no rent subsidy or utility allowance will be provided by the Department of Housing and Urban Development until the day after the move out is complete.*

*Household members who signed the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD.*

This information will be verified using the Existing Tenant Report in EIV. If EIV indicates a conflict and verification information indicates that the information provided is not true, and the EIV information is verified, then the owner/agent will reject the application based on misrepresentation of information.



### **APPENDIX D – VERIFICATION OF HOUSEHOLD COMPOSITION**

In compliance with HUD's Rental Housing Integrity Improvement Project (RHIIP), the owner/agent will make every effort to ensure that the correct assistance is provided to those who seek housing assistance.

If an applicant household indicates that one or more members should be removed from the application, the owner/agent will accept such notification from the Head-of-Household (HOH) (HOH) if it is provided on a notarized form provided by the owner/agent agent. The following rules apply.

If the household is being rejected because a member is registered as a sex offender in any state lifetime sex offender registry, the owner/agent will take extra steps to ensure that the sex offender is not housed in any unit on the property. The household will have to provide documentation to prove that the sex offender will live at another location. Acceptable documentation includes, but is not limited to:

- Confirmation from a landlord with copy of an executed lease
- Confirmation from local police
- Confirmation from anyone who maintains sex offender registries including but not limited to:
  - Dru Djodin Sex Offender Registry
  - Megan's List
  - State or Federal Sex Offender Registries
- New driver's license with new address

Information will be confirmed for up to one year after move-in.

If it is discovered that the household allowed any registered sex offender to live in the unit, the applicant must understand that he/she is not qualified to receive subsidy or live on the property. All subsidy paid-in-error must be returned to HUD. Because this is a material lease violation, all household members must vacate the unit within 30 days.

One of the key requirements, at application and during residency, is to disclose who will be living in the unit at any given time. It is important to understand the difference between a resident and a guest.

**Resident:** A resident is any person who is listed on the application, on any Family Summary submitted and on the lease who will reside in the unit.

**Guest:** A guest is a person who visits any resident and may stay overnight no more than seven (7) consecutive nights in a one-year period and may stay overnight no more than thirty (30) non-consecutive nights in any one-year period without express written consent of the owner/agent.

If the owner/agent suspects that a guest should actually be classified as a resident, the owner/agent will request a meeting with the Head-of-Household (HOH).

In accordance with HUD requirements, the resident will have ten (10) days to meet with the owner/agent. Failure to respond to the request to meet will result in termination of assistance beginning the first of the month following the 10-day notice.

If the owner/agent suspects that a guest is actually living in the unit, the owner/agent will ask for verification of alternative residence. Samples of such verification include one or more of the following:



## (Property Name) Tenant Selection Plan

- Verification with the United States Postal Service that no mail, for the guest, is delivered to the unit address
- \*A current driver's license for the "guest" with an alternative address
- \*A current lease indicating an alternative residence
- \*A current utility bill in the person's name showing an alternative address
- \*A current insurance policy or other such invoice/bill showing an alternative address

*\*Current means issued/created within the last thirty (90) days.*

In addition, the resident(s), indicated on the lease, must sign a notarized statement confirming that the guest does not violate the guest policy as indicated above and does not reside in the unit.

**Live-in Aides:** A live-in aide must meet HUD's definition of a live-in aide:

- Is essential to the care and well-being of the resident
- Is not dependent on the resident for support
- Is only living in the unit to provide essential support

If a resident or applicant requests a live-in aide, the owner/agent is required to verify the need for a live-in aide using third-party verification.

Live-in Aides are required to complete the Live-in Aide Questionnaire. The information on the Live-in Aide questionnaire will be verified and the prospective live-in aide will be screened in accordance with the resident selection plan in place at the time of review. The live-in aide will not be screened for the "ability to pay rent" since the live-in aide is not responsible for rent payment.

The live-in aide must be approved and must sign the House Rules and the HUD-approved Live-in Aide Addendum before move-in. The owner/agent must sign a revised 50059 before the live-in aide is allowed to move-in. If a live-in aide moves in prior to screening and prior to signing required forms, the owner/agent will issue a notice of lease violation and may pursue other action including, but not limited to eviction of the live-in aide, termination of assistance and/or termination of tenancy.

**Children/Minors:** At move-in, all non-exempt household members, including children, must have a Social Security Number and adequate documentation to verify the Social Security Number.

When children are later added to the household, the following will be required.

For children who are born, adopted or in foster care or in another legal custodial relationship with an existing household member, the owner/agent requires the following:

- Social Security Number and proof that the number is valid
  - For children under the age of 6 years old - must be provided within ninety (90) days or owner/agent is required to terminate tenancy.
  - An additional ninety (90) may be provided if extenuating circumstances exist
- Proof of age/legal custodial arrangement
  - Birth certificate indicating that a household member is a parent; or
  - Adoption paperwork indicating that a household member is a parent as appropriate; or



## (Property Name) Tenant Selection Plan

- Verification from the foster agency indicating the unit as the primary residence of the foster child as appropriate; or
- Other documents proving legal custody arrangement as appropriate

For children who are not part of a legal custody arrangement who will be living in the unit, the owner/agent requires:

- Social Security Number and proof that the number is valid
  - For children under the age of 6 years old - must be provided within ninety (90) days or owner/agent is required to termination of tenancy. An additional ninety (90) may be provided if extenuating circumstances exist
- Two forms of proof that the child resides with a member of the household
  - Verification from a government organization indicating that the unit will be the primary residence for the minor (examples include but are not limited to school records, children services agencies, foster programs, etc.)
  - Verification from a medical professional in the know indicating that the unit will be the primary residence for the minor
  - Verification from a social service organization indicating that the unit will be the primary residence of the minor (examples include but are not limited to homeless shelters, shelters for victims of domestic violence, etc.)
  - A signed, notarized statement from an adult household member claiming guardianship of the minor child

The owner/agent does not and will not establish policies intended to exclude children. If none of the household members can provide documentation for minors, as described above, the owner/agent will meet with the resident to discuss reasonable alternatives. The owner/agent will be the final judge of what is considered adequate documentation proving household composition/residency.



#### **APPENDIX E – VAWA POLICY**

The Violence Against Women Act (VAWA) provides protections to women or men who are the victims of domestic violence, dating violence, sexual assault and/or stalking. The owner/agent understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault and/or stalking, people who have been victims of violence have certain rights under the Violence Against Women Act Reauthorization of 2013.

This policy is intended to support or assist victims of domestic violence, dating violence, sexual assault and/or stalking and protect victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing as a consequence of their status as a victim of domestic violence, sexual assault, dating violence and/or stalking.

VAWA protections are not provided to guests, unauthorized residents or service providers (including live-in aides) hired by the resident.

VAWA ensures that victims are not denied housing and housing assistance is not terminated **solely** because the person is a victim of an act covered under the VAWA (domestic violence, dating violence, stalking and/or sexual assault).

However, being a victim of an act covered under the VAWA is not reason to change the eligibility or applicant screening requirements set forth in the tenant selection plan unless such requirements interfere with protections provided under the VAWA. Being a victim of an act covered under the VAWA is not reason to waive requirements set forth in the HUD Model Lease or in any lease attachment or HUD approved lease addendum unless such requirements interfere with protections provided under the VAWA.

The owner/agent will not assume that any act is a result of abuse covered under the Violence Against Women Act. In order to receive the protections outlined in the VAWA, the applicant/resident must specify that he/she wishes to exercise these protections. If any applicant or resident wishes to exercise the protections provided in the VAWA, he/she should contact the owner/agent immediately. The owner/agent is committed to ensuring that the Privacy Act is enforced in this and all other situations.

#### **CONFIDENTIALITY**

The identity of the victim and all information provided to owner/agent relating to the incident(s) of abuse covered under the VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is

- Requested or consented to by the victim in writing;
- Required for use in an eviction proceeding or termination of assistance; or
- Otherwise required by applicable law.

The certification form provides notice to the resident of the confidentiality of the form and the limits thereof. The owner/agent will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files. If the documentation is stored electronically, the owner/agent will keep this information in an electronic file that is separate from the applicant or resident file with secured access only to authorized individuals.





## (Property Name) Tenant Selection Plan

### **REQUESTS & CERTIFICATION**

When the owner/agent responds to a request for protections provided under the VAWA the owner/agent will request that an individual complete, sign, and submit a certification form, within fourteen (14) calendar days of the request. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

If necessary, the victim may request additional time to submit the certification.

The victim is not required to name his/her abuser if doing so would result in imminent threat or if the victim does not know the name of his/her abuser.

The owner/agent understands that the delivery of the certification form to the applicant/resident via mail may place the victim at risk, (e.g., the abuser may monitor the mail). The owner/agent will work with the applicant/resident in making acceptable delivery arrangements, such as inviting them into the office to pick up the certification form or making other discreet arrangements.

If the applicant/resident has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the applicant/resident may submit written proof of this outreach in lieu of the certification form. The owner/agent may accept the following:

- A federal, state, tribal, territorial, or local police record or court record or
- Documentation signed and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) From whom the victim has sought assistance in addressing domestic violence, dating violence and/or stalking or the effects of the abuse. The signatory attests under penalty of perjury (28 U.S.C. §1746) to his/her belief that the incident in question represents bona fide abuse, and the victim of domestic violence, dating violence and/or stalking has signed or attested to the documentation.

If the applicant is currently living in a shelter established to protect victims of violence covered under the VAWA, the owner/agent will accept verification of such living arrangement in lieu of additional verification.

To ensure that a person is not wrongly accused of committing an act covered under the VAWA, the owner/agent will carefully evaluate abuse claims as to avoid denial, termination of assistance, termination of tenancy or eviction based on false or unsubstantiated accusations.

The applicant/resident is required to provide all necessary documentation to the owner/agent no more than ten (10) business days after submitting the certification to the owner/agent. If the victim is unable to provide required documentation within the required timeframe, the owner/agent will deny the request.

The owner/agent will review and respond to requests to exercise protections provided under the VAWA within ten (10) business days of receiving all required documentation. The owner/agent may provide the response in any manner acceptable to the victim and the owner/agent. Responses include:

- Approval of the Request
- Denial of the Request
- Request for additional information



## (Property Name) Tenant Selection Plan

### **LEASE BIFURCATION**

If the owner/agent determines that physical abuse caused by a resident is clear and present, the law provides the owner/agent with the authority to bifurcate a lease (i.e., remove, evict, or terminate housing assistance to any abuser, while allowing the victim, who lawfully occupies the home, to maintain tenancy.)

The owner/agent may attempt to evict the abuser, but residents should know that state/local tenant/landlord laws prevail and the owner/agent must comply with such laws. The owner/agent cannot guarantee that a court will award or enforce an eviction.

Owner/agents must keep in mind that the eviction of or the termination action against the individual must be in accordance with the procedures prescribed by federal, state, and local law. The owner/agent is committed to attempting to assist the victim, however, evictions are generally carried out through the court system and the owner/agent cannot override or circumvent a legal decision.

In the event that one household member is removed from the unit because of engaging in acts of domestic violence, dating violence, sexual assault and/or stalking against another household member, an appropriate certification will be processed reflecting the change in household composition. Special consideration will be given if the remaining household members are not qualified to remain in the unit as a "remaining household member".

### **CRIMINAL ACTS**

Victims are encouraged to seek police/legal protection from their abuser. In some cases, the owner/agent may file a restraining order against the abuser to prevent the abuser from entering the property. If there is a restraining order against the abuser and the resident willingly allows or invites the abuser onto the premises, the owner/agent may seek termination of assistance and/or tenancy.

*In accordance with the regulation at 24 CFR 5.861, the owner/agent may terminate tenancy and evict the tenant through judicial action for criminal activity by a covered person if the Landlord determines that the covered person has engaged in the criminal activity, regardless of whether the covered person has been arrested, or convicted for such activity and without satisfying a criminal standard of proof of the activity.*

The owner/agent will take into account individual circumstances when making a determination to terminate tenancy; such circumstances might include, among other things, the seriousness of the offending action, the extent of participation by the leaseholder in the offending action, and whether the leaseholder, if not the wrongdoer, took all feasible steps to prevent the offending action from occurring and has removed the offending person from the lease or otherwise banned the offending person from the premises in the future.

### **LEASE ADDENDUM**

Any HUD approved lease addendum will be implemented and provided in accordance with HUD guidance.



***(Property Name)***  
**Tenant Selection Plan**

Project Based Rental Assistance &  
Low Income Housing Tax Credit  
Housing for Elderly  
& People with Disabilities



## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

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## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

### **OWNER/AGENT & PROPERTY INFORMATION**

Owner/Agent Name	
Owner/Agent Contact Name	
Owner/Agent Address	
City, State, Zip	
Owner/Agent Phone	
Owner/Agent Fax	
TTY/TDD/Audio Relay	711 National Voice
Property Name	
Property Contact Name	
Property Address	
City, State, Zip	
Property Phone	
Property Fax	
TTY/TDD/Audio Relay	

Applications for housing at this property are only received online or at the owner/agent's office location. Applications are not received at the property management office.

All references to office locations within this Tenant Selection Plan include both the HACA Central Office and the Property Management Office, unless otherwise indicated.

### **THE PURPOSE OF THE RESIDENT SELECTION PLAN**

The resident selection plan helps to ensure that residents are selected for occupancy in accordance with HUD & IRS requirements and established management policies.

Please contact the management office if you need help understanding this document.

- Contacte por favor la oficina de gestión si usted necesita ayuda a comprender este documento. (Spanish)
- Por favor contate o escritório de gerência se deve ajudar entendimento este documento. (Portuguese)
- Si vous avez besoin d'aide à la compréhension de ce document, veuillez communiquer avec le Bureau de gestion. (French)
- Souple kontakte Biwo jesyon a si w bezwen èd pou konprann dokiman sa a. (Haitian Creole)
- Xin liên lạc với văn phòng điều hành nếu bạn cần giúp đỡ sự hiểu biết tài liệu này. (Vietnamese)
- Пожалуйста свяжитесь с офисом управления, если Вам нужна помощь в понимании этого документа. (Russian)
- Bitte kontaktieren Sie das Leitungsbüro, wenn Sie helfen müssen, dieses Dokument zu verstehen. (German)
- 請聯絡管理辦公室，如果你需要幫助理解這份文件。(Chinese)
- もしこの文書を理解しているための助けを必要とすれば、経営オフィスと連絡を取ってください。(Japanese)



## **RULES OF CONDUCT**

The relationship between a landlord (owner/agent) and a resident or applicant is a business relationship. A courteous and businesslike attitude is required from both parties. The owner/agent reserves the right to refuse to conduct business with anyone who is verbally abusive, swears, is disrespectful, makes threats, uses discriminatory language, appears to be intoxicated or under the influence of alcohol or drugs, is argumentative, or in general displays an attitude, at any time, which causes the /agent or the property staff to believe we would not have a positive business relationship.

If an applicant or any member of the applicant's family demonstrates unprofessional behavior in the presence of the management team or other residents/applicants, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

If the applicant or any member of the applicant's family exhibits threatening behavior, appears to be intoxicated or under the influence of alcohol or illegal drugs or attempts to intimidate the staff, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

To ensure the privacy of property staff, property residents and applicants, residents and applicants are asked to refrain from use of cell phones or other electronic devices, except those necessary to alleviate the symptoms of a disability, by residents or applicants, while in the management office or Administration Central Office.

Assistance Animals are always welcome in the management office. Please keep all pets outside the management office at all times.

Children are always welcome. When in the Central Office or Management Office, minors must be supervised. Admissions Department and property staff are not responsible for child care or supervision.

Admissions Department staff is not permitted to accept any money, gifts, services or favors connected with the application process, criminal or credit checks, eligibility determination, apartment selection or associated with any aspect of residency on this property. If staff solicits any mandatory payment for any part of the application process, the applicant should notify the owner/agent. **XXXX ENTER CONTACT INFORMATION HERE XXXX.**

## **SMOKE FREE HOUSING**

Smoking is prohibited in any area of the property, both private and common, whether enclosed or outdoors. This policy applies to all owner/agents, property staff, applicants, residents, guests, and servicepersons. "Smoking" shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, cigar, pipe, hookah, other tobacco products, marijuana including medical marijuana, herbal smoking products "Legal Weed" or products known as "bath salts" or other legal or illegal substances.

## **SECURITY DEPOSIT REQUIREMENTS**

The owner/agent must collect a security deposit at the time of the initial lease execution. The owner/agent will comply with any HUD rules and applicable state and local laws governing the security deposit. The security deposit amount is based on the Total Tenant Payment (TTP) calculated at move in.

If the move-in certification requires correction, and the TTP is recalculated, the security deposit requirement will be recalculated as well. Otherwise, the amount of the security deposit established at move-in does not change when a resident's rent changes.



## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

The resident is expected to pay the security deposit from his/her own resources and/or other public or private sources. An applicant will be rejected if he/she does not have sufficient funds to pay the deposit.

### **PETS**

Residents are allowed to keep 2 pets in the unit.

Certain restrictions apply and are outlined in the property Pet Rules. Pets and assistance animals must be approved before they are allowed to live in the unit. Copies of the Pet Rules and Assistance Animals Policy are available upon request.

When applicable, residents must agree to pay any required pet deposit and must agree to abide by the property's Pet Rules and Assistance Animal Policies.

If an applicant wishes to request approval of an assistance animal – necessary to alleviate the symptoms or side-effects of a disability - the applicant (or applicant's representative) must request a reasonable accommodation. Please review the process to request a reasonable accommodation in Appendix A. The applicant should also review the Assistance Animal Policy which is available upon request.

### **PET DEPOSIT**

The Pet Rules require residents who own dogs or cats (pets) or keep dogs or cats (pets) in their units to pay a refundable pet deposit. This deposit is in addition to any other financial obligation generally imposed on residents of the property.

The pet deposit is \$100.00. A minimum of \$50.00 is required at the time the pet is brought on to the premises. The resident will be required to pay the remaining balance in increments of \$10.00 per month until the \$100.00 pet deposit is collected. Residents are allowed to pay the entire pet deposit in increments greater than those described if he/she chooses to do so.

The owner/agent will use the pet deposit only to pay reasonable expenses directly attributable to the presence of the pet on the property. Such expenses would include, but not be limited to, the cost of repairs and replacement to the unit, fumigation of the unit, and the cost of animal care facilities.

The owner/agent will return the unused portion of a pet deposit to the resident within a reasonable time after the resident moves from the property or no longer owns or keeps a household pet in the unit. Residents, their guests and/or service providers are required to comply with the property Pet Policies.

Assistance animals that assist persons with disabilities are exempt from the pet policy and from the refundable pet deposit. Residents, guests and service providers will be required to comply with the Assistance Animal Policy.

### **ASSISTANCE DEFINITION**

The property is operating under the guidelines established for two layered housing programs - the HUD Project Based Rental Assistance (PBRA) program and the Low Income Housing Tax Credit (LIHTC) program. Of the XXX tax credit units at this property, XXX are also layered with PBRA subsidy. Because this plan covers the eligibility and tenant selection requirements for both programs, there are some areas of the plan that will only be applicable to one program. Those areas are identified throughout the plan. A person must be capable of fulfilling all the lease requirements for both programs.



### ***SUBSIDY***

Residents at this property are offered subsidized rent. This means the rent that a household pays is based upon the household income. The family will pay 30% of their adjusted household income. The balance of the contract rent is subsidized by the Federal Government. The rent amounts paid by residents may vary.

### ***TENANT-BASED VOUCHERS***

The owner/agent may not admit an applicant with a voucher to a unit with Project Based Rental Assistance unless the applicant agrees to give up the voucher prior to occupancy. This will be verified with the former housing provider.

If the owner/agent discovers that any household member failed to give up current HUD housing assistance before moving to **NAME OF PROPERTY**, no rent subsidy or utility allowance will be provided by HUD until the day after the move out or surrender of the currently subsidized unit.

Household members who sign the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD. Applicants should consult with the local HUD office if the former landlord is accepting subsidy after move-out.

Please note that housing assistance provided through HUD's multi-family housing program is not the same as the housing assistance provided through the voucher program. If any family member moves out, the housing subsidy will not move with the family as it does with a voucher. The family will be required to re-apply to a PHA to receive a voucher.

### ***ASSISTED LIVING***

This is not an assisted living property. The owner/agent and property staff do not provide, nor have the authority to provide, any personal care or personal supervision services. All care and supervision services must be provided by the resident or aides supervised by the resident or the resident's representative(s). The owner/agent and property staff do not provide assistance with personal activities or daily living.

### **FAIR HOUSING POLICIES**

#### ***FAIR HOUSING***

The Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability, and familial status. In addition, the city of Austin has added Fair Housing protections based on creed, student status, marital status, sexual orientation, gender identity and age.

#### ***TITLE VI OF THE CIVIL RIGHTS ACT OF 1964***

The owner/agent complies with Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance from HUD.

#### ***SECTION 504 OF THE REHABILITATION ACT OF 1973***

The owner/agent complies with Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination, based on the presence of a disability in all programs or activities operated by recipients of federal financial assistance.

Although Section 504 protections often overlap with the disability discrimination prohibitions included in the Fair Housing Act, Section 504 differs in that it imposes broader affirmative obligations to make their programs, as a whole, accessible to persons with disabilities.



## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

- Coordinating Efforts to Comply with Section 504 Requirements

The owner/agent has designated a person to address questions or requests regarding the specific needs of residents and applicants with disabilities. This person is referred to as the Section 504 Coordinator.

Name of Section 504 Coordinator:	Vice President of Housing and Community Development
Address:	1124 S IH 35, Austin, TX 78704
Phone Number:	(512) 477-4488
TDD/TTY Number:	711 Voice Relay

- Requests for Reasonable Accommodation or Modification

In accordance with the Fair Housing Act and Section 504 of the Rehabilitation Act, the owner/agent will make reasonable accommodations or modifications for individuals with disabilities (applicants or residents) unless these modifications would change the fundamental nature of the housing program or result in undue financial and administrative burden. Please see Appendix A for additional information.

### ***COMPLIANCE WITH REQUIREMENTS IN THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013***

The owner/agent understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault or stalking, people who have been victims of violence have certain protections provided through the Violence Against Women Reauthorization Act of 2013 (VAWA 2013).

If any applicant wishes to exercise the protections provided in the VAWA 2013, he/she should contact the owner/agent immediately.

The owner/agent will not assume that any act is a result of abuse covered under the VAWA 2013. In order to receive the protections outlined in the VAWA 2013, the applicant/applicant must specify that he/she wishes to exercise these protections.

Please see Appendix E for a copy of the owner/agent's VAWA Policy.

### ***AVAILABILITY OF ASSISTANCE FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY***

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency LEP)" requires the owner/agent to develop and implement a system to provide housing assistance so persons with Limited English Proficiency (LEP) can have meaningful access to assisted housing opportunities. The owner/agent will provide for such meaningful access consistent with, and without unduly burdening the fundamental mission of the property. The owner/agent will work to ensure that people who apply for and/or qualify for housing assistance are provided meaningful access to HUD's housing assistance program.

### ***THE EQUAL ACCESS RULE***

The owner/agent ensures that HUD's core housing programs are open to all eligible persons regardless of sexual orientation, gender identity or marital status in accordance with *The Equal Access Rule*.

## **ELIGIBILITY REQUIREMENTS**

### ***PROPERTY ELIGIBILITY DEFINITION***



- Household/Resident Type

This multi-family PBRA & LIHTC property is designed to provide housing to elderly and disabled families who meet the eligibility and screening requirements. In order for a family/household to meet the “family type” eligibility requirements, the head-of-household, the co-head-of-household or a spouse must be

- 62 or older or
- Disabled as defined by HUD.

- **Definition of Disabled Family.** A disabled family is a family whose head, spouse, or sole member is a person with disabilities.

- **Definition of Person with Disabilities:** A person with disabilities for purposes of program eligibility:

- Means a person who
  - Has a disability, as defined in 42 U.S.C. 423;
    - Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
    - In the case of an individual who has attained the age of 55 and is blind, inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time. For the purposes of this definition, the term blindness, as defined in section 416(i)(1) of this title, means central vision acuity of 20/200 or less in the better eye with use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purposes of this paragraph as having a central visual acuity of 20/200 or less.
  - Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that:
    - Is expected to be of long-continued and indefinite duration,
    - Substantially impedes his or her ability to live independently, and
    - Is of such a nature that the ability to live independently could be improved by more suitable housing conditions; or
  - Has a developmental disability, as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(8)), i.e., a person with a severe chronic disability that
    - Is attributable to a mental or physical impairment or combination of mental and physical impairments;
    - Is manifested before the person attains age 22;
    - Is likely to continue indefinitely;
    - Results in substantial functional limitation in three or more of the following areas of major life activity:
      - Self-care,
      - Receptive and expressive language,
      - Learning,
      - Mobility,
      - Self-direction,
      - Capacity for independent living, and





## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

- Economic self-sufficiency; and
- 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.
- Does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome;
- For purposes of qualifying for low-income housing, does not include a person whose disability is based solely on any drug or alcohol dependence; and
- Means person with disabilities (individual with handicaps), as defined in 24 CFR 8.3, for purposes of reasonable accommodation and program accessibility for persons with disabilities

**Note:** A person whose sole impairment is alcoholism or drug addiction (i.e., who does not have a developmental disability, chronic mental illness, or physical disability that is the disabling condition required for eligibility in a particular project) will not be considered to be disabled for the purposes of the Project Based Rental Assistance program.

- **Definition of Nonelderly Disabled (Handicapped) Family.**

A nonelderly disabled (handicapped) family means a disabled family in which the head of the family (and/or spouse, if any) is less than 62 years of age at the time of the family's initial occupancy of a project.

- **Income Limits**

Income limits vary by program type (PBRA or LIHTC) and household size. The owner/agent will provide applicants a copy of the income limits for the property area upon request. In addition, applicants can review the income limits by accessing the following web site. <http://www.huduser.org/datasets/il.html>.

HUD requires that property managers incorporate the most recently published income limits when determining eligibility. The IRS "hold harmless" rule states that if the income limits go down, the property can maintain the highest level of income limits in effect after the property was placed in service with tax credits.

This property is a layered property with all units required to meet both the PBRA and LIHTC income limit requirements. Both income limits are based off a percentage of the median family income for the Austin – Round Rock – San Marcos metropolitan statistical area. Since the LIHTC income limit is lower, by default it becomes the effective income limit for the property.

For this property, qualified applicant households must meet the following income limit requirements:

Subsidy	Type of Income Limit
<b>Project Based Rental Assistance</b>	<b>Low</b> – 80% of median family income <b>Very low</b> – 50% of median family income <b>Extremely low</b> – very low income household whose income equals or is less than the greater of poverty level or 30% of median family income
<b>Low Income Housing Tax Credit (LIHTC)</b>	<b>Low</b> – 60% of median family income



## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

- Occupancy Standards

Occupancy standards serve to prevent the over-utilization or under-utilization of units that can result in an inefficient use of housing funding. Occupancy standards also ensure that residents are treated fairly and consistently and receive adequate housing space.

(Below, please find this property's occupancy standards description:

Number of Bedrooms	Min. # Household Members	Max. # Household Members
0	1	1
1	1	2
2	2	4

- Generally, two persons are expected to share a bedroom. The family will be allowed one bedroom for each two persons within the household. Exceptions to this rule and to the minimum number of household members guide above include the following circumstances:
  - Two children of the opposite sex, with one at least seven (7) years of age, will not be required to share a bedroom,
  - Persons of different generations (grandparent and grandchild, parent and child) will not be required to share a bedroom.
- A couple (married or unmarried, same sex or opposite sex) engaged in a consensual sexual relationship will be allocated one bedroom.
- Authorized live-in aides will be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family.
- Single-person families will be allocated either a zero (efficiency) or one bedroom unit.
- Anticipated children will be included. Anticipated children include:
  - Children expected to be born to a pregnant woman;
  - Children in process of being adopted by an adult family member;
  - Children whose custody is being obtained by an adult family member;
  - Foster children who will reside in the unit;
  - Children who are temporarily in a foster home who will return to the family; and
  - Children in joint custody arrangements who are present in the household 50% or more of the time.
- A household that contains a family member (not the head of household or spouse) who is enrolled as a full-time student at an institution of higher learning and who is on the lease will be counted for the purposes of establishing occupancy standards for unit size if:
  - The family member is enrolled and actively attending a two-year or four-year college or university; and
  - The family member resides in the Project Based Rental Assistance unit during school breaks and holidays.

Any household placed in a unit size different from that defined in these Occupancy Standards shall agree to transfer to an appropriate size unit when one becomes available.

- Verifying the Need for an Accessible Unit

When an applicant requests an accessible unit or a unit preference, such as a first floor unit, the owner/agent will conduct inquiries to:



- Verify that the applicant is qualified for the unit, which is only available to persons with a disability or to persons with a particular type of disability
- Verify that the applicant needs the features of the unit as an accommodation to his or her disability
- Verify that the applicant is qualified to receive a priority on the waiting list available to persons with a disability or to persons with a particular type of disability

### **PROGRAM ELIGIBILITY**

- Eligibility Standards

Based on federal regulations, the owner/agent may admit only eligible applicants. In the selection of applicants for admission, eligibility criteria have been established in accordance with HUD guidelines. The following eligibility standards will be applied in accordance with HUD requirements:

- The household's annual income must not exceed program income limits at move-in
- The Head-of-Household (HOH), co-Head-of-Household and the spouse (regardless of age) and all adults in each household must sign an Authorization for Release of Information (HUD Forms 9887 and 9887A) and owner/agent created verification documents prior to receiving assistance and annually thereafter
- The unit for which the household is applying must be the household's only residence
- An applicant must agree to pay the rent required by the program under which the applicant will receive assistance
- Only U.S. citizens or eligible non-citizens may receive assistance (*See additional information below and in Appendix B*)
- Applicants who claim eligible status must disclose Social Security Numbers for all household members and provide proof of the numbers reported (*See additional information below*)
- The household size must be appropriate for the available apartments (*See Occupancy Standards*)
- All information reported by the household is subject to verification

- Disclosure and Verification of Social Security Numbers

All household members receiving HUD housing assistance or applying to receive HUD housing assistance are required to provide a Social Security Number and adequate documentation necessary to verify that number. This rule applies to all household members including live-in aides, foster children and foster adults. Adequate documentation includes a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- Original Social Security card
- Driver's license with SSN
- Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union.
- Earnings statements on payroll stubs
- Bank statement
- Form 1099
- Retirement benefit letter
- Life insurance policy
- Court records

- Exceptions to Disclosure of Social Security Number

The Social Security Number requirements do not apply to:



## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

- Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
- Individuals who do not contend eligible immigration status. When applicants and residents are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed.

If, at the time a unit becomes available, all non-exempt household members have not provided adequate documentation necessary to verify Social Security Numbers, the next eligible applicant must be offered the available unit.

All non-exempt household members have ninety (90) days-from the date they are first notified that a unit is available-to provide documentation necessary to verify the Social Security Numbers. During this 90-day period, the household may retain its place on the waiting list, but will not be considered again until the required documentation is provided.

If, after ninety (90) days, the applicant is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the household will be determined ineligible and removed from the waiting list.

The applicant may apply again, after obtaining the appropriate documentation. The applicant will be placed on the waiting list based on the date and time the **new** application is received.

- Secondary Verification of the Social Security Number (PBRA Only)

The Social Security Number provided will be compared to the information recorded in the Social Security Administration database through HUD's Enterprise Income Verification System (EIV) to ensure that the Social Security Number, birth date and last name match.

If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provides an inaccurate Social Security Number, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud.

- Citizenship/Immigration Status Requirements

Applicants are required to declare U.S. citizenship or submit evidence of eligible immigration status for each household member seeking housing assistance. The owner/agent is required to obtain the following:

- Family Composition Sheet (*lists all household members who will reside in the assisted unit*)
- Citizenship Declaration - Each household member listed on the Family Summary Sheet must complete a declaration of citizen or non-citizen status
- Forms and/or evidence of citizen/immigration status as required by HUD

Additional information regarding submission and verification of proof of citizenship status or eligible non-citizen status can be found in Appendix B.

If any applicant has questions or experiences difficulty providing the described information or determining the type of documentation required, the applicant should contact the management office. If any applicant is unable to provide the required documentation in the timeframe indicated in Appendix B, the applicant must contact the management office to request an extension. If any applicant fails to



## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

provide this information in the timeframes described, the owner/agent cannot provide assistance and the application will be rejected.

The owner/agent will offer the household assistance, providing subsidy to those eligible household members whose documents were received on time, when the following criteria is met:

- At least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible based on all of the criteria in this resident selection plan
- Assistance/unit is available
- The household is the next household to be selected from the waiting list

Proof of declared citizenship status must be provided for all household members. Members who claim U.S. citizenship can provide any documents approved by HUD or the Department of Homeland Security (DHS) to prove citizenship. Additional information is provided in Addendum B.

Non-citizens claiming eligible status must follow the guidance provided in Addendum B and in 24 CFR to prove eligible non-citizen status.

Applicants must be able to provide proof of citizenship or legal immigration status.

Citizenship eligibility must be reviewed after move-in if eligibility status can change. If any household member is determined to be an ineligible non-citizen, either at application or after move-in, assistance and/or tenancy may be denied, terminated or prorated as appropriate.

- **Single Residence/Subsidy Criteria**

A household is eligible for assistance only if the unit will be the household's only residence. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit.

**Applicants MUST disclose if they are currently receiving HUD housing assistance.** Residents can only receive subsidy for one unit/residence at a time. This prohibition does not prevent a person who is currently receiving assistance from applying for an assisted unit in another property.

If, for any reason, an applicant moves in to this property before moving out of another subsidized unit, the new resident will be required to pay market rent until the move out from the previous property is complete and the resident is eligible to receive HUD subsidy for this property. Assistance in the new unit will begin, if the household is still eligible, the day after assistance ends for the previous unit. There is an exception to this rule. Children in joint custody arrangements can receive HUD housing assistance in two units when both parent/guardian families receive HUD housing assistance. However, only one household may use the \$480 dependent deduction to determine adjusted income. In these cases, additional verification is required. The owner/agent will request:

- Verification of the custody/guardianship/living arrangement - *Please see Appendix D for additional information*
- Verification of the use of the \$480 deduction. The owner/agent will verify use of the \$480 dependent deduction with the other owner/agent if :
  - The child will live in the unit at least 50% of the time and
  - The parent wishes to claim the \$480 deduction, and



- Both families are receiving HUD housing assistance

All adults will be required to sign the Acknowledgement in Appendix C.

- Eligibility of Students Enrolled at an Institute for Higher Education

Student eligibility is determined at move-in/initial certification and at each annual certification. Student eligibility may also be reviewed at interim certification if student status has changed since the last certification. All adult students are required to report any change in their student status. A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall not be provided to any individual who:

- Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; and
- Is under the age of 24; and
- Is not married; and
- Is not a veteran of the United States Military; and
- Does not have a dependent child; and
- Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of November 30, 2005; and
- Is not living with his or her parents who are receiving Section 8 assistance; and
- Is not individually eligible to receive Section 8 assistance or has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance.

**NOTE:** *Unless the student can demonstrate his or her independence from parents, the student must be eligible to receive Project Based Rental Assistance (PBRA) and the parents (individually or jointly) must be eligible (income eligible) to receive PBRA assistance in order for the student to receive PBRA assistance.*

For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate independence from, parents. While owner/agents may use additional criteria for determining the student's independence from parents, owner/agents must use, and the student must meet, at a minimum **all** of the following criteria to be eligible for Section 8 assistance. The student must:

- Be of legal contract age under state law;
- Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, **or**, meet the U.S. Department of Education's definition of an independent student.
- Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
- Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.
- If an ineligible student is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated

**NOTE:** *An owner/agent cannot evict or require an ineligible student to move from a unit as long as the student is in compliance with the terms of the lease.*





Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition shall be considered income to that individual, except for:

- A person 24 years of age or older with dependent children as defined by HUD or
- A person living with his/her parents

The definition of tuition is consistent with the definition provided by the Department of Education and includes all mandatory fees associated with being enrolled at that institution of higher education.

- **Additional Tax Credit Eligibility Requirements for Students Enrolled at an Institute of Higher Education**

Households composed entirely of full-time students are not eligible for tax credit program unless, they meet one of these 5 criteria:

- Married and filing a joint tax return or eligible to file a joint tax return, or
- Single parent, at least 1 child, neither of whom is a dependent on another person's tax return, except for the return of the other parent of the child, or
- Receiving welfare or TANF, or
- Participating in job-training program funded through Workforce Investment Act, or
- Household member was a participant in the foster care program.

- **Prohibition of Assistance to Noncitizen Students**

Noncitizen students and their noncitizen families may not receive assistance. Noncitizen students are not eligible for continuation of assistance or temporary deferral of termination of assistance. A noncitizen student is defined as an individual who is as follows:

- A resident of another country to which the individual intends to return;
- A bona fide student pursuing a course of study in the United States; and
- A person admitted to the United States solely for the purpose of pursuing a course of study as indicated on an F-1 or M-1 student visa.

This prohibition applies to the noncitizen student's noncitizen spouse and noncitizen children. However, spouses and children who are U.S. citizens may receive assistance. For example, a family that includes a noncitizen student married to a U.S. citizen is a mixed family.

## **PROCEDURES FOR TAKING PRE-APPLICATIONS & APPLICATIONS**

It is the owner/agent's policy to accept and process applications in accordance with HUD & IRS guidance. The owner/agent will make a reasonable accommodation to assist in the application process if the applicant or any member of the applicant household is disabled.

### ***PRE-APPLICATIONS***

Applicants will first complete a pre-application to have their name placed on the waiting list for housing at [name of property]. Pre-applications can be submitted on the internet at [www.austin.apply4housing.com](http://www.austin.apply4housing.com). The owner / agent will also accept the application in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.



***Pre-Applications are not accepted at the property site.***

The entire pre-application must be completed and submitted before the applicant will be placed on the waiting list. Confirmation of successful submission will be provided by the online application portal if all requirements are met.

Due to long waiting lists and depending on the preferences for which an applicant family may qualify, the time spent on the waiting list may be anywhere from several months to several years. While waiting on the waiting list, applicants may check the status of their application by creating an account at <https://austin.ourpha.com/applicants>. In this applicant portal, applicants can update their contact information, report changes to their application and check the status of their application. It is the applicant's responsibility to keep all contact information current.

- **Incomplete Pre-Applications**

Electronic submissions of pre-applications cannot be submitted if they are incomplete. For pre-applications accepted by an alternate means, if the pre-application is not complete, the owner/agent will attempt to contact the applicant to obtain missing information. The applicant will have ten (10) business days to respond and provide missing information. If the applicant fails to provide required information within the ten (10) day period, the owner/agent will return the application.

- **Preliminary Determination of Applicant Eligibility**

Information needed to determine applicant eligibility shall be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD, IRS and property eligibility requirements.

Upon receipt of the completed pre-application, the owner/agent / agent will make a preliminary eligibility determination before adding a household to the waiting list or initiating final eligibility tasks.

The owner/agent will review the pre-application to ensure that there are no obvious factors that would make the applicant ineligible. Obvious factors include, but are not limited to:

- Owing a debt to the Housing Authority of the City of Austin (any property or any program) that is still within the 4 year statute of limitations;
- Having been evicted (or vacated in lieu of eviction) from any HACA program within 5 years for drug related activity;
- Having been evicted (or vacated in lieu of eviction) for any HACA program within 2 years for any reason other than drug related activity;
- Head of household or co-head is currently living at this property;
- Having been denied admission to this program within the past 12 months for any reason at any property owned and administered by the Housing Authority of the City of Austin.
- Having rejected a housing offer for a unit of the same size at the same property within the last 12 months.

If an applicant is preliminarily ineligible, the owner/agent / agent will send a notice to the applicant indicating that they are not eligible, including the reason(s) why they were determined ineligible and stating the family's rights to appeal the decision. This action will be completed in agreement with the owner / agent's Grievance and Appeals Policy which is available to the applicant upon request.

## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

If a preliminary eligibility review indicates that a household is preliminarily eligible for tenancy, but units of appropriate size are not available, the owner / agent will place the household on the waiting list for the property and notify the household when their name comes to the top of the waiting list.

If an applicant is otherwise eligible but no appropriate unit exists in the property, the owner / agent will reject the pre-application.

The owner / agent will notify the applicant family if their pre-application is rejected for any reason.

### **APPLICATIONS**

When the applicant family reaches the top of the waiting list, they will receive an invitation by mail to come to an eligibility interview.

- Applicant families can receive up to 3 invitations to attend an eligibility interview.
- If a family does not attend the scheduled appointment, a notice will be sent to the family and their name will be withdrawn from the waiting list. If the family responds within fifteen (15) calendar days of the notice and requests to be rescheduled, they will be placed back on the waiting list with their same date and time.
- Once the family misses their third scheduled appointment, they are no longer eligible to be placed back on the waiting list. The family will be required to submit a new application and start the process from the beginning.

During the eligibility interview process, the applicant family will complete a full application. All documents in the Application Package must be **completed in full**, signed and dated in order to be accepted. All adult applicants must complete the application package as instructed.

Upon request, the owner/agent will provide interested parties with a copy of the application package. The person who is indicated as the Head-of-Household (HOH) must execute and sign all documents that are included in the application package. Before completing or executing any forms, additional copies should be made for all adult household members and in some cases for minors who will live in the unit.

The owner/agent will require applicants to provide several documents as verification and proof of eligibility for housing. These will include:

- A government issued photo ID - used for verifying the identity of all applicants. A birth certificate or other government issued document which includes the applicant's name and date of birth – used to verify the age of all applicant family members.
- Proof of citizenship – which may include a US birth certificate, US passport or other government issued documents demonstrating citizenship.
- Proof of immigration status (if applicable) - which may include a permanent resident card, employment authorization card, I-94 visa or other government issued document indicating valid immigration status.
- A Social Security card or any other government issued document including the name and full SSN of all applicants.
- Verification of all sources of income, including (but not limited to) check stubs for employment, SS / SSI award letters, VA Pension award letters, TANF award letter, proof of child support and verification of asset income.



### ***FINAL DETERMINATION OF ELIGIBILITY***

Once the applicant family completes the eligibility interview, all eligibility criteria will be reviewed before a final eligibility determination is made. Being eligible, however, does not guarantee that the application will be approved. All adult applicants (and if appropriate minors) will be subject to the certain screening based on landlord/rental history, credit history and criminal history. If the screening process determines that the family meets HUD's and the owner/agent's standards for admission, the family is found eligible.

### **LIVE-IN AIDES**

Please contact the HACA central office Admissions Department if a live-in aide will be moving in to the unit. If the family plans to include a live-in aide, the live-in aide is not required to complete the same application forms. Live-in aides must complete the Live-in Aide Questionnaire and participate in screening and other O/A verifications that are required.

The live-in aide must meet HUD's definition of a live-in aide. The live-in aide has no rights to the unit as a remaining family member and must agree to relinquish possession of the unit within a reasonable time if the resident is absent for an extended period of time or if the resident leaves for any reason. The live-in aide will be required to sign an acknowledgement the live-in aide has no right of residency or occupancy if the resident is absent or if the resident moves out for any reason including death.

### **WAITING LISTS**

To ensure that applicants are appropriately and fairly selected for the next available unit (*when a unit of the appropriate size or type is not available at the time of application*), it is essential for the owner/agent to maintain waiting lists. The owner/agent will place the applicant household on the waiting list after preliminary eligibility determination is complete.

Applicants will have the option of specifying a desired unit size or multiple unit sizes when completing the application. The applicant will be placed on the waiting list for all indicated unit sizes/types as long as:

- The applicant household meets the Occupancy Standards described in this plan, and
- The waiting list for the unit size is open

The applicant (Head-of-Household (HOH)) will be contacted, based on the waiting list selection criteria, for the first unit that becomes available based on the selection guidelines described in this plan.

Families can select the option to be placed on the waiting list for multiple unit sizes at the same property. If the family is determined to be eligible and accepts a unit offer, at that time they will be removed from the other bedroom size waiting lists for that property.

### ***MAINTAINING WAITING LISTS***

It is the policy of the owner/agent to administer its waiting list as required by HUD handbooks and IRS tax credit regulations. The owner/agent will update the waiting list by removing the names of applicants who are no longer interested in or no longer qualify for the PBRA and/or LIHTC program.

On a regular basis, as determined by the owner/agent considering the length of the waiting list, the owner/agent will contact each applicant household by mail, using the address provided on the pre-application. Applicants are responsible for updating their application with any changes in address. The Head-of-Household (HOH) will be the only person contacted unless otherwise requested.



## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

If this letter is unable to be delivered by the United States Postal Service, the application will be rejected and the household will be removed from the waiting list.

If the Head-of-Household (HOH) fails to respond to the owner/agent inquiries regarding the desire to remain on the waiting list, the application will be rejected and the household will be removed from the waiting list.

In addition, an adult member of the applicant household must contact the Admissions Department, in writing, if household information changes (i.e. number of household members, number of future household members, criminal history, income, etc.). If the household size or composition changes, the owner/agent will:

- Update the waiting list information and
- Decide whether the household needs the same or a different unit

If, as a result of the household composition change, it is determined that the household will be on the waiting list for a different unit than originally indicated, the household will maintain their place on the waiting list for the new unit. If the waiting list is currently closed for the appropriate unit size, the application will be rejected and the household will be removed from the waiting list. If there are no units of the appropriate size on the property, the household will be rejected and will be removed from the waiting list.

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

The owner will remove an applicant's name from the waiting list when if any of the following apply:

- Applicant requests that the household name be removed
- The unit that is needed – using household size as the basis – has changed, and no appropriate size/type unit exists in the property
- The unit that is needed – using household size as the basis – has changed, and the waiting list is closed for that unit size/type
- Applicant fails to meet eligibility requirements
- Applicant fails to meet occupancy standards
- Applicant fails to meet screening requirements
- Applicant is rejected for any reason described in this plan
- Applicant cannot be contacted by US Mail (letters are returned or undeliverable) Applicant fails to keep application information up to date based on the requirements described in this plan
- Applicant was clearly advised, in writing, of the requirement to tell owner/agent of his/her continued interest in housing by a particular time and failed to do so
- Applicant refused offer of a unit (*See Right to Refusal Policy for additional information.*)

If an applicant is removed from the waiting list, and subsequently the owner/agent determines that an error was made in removing the applicant, the applicant will be reinstated at the original place on the waiting list.

If an applicant is removed from the waiting list and later, the applicant household feels that they are now qualified for assistance/tenancy, the applicant household must submit a new application. The applicant will be placed on the waiting list, as necessary, based on the submission date and time of the **new** application.

There are certain situations when the owner/agent may refuse to accept an application. The owner/agent will not accept pre-applications from individuals or families who:



- Were denied admission to any of HACA's housing programs within the last 12 months because of criminal history, derogatory rental history, unreported income or fraud.
- Owe a move out balance or debt to HACA for previous tenancy in any of HACA's housing programs that is not barred by the statute of limitations. There is a four year statute of limitations which ends the latter of:
  - Four years from the date the debt became delinquent; or
  - Four years from the date the final payment would have been do if the applicant signed a repayment agreement.
- Has been evicted or moved out in lieu of eviction from another property managed or owned by the owner/agent, or from the Public Housing or Housing Choice Voucher programs within the past two years for any reason other than drug related.
- Has been evicted or moved out in lieu of eviction from a federally assisted property or program for drug related reasons in the last five years
- Are currently housed at this property (*Does not apply to adults that are not the head of household, co-head or spouse.*)
- Voluntarily moved out of HACA's Public Housing or [name of property] within the last 12 months.
- Rejected a housing offer at the same property within the past year.

In addition, if an applicant previously accepted a unit offered by the owner/agent and the applicant failed to take possession of the unit on the agreed upon date without notice to the owner/agent, the owner/agent reserves the right to refuse all future applications.

#### ***SELECTING APPLICANTS FROM THE WAITING LIST***

When an applicant family reaches the top of the waiting list, they will be invited in to the HACA Central Office Admissions Department to complete an eligibility interview. Once the family has been certified eligible, they will wait for the next unit to become available.

The owner/agent will contact the next certified eligible household *based on the selection criteria described in this plan* and make a housing offer to the family. No decisions to offer the unit shall be made until all information presented by the applicant has been verified and the final eligibility determination is complete.

- **Income Targeting (PBRA Only)**

Based on the HUD contract for this property, the owner/agent is required to comply with the Income Targeting Requirement. Income Targeting requires that the owner/agent implement policies to ensure that, during the property fiscal year, 40% of all households that move in to the property or who begin receiving assistance fall within the Extremely Low Income Limits for the area where the property is located.

At this time, no special selection methods are required to meet the Income Targeting requirements. The owner/agent is required to monitor compliance throughout the year. If, after periodic review, the owner/agent discovers that the Income Targeting Requirement will not be attained, the owner/agent will only select, in order, those applicants whose income falls within the extremely-low income levels. Once the Income Targeting Requirement is met, the owner/agent will return to the "natural" selection order.



### **PREFERENCES (PBRA ONLY)**

Applicants with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference.

Assigning preferences to applicants who meet certain criteria is a method intended to provide housing opportunities to applicants based upon household circumstances.

Preferences affect only the order applicants are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible. Preferences are not permitted if they, in any way, interfere with affirmative marketing efforts or fair housing requirements.

- **Owner/agent-Adopted Preferences**

**Unit Transfer Preference:** Residents who have submitted a Unit Transfer Request and who are deemed eligible for the transfer are given preference on the waiting list. This means that a resident transferring from one unit to another will be offered a unit before an applicant. Unit transfers (on-property) will be weighted and offered in the following order:

- Emergency / Safety
- Reasonable Accommodation Request
- Over Housed
- Under Housed
- Make an Accessible Unit Available

- **HUD Approved Preference**

**Preference for Elderly or Near-Elderly Head of Household, Spouse or Co-Head (Elderly / Near-Elderly):**

Existing applicants or new applicants will be offered the opportunity to claim that they qualify as an Elderly or Near-Elderly household. To qualify for this preference, the applicant family must be either:

- **Near-Elderly:** Head of household, spouse or co-head is age 55 or older; or
- **Elderly:** Head of household, spouse or co-head is age 62 or older.

Such status will be verified, and when such verification is complete, applicant families will be added to the waiting list with the Elderly / Near-Elderly preference.

**Preference for Families that have been Involuntarily Displaced by Natural Disaster or Government**

**Action (Involuntarily Displaced):** Existing applicants or new applicants will be offered the opportunity to claim that they have been involuntarily displaced within six months of claiming the preference. Such status will be verified, and when such verification is complete, applicant families will be added to the waiting list with an involuntarily displaced preference.

Examples of involuntary displacement include, but are not limited to, displacement due to hurricane, tornado, flood, fire, or the exercise of eminent domain.

Documentation of eligibility for this preference is required. Sufficient documentation includes:

- Documents from FEMA, the State of Texas, the City of Austin or any other government agency indicating the destruction (or no longer livable status) of the applicant's residence due to natural disaster or government action within the previous 6 months.

- Documents from the Red Cross or other disaster support agency indicating that the applicant's residence has been destroyed or is no longer habitable due to natural disaster or government action.

**Preference for Disabled Head of Household, Disabled Spouse or Disabled Co-head (Disability):** Existing applicants and new applicants will be offered the opportunity to disclose the disability status of the head of household, spouse or co-head. Such status will be verified, and when such verification is complete, the applicant family will be added to the waiting list with a disability preference

Proof of disability will be required to receive this preference. Sufficient documentation includes:

- A Social Security award letter,, SSI award letter, or Social Security Disability award letter indicating that the applicant is disabled; or
- Verification by a qualified medical professional indicating that the applicant meets the HUD definition of disability. This verification will be sent by the HACA Admissions Department staff to the qualified medical professional identified by the applicant and will be accompanied by a release of information and consent signed by the applicant.

- Preference Weights

The owner/agent will apply different weights to each preference. The heavier the weight, the higher the applicant will move up on the waiting list. Applicant families are limited to one preference per household. If the family qualifies for more than one preference, the preference with the heaviest weight will be applied. The weights for each preference are as follows:

- 3 Elderly / Near-Elderly
- 2 Involuntarily Displaced
- 1 Disability

- Verification of Preferences

All preferences will be verified using the verification methodology described in this resident selection plan. This verification will be conducted at the time of the eligibility interview.

- When a Request for Preference is Denied

If it is determined that an applicant does not meet the criteria for receiving a preference, the applicant will receive written notice of this determination within ten (10) business days.

The notice will contain the reasons for the determination. The applicant has the right to appeal the decision. All requests for appeal must be received within fifteen (15) calendar days from the date of notification of denial. See the full appeals process located in this tenant selection plan.

- Change in Preference Status While on the Waiting List

Occasionally households on the waiting list who did not qualify for a preference when they applied will experience a change in circumstances that qualifies them for a preference. In such cases, it is the responsibility of the applicant to contact the owner/agent so that their change in status may be verified and the waiting list can be updated to reflect the preference as appropriate.

To the extent the verification determines the household does now qualify for a preference, they will be selected from the waiting list in accordance with the preference and the date the application was received.

- Exceptions to the Preference Rule

Management must give priority to current residents:

- Residing in a unit that has been determined uninhabitable due to flood, fire or other natural disaster
- When a unit is designated for rehabilitation or repair

These situations represent extenuating circumstances and the normal selection order may be adjusted to address the needs of these residents.

### ***OPENING AND CLOSING WAITING LIST***

In order to ensure that applicants on the waiting list are processed in a reasonable amount of time, the owner/agent may stop accepting applications and close waiting lists in whole or in part. Decisions about closing and opening the waiting list will be based on the number of applications available for a particular size and type of apartment and the ability of the owner/agent to house an applicant in an appropriate apartment within a reasonable period of time.

On a regular basis, the owner/agent will review the number of families on the waiting list to determine whether the waiting list may be closed. If the owner/agent has sufficient applications, the waiting list may be closed completely. Notices announcing that the waiting list is closed or open will be publicly announced in the following manner:

- Local newspapers
- Publications described in the Affirmative Fair Housing Marketing Plan (AFHMP)
- Flyers distributed through Social Service agencies described in the AFHMP

Interested parties who insist on submitting applications when the waiting list is closed will not be considered. The application **will not be reviewed** and will be returned.

During the period when the waiting list is closed, the owner/agent **will not** maintain a list of individuals who wish to be notified when the waiting list is reopened.

### **PRIVACY POLICY**

It is the policy of the owner/agent to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the owner/agent.

Neither the property owner/agent nor its agents shall disclose any personal information contained in its records to any person or agency, other than HUD, its Contract Administrators or other federal/state entity or investor auditing entities, unless the individual about whom information is requested gives written consent to such disclosure. Such consent may be provided in an equally effective manner, as a reasonable accommodation, when there is the presence of a disability.

This Privacy Policy in no way limits the owner/agent's ability to collect such information to determine eligibility, compute rent, or determine an applicant's suitability for tenancy.



## **VERIFICATION**

The owner/agent shall obtain verifications in compliance with requirements set forth by the Department of Housing and Urban Development. After the preliminary eligibility determination, no decision to approve an application shall be made until information provided on the application form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed. All information relative to the following items must be verified as described in these procedures:

### ***INFORMATION TO BE VERIFIED***

Information to be verified includes, but is not limited to:

- Eligibility for Admission, such as
  - Income
  - Assets And Asset Income
  - Identification
  - Age
  - Household Composition
  - Social Security Numbers
  - Citizenship And/or Legal Status
  - Student Status
  - Current HUD Assistance
- Allowances, such as
  - Age
  - Disability
  - Full Time Student Status
  - Child Care Expenses
  - Disability Assistance Expenses
  - Medical Expenses (For Elderly/Disabled Households Only)
- Preferences
  - Elderly / Non-Elderly status
  - Involuntarily Displaced status
  - Disability status
- Compliance with Resident Screening Guidelines, such as
  - Criminal History
  - Credit History
  - Rental/Residence History
- The Need for an Accessible Unit

### ***METHODS OF VERIFICATION***

Verifications will be attempted in the following order:

- Enterprise Income Verification (EIV) – For PBRA Only
- Upfront Income Verification (UIV)
- Applicant provided third-party documents (i.e. check stubs, award letters, etc)
- Third-party form verification (as appropriate)
- Third-party oral verification (if available)

- In the absence of any of the above, notarized or witnessed statements from the household. Each file will be documented, when appropriate, to show that staff attempted to obtain third-party verification before relying on family self-certification.

#### ***SOURCES OF INFORMATION***

Sources of information may include, **but are not limited to:**

- Any member of the applicant household
- Present and former housing providers/landlords
- Present and former employers
- Banks
- Insurance Companies
- Any Asset Manager
- Family members
- Any person or organization providing gifts/regular contributions to the household
- Credit Screening providers
- Criminal Screening providers
- Eviction Screening providers
- Social workers/Parole Officers
- Court records
- Drug Treatment Centers
- Health Providers
- Physicians
- Clergy
- Schools/Institutes of Higher Education
- Department of Homeland Security (DHS)
- Department of Health and Human Services (HHS)
- The Internal Revenue Service (IRS)
- The Social Security Administration (SSA)
- Medicare/Medicaid
- Representative of the United States Armed Forces
- Any federal/local benefit providers
- Pharmacies
- Utility Providers
- Local and non-local law enforcement
- Automated criminal databases
- Sexual Offenders registries when available
- The world wide web (internet)
- HUD's EIV system (For PBRA Only)

The owner/agent will be the final judge of the credibility of any verification submitted by an applicant. If the owner/agent questions the validity of a document or the validity of information provided, it will be reviewed by management staff for a ruling regarding acceptability.



**PERIOD FOR VERIFICATION**

Only verified information that is less than 120 days old may be used for verification. Verified information not subject to change (such as a person's date of birth) will not be re-verified.

**CONSENT AND VERIFICATION FORMS**

Regardless of age, the Head-of-Household (HOH), the co-Head-of-Household (HOH) the spouse of the Head-of-Household (HOH) and all adult members of a household must sign HUD's consent forms so that the owner/agent can verify eligibility.

- HUD-9887, *Notice and Consent for the Release of Information to HUD and to a PHA*
- HUD-9887-A, *Applicant's/Resident's Consent to the Release of Information Verification by Owner/agents of Information Supplied by Individuals Who Apply for Housing Assistance*

Consent and verification forms protect the rights and privacy of residents and applicants by allowing them to have control over any information collected about them.

All adult members of an applicant or resident household must also sign individual verification forms authorizing the owner/agent to verify household income and applicable eligibility factors (e.g., disability status) and to allow for screening.

When a minor living in the unit turns 18, he/she will have thirty (30) days to communicate with the management staff and sign appropriate forms. Failure to do so will result in termination of subsidy for the entire household.

**PROVISIONS FOR REFUSAL TO SIGN**

If any member of the applicant's household does not sign and submit the consent forms as required, the owner/agent must reject the application and deny assistance and/or tenancy.

**MISREPRESENTATION**

Any information, provided by the applicant that proves to be untrue may be used to disqualify the applicant because of misrepresentation or attempted fraud. The owner/agent will not take any action to reduce or deny assistance based on inconsistent information received during the verification process until the owner/agent has independently investigated the information.

The owner/agent considers false information about the following to be grounds for rejecting an applicant:

- Identity
- Social Security Numbers/Information
- Income
- Assets/Income From Assets
- Household Composition
- Disability
- Birth Date/Age
- Citizenship, Naturalization, And/or Eligible Immigration Status
- Eviction History
- Criminal History
- Sexual Offender Status
- Eligibility For Preferences and Priorities



- Allowances
- Current/Previous Residence History
- Current Housing Assistance
- Status As A Student

Unintentional errors that do not cause preferential treatment will not be used as a basis to reject applicants.

### **APPLICANT SCREENING CRITERIA**

Screening is performed in a manner that is reasonable, consistent, and complies with fair housing laws.

Screening is used to help ensure that households admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes.

Anyone who wishes to live on the property must be screened prior to moving in. This includes, but is not limited to, live-in aides, security/police officers or additional household members wishing to move-in after the initial move-in. *Certain exceptions apply to children/minors.* The current screening guidelines in place at the time the new household member applies will be used to determine eligibility for admission.

### ***SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY***

HUD has established standards that prohibit admission of:

- Any household in which any member was evicted in the last three years from federally assisted housing for drug-related criminal activity
- Any household in which any member was engaged in the production of methamphetamine
- \*A household in which any member is currently engaged in illegal use of drugs or for which the owner/agent has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents
- Any household member who is subject to any state lifetime sex offender registration requirement
- Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse

*NOTE\** "Currently engaged in" is defined as any use of illegal drugs during the previous six months.

In addition to HUD requirements, the owner/agent has established a policy to reject all applications where the applicant or any household member has engaged in criminal activity as described in this document.

The owner/agent will reject applications if any household member's criminal history includes one or more of the following:

- Sex Offender Registration: Applicant, or any member of the applicant family, is or ever has been subject to registration under a state sex offender registration program
- Record of any conviction or adjudication, other than acquittal, of the following felonies by any household member, regardless of when it happened:
  - Capital Murder
  - Murder / Manslaughter



- Arson
  - Kidnapping
  - Child Molestation
  - Treason
  - Rape or Crimes of a Sexual Nature
  - Incest
  - Crimes involving explosives
  - Crimes involving terrorism
  - Gross Lewdness
- If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past four years, the family will be denied admission:
    - Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution or use of a drug or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].
    - Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].
    - Criminal activity that may threaten the health, safety or welfare of other tenants [24 CFR 960.203(c)(3)].
    - Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon.
    - Assault, aggravated assault, assault by threat, stalking.
    - Physical violence to persons or property, or criminal activity that has as one of its elements the use, attempted use or threatened use of physical force against the person or property of another.
    - Criminal activity that may threaten the health or safety of HACA staff, contractors, subcontractors or agents.
    - Three or more convictions of alcohol-related criminal activity, including Driving under the Influence and Public Intoxication.
    - Burglary of a Habitation.
    - If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past three years, the family will be denied admission:
      - A pattern of abuse of alcohol, including, but not limited to, public intoxication and driving while intoxicated.
      - A pattern of fraud committed against a governmental entity.
      - A pattern of theft or fraud.
      - A pattern of organized criminal activity.
      - A pattern of prostitution.

A pattern (for the purposes listed above) consists of three or more incidences, with a minimum of one incident occurring within the past three years. The owner/agent will not use arrest records as the sole basis for denying admission to the program.

If a resident or applicant has requested VAWA protections and such protections have been justified based on owner/agent investigation, the abuser/perpetrator will not be approved to live on the property.

If the owner/agent is unable to complete required criminal or sexual offender screening, the application will be rejected. If the owner/agent determines that a sex offender is part of the household, the owner/agent will

allow the household to remove the sex offender from the application. Removal must be documented using the change of address receipt from the Texas Department of Sex Offender Registration.

The household will have five (5) business days to provide verification that the household member has alternative housing or that the household member has applied for alternative housing. Failure to provide such documentation will result in rejection of the application for all household members.

The owner/agent reserves the right to monitor household composition after move-in. If the owner/agent discovers that a sex offender has moved in to the unit, assistance will be terminated and the household will be evicted in accordance with HUD requirements. Any assistance paid-in-error must be returned to HUD.

United States Code Title 8, subsection 1324(a)(1)(A) prohibits the harboring of illegal aliens. The provision of housing to illegal aliens is a fundamental component of harboring. All applicants will be required to provide proof of citizenship or legal immigration status.

If criminal screening indicates that the applicant has an unacceptable criminal history, the owner/agent will reject the applicant in accordance with HUD guidance and the owner/agent's standards for applicant rejection.

- Consideration of Extenuating Circumstances

In deciding whether to exercise discretion to admit an individual who has engaged in prohibited criminal activity, the owner/agent will consider all of the circumstances relevant to the particular admission decision, including but not limited to: the seriousness of the offending action; the effect that denial of the entire household would have on family members not involved in the criminal activity; and the extent to which the applicant has taken all reasonable steps to prevent or mitigate the criminal activity.

Additionally, when specifically considering whether to deny admission for illegal drug use by a household member who is no longer engaged in such activity, the owner/agent will consider whether the household member is participating in or has successfully completed a drug rehabilitation program, or has otherwise been rehabilitated successfully.

- Criminal Screening Discoveries

If the criminal background investigation indicates that the applicant does not meet the criminal screening criteria, the owner/agent will reject the applicant in accordance with HUD guidance and the owner/agent's standards for applicant rejection. Before rejecting the household, the owner/agent will compare the information provided by the applicant with the criminal history report. If the information conflicts, the owner/agent will:

- Notify the household of the proposed action based on the information;
- Provide a copy of the criminal history report;
- Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency;
- Allow the household the opportunity to remove the household member.

In this situation, applicants will have seven (7) business days to resolve the discrepancy. If the applicant fails to contact the owner/agent or indicates that he/she cannot provide documentation to refute the criminal discovery, the owner/agent will reject the application and remove the household from the waiting list. The owner/agent will notify the applicant family of the rejection in writing. The family will have the opportunity to request an appeal of the denial according to the terms of the grievance policy within this tenant selection plan.

If, after move-in, the owner/agent discovers that there was criminal history that would have resulted in rejection, the owner/agent will contact the resident to ascertain the accuracy of the criminal report. If the resident would have been rejected had the information been known at the time of the eligibility determination, the owner/agent will take appropriate action including notifying HUD's Office of the Inspector General of potential fraud and pursuing termination of tenancy (eviction).

### ***SCREENING FOR CREDIT HISTORY***

The owner/agent reviews each adult applicant's credit history. The owner/agent does not consider medical bills/expenses, credit score, or the lack of credit history when reviewing credit history.

Credit history will be reviewed to determine the following:

- If there is any debt owed to a prior landlord or HUD'
- If there are any evictions that have not been reported;
- If there are any other housing related judgments against the applicant.

Applicants will be rejected in the following situations:

- The family owes a debt to a federally assisted housing program which has not been repaid and the family has not established a repayment agreement.
- The family has a pattern of debts owed to housing and residential programs within the past two (2) years.

If the applicant has no credit history, the credit screening will be considered "positive."

### ***SCREENING FOR ABILITY TO ESTABLISH UTILITY SERVICE***

The owner/agent will also screen applicant households for the ability to establish utility services in the name of at least one adult family member. All adult applicants will be required to sign the consent for Release of Information from Austin Energy.

Applicant households which do not have any adult members able to establish service with Austin Energy will be given 7 days to resolve the issue with Austin Energy. If the household is unable to do so, the application will be rejected.

### ***SCREENING RENTAL HISTORY***

If any member of the applicant household has been evicted from any property owned or managed by the Housing Authority of the City of Austin for lease violations within the last two years, that applicant household will be rejected.

The owner/agent will review rental history with any landlord indicated in the past two (2) years. The owner/agent will also review information provided through automated databases including eviction databases. The application will be rejected for any of the following:

- The family has been evicted from federally assisted housing within the past 2 years;
- The family has a pattern of disturbance of neighbors, destruction of property or living or housekeeping habits at prior residences within the past two years which may adversely affect the health, safety or welfare of other tenants.

## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

- The family has a pattern of eviction from housing or termination from residential programs within the past five years (considering relevant circumstances).

If the applicant fails to identify one or more residences where he/she lived in the last two (2) years, the applicant will be rejected and the household will be removed from the waiting list.

The owner/agent will contact the prior property owner/agent (as indicated above) and inquire about the following information:

- Adherence to the Lease & Community Policies
- Compliance with certification reporting requirements
- Rental Payment Performance
- Compliance with requirements to fully and accurately disclose income information in a timely manner
- Requirement to Return Assistance Paid in Error due to under-reporting income or un-reported income
- Unit Maintenance/Damage
- Record of Disturbing Neighbors
- Complaints

If information obtained is negative the applicant will be rejected. Negative responses include but are not limited to:

- A pattern of failure to comply with the lease
- A pattern of failure to comply with House Rules, Pet Rules or Assistance Animal Rules
- Failure to fully and accurately report income, new employment or changes in household composition in a timely manner
- Providing false information
- Attempting to receive or receiving HUD assistance in multiple units/homes
- Slow or no response to requests to recertify
- Poor rental payment history (average more than two (2) late payments per year, record of bounced checks, any outstanding balance)
- A pattern of poor unit maintenance or damage to the unit beyond normal wear-and-tear
- Complaints from neighbors regarding actions that directly affect the peace and quiet comfort of others living in the community
- Record of actions that interfered with or prevented the previous landlord from effectively managing the property.
- A pattern of outstanding balances owed by any household member to a prior landlord

If the applicant has no landlord history, the landlord screening will be considered “positive”.

### ***SCREENING FOR RECEIPT OF HUD ASSISTANCE IN ANOTHER UNIT (PBRA ONLY)***

All applicants must disclose if they are currently receiving HUD housing assistance. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit on this property. HUD provides the owner/agent with information about an applicant’s current status as a HUD housing assistance recipient.



## (Property Name) Tenant Selection Plan for PBRA / LIHTC Elderly/Disabled Housing

The owner/agent will use the **Existing Tenant Report** provided via HUD's Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD housing assistance. This applies to all household members and to new members of an existing household, including minors, foster children/adults, and live-in aides.

Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin. Special consideration applies to:

- Minor children where two assisted families share custody
- Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit (*Split household/Swap household*)

If the owner/agent discovers a discrepancy between the information on the application and the information provided by EIV, the applicant will be notified and will have **5 business days** to respond to the inquiry.

If an applicant fails to fully and accurately disclose receipt of HUD assistance or rental history, the application will be rejected and the applicant and all members of the applicant household will be removed from the waiting list.

If any household member receives or attempts to receive HUD housing assistance while receiving HUD housing assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges.

### **REJECTING INELIGIBLE OR UNQUALIFIED APPLICANTS**

The owner/agent reserves the right to reject applicants for admission based on any of the following:

- No unit of the appropriate size exists on the property
- The household fails to meet the HUD indicated eligibility requirements for the assistance program/property
- Any non-exempt member of the household fails to provide a Social Security Number or adequate documentation to verify the Social Security Number (SSN)
- Any member of the household fails to meet the applicant screening requirements
- Any member of the household fails to sign appropriate verification documents
- Misrepresentation
- Fraud
- Any member of the household fails to respond to management inquiries for additional information during the application process
- The owner/agent is unable to contact the applicant via US Mail (letters undeliverable or returned) and/or by phone (number disconnected or changed)
- Any member of the household has a record of eviction, for lease violations, from any property managed by the owner/agent or HACA
- Any member of the household has a pattern of eviction, for lease violations, from any property within the last two years
- There is pattern of outstanding or overdue payments to a previous landlord
- There is record of outstanding or overdue payments to HUD





- The household is unable to establish utilities in the new unit
- The household is unable to pay the security deposit required
- The household is unable to take possession of the unit within the timeframes outlined in this plan
- The household is unable to pay the first month's rent (TTP)
- The household does not have a need for an accessible unit and refuses one offer

### ***REJECTION NOTICES***

The owner/agent will promptly notify the household (Head-of-Household (HOH)), in writing, of the denial of admission or assistance. A rejection letter will be sent to the Head-of-Household via First Class Mail. The rejection letter will include the reason(s) for the rejection.

### ***APPEALING THE DECISION TO REJECT***

Any applicant may make a request to appeal the denial in writing within **fifteen (15) calendar days from the date of the rejection**. The owner/agent will accept the request in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability. Such requests are to be submitted to the Admissions Department in HACA's central office building. If there is no appeal request **within fifteen (15) days**, the rejection will be considered final. Reasons to appeal include:

- The applicant believes the decision has been made in error
- The applicant believes there are extenuating circumstances that should be considered
- The applicant or a member of the applicant's household is a victim of abuse covered by the Violence Against Women Act and the applicant feels the applicant's status as a victim contributes to the decision to deny
- The applicant or a member of the applicant's household is a person with a disability, and the applicant believes a reasonable accommodation would allow the owner/agent to continue processing the application
- The applicant's household was rejected because the application includes someone who is a registered sex offender and the applicant wishes to remove that household member

Any staff person engaged in the initial review will not be involved in the appeal. HACA's designated hearing officer will conduct the informal review.

Applicants may bring a representative to assist in the appeal meeting. Applicants and/or their representatives have the right to request a reasonable accommodation to:

- Assist in facilitating your request for appeal
- To assist in your participation during the appeal meeting

The hearing officer will provide written notification of a final decision within ten (10) business days of the informal review.

For complete details about the appeals process, see the Grievance and Appeals Policy. This policy is available upon request.



### **INFORMAL HEARINGS FOR PBRA APPLICANTS**

Through PIH Notice 2012-32 Rev. 2, HUD provided guidance that the grievance procedures afforded to families living in Conventional Public Housing before conversion through RAD to Project Based Rental Assistance (PBRA) must be continued after the conversion. Below is the full account of all grievance procedures for applicants to the PBRA property.

When the owner/agent makes a decision that has a negative impact on an applicant family, the family is often entitled to appeal the decision. For applicants, the appeal takes the form of an informal hearing. HUD regulations do not provide a structure for or requirements regarding informal hearings for applicants (except with regard to citizenship status, to be covered in Part II). This part discusses the owner/agent's policies necessary to respond to applicant appeals through the informal hearing process.

### ***INFORMAL HEARING PROCESS [24 CFR 960.208(a) AND PH Occ GB, P. 58]***

Informal hearings are provided for PBRA applicants. An applicant is someone who has applied for admission to the PBRA program, but is not yet a resident in the program. Informal hearings are intended to provide a means for an applicant to dispute a determination of ineligibility for admission to a project [24 CFR 960.208(a)]. Applicants to PBRA are not entitled to the same hearing process afforded residents in the owner/agent grievance procedure [24 CFR 966.53(a) and PH Occ GB, p. 58]. Informal hearings provide the applicant a means to hear the details of the reasons for rejection, and an opportunity to present evidence to the contrary if available and to claim mitigating circumstances if possible.

- **Use of Informal Hearing Process**

The owner/agent will only offer the opportunity of an informal hearing to applicants who have been determined as ineligible for admission.

- **Notice of Denial**

The owner/agent will give an applicant prompt notice of a decision denying eligibility for admission. The notice will contain a brief statement of the reasons for the owner/agent's decision, and will also state that the applicant may request an informal hearing to dispute the decision. The notice must describe how to obtain the informal hearing.

The Notice of Denial letter will inform the applicant that he/she has a right to be represented by legal counsel when disputing the owner/agent's decision denying eligibility for admission.

Prior to notification of denial based on information obtained from criminal or sex offender registration records, the family, in some cases, must be given the opportunity to dispute the information in those records which would be the basis of the denial.

- **Scheduling an Informal Hearing**

A request for an informal hearing must be made in writing and delivered to the owner/agent either in person, by fax, by email or by first class mail, by the close of the business day, no later than 15 calendar days from the date of owner/agent's notification of denial of admission.

Owner/agent will send written notice of the informal hearing within 30 business days of the family's request. Owner/agent will make every effort to hold the hearing within 45 calendar days of receiving the request for the hearing.

- Conducting an Informal Hearing [PH Occ GB, p. 58]

The informal hearing will be conducted by an appointed Hearing Officer who is a person other than the one who made the decision under review, or a subordinate of this person.

The applicant will be provided an opportunity to present written or oral objections to the decision of the owner/agent.

The Hearing Officer will render a decision on whether admission should be granted or denied.

- Informal Hearing Decision [PH Occ GB, p. 58]

The owner/agent will notify the applicant of owner/agent's final decision, including a brief statement of the reasons for the final decision.

In rendering a decision, the owner/agent will evaluate the following matters:

- Whether or not the grounds for denial were stated factually in the notice.
- The validity of grounds for denial of admission. If the grounds for denial are not specified in the regulations or in the owner/agent's policy, then the decision to deny assistance will be overturned. See the Tenant Selection Plan for a detailed discussion of the grounds for applicant denial.
- The validity of the evidence. The owner/agent will evaluate whether the facts presented prove the grounds for denial of admission. If the facts prove that there are grounds for denial, and the denial is required by HUD, the owner/agent will uphold the decision to deny admission.
- If the facts prove the grounds for denial, the Hearing Officer will make the final decision to deny admissions.

The owner/agent will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice will be mailed within 15 calendar days of the informal hearing to the applicant and his or her representative, if any.

If the informal hearing decision overturns the denial, processing for admission will resume. The owner/agent will make every effort to resume the screening process for reinstated applicants within 20 calendar days of the hearing decision.

If the family fails to appear for their informal hearing, the denial of admission will stand and the family will be so notified.

The applicant may request that the Hearing Officer consider a request for Reasonable Accommodations under the Fair Housing Act and Section 504 with respect to past conduct (see below).

If the basis for the denial relates to family violence, the applicant may qualify for an exception under the Violence Against Women Amendments.

The Notice of Denial letter will inform the applicant that he/she has a right to be represented by legal counsel when disputing the owner/agent's decision denying eligibility for admission.

***REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES [24 CFR 966.7]***

Persons with disabilities may request reasonable accommodations to participate in the informal hearing process and the owner/agent must consider such accommodations. The owner/agent must also consider reasonable accommodation requests pertaining to the reasons for denial if related to the person's disability. See the Reasonable Accommodation Policy for more detail pertaining to reasonable accommodation requests.

***HEARING AND APPEAL PROVISIONS FOR NON-CITIZENS [24 CFR 5.514]***

Denial or termination of assistance based on immigration status is subject to special hearing and notice rules. These special hearings are referred to in the regulations as informal hearings, but the requirements for such hearings are different from the informal hearings used to deny applicants for reasons other than immigration status.

Assistance to a family may not be delayed, denied or terminated on the basis of immigration status at any time prior to a decision under the United States Citizenship and Immigration Services (USCIS) appeal process. Assistance to a family may not be terminated or denied while the owner/agent's hearing is pending, but assistance to an applicant may be delayed pending the completion of the informal hearing.

A decision against a family member, issued in accordance with the USCIS appeal process or the owner/agent's informal hearing process, does not preclude the family from exercising the right, that may otherwise be available, to seek redress directly through judicial procedures.

- **Notice of Denial or Termination of Assistance [24 CFR 5.514(d)]**

The notice of denial or termination of assistance for noncitizens must advise the family of any of the following that apply:

- That financial assistance will be denied or terminated, and provide a brief explanation of the reasons for the proposed denial or termination of assistance.
- The family may be eligible for proration of assistance.
- In the case of a resident, the criteria and procedures for obtaining relief under the provisions for preservation of families [24 CFR 5.514 and 5.518].
- That the family has a right to request an appeal to the USCIS of the results of secondary verification of immigration status and to submit additional documentation or explanation in support of the appeal.
- That the family has a right to request an informal hearing with the owner/agent either upon completion of the USCIS appeal or in lieu of the USCIS appeal.
- For applicants, assistance may not be delayed until the conclusion of the USCIS appeal process, but assistance may be delayed during the period of the informal hearing process.

- **United States Citizenship and Immigration Services Appeal Process [24 CFR 5.514(e)]**

When the owner/agent receives notification that the USCIS secondary verification failed to confirm eligible immigration status, the following process will be observed:

- The owner/agent will notify the family of the results of the USCIS verification within 10 calendar days of receiving the results.
- The family will have 30 days from the date of the owner/agent's notification to request an appeal of the USCIS results. The request for appeal must be made by the family in writing directly to the USCIS.

- The family must provide the owner/agent with a copy of the written request for appeal and proof of mailing within 10 calendar days of sending the request to USCIS.

The family must forward to the designated USCIS office any additional documentation or written explanation in support of the appeal. This material must include a copy of the USCIS document verification request (used to process the secondary request) or such other form specified by the USCIS, and a letter indicating that the family is requesting an appeal of the USCIS immigration status verification results.

The USCIS will notify the family, with a copy to the owner/agent, of its decision. When the USCIS notifies the owner/agent of the decision, the owner/agent must notify the family of its right to request an informal hearing.

The owner/agent will send written notice to the family of its right to request an informal hearing within 10 business days of receiving notice of the USCIS decision regarding the family's immigration status.

- Informal Hearing Procedures for Applicants [24 CFR 5.514(f)]

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, an applicant family may request that the owner/agent provide a hearing. The request for a hearing must be made either within 30 days of receipt of the owner/agent's notice of denial, or within 30 days of receipt of the USCIS appeal decision.

The informal hearing procedures for applicant families are described below.

- ***Informal Hearing Officer***

The owner/agent must provide an informal hearing before an impartial individual, other than a person who made or approved the decision under review, and other than a person who is a subordinate of the person who made or approved the decision.

- ***Evidence***

The family will be provided the opportunity to examine and copy at the family's expense or \$.10 per page, at a reasonable time in advance of the hearing, any documents in the possession of the owner/agent pertaining to the family's eligibility status or in the possession of the USCIS (as permitted by USCIS requirements), including any records and regulations that may be relevant to the hearing.

The family will be provided the opportunity to present evidence and arguments in support of eligible status. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The family must also be provided the opportunity to refute evidence relied upon by the owner/agent, and to confront and cross-examine all witnesses on whose testimony or information the owner/agent relies.

- ***Representation and Interpretive Services***

The family is entitled to be represented by an attorney or other designee, at the family's expense, and to have such person make statements on the family's behalf.

The family is entitled to arrange for an interpreter to attend the hearing, at the expense of the family, or the owner/agent, as may be agreed upon by the two parties. If the family does not arrange for their own interpreter, the owner/agent is still obligated to provide oral translation services in accordance with its LEP Plan.

○ ***Recording of the Hearing***

The family is entitled to have the hearing recorded by audiotape. The owner/agent will not provide a transcript of an audio taped informal hearing.

○ ***Hearing Decision***

The owner/agent must provide the family with a written notice of the final decision, based solely on the facts presented at the hearing, within 10 business days of the date of the informal hearing. The notice must state the basis for the decision.

○ ***Retention of Documents [24 CFR 5.514(h)]***

The owner/agent must retain for a minimum of 5 years the following documents that may have been submitted to the owner/agent by the family, or provided to the owner/agent as part of the USCIS appeal or the owner/agent's informal hearing process:

- The application for assistance
- The form completed by the family for income reexamination
- Photocopies of any original documents, including original USCIS documents
- The signed verification consent form
- The USCIS verification results
- The request for a USCIS appeal
- The final USCIS determination
- The request for an informal hearing
- The final informal hearing decision

## **OFFERING AN APARTMENT**

When a unit becomes available and eligibility is determined, available units will be offered using one or more of the following methods:

- In writing, using the mailing address provided by the applicant family.
- Over the phone, using the contact phone number(s) provided by the applicant family.
- By email, using the contact email address(es) provided by the applicant family.

If the owner/agent is unable to contact the household within five (5) business days from the date of the letter, the offer will be cancelled and the apartment will be offered to the next applicant based on the selection criteria described in this plan.

Failure to respond to the owner/agent will be considered a refusal of the unit offer. (See Right to Refusal policies.) It is the applicant family's responsibility to keep all contact information current with the Admissions Department.

## **OFFERING ACCESSIBLE UNITS**

Units that have been made accessible in accordance with the Universal Federal Accessibility Standards or the Americans with Disabilities Act Accessibility Guidelines will be offered to applicant households with disabled



members first. In some cases, the owner/agent may implement marketing efforts to ensure that disabled households occupy accessible units.

Units with communication accessible features will be offered to households with a verified need for communication accessible units first

Units with mobility accessible features will be offered to households with a verified need for mobility accessible units first

After move-in, if the members of the household who required the special features of the accessible unit no longer reside in the unit, and where the lease permits, the owner/agent will require the remaining members of the household to move to a unit without accessibility features when such a unit of the appropriate size becomes available.

If there is no household on the waiting list that has requested an accessible unit, the unit will then be offered to the next household based on the selection order. Before the applicant can accept that accessible unit, all adult members of the applicant household must sign an agreement that includes a requirement to move, at the household's expense, to the first available non-accessible unit that meets the household's occupancy requirements as described in this plan. The resident household will not be required to move if:

- No unit that meets the household's occupancy requirements is available
- There is no applicant household on the waiting list requesting an accessible unit

In either of the cases above, the household must take possession of the unit according to the timeframes outlined in this plan. If the applicant fails to move within the established timeframes, assistance will be terminated. This rule, in no way, affects the single residence criteria. The household can only accept assistance in one unit on any given day.

#### ***OFFERING UNITS TO APPLICANTS WITH DISABILITIES REQUESTING ACCESSIBILITY FEATURES***

The owner/agent will not skip over a household that has reached the top of the waiting list and has indicated a need for certain unit features because of a disability.

The household will be given the opportunity to benefit from the program and decide, in compliance with the Fair Housing Act and Section 504, whether a unit meets the needs of the disabled household member. The household may accept the unit and request some modification to the unit as a reasonable accommodation. See the owner/agent's Reasonable Accommodation Policy in Appendix A for information about requesting a reasonable modification.

#### ***OFFERING UNITS TO APPLICANTS OR RESIDENTS WITH PREFERENCES***

Applicants/residents with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference.

#### ***APPLICANT/RESIDENT SELECTION ORDER***

**Accessible Apartments** will be offered in the following order:

- \*The next household on the transfer list who is requesting an accessible unit. Offers will be made in order according to the weighted transfer list preferences:



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- Emergency / Safety (with need for an accessible unit)
  - Reasonable Accommodation (with need for an accessible unit)
  - Over Housed (with need for an accessible unit)
  - Under Housed (with need for an accessible unit)
- The next applicant on the waiting list who is requesting an accessible unit. Offers will be made in order according to the weighted waiting list preferences:
  - Elderly / Non-Elderly preference (with need for an accessible unit)
  - Involuntarily Displaced preference (with need for an accessible unit)
  - Disability preference (with need for an accessible unit)
- \*When there is no one in need of the accessibility features for this unit, the offer will be given to the next household on the transfer list. Offers will be made in order according to the weighted transfer list preferences:
  - Emergency / Safety
  - Reasonable Accommodation
  - Over Housed
  - Under Housed
- When there is no one in need of the accessibility features of this unit, the offer will be given to the next applicant on the waiting list. Offers will be made in order according to the weighted waiting list preferences:
  - Elderly / Non-Elderly
  - Involuntarily Displaced
  - Disability

***\*Note: If the next family on the transfer list is currently over 140% of the LIHTC income limit for their family size, a transfer will only be offered to another unit in the same building, in accord with the LIHTC "Next Available Unit" rule. The definition of "building" for this property is outlined on IRS Form 8806. In this case, if the family cannot move to another building, the offer will be made to the next family on the transfer list.***

**Standard Apartments** will be offered in the following order:

- \*The next household on the transfer list, regardless of need for an accessible unit. Offers will be made in order according to the weighted transfer list preferences:
  - Emergency / Safety
  - Reasonable Accommodation
  - Over Housed
  - Under Housed
  - Resident has no need for accessible feature in current unit
- The next applicant on the waiting list, regardless of need for an accessible unit. Offers will be made in order according to the weighted waiting list preferences:



- Elderly / Near Elderly
- Involuntarily Displaced
- Disability

***\*Note: If the next family on the transfer list is currently over 140% of the LIHTC income limit for their family size, a transfer will only be offered to another unit in the same building, in accord with the LIHTC "Next Available Unit" rule. The definition of "building" for this property is outlined on IRS Form 8806. In this case, if the family cannot move to another building, the offer will be made to the next family on the transfer list.***

### **RIGHT TO REFUSAL**

The Right to Refusal Policy applies to applicants and existing residents who have submitted a Unit Transfer Request. Residents requesting unit transfer and applicants will be offered available units based on the information included in this resident selection plan.

Each household will be offered the opportunity to accept an offered apartment one (1) time. If a resident/applicant does not wish to accept an offered apartment, they have the right to refuse the offer.

Residents/applicants must notify the owner/agent of their intent to refuse the unit offer by using one or more of the following methods:

- In writing (delivered by fax, mail or other means)
- By email
- Over the phone

***Note: If the refusal is made over the phone, contact must be made with a member of the management staff. Leaving a message is not adequate.***

When an applicant or resident refuses a unit, the unit will be offered to the next qualified household based on the selection order described above.

When a resident refuses a transfer offer, the terms of the lease require that the assistance be terminated and the resident be required to pay the full contract rent.

When an applicant refuses an offered unit, the household will be removed from the waiting list and will have to wait one calendar year before applying again.

Right to refusal policies will be modified in three cases:

- If a disabled applicant or resident is at the top of the waiting list, they will be offered units as they become available regardless of whether they include accessible features. A disabled household has the right to refuse an unlimited number of non-accessible units or units that do not meet specific accessibility requirements. Note: *Certain restrictions apply to non-elderly disabled households when HUD's program eligibility requires the need for an accessible unit.*
- If an applicant or resident household with no disabled members is at the top of the waiting list, and there are no disabled households on the waiting list, that household may be offered an accessible unit.

An applicant household with no disabled household members has the right to refuse an unlimited number of accessible units or units that do not meet their needs.

- Any applicant may reject an available unit on a property set aside for the elderly and/or disabled if this unit is close to another unit with an animal. For this purpose, “close” means an adjacent unit or one directly across the hall. This action will not negatively affect the household’s application for occupancy or position on the waiting list to be eligible for the next available unit. The owner/agent is not obligated at the time the applicant rejects a unit to provide an alternate unit.

#### ***TIMEFRAME FOR TAKING POSSESSION OF A UNIT***

When the first housing offer is made for a unit, the applicant family must meet the following timeframes for taking possession of the offered unit:

- Within 2 business days from the date the offer is received, the applicant family must make contact with the property management staff. At that time, the property management staff will notify the family of the anticipated date that the unit will be available to be viewed.
- Once the unit is ready to view, the property management will schedule an appointment to view the unit. Failure to attend the scheduled appointment is considered a rejection of the housing offer.
- Within 3 calendar days of viewing the unit, the applicant family must accept or reject the unit. No response by close of business on the third day is considered a rejection of the housing offer.
- Within 2 calendar days of accepting an offer, the applicant family must pay the security deposit and the prorated first month’s rent. At that time, the family will receive the keys and are considered to have taken possession of the unit. Failure to take possession of the unit by close of business on the second day is considered a rejection of the unit.

When the first housing offer is rejected and a second (or subsequent) offer is made, the applicant family must meet the following timeframes for taking possession of the offered unit:

- Within 2 business days from the date the offer is received, the applicant family must make contact with the property management staff. At that time, the property management staff will schedule an appointment to view the unit. Failure to attend the scheduled appointment is considered a rejection of the housing offer.
- Within 4 calendar days of viewing the unit, the applicant family must accept or reject the unit. No response by close of business on the third day is considered a rejection of the housing offer.
- Within 4 calendar days of accepting an offer, the applicant family must pay the security deposit and the prorated first month’s rent. At that time, the family will receive the keys and are considered to have taken possession of the unit. Failure to take possession of the unit by close of business on the second day is considered a rejection of the unit.

If the applicant household does not complete appropriate paperwork and does not take possession of the unit within the timeframes outlined above, the applicant will be subsequently rejected and removed from the waiting list. Extenuating circumstances will be considered, including the following:

- The family is dealing with a documented medical or other family emergency. In this case the owner/agent and family will negotiate an appropriate solution which may include offering the family the next unit.
- The family is required to give 30 days’ notice to their current landlord which is part of another federally assisted housing program.

When the family rejects the unit or does not meet the outlined timeframes, the owner/agent reserves the right to refuse subsequent applications. The unit will be offered to the next eligible applicant/resident based on the selection order described in this plan.

### **UNIT TRANSFER POLICIES**

The owner/agent will accept requests for transfer in the following situations:

- **Emergency / Safety:** The household needs to move due to a life-threatening situation. Life-threatening situations include the following:
  - Due to no fault of the resident(s), the unit is uninhabitable and cannot be made habitable in a reasonable amount of time;
  - A household member has experienced a medical condition which makes the current unit uninhabitable or unsafe;
  - A household member is in danger of retaliation;
  - A household member is a victim of domestic violence and qualifies for VAWA protections.
- **Reasonable Accommodation:** A family member has a verified need for an accessible unit.
- **Over Housed:** The household is in a unit that is larger than they qualify for according to the owner/agent's subsidy standards.
- **Under Housed:** The household is in a unit that is smaller than they qualify for according to the owner/agent's subsidy standards.
- **Unneeded Accessibility Feature:** The family does not require or no longer needs the accessibility features of a unit in which they are living. However, another family does need that accessibility feature.

Unit transfer requests that do not fall into one of these categories will not be approved. Families requesting to move for any other reason will be provided with information on how to apply for housing assistance at the other properties managed or owned and operated by the Housing Authority of the City of Austin.

Existing residents must complete a Unit Transfer Request. The Unit Transfer Request must be completed and signed by the head of household and all adult household members who wish to move. The owner/agent will accept the Unit Transfer Request in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

Special consideration is given when the unit transfer is requested because there is:

- A verified medical need for a different unit
- A verified need for an accessible unit
- There is a need for a unit transfer of a household that does not require the accessibility features of a unit in which they are living to accommodate a disabled resident/applicant on the waiting list.
- A change in household size that makes the current unit too large or too small for the family based on the owner/agent's occupancy standards

With the exception of Emergencies and Reasonable Accommodations, unit transfers will be granted only if:

- The household has not given notice to move
- The resident is not being evicted
- The resident is current for all outstanding charges
- The resident complies with lease provisions regarding decent safe and sanitary conditions of current unit

A household living in an apartment too large for its needs will not be required to move if there are no applicants waiting for the bedroom size to be vacated by the transfer. An appropriate sized unit will be available before the resident household is required to move. At that time, the household will have thirty (30) days to complete the transfer.

A household whose annual gross income is over 140% of the LIHTC income limit for their household size will only be allowed to transfer to another unit within their same building (as defined by *BIN – Building Identification Number* – on IRS Form 8609).

### ***SECURITY DEPOSITS, PET DEPOSITS & UNIT TRANSFERS***

When a resident transfers to a new unit with all other household members, the owner/agent will charge a new security deposit and refund the security deposit for the old unit less any outstanding amounts for rent, fees or damages. If the move out expenses exceed the security deposit, the family will receive an itemized bill which must be paid within 30 days of receipt of the bill.

When a resident owns a pet, the original unit will be assessed for damages caused by the pet. The pet deposit will be reduced by charges for those damages and the resident will be required to obtain a pet deposit balance of \$100.00 for the new unit. The resident will be allowed to pay the new pet deposit balance due in \$10.00 monthly payments until the \$100.00 pet deposit balance is reached.

### **CHANGES IN HOUSEHOLD COMPOSITION**

#### ***ADDING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY***

The owner/agent must approve any new adult household member before he/she moves in to the unit. Eligibility criteria, screening criteria and compliance with occupancy standards will be reviewed before the new household member is approved or denied.

The request to add a new household member will not be considered if the resident has provided notice to vacate the unit. This helps prevent applicants from “jumping” ahead on the waiting list.

Any new adult household member will be considered an applicant and must participate in the eligibility determination and screening processes described in the resident selection plan in place at the time of the eligibility determination.

(For PBRA Only) In addition, the rent/assistance payment will be re-calculated to reflect any income or allowances for the new household member. If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the addition of the new household member.

This policy applies to live-in aides as well. Screening criteria will also be applied to live-in aides, **except for the criterion regarding credit performance or the ability to pay rent on time** because live-in aides are not responsible for rental payments. However, live in aides must meet other screening criteria established by the owner/agent. Income and/or allowances received by live-in aides will not be considered.

Information about new household members who are minors must be provided to the owner/agent as quickly as possible but within no more than thirty (30) calendar days. This includes, as applicable, required eligibility



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information including Social Security Numbers, proof of citizenship or non-citizen eligibility and other pertinent information.

If the new household member is under the age of six, special consideration regarding Social Security Number disclosure and verification of Social Security Numbers is given. The household will be given ninety (90) calendar days to provide the Social Security Number and adequate documentation to verify the Social Security Number provided. In some cases, an additional ninety (90) days may be provided.

If the household fails to provide the required Social Security Number information within the allotted timeframe, the household's tenancy will be terminated (eviction) in accordance with HUD requirements.

(For PBRA Only) Each dependent child that lives in the unit may be eligible for a \$480 deduction that decreases the monthly rent payment by roughly \$12.00 per month. The rent payment will be re-calculated to reflect any income or allowances for the new household member.

If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the addition of the new household member.

Failure to notify the owner/agent about changes in household composition as described above may result in retroactive rent changes and/or termination of subsidy/tenancy for the entire household. Please contact the owner/agent or property staff if you have questions about this policy.

### ***REMOVING HOUSEHOLD MEMBERS AFTER INITIAL OCCUPANCY***

Residents must notify the owner/agent if any household member listed on the lease or on HUD Form 50059 or on LIHTC Form TIC (Tenant Income Certification) leaves the unit. This notification must occur as quickly as possible but within no more than thirty (30) calendar days.

(For PBRA Only) Upon notice, the rent payment will be re-calculated to remove any income or allowances for the previous household member. If the rent increases, the increase will take effect the first of the month following delivery of a 30-day notice of change to rent. If the rent decreases, the decrease will take effect the first of the month following the removal of the household member.

Failure to provide notice to the owner/agent, within thirty (30) days, could result in rent increases retroactive to the first of the month after the household member left. Subsidy paid in error will be returned, as required, to the Department of Housing & Urban Development.

If the resident fails to notify the owner/agent of a change in household composition within thirty (30) calendar days, and that change would result in a rent decrease, the owner/agent will make the decrease effective the first of the month following the notice. No retroactive rent credits will be returned to the resident.

Failure to notify the owner/agent about changes in household composition may result in termination of subsidy and/or tenancy for the entire household. Please contact the owner/agent if you have questions about this policy.

### **APARTMENT INSPECTIONS**

All apartments must undergo periodic inspection conducted by the on-site management team, HUD or HUD's representatives/agents. These inspections include not only interior but also exterior inspections. Residents have the right to be present, and are, in fact encouraged, to be present during unit inspection.



**The move-in inspection** is an opportunity to familiarize the new resident with the property and the unit, as well as to document its current condition. By performing move-in inspections, the owner/agent and residents are assured that the unit is in livable condition and is free of damages. A move-in inspection gives the owner/agent an opportunity to familiarize residents with the operation of appliances and equipment in the unit.

**The move-out inspection** is conducted when a household vacates a unit. The owner/agent will list the damages on the Unit Inspection Form and compare it with the Unit Inspection Form completed at move-in to determine if there is any damage or excessive wear-and-tear.

In addition, the owner/agent will perform unit inspections on at least an annual basis to determine whether the appliances and equipment in the unit are functioning properly and to assess whether a component needs to be repaired or replaced.

This is also an opportunity to determine any damage to the unit and, if so, make the necessary repairs. At this time, residents may be charged for damages to the unit so long as those damages are not the result of normal wear-and-tear.

**Housekeeping inspections** will be conducted on a semi-annual (every 6 months) basis. Housekeeping inspections provide the owner/agent the opportunity to verify that the unit is being properly cared for and to verify the need for any repairs.

**TDHCA and HUD, or their authorized contractor(s), have the right to inspect the units** and the entire property to ensure that the property is being well maintained. These inspections assure HUD that owners and their agents are fulfilling their obligations under the regulatory agreements and/or subsidy contracts and that residents are provided with decent, safe, and sanitary housing.

### **CHANGES TO THE RESIDENT SELECTION PLAN**

Applicants will be notified in writing when the resident selection plan undergoes significant change or when preferences are added or removed. At that time, applicants will be:

- Given an opportunity to review the new plan
- Notified of changes to preferences
- Asked if they wish to remain on the waiting list

If the applicant household does not respond, that household will be deemed ineligible and removed from the waiting list.

The current resident selection plan, in place at the time of final eligibility determination, will be used to make a final decision to approve or reject the application.

## **APPENDIX A – REQUEST FOR REASONABLE ACCOMMODATION OR MODIFICATION**

The owner/agent is committed to complying with the Fair Housing Act and Section 504 of the Rehabilitation Act by ensuring that its policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of housing services or programs solely on the basis of such disabilities.

If an individual with a disability requests an accommodation or modification, the owner/agent will fulfill these requests, unless doing so would result in a fundamental alteration in the nature of the program or create an undue financial and administrative burden. In such a case, if possible, the owner/agent will offer an alternative solution that would not result in a financial or administrative burden.

- The owner/agent informs all applicants/residents that, at any time, the applicant/resident or a person acting on behalf of the applicant/resident may make a request for reasonable accommodation or modification for an individual with a disability.
- At the time of application, all applicants are provided with a copy of the Reasonable Accommodation - Modification Policy. This is provided in writing as part of the Application Package or, upon the applicant's request, the Policy will be provided in an equally effective format.
- All applicants/residents are provided with a Reasonable Accommodation/Modification Request Form when requesting a reasonable accommodation or modification. The request will be accepted in an equally effective format, as a reasonable accommodation, if there is the presence of a disability. A resident or applicant may submit the request in writing, orally, or use another equally effective means of communication to request an accommodation or modification.
- Residents and applicants may contact the management office located within their property for information about requests.
- The owner/agent will provide an initial reply to requests as quickly as possible, but no more than ten (10) business days from the receipt of the request unless the owner/agent explains the delay. Response may include but is not limited to:
  - Request Approval
  - Request Denial
  - Request for Additional Information or Verification of Need
- The owner/agent will consent to or deny the request as quickly as possible. Unless the owner/agent explains the delay, the applicant/resident will be notified of the decision to consent or deny within no more than thirty (30) calendar days after receiving all necessary information and documentation from the resident and/or appropriate verification sources. All decisions to grant or deny reasonable accommodations will be communicated in writing or, if required/requested, in an alternative format. Exceptions to the thirty (30) day period for notification of the owner/agent's decision on the request will be provided to the resident setting forth the reasons for the delay.
- If the request for reasonable accommodation or modification is denied, the requestor has the right to appeal the decision within fifteen (15) business days of the date of the written notification of denial. The appeal meeting will be conducted by a person who was not originally involved in the decision to deny.

For full explanation of reasonable accommodation requests, see the owner/agent's Reasonable Accommodation policy. This policy is available upon request.



## **APPENDIX B – CITIZEN/NON-CITIZEN ELIGIBILITY**

Applicants are required to declare U.S. Citizenship or submit evidence of eligible immigration status for each of household member seeking housing assistance. The owner/agent is required to obtain the following documents:

- Family Composition List (lists all household members who will reside in the assisted unit)
- Citizenship Declaration (Each household member listed on the Household Summary Sheet must complete)
- Forms and/or evidence of citizen/immigration status

If you have any questions or difficulty in providing the described information or determining the type of documentation required, please contact the management office. If you are unable to provide the required documentation in the timeframe indicated, you must contact the management office and request an extension. If you fail to provide this information, the owner/agent cannot provide assistance.

The owner agent will offer the household assistance, providing subsidy to those household members whose documents were received on time when the following criteria is met:

- Assistance/unit is available
- The household has come to the top of the waiting list
- At least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible based on all of the criteria in this resident selection plan

If any household member is determined to be an ineligible non-citizen, either at application or after move-in, assistance may be prorated or terminated.

## **REQUIRED DOCUMENTATION**

The owner/agent must obtain the following documentation for each household member regardless of age:

- ☐ From U.S. citizens, a signed declaration of citizenship. The owner/agent requires verification of the declaration. The following documents will be accepted as proof of citizenship
  - United States (U.S.) Passport
  - U.S. birth certificate
  - Other documentation as provided by HUD or DHS
- ☐ From non-citizens claiming eligible status who is 62 or older:
  - A signed declaration of eligible immigration status and
  - Proof of age
- ☐ From non-citizens claiming eligible status who is not 62 or older:
  - A signed declaration of eligible immigration status **and**
  - A signed consent form **and**
  - One of the DHS-approved documents
    - Form I-551, *Permanent Resident Card*.
    - Form 1-94, *Arrival-Departure Record* annotated with one of the following:
      - “Admitted as a Refugee Pursuant to Section 207”;
      - “Section 208” or “Asylum”;
      - “Section 243(h)” or “Deportation stayed by Attorney General”; or
      - “Paroled Pursuant to Section 212(d)(5) of the INA.”

- Form I-94, *Arrival-Departure Record* (with no annotation) accompanied by one of the following:
  - A final court decision granting asylum (but only if no appeal is taken);
  - A letter from an DHS asylum officer granting asylum (if application was filed on or after October 1, 1990) or from an DHS district director granting asylum (application filed was before October 1, 1990);
  - A court decision granting withholding of deportation; or
  - A letter from an asylum officer granting withholding of deportation (if application was filed on or after October 1, 1990).
- A receipt issued by the DHS indicating that an application for issuance of a replacement document in one of the above-listed categories has been made and that the applicant's entitlement to the document has been verified.
- Other acceptable evidence.

If other documents are determined by the DHS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the Federal Register.

***TIMEFRAMES FOR SUBMITTING EVIDENCE OF CITIZENSHIP/IMMIGRATION STATUS TO THE OWNER/AGENT***

Applicants must submit required documentation of citizenship/immigration status no later than the date the owner/agent initiates verification of other eligibility factors (pre application or application). Owner/agents determine the applicant's citizenship or immigration status during the initial eligibility determination prior to move-in.

If the applicant cannot supply the documentation within the owner/agent's specified timeframe, the owner/agent **may** grant the applicant an extension of not more than thirty (30) days, **but only if** the applicant certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation. (Although the extension period may not exceed thirty (30) days, the owner/agent may establish a shorter extension period based on the circumstances of the individual case.)

The owner/agent will inform the applicant in writing (or, if required/requested, in an alternative format) if an extension request is granted or denied. If the request is granted, the owner/agent will include the new deadline for submitting the documentation. If the request is denied, the owner/agent will state the reasons for the denial in the response. When granting or rejecting extensions, the owner/agent will treat applicants consistently.

***REVIEWING AND VERIFICATION OF A HOUSEHOLD'S CITIZENSHIP/IMMIGRATION STATUS***

Owner/agents will conduct primary verification through the (Systematic Alien Verification for Entitlements) SAVE ASVI database - the Department of Homeland Security (DHS) automated system. After accessing the ASIV database, the owner/agent enters the required data fields.

The system will display one of the following messages for immigration status confirmation on the screen.

- Lawful Permanent Resident
- Temporary Resident
- Conditional Resident
- Asylee
- Refugee

- Cuban\Haitian Entrant
- Conditional Entrant

**Secondary verification.** If the message “institute secondary verification” is displayed on the screen, the manual verification process must be used.

Within ten (10) days of receiving an “Institute Secondary Verification” response, the owner/agent will prepare DHS Form G-845S, *Document Verification Request*. The owner/agent will send DHS Form G-845S and photocopies of the DHS documents submitted by the applicant to the DHS office serving the property’s jurisdiction.

The DHS will return to the owner/agent a copy of DHS Form G-845S indicating the results of the automated and manual search.

#### ***NOTIFICATION TO APPLICANTS***

Owner/agents will notify households in writing that they are:

- ☐ Eligible for assistance
- ☐ Eligible for partial assistance, as a mixed household

The owner/agent will notify applicants and/or residents in writing if they are found to be ineligible based upon citizenship/immigration status.

#### ***MIXED HOUSEHOLDS***

A mixed household—a household with one or more ineligible members and one or more eligible household members—may receive:

- Prorated assistance
- Continued assistance

#### ***APPEALING DETERMINATIONS OF INELIGIBILITY***

The owner/agent will notify the household in writing as soon as possible if the secondary verification process returns a negative result. The applicant or resident has thirty (30) days from receipt of the notice to choose which option to follow.

The applicant or resident may appeal the owner/agent’s decision directly to the DHS. The applicant or resident must send a copy of the appeal directly to the owner/agent. The DHS should respond to the appeal within thirty (30) days.

If the DHS decision results in a positive determination of eligibility, the owner/agent can provide the appropriate housing assistance. If the DHS decision results in a negative determination of eligibility, the household has **thirty (30) days** to request a hearing with the owner/agent.

#### ***PROHIBITION AGAINST DELAY OF ASSISTANCE***

Owner/agents may not delay the household’s assistance if the applicant or resident submitted immigration information in a timely manner but the DHS verification or appeals process has not been completed.





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If a unit is available, the household has come to the top of the waiting list, and at least one member of the household has submitted the required documentation in a timely manner and has been determined to be eligible, the owner/agent will offer the household a unit and provide full assistance to those household members whose documents were received on time. The owner/agent will continue to provide full assistance to such households until information establishing the immigration status of any remaining non-citizen household members has been received and verified.



**APPENDIX C: DUAL SUBSIDY NOTICE**

I understand that my application to move to **NAME OF PROPERTY** with the rest of my household members has met preliminary eligibility requirements.

I have indicated, on the application, that:

1. ☐ I am not currently receiving HUD assistance in another unit
2. ☐ I am currently receiving HUD assistance in another unit.

According to the current HUD lease, if I am living in a community and receiving HUD project-based assistance, I must provide a 30-day notice to the agent managing the property where assistance is currently provided.

*If the owner/agent discovers that any household member failed to move out of a HUD assisted residence before moving to **NAME OF PROPERTY**, no rent subsidy or utility allowance will be provided by the Department of Housing and Urban Development until the day after the move out is complete. Household members who signed the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD.*

3. ☐ I am the recipient of a housing voucher.

I understand that HUD prohibits residents from benefiting from Housing Voucher assistance in a unit assisted through HUD's Section 8 program.

*I understand that HUD prohibits residents from benefiting from Housing Voucher assistance in a unit assisted through HUD's Section 8 program. When the application is submitted the household will be added to the waiting list. A unit will be offered in accordance with the resident selection plan. If the family later moves out of the project, the project subsidy will not move with the family as it does with a voucher. If you wish to participate in the voucher program after move-out, you will need to reapply to the PHA to receive another voucher.*

*All household members must be removed from or forfeit the voucher before receiving HUD assistance for a unit on this property. If the owner/agent discovers that any household member failed to give up current HUD assistance before moving to **NAME OF PROPERTY**, no rent subsidy or utility allowance will be provided by the Department of Housing and Urban Development until the day after the move out is complete.*

*Household members who signed the lease will be responsible for paying the market rent until qualified to receive HUD assistance on this property. Any assistance paid in error must be returned to HUD.*

This information will be verified using the Existing Tenant Report in EIV. If EIV indicates a conflict and verification information indicates that the information provided is not true, and the EIV information is verified, then the owner/agent will reject the application based on misrepresentation of information.

#### **APPENDIX D – VERIFICATION OF HOUSEHOLD COMPOSITION**

In compliance with HUD's Rental Housing Integrity Improvement Project (RHIP), the owner/agent will make every effort to ensure that the correct assistance is provided to those who seek housing assistance.

If an applicant household indicates that one or more members should be removed from the application, the owner/agent will accept such notification from the Head-of-Household (HOH) if it is provided on a notarized form provided by the owner agent. The following rules apply.

If the household is being rejected because a member is registered as a sex offender in any state lifetime sex offender registry, the owner/agent will take extra steps to ensure that the sex offender is not housed in any unit on the property. The household will have to provide documentation to prove that the sex offender will live at another location. Acceptable documentation includes, but is not limited to:

- Confirmation from a landlord with copy of an executed lease
- Confirmation from local police
- Confirmation from anyone who maintains sex offender registries including but not limited to:
  - Dru Djodin Sex Offender Registry
  - Megan's List
  - State or Federal Sex Offender Registries
- New driver's license with new address

Information will be confirmed for up to one year after move-in.

If it is discovered that the household allowed any registered sex offender to live in the unit, the applicant must understand that he/she is not qualified to receive subsidy or live on the property. All subsidy paid-in-error must be returned to HUD. Because this is a material lease violation, all household members must vacate the unit within 30 days.

One of the key requirements, at application and during residency, is to disclose who will be living in the unit at any given time. It is important to understand the difference between a resident and a guest.

**Resident:** A resident is any person who is listed on the application, on any Family Summary submitted and on the lease who will reside in the unit.

**Guest:** A guest is a person who visits any resident and may stay overnight no more than seven (7) consecutive nights in a one-year period and may stay overnight no more than thirty (30) non-consecutive nights in any one-year period without express written consent of the owner/agent.

If the owner/agent suspects that a guest should actually be classified as a resident, the owner/agent will request a meeting with the Head-of-Household (HOH).

In accordance with HUD requirements, the resident will have ten (10) days to meet with the owner/agent. Failure to respond to the request to meet will result in termination of assistance beginning the first of the month following the 10-day notice.

If the owner/agent suspects that a guest is actually living in the unit, the owner/agent will ask for verification of alternative residence. Samples of such verification include one or more of the following:



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- Verification with the United States Postal Service that no mail, for the guest, is delivered to the unit address
- \*A current driver's license for the "guest" with an alternative address
- \*A current lease indicating an alternative residence
- \*A current utility bill in the person's name showing an alternative address
- \*A current insurance policy or other such invoice/bill showing an alternative address

*\*Current means issued/created within the last thirty (90) days.*

In addition, the resident(s), indicated on the lease, must sign a notarized statement confirming that the guest does not violate the guest policy as indicated above and does not reside in the unit.

**Live-in Aides:** A live-in aide must meet HUD's definition of a live-in aide:

- Is essential to the care and well-being of the resident
- Is not dependent on the resident for support
- Is only living in the unit to provide essential support

If a resident or applicant requests a live-in aide, the owner/agent is required to verify the need for a live-in aide using third-party verification.

Live-in Aides are required to complete the Live-in Aide Questionnaire. The information on the Live-in Aide questionnaire will be verified and the prospective live-in aide will be screened in accordance with the resident selection plan in place at the time of review. The live-in aide will not be screened for the "ability to pay rent" since the live-in aide is not responsible for rent payment.

The live-in aide must be approved and must sign the House Rules and the HUD-approved Live-in Aide Addendum before move-in. The owner/agent must sign a revised 50059 before the live-in aide is allowed to move-in.

If a live-in aide moves in prior to screening and prior to signing required forms, the owner/agent will issue a notice of lease violation and may pursue other action including, but not limited to eviction of the live-in aide, termination of assistance and/or termination of tenancy.

**Children/Minors:** At move-in, all non-exempt household members, including children, must have a Social Security Number and adequate documentation to verify the Social Security Number.

When children are later added to the household, the following will be required.

For children who are born, adopted or in foster care or in another legal custodial relationship with an existing household member, the owner/agent requires the following:

- Social Security Number and proof that the number is valid
  - For children under the age of 6 years old - must be provided within ninety (90) days or owner/agent is required to terminate tenancy.
  - An additional ninety (90) may be provided if extenuating circumstances exist
- Proof of age/legal custodial arrangement
  - Birth certificate indicating that a household member is a parent; or
  - Adoption paperwork indicating that a household member is a parent as appropriate; or
  - Verification from the foster agency indicating the unit as the primary residence of the foster child as appropriate; or



- Other documents proving legal custody arrangement as appropriate

For children who are not part of a legal custody arrangement who will be living in the unit, the owner/agent requires:

- Social Security Number and proof that the number is valid
  - For children under the age of 6 years old - must be provided within ninety (90) days or owner/agent is required to termination of tenancy. An additional ninety (90) may be provided if extenuating circumstances exist
- Two forms of proof that the child resides with a member of the household
  - Verification from a government organization indicating that the unit will be the primary residence for the minor (examples include but are not limited to school records, children services agencies, foster programs, etc.)
  - Verification from a medical professional in the know indicating that the unit will be the primary residence for the minor
  - Verification from a social service organization indicating that the unit will be the primary residence of the minor (examples include but are not limited to homeless shelters, shelters for victims of domestic violence, etc.)
  - A signed, notarized statement from an adult household member claiming guardianship of the minor child

The owner/agent does not and will not establish policies intended to exclude children. If none of the household members can provide documentation for minors, as described above, the owner/agent will meet with the resident to discuss reasonable alternatives. The owner/agent will be the final judge of what is considered adequate documentation proving household composition/residency.

## **APPENDIX E – VAWA POLICY**

The Violence Against Women Act (VAWA) provides protections to women or men who are the victims of domestic violence, dating violence, sexual assault and/or stalking. The owner/agent understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault and/or stalking, people who have been victims of violence have certain rights under the Violence Against Women Act Reauthorization of 2013.

This policy is intended to support or assist victims of domestic violence, dating violence, sexual assault and/or stalking and protect victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing as a consequence of their status as a victim of domestic violence, sexual assault, dating violence and/or stalking.

VAWA protections are not provided to guests, unauthorized residents or service providers (including live-in aides) hired by the resident.

VAWA ensures that victims are not denied housing and housing assistance is not terminated **solely** because the person is a victim of an act covered under the VAWA (domestic violence, dating violence, stalking and/or sexual assault).

However, being a victim of an act covered under the VAWA is not reason to change the eligibility or applicant screening requirements set forth in the tenant selection plan unless such requirements interfere with protections provided under the VAWA. Being a victim of an act covered under the VAWA is not reason to waive requirements set forth in the HUD Model Lease or in any lease attachment or HUD approved lease addendum unless such requirements interfere with protections provided under the VAWA.

The owner/agent will not assume that any act is a result of abuse covered under the Violence Against Women Act. In order to receive the protections outlined in the VAWA, the applicant/resident must specify that he/she wishes to exercise these protections. If any applicant or resident wishes to exercise the protections provided in the VAWA, he/she should contact the owner/agent immediately. The owner/agent is committed to ensuring that the Privacy Act is enforced in this and all other situations.

## **CONFIDENTIALITY**

The identity of the victim and all information provided to owner/agent relating to the incident(s) of abuse covered under the VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is

- Requested or consented to by the victim in writing;
- Required for use in an eviction proceeding or termination of assistance; or
- Otherwise required by applicable law.

The certification form provides notice to the resident of the confidentiality of the form and the limits thereof. The owner/agent will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files. If the documentation is stored electronically, the owner/agent will keep this information in an electronic file that is separate from the applicant or resident file with secured access only to authorized individuals.





**REQUESTS & CERTIFICATION**

When the owner/agent responds to a request for protections provided under the VAWA the owner/agent will request that an individual complete, sign, and submit a certification form, within fourteen (14) calendar days of the request. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

If necessary, the victim may request additional time to submit the certification.

The victim is not required to name his/her abuser if doing so would result in imminent threat or if the victim does not know the name of his/her abuser.

The owner/agent understands that the delivery of the certification form to the applicant/resident via mail may place the victim at risk, (e.g., the abuser may monitor the mail). The owner/agent will work with the applicant/resident in making acceptable delivery arrangements, such as inviting them into the office to pick up the certification form or making other discreet arrangements.

If the applicant/resident has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the applicant/resident may submit written proof of this outreach in lieu of the certification form. The owner/agent may accept the following:

- A federal, state, tribal, territorial, or local police record or court record or
- Documentation signed and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) From whom the victim has sought assistance in addressing domestic violence, dating violence and/or stalking or the effects of the abuse. The signatory attests under penalty of perjury (28 U.S.C. §1746) to his/her belief that the incident in question represents bona fide abuse, and the victim of domestic violence, dating violence and/or stalking has signed or attested to the documentation.

If the applicant is currently living in a shelter established to protect victims of violence covered under the VAWA, the owner/agent will accept verification of such living arrangement in lieu of additional verification.

To ensure that a person is not wrongly accused of committing an act covered under the VAWA, the owner/agent will carefully evaluate abuse claims as to avoid denial, termination of assistance, termination of tenancy or eviction based on false or unsubstantiated accusations.

The applicant/resident is required to provide all necessary documentation to the owner/agent no more than ten (10) business days after submitting the certification to the owner/agent. If the victim is unable to provide required documentation within the required timeframe, the owner/agent will deny the request.

The owner/agent will review and respond to requests to exercise protections provided under the VAWA within ten (10) business days of receiving all required documentation. The owner/agent may provide the response in any manner acceptable to the victim and the owner/agent. Responses include:

- Approval of the Request
- Denial of the Request
- Request for additional information



### **LEASE BIFURCATION**

If the owner/agent determines that physical abuse caused by a resident is clear and present, the law provides the owner/agent with the authority to bifurcate a lease (i.e., remove, evict, or terminate housing assistance to any abuser, while allowing the victim, who lawfully occupies the home, to maintain tenancy.)

The owner/agent may attempt to evict the abuser, but residents should know that state/local tenant/landlord laws prevail and the owner/agent must comply with such laws. The owner/agent cannot guarantee that a court will award or enforce an eviction.

Owner/agents must keep in mind that the eviction of or the termination action against the individual must be in accordance with the procedures prescribed by federal, state, and local law. The owner/agent is committed to attempting to assist the victim, however, evictions are generally carried out through the court system and the owner/agent cannot override or circumvent a legal decision.

In the event that one household member is removed from the unit because of engaging in acts of domestic violence, dating violence, sexual assault and/or stalking against another household member, an appropriate certification will be processed reflecting the change in household composition. Special consideration will be given if the remaining household members are not qualified to remain in the unit as a “remaining household member”.

### **CRIMINAL ACTS**

Victims are encouraged to seek police/legal protection from their abuser. In some cases, the owner/agent may file a restraining order against the abuser to prevent the abuser from entering the property. If there is a restraining order against the abuser and the resident willingly allows or invites the abuser onto the premises, the owner/agent may seek termination of assistance and/or tenancy.

*In accordance with the regulation at 24 CFR 5.861, the owner/agent may terminate tenancy and evict the tenant through judicial action for criminal activity by a covered person if the Landlord determines that the covered person has engaged in the criminal activity, regardless of whether the covered person has been arrested, or convicted for such activity and without satisfying a criminal standard of proof of the activity.*

The owner/agent will take into account individual circumstances when making a determination to terminate tenancy; such circumstances might include, among other things, the seriousness of the offending action, the extent of participation by the leaseholder in the offending action, and whether the leaseholder, if not the wrongdoer, took all feasible steps to prevent the offending action from occurring and has removed the offending person from the lease or otherwise banned the offending person from the premises in the future.

### **LEASE ADDENDUM**

Any HUD approved lease addendum will be implemented and provided in accordance with HUD guidance.



**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**AGENDA ITEM NO. 7**

**Presentation and Discussion of the proposed Changes to the 2016 PHA Annual Plan which will go out for public comment beginning on May 23, 2016**

# **HOUSING AUTHORITY OF THE CITY OF AUSTIN**

## **BOARD OF COMMISSIONERS**

### **Presentation & Discussion**

**MEETING DATE:** May 19, 2016

**STAFF CONTACT:** Judy Paciocco, Sr Director of Operations

#### **Presentation and Discussion of **Proposed Changes to the 2016 PHA Annual Plan****

**ACTION:** Place out for Public Comment for 45 days beginning May 23, 2016 through 5:00 pm on July 6, 2016

#### **SUMMARY:**

The HACA's 2016 Public Housing Authority Plan was formally adopted on December 17, 2015. Since that time, HUD has issued a new Streamlining Rule and several Public and Indian Housing (PIH) Notices for both the Admissions and Continued Occupancy Policy (ACOP) and the Housing Choice Voucher (Section 8) Administrative Plan.

The proposed revisions to the 2016 PHA Annual Plan will be posted for a required 45-day public comment period, May 23rd through July 6th, and will be brought back to the Board for approval at the July 22, 2016 Board meeting. A required Public Hearing will be held in conjunction with the June HACA Citywide Advisory Board meeting.

Revisions to the Plan include the following areas:

#### **Income Eligibility and Targeting**

The income limit for the Public Housing program is the Low income limit which is 80% of the median family income for our metropolitan statistical area. HUD also has a Very Low-income limit (50% of the median family income) which is used for the Housing Choice Voucher (HCV) program. Finally, HUD also establishes an "Extremely Low- Income" limit. This limit is used for targeting the lowest income families for our programs. HUD requires 40% of new admissions to the Public Housing program and 75% of new admissions to the HCV program to be extremely low-income families.

The streamlining rule formally changes the definition of extremely low-income families. Previously, the definition was a family whose income was below 30% of the median family income. The new definition is "a very low-income family whose income is below either the Federal poverty level or 30% of the median family income, whichever is higher." This change will make it easier for families to meet HUD's income targeting requirements.

#### **Disclosure and Verification of Social Security Numbers**

Currently, if a resident family adds a family member under the age of 6, the family was given 90 days to provide proof of the Social Security number for that child. This change is adding the same disclosure opportunities to families on the waiting list.

The change allows a family that adds a child under age six (6) within the six (6) months before admission to Public Housing to have 90 days to provide proof of the Social Security number.

### **Online Application Process**

This change will allow HACA to begin accepting applications for Public Housing using an online application process similar to what was used for the Section 8 waiting list opening.

### **Site-Based Waiting List**

This will change HACA's Public Housing waiting lists from community-wide to site-based. Current and future applicants will be given the opportunity to choose where they want to live. Families can be on waiting lists for multiple properties if they choose.

### **Choice Mobility**

This change would allow the agency to establish a turnover cap be 1/3 of the turnover vouchers each year. Setting this cap allows HACA to keep a balance between families on the HCV waiting list and families eligible for Choice Mobility.

This change would not implement the project turnover cap. However, in order to prevent a single property from several families all at once, HACA will conduct a random lottery prior to each waiting list draw. When a family becomes eligible, they will be placed on the list. Each month, before HACA draws from the list a random lottery will resort the list. By doing this, each family on the list has an equal opportunity to be selected to receive a voucher. Eventually, every family that gets onto the list will be selected to receive a voucher, as long as they remain eligible to receive a voucher.

### **Applicant Portal**

This change will allow applicants on the Public Housing waiting list to update their information via an online Applicant Portal. This will reduce the need for applicants to travel to our office, allow them to update their information at any hour of the day, allow applicants to view their status in "real time", and reduce staff time spent on data entry.

### **Asset Verification**

In 2013, HUD granted temporary administrative relief in the verification of assets. At that time, HUD allowed residents and applicants whose net value of assets was \$5000 or less to self-certify the value of the assets and the income received from the assets. The Streamlining Rule makes self-certification of assets worth less than \$5000 permanent for most annual re-certifications, but requires full third party verification of all assets at new admission and every third year after that.

### **Income Determination for Fixed Income Sources**

HUD's Streamlining Rule now allows PHAs to calculate the income from fixed income sources (Social Security, Pensions, Annuities, etc) by applying the documented cost of living adjustment (COLA) or percentage increase to the previous year's income calculation. PHAs are still required to third party verify the fixed income sources at new admission and every third year after that.

### **Documentation and Verification of the Community Service & Self-sufficiency Requirement (CSSR)**

HUD's Streamlining Rule allows PHAs to accept self-certification of the completion of the CSSR by any non-exempt resident. The PHA must select a random sample of self-certifications and complete full third party verification to protect against fraud.

**ATTACHMENTS:**

- Summary of Changes to the PHA Plan
- Affected Sections of the 2016 PHA Plan

**RECOMMENDATION:**

It is HACA's recommendation to request public comment on the proposed changes to the 2016 PHA Annual Plan.

**FINANCE REVIEW:**

**X Proposed action does not require Finance Department review.**

- Fiscal Impact was approved by \_\_\_\_\_

Thomas Cherian, Vice-President of Finance





# Housing Authority of the City of Austin

*Established in 1937*

## Revisions to the 2016 PHA Annual Plan Executive Summary

The Public Housing Agency Plan is a plan that informs the U.S. Department of Housing and Urban Development (HUD), residents, and the public of the Public Housing Authority's mission for serving the needs of low-income and very low-income families and the PHA's strategy for addressing those needs. A large public housing authority must submit 5-year plans for tenant-based assistance and public housing programs. The PHA Plan consists of two elements:

HACA's Annual Plan to include the Rental Assistance Demonstration Program was approved by HUD on April 7, 2016.

The following are the revisions and additions to the 2016 Annual Plan per the changes due to the conversion to the Rental Assistance Demonstration Program and recent regulatory changes that allow HACA to streamline current processes. The revisions incorporated in the plan are promulgated through the Admissions and Continued Occupancy Policy and the Housing Choice Voucher Administrative Plan.

### REVISIONS/ADDITIONS:

#### 2016 Annual Plan (pp11-128)

Page	Section	Changes
Pages 13	Basic Eligibility Requirements (ACOP pp.31-32 & HCV Admin Plan p.57)	<b>Revision and Addition</b> -Updates the definition of "Extremely low-income family" to include very low-income families (income between 30-50% of the median family income) who are also below the federal poverty level.
Pages 15-16	Social Security Numbers (ACOP pp. 34-35 & pp. 138-139 & HCV Admin Plan p.61 & pp.186-187)	<b>Addition</b> - When a child under age 6 is added to the household up to six months before admission of the household, this change allows the family 90 days to provide a Social Security number for the child. The family will be offered housing and the child considered a family member during this time. Required change with Streamlining rule.
Page 28-32; 43	Applications, Waiting List, Tenant Selection (ACOP pp.54-55 & HCV Admin Plan p.101)	<b>Revision and Addition</b> -Changes the process for application to online web-based application. Paper applications still accepted for those in need of reasonable accommodation. HCV-for the "homeless preference" allows for a continued affordable housing option for individual and families in HUD Continuum of Care programs that are not

		renewed.
Page 34	Organization of the Waiting Lists (ACOP pp. 57-58)	<b>Revisions and Addition-</b> Creates a site-based waiting list for each property instead of the existing community-wide waiting list.
Page 36-37	Reporting Changes in Family Circumstances (ACOP p. 60)	<b>Revisions and Addition-</b> Updates the language to reflect the option to electronically report changes through the Applicant Portal.
Page 44, Attachment N	Choice Mobility (HCV pp 423-429)	<b>Revisions and Addition-</b> As required by HUD and in accordance with HUD RAD guidelines, if HACA participates in RAD, HACA must provide a Choice Mobility option to the residents of covered RAD properties.
Pages 62-63	Assets (ACOP pp. 91-92 & HCV pp. 195-196)	<b>Revisions and Addition-</b> HACA will conduct third-party verification of assets at Admission. After that, HACA will only third-party verify assets with a net value of \$5000 or less every three years. During the other two years, HACA will accept self-certification of the value of the asset and the anticipated income from the asset. HACA will conduct third-party verification of all assets valued over \$5000 every year. Required change with Streamlining rule.
Page 63-64	Periodic Payments and Payments in Lieu of Earnings (ACOP pp. 145-146 & HCV pp. 197-198)	<b>Addition-</b> Part of HUD's Streamlining rule and is intended to reduce the administrative burden of conducting annual re-examinations while still maintaining program integrity with protections against fraud.
Page 68-69	Prorated Rent for Mixed Families (ACOP p. 117 & pp. 267-270)	<b>Addition-</b> This is a required change as part of the Streamlining rule. This is also more in line with the HCV program and PBRA which use contract rent to calculate the pro-rated rent.
Page 71	Flat Rents and Earned Income Disallowance (ACOP pp. 88-90, 119-12- & 127-128 & HCV pp. 135-136 & 173-174)	<b>Revisions-</b> The tracking of the "starts and stops" of employment during the 48 months of EID was an administrative burden. HUD is granting a relief by streamlining the administrative work while still allowing the family a two year break on fully counting their earned income.
Pages 73	Re-examinations (HCV only) (HCV pp. 265-267)	<b>Addition-</b> Reduces the administrative burden and clarifies interim reporting and processing requirements for HCV program.
Page 94-95	Community Service Requirement Documentation and Verification (ACOP pp. 201-204)	<b>Revisions and Addition-</b> This change is part of the streamlining rule intended to reduce the administrative burden for the implementation of the CSSR. Resident self-certification of completion of the CSSR is now allowed. If self-certification is accepted, the PHA must validate a sample of self-certifications to prevent fraud.



# HOUSING AUTHORITY OF THE CITY OF AUSTIN



## **Revisions to the 2016 Annual Plan and Updated 2015-2019 Five-Year Plan**

- (2) a housekeeper or live-in aide, or
- (3) foster children and/or foster adults.

Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

#### **Household**

- *Household* is a broader term that includes additional people who, with HACA's permission, live in a public housing unit, such as live-in aides, foster children and foster adults.

## **Part II: BASIC ELIGIBILITY CRITERIA**

### **INCOME ELIGIBILITY AND TARGETING**

#### **Income Limits**

HUD is required by law to set income limits that determine the eligibility of applicants for HUD's assisted housing programs, including the public housing program. The income limits are published annually and are based on HUD estimates of median family income in a particular area or county, with adjustments for family size.

#### **Types of Low-Income Families [24 CFR 5.603(b)]**

*Low-income family.* A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

*Very low-income family.* A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

*Extremely low-income family.* ~~A family whose annual income does not exceed the highest of 30 percent of the area median income or the federal poverty level adjusted for family size.~~ A very low-income family whose annual income does not exceed the higher of:

(1) The poverty guidelines established by the Department of Health and Human Services applicable to the family of the size involved (except in the case of families living in Puerto Rico or any other territory or possession of the United States); or

(2) Thirty (30) percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the area median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

HUD may establish income ceilings higher or lower than 30, 50 or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.

The 2015 published income limits\* for the Austin-Round Rock-San Marcos Metro Area based on a family of four:

Extremely Low (0-30% Area Median Income (AMI)): 24,250

Very Low (>30%-50% AMI): 38,400

Low Income (>50%-80% AMI): 61,450

#### **Using Income Limits for Eligibility [24 CFR 960.201]**

Income limits are used for eligibility only at admission. Eligibility is established by comparing a family's annual income with HUD's published income limits. To be income-eligible, a family must be a *low-income* family.



reviewed and accepted will be in accordance with the Immigration and Nationality Act. Lawful residents of the Marshall Islands, the Federated States of Micronesia and Palau, together known as the Freely Associated States, or FAS, are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504].

### ***Ineligible Noncitizens***

Those noncitizens who do not wish to contend their immigration status are required to have their names listed on a noncontending family members listing, signed by the head, spouse or co-head (regardless of citizenship status), indicating their ineligible immigration status. The PHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

Providing housing assistance to noncitizen students is prohibited [24 CFR 5.522]. This prohibition extends to the noncitizen spouse of a noncitizen student as well as to minor children who accompany or follow to join the noncitizen student. Such prohibition does not extend to the citizen spouse of a noncitizen student or to the children of the citizen spouse and noncitizen student. Such a family is eligible for prorated assistance as a mixed family.

### **Mixed Families**

A family is eligible for admission as long as at least one member is a citizen, national or eligible noncitizen. Families that include eligible and ineligible individuals are considered *mixed families*. Such families will be given notice that their assistance will be prorated, and that they may request a hearing if they contest this determination.

### **Ineligible Families [24 CFR 5.514(d), (e), and (f)]**

A PHA may elect to provide assistance to a family before the verification of the eligibility of the individual or one family member [24 CFR 5.512(b)]. Otherwise, no individual or family may be assisted prior to the affirmative establishment by the PHA that the individual or at least one family member is eligible [24 CFR 5.512(a)].

#### HACA Policy

HACA will not provide assistance to a family before the verification of at least one family member as a citizen, national or eligible noncitizen is made.

When HACA determines that an applicant family does not include any citizens, nationals or eligible noncitizens, following the verification process, the family will be sent a written notice within 20 calendar days of the determination. The notice will explain the reasons for the denial of assistance and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request an informal hearing with HACA. The informal hearing with HACA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the informal hearing process.

### **Time Frame for Determination of Citizenship Status [24 CFR 5.508(g)]**

For new occupants joining the resident family the PHA must verify status at the first interim or regular reexamination following the person's occupancy, whichever comes first.

If an individual qualifies for a time extension for the submission of required documents, the PHA must grant such an extension for no more than 30 days [24 CFR 5.508(h)].

Each family member is required to submit evidence of eligible status only one time during continuous occupancy.

#### HACA Policy

HACA will verify the status of applicants at the time other eligibility factors are determined.

**SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218, Notice PIH 2012-10 HUD Streamlining Rule**



**3/8/2016]**

The applicant and all members of the applicant's household must disclose the complete and accurate social security number (SSN) assigned to each household member, and the documentation necessary to verify each SSN.

**Note:** These requirements do not apply to noncitizens who do not contend eligible immigration status, and they do not apply to existing program participants as of January 31, 2010, who have previously disclosed their SSN and HUD has determined the SSN to be valid.

In addition, each participant who has not previously disclosed a SSN, has previously disclosed a SSN that HUD or the Social Security Administration determined was invalid, or has been issued a new SSN, must submit their complete and accurate SSN and the documentation required to verify the SSN at the time of the next interim or annual recertification. Participants age 62 or older as of January 31, 2010, whose determination of eligibility was begun before January 31, 2010, are exempt from this requirement and remain exempt even if they move to a new assisted unit. The PHA must deny assistance to an applicant family if they do not meet the SSN disclosure and documentation requirements contained in 24 CFR 5.216.

#### HACA Policy

If the provided documentation is not acceptable evidence of the social security number, HACA will explain to the applicant the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to HACA within 90 calendar days. The explanation and request will be documented in the applicant file. If the applicant family is otherwise eligible to participate in the program, the family will maintain its position on the waiting list for this 90 calendar day period.

If all household members have not disclosed their SSN at the time a unit becomes available, the available unit will be offered to the next eligible applicant family on the waiting list. At the conclusion of the 90 calendar day period and if the applicant family has still not submitted acceptable evidence of the SSN, HACA will grant the family an additional 90 calendar day period to comply with the SSN disclosure and documentation requirement if 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.

If a child under the age of 6 years was added to the assistance applicant household within the 6-month period prior to the household's date of admission, the assistance applicant may become a participant, so long as the documentation required in this section is provided to the processing entity within 90 calendar days from the date of admission into the program. The processing entity must grant an extension of one additional 90-day period if the processing entity determines that, in its discretion, the assistance applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside the control of the assistance applicant. If the applicant family fails to produce the documentation required in this section within the required time period, the housing authority may terminate assistance or tenancy of the individual participant or the entire family.

#### HACA Policy

HACA will grant one additional 90-day extension if needed for reasons beyond the resident's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family or other emergency.

#### **FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230]**

HUD requires each adult family member, and the head of household, spouse or co-head, regardless of age, to sign form HUD-9886, Authorization for the Release of Information/Privacy Act Notice, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

The PHA must deny admission to the program if any member of the applicant family fails to sign and



30<sup>th</sup> calendar day. For the purposes of calculating the 30 day time frame above, the date of the letter shall be excluded. If the applicant is denied due to a delinquent debt owed to the utility company, the notice will also inform the applicant that he or she has the option, within 15 calendar days from the date of the notification letter, to submit documentation that the applicant has either paid the balance(s) owed or entered into a payment agreement with the utility company that will allow the applicant to obtain utility services. If the documentation is submitted within the 15 calendar day period, the Admissions Department will continue to process the applicant's file without requiring an informal hearing.

If the applicant makes a written request for an informal hearing for a rejection based upon a move-out balance due or debts to HACA within the time frame allowed, the Hearing Officer will conduct the informal hearing. This review does not deprive the applicant of other rights if she or he believes that she or he has been discriminated against on the basis of race, color, religion, national origin, sex, age, familial status, disability, sexual orientation, gender identity and or marital status. The informal review shall only review the particular decision in question. If the Hearing Officer believes that the rejection was improper, the applicant's application shall be processed in the same manner as all other applications in accordance with the date and time the application was received by HACA. If the rejection is found to be proper, the applicant must pay half of the amount due to HACA and sign a payment agreement for the remaining balance within 10 calendar days from the date that such decision was made in order for the applicant's application date and time to be valid. Payment agreements will be monitored monthly by HACA and applicants will be removed from the waiting list should they not comply with the terms of the payment agreement. Full payment by money order or certified funds is required before the applicant is offered a housing unit.

If the applicant makes a written request for an informal hearing for a rejection based upon other preliminary eligibility criteria within the time allowed, the Hearing Officer will conduct the informal hearing. This review does not deprive the applicant of other rights if she or he believes that she or he has been discriminated against on the basis of race, color, religion, national origin, sex, age, familial status, disability, sexual orientation, gender identity and or marital status. The informal review shall only review the particular decision in question. The applicant will be entitled to review all documentation, including any police reports, if applicable, that were relied upon by HACA and provided the opportunity to dispute the accuracy and relevance of that record. If the Hearing Officer believes that the rejection was improper, the applicant's application shall be processed in the same manner as all other applications in accordance with the date and time the application was submitted. If the Hearing Officer decides that the rejection was proper, the rejection will be final. The applicant will not be eligible to reapply or have this decision reviewed again until the proper time has elapsed.

## **(2)APPLICATIONS, WAITING LIST AND TENANT SELECTION**

When a family wishes to reside in public or assisted housing, the family must submit an application that provides HACA with the information needed to determine the family's eligibility. HUD requires HACA to place all eligible families that apply for Public Housing on a waiting list. When a unit becomes available, HACA must select families from the waiting list in accordance with HUD requirements and HACA policies as stated in its Housing Choice Voucher (Section 8) Administrative Plan, its Admissions and Continued Occupancy Policy (ACOP) and its Annual Plan.

HACA is required to adopt a clear approach to accepting applications, placing families on the waiting list and selecting families from the waiting list, and must follow this approach consistently. The actual order in which families are selected from the waiting list can be effected if a family has characteristics designated by HUD or HACA to receive preferential treatment. HUD regulations require that HACA comply with all equal opportunity requirements and it must affirmatively further fair housing goals in the administration of the program [24 CFR 960.103, PH Occ GB p. 13].



Any family that wishes to receive Housing Choice Voucher (HCV) or Public Housing assistance must apply for admission to the programs. HUD permits HACA to determine the format and content of its applications, to determine how applications will be made available to interested families, and to determine how applications will be accepted by HACA. However, HACA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as an attachment to HACA's application.

#### HACA Policy for the Public Housing Program

Due to the high volume of applicants seeking Public Housing, HACA utilizes a two-step application process. Under the two-step application process, HACA initially will require families to provide only the information needed to make an initial assessment of the family's preliminary eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and the amount of rent the family will pay when selected from the waiting list.

The first step in the application process is the submission of the pre-application. Preapplications are accepted through the application web portal at [www.austin.apply4housing.com](http://www.austin.apply4housing.com). HACA will also maintain paper applications, as a reasonable accommodation, if there is the presence of a disability. Under no circumstances will anyone be denied the right to submit an application.

HACA offers several methods of applying for assistance.

1. Families may obtain application forms from HACA's Central Office during normal business hours, Monday through Friday from 8:00 AM. to 5:00 PM, with the exception of holidays. Except as specified below, no applications will be taken by phone.
2. If the head of household resides outside of Austin metropolitan area, is elderly or has a verifiable disability which prevents the applicant, or person on the applicant's behalf, to obtain an application from the HACA Central Office (1124 S. IH 35, Austin, TX 78704), HACA will mail the application to the applicant via first class mail.
3. Application forms may also be accessed via HACA's website at [www.hacanet.org](http://www.hacanet.org) in the How to Obtain Housing section. Downloadable application forms may be printed, filled out and completed. Applications are available in English and in Spanish.
4. Families may complete the application online through HACA's web application. The web application can be accessed through HACA's website at [www.hacanet.org](http://www.hacanet.org).

~~Completed paper applications must be returned to HACA by mail, by fax to the Admissions Department or submitted in person during normal business hours to the HACA Central Office at 1124 S. IH 35 Austin, TX 78704. Normal business hours are Monday through Friday, 8:00 AM to 5:00PM, with the exception of holidays. Applications must be complete in order to be accepted by HACA for processing. The application must be signed by the applicant or a person with power of attorney on behalf of the applicant. No applications will be taken over the telephone. Incomplete applications will not be accepted and will not be file stamped with the date and time, and will be returned to the applicant. If the application was mailed, an Admissions representative will highlight the incomplete portions of the application and mail the application back to the applicant for completion.~~

~~Under no circumstances will anyone be denied the right to request or submit an application. Applicants may complete the application at HACA's Central Office during normal business hours or may take the application to complete it elsewhere and bring it back during normal business hours. Upon receipt, the application will be file stamped with the date and time it was received.~~

Unless unable due to a disability, the applicant shall complete all required fields of the application through the application web portal. ~~fill out all entries on the application form in ink or by a typewriter or complete the online electronic application.~~ If the applicant is unable to complete the application form, by verifying the need to make a reasonable accommodation through the documentation or visual observation, as applicable, and the applicant has represented that he or she



has no one to assist him or her, a HACA employee shall assist the applicant in completing the application ~~form~~-based upon the information provided by the applicant.

The entire pre-application must be completed and submitted before the applicant will be placed on the waiting list. The system will confirm submission if all application requirements have been fulfilled. The web portal will apply an electronic date and time received stamp to each application in accordance with the confirmation of successful submission.

~~Corrections to the application are to be made lining through the original entry and substituting the correct data. Such changes are to be dated and signed by the person making the changes with a notation specifying the reasons for the change.~~

~~The application must be completely filled out and signed by the applicant before acceptance. Upon completion and signature of the application, the application will be file stamped by date and time as specified above and referred to the Admissions Department. Electronic applications will also be marked with date and time of the application.~~

~~Complete signatures are to be used by HACA employees in signing all applications, leases, and entries to historical sheets and verification documentation.~~

#### **Lottery Application Process [Notice PIH 2012-34]**

A PHA has flexibility to determine whether to keep the waiting list open indefinitely or whether to open the waiting list periodically for defined application periods. PHAs should only make this determination after careful analysis and consideration of all circumstances, including whether the length of the waiting list makes the wait for housing unreasonably long or whether there is a sufficient number of eligible applicants to ensure that new and turnover vouchers under the PHA's HCV program are issued as quickly as possible.

##### HACA Policy for the Housing Choice Voucher Program

HACA will open the HCV waiting list for a defined period of time. The dates and times of the waiting list opening will be publicly announced in advance.

PHAs should also keep in mind safety concerns when reopening waiting lists in areas of high demand. PHAs can use various strategies to avoid application intake procedures that may cause a safety concern for the public and PHA staff. Offering only one central location to submit applications under such circumstances is not advisable.

PHAs may consider the use of a lottery or other random choice technique to select which applicants will be placed on the waiting list. In making this determination, PHAs should consider whether this is a reasonable approach in their jurisdiction. This approach would be reasonable for PHAs located in areas where the volume of applications is high enough that placing each eligible applicant on the waiting list would result in an unrealistic waiting period for housing.

##### HACA Policy for the Housing Choice Voucher Program

HACA will use an online application process to accept applications during the period of the open waiting list. Applications can be submitted from any location with internet access.

HACA will use a lottery system to select applicants to be placed onto the waiting list. After all complete and unduplicated applications are received during the waiting list opening, HACA will conduct a random lottery to select the applicants. Applicants will be randomly assigned a number, and the applicants will be placed on the waiting list in order of the assigned numbers and according to HACA preference(s).

HACA has determined that this is a reasonable approach due to the high volume of applications



anticipated. Placing all applications on the waiting list would create an unrealistic waiting period for housing. Use of the lottery system is a fair way to create a waiting list with realistic waiting periods. The online application process also protects the safety of all that apply and allows for multiple locations for completing applications. The lottery process also promotes safety as there is no rush to be first, since date and time of the application is not considered, as long as the application was completed during the waiting list opening.

## **ACCESSIBILITY OF THE APPLICATION PROCESS**

### **Elderly and Disabled Populations [24 CFR 8 and HCV GB, pp. 4-11 – 4-13]**

HACA must take a variety of steps to ensure that the application process is accessible to people who might have difficulty complying with the normal, standard HACA application process. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP). HACA must provide reasonable accommodation to the needs of individuals with disabilities. The ~~application-taking facility and the entire~~ application process must be fully accessible, or HACA must provide an alternate approach that provides full access to the application process. Chapter 2 of the Admissions and Continued Occupancy Policy provides a full discussion of HACA's policies related to providing reasonable accommodations for people with disabilities.

#### HACA Policy

HACA will use an internet application process. Families can access the internet application through HACA's website, [www.hacanet.org](http://www.hacanet.org) or by going directly to the application web page. Access to the application will be available during the entire time of the waiting list opening. Once the waiting list is closed, applicants will be able to go to an Applicant Portal to view the status of their application. The HACA website will have a link to this Applicant Portal. When applicants first log in to the Applicant Portal, they will be required to provide correct identifying information. With this information, applicants will then be required to create a username and password to view their current status on the waiting list.

In advance of the waiting list opening, HACA will provide training to social service and community partners. This training will explain the application process, demonstrate how to complete an application online and show how applicants can view their current status through the Applicant Portal. HACA will encourage all social service partners to provide assistance to the elderly and disabled to ensure that they have access to the application process.

In cases where elderly or disabled families do not have access to the internet and are not able to access the application through a social service or partner agency, HACA will provide a separate phone number to call to complete the application over the phone.

HACA is aware of the potentially large number of persons with special needs who may seek to apply to the waiting list and will be working with social service and community partners to ensure full accessibility.

### **Limited English Proficiency**

HACA is required to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency [24 CFR 1].

## **PLACEMENT ON THE WAITING LIST**

The PHA must review each completed ~~pre~~-application received and make a preliminary assessment of the family's eligibility. The PHA shall place on the waiting list families for whom the list is open unless the PHA determines the family to be ineligible. Where the family is determined to be ineligible, the PHA must



notify the family in writing [24 CFR 960.208(a); PH Occ GB, p. 41]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

### **Ineligible for Placement on the Waiting List**

#### HACA Policy

If HACA can determine from the information provided that a family is preliminarily ineligible, the family will not be placed on the waiting list. Where a family is determined to be preliminarily ineligible, HACA will send written notification of the preliminary ineligibility determination within 30 days of receiving a completed application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing and explain the process for doing so. If, upon conclusion of the informal hearing process, the family's preliminary eligibility is restored, the family's original date and time of ~~pre~~-application will be restored on the waiting list.

### **Eligible for Placement on the Public Housing Waiting List**

#### HACA Policy

HACA will send written notification of the preliminary eligibility determination within 30 days of receiving a completed application. If applicable, the notice will also indicate the waiting list preference(s) for which the family appears to qualify. Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. A final determination of eligibility and qualification for preferences will be made when the family is selected from the waiting list. Applicants will be placed on the waiting list according to HACA preference(s) and the date and time their complete ~~pre~~-application is received by HACA. Any complete application received by mail or by fax will be file stamped with the date which shall be the same business day of receipt and the time shall be specified as 5:00 p.m. Applications faxed to HACA after business hours will be file stamped as received the following business day and the time shall be specified as 5:00 p.m. HACA will assign families on the waiting list according to the bedroom size for which a family qualifies as established according to HACA's occupancy standards (see Chapter 5 of the ACOP). Families may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (as long as the unit is not overcrowded according to HACA standards and local codes). However, in these cases, the family must agree not to request a transfer for two years after admission, unless they have a change in family size or composition.

### **Eligible for Placement on the Housing Choice Voucher Waiting List**

#### HACA Policy

When HACA's waiting list is open for the Housing Choice Voucher (HCV) program, HACA will accept applications through the internet application process. All complete, unduplicated and valid applications received while the waiting list is open will be entered into a lottery. Before opening the waiting list, HACA will announce the number of applicants that will be drawn through the lottery process. Once the waiting list is closed, HACA will complete the lottery selections.

After completing the lottery drawing, HACA will review each complete application selected and make a preliminary assessment of the family's eligibility. HACA must accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance) for the grounds stated in the regulations [24 CFR 982.206(b)(2)]. Where the family is determined to be ineligible, HACA must notify the family in writing [24 CFR 982.201(f)]. Where the family is determined to be eligible, the family will be placed on a waiting list of



to ensure that homeless applicants have the opportunity to apply for housing assistance under this preference.

If it is determined that an applicant referred by a homeless service provider, as described above, does not meet the criteria described therein, the applicant will not receive the preference and:

- (1) if the applicant was only on the HCV waiting list because of the homeless referral, the applicant will be removed from the HCV waiting list; or
- (2) if the applicant was on the HCV waiting list through the regular application process, the applicant will return to their lottery position on the waiting list without the homeless preference.

If HACA denies an applicant's homeless preference claim, HACA will notify the applicant and referring service provider in writing, including the reason(s) for the preference denial. Applicants have the right to appeal the denial of eligibility for the homeless preference using the established process for informal hearings.

Persons transitioning out of the City of Austin's 1115 Waiver Permanent Supportive Housing Assertive Community Treatment Team program into permanent housing will be included as a priority group as part of this preference. This would require a referral from the current case manager as well as documentation that the family was homeless prior to entering into the current program. This documentation must be provided as part of the referral.

Individual and families transitioning, or "moving up" from Permanent Supportive Housing (PSH) units will also be included as a priority group as part of this homeless preference. These are persons that were previously homeless prior to entry into the PSH program but who no longer need that level of supportive services. **Referrals could also include individuals and families participating in a Continuum of Care homeless rental assistance program.** This would require a referral from the current case manager or PSH provider as well as documentation that the family was homeless prior to entering into the PSH unit. This documentation must be provided as part of the referral.

(E) **Families with Minor Children Preference:** HACA will give preference to families with minor children. A minor child is a child under age 18 who meets HUD and HACA's definition of a family member (See Section 3.I.B for the definition of Family Members).

- Minor children of a live in aide do not qualify the family for this preference.
- Minor children that are foster children of an authorized adult member of the assisted family do not qualify the family for this preference.

(F) **Residency Preference:** HACA will give preference to persons who reside in the following Texas Counties: Travis, Hays, Bastrop, Caldwell and Williamson counties. The residency status will be determined at the time of the eligibility interview. This preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, religion, national origin, sex, age, familial status, disability, sexual orientation, gender identity and or marital status of any member of an applicant family.

Applicants who are working or who have been notified that they are hired to work in a residency preference area will be treated as residents of the residency preference area with documented proof of employment in the residency preference area. Applicants who are graduates of, or active participants in, education and training programs in a residency preference area are eligible for this preference if the education or training program is designed to prepare individuals for the job market.

(G) **Rental Assistance Demonstration (RAD) Choice Mobility Preference:** As



- Name and address
- Social Security number (on the electronic copy)
- Unit size required
- Amount and source of annual income
- Date and time of application or application number
- Rank

The PHA may adopt for Public Housing one community-wide waiting list or site-based waiting lists. The PHA must obtain approval from HUD through submission of its Annual Plan before it may offer site-based waiting lists. Site-based waiting lists allow families to select the development where they wish to reside and must be consistent with all applicable civil rights and fair housing laws and regulations [24 CFR 903.7(b)(2)].

#### HACA Policy for Public Housing Program

HACA will maintain ~~one single community-wide site-based~~ waiting lists for **each** of its developments. Within the list, HACA will designate subparts to easily identify who should be offered the next available unit (i.e., mixed populations, general occupancy, unit size, and accessible units).

~~HACA will not adopt site-based waiting lists.~~

HUD directs that a family that applies to reside in Public Housing must be offered the opportunity to be placed on the waiting list for any tenant-based or project-based voucher or moderate rehabilitation program that the PHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs [24 CFR 982.205(a)(2)(i)].

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their Public Housing, Housing Choice Voucher and other subsidized housing programs [24 CFR 982.205(a)(1)].

#### HACA Policy

HACA will not merge the Public Housing waiting list with the waiting list for any other program HACA operates.

### **HOUSING CHOICE VOUCHER WAITING LIST**

HACA's HCV waiting list must be organized in such a manner to allow HACA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this Plan.

#### HACA Policy

The waiting list will contain the following information for each applicant listed:

- Applicant name and address
- Social Security number
- Family member count
- Date and time of application
- Lottery number of selection through the lottery process
- Certification from Head of household claiming any local preference
- Racial or ethnic designation of the head of household

HUD requires HACA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such PHAs are permitted, but not required, to maintain a separate waiting list for each county or municipality served.



HACA will make use of the internet for all applications. HACA will not designate a specific location to accept applications. HACA will accept all applications received through the website during the open waiting list period. Once the waiting list is closed, HACA will complete a lottery drawing to select the pre-determined number of applications.

All applicants will be directed to the internet to complete the application. If an applicant is elderly or disabled and does not have internet access, HACA will first direct the applicant to request assistance from family members or social service providers and other community partners to complete the application through the internet. If the family is an elderly or disabled family and is unable to access the internet, HACA will accept phone applications. Under no circumstances will anyone be denied the right to request or submit an application. All applications must be completed during the time of the waiting list opening.

HACA will give public notice by publishing the relevant information in suitable media outlets. Notices may also be sent to organizations that typically assist low-income families.

### **FAMILY OUTREACH [24 CFR 903.2(d); 24 CFR 903.7(a) and (b)]**

The PHA should conduct outreach as necessary to ensure that the PHA has a sufficient number of applicants on the waiting list to fill anticipated vacancies and to assure that the PHA is affirmatively furthering fair housing and complying with the Fair Housing Act.

Because HUD requires the PHA to serve a specified percentage of extremely low income families, the PHA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance.

PHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations.
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are under-represented in the program.
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class.

PHA outreach efforts must be designed to inform qualified families about the availability of units under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers.
- Developing informational materials and flyers to distribute to other agencies.
- Providing application forms to other public and private agencies that serve the low income population.
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities.

#### HACA Policy

HACA will monitor the characteristics of the population being served and the characteristics of the population as a whole in HACA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

### **REPORTING CHANGES IN FAMILY CIRCUMSTANCES**

#### HACA Policy

While a family is on the waiting list, the family must inform HACA of changes in family size or composition, preference status or contact information, including current residence, mailing address and phone number. The changes must **be requested through the applicant portal** or submitted in



writing to the Admissions department. Update forms are available at HACA's Central Office in English and in Spanish. Update forms may also be accessed via HACA's website at [www.hacanet.org](http://www.hacanet.org) ~~in the How to Obtain Housing section~~. Forms may be downloaded, printed and completed. Completed update forms may be mailed, faxed or submitted in person to HACA's Admissions department. To avoid unauthorized changes, a photo ID must be presented in person or via fax, to confirm the applicant's identity before any requested changes to the application are made by the Admissions department.

~~When submitting changes through the applicant portal Applicants will also have the option to report changes in family circumstances electronically via the Applicant Portal. When first logging into the portal,~~ applicants will be required to provide identity information (name, date of birth, social security number) to access their account. Once verified, they will receive a username and password for future logins to the Applicant Portal. The portal will be accessible through HACA's website at [www.hacanet.org](http://www.hacanet.org).

Changes in an applicant's circumstances while on the waiting list may affect the family's qualification for a particular family unit size or entitlement to a preference. When an applicant reports a change that affects their placement on the waiting list, the waiting list will be updated accordingly.

## **UPDATING THE WAITING LIST [24 CFR 982.204]**

HUD requires HACA to establish policies to use when removing applicant names from the waiting list.

### **Purging the Waiting List**

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to HACA's request for information or updates because of the family member's disability, HACA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

#### HACA Policy

The waiting list will be updated as needed to ensure that all applicants and applicant information is current and timely.

To update the waiting list, HACA will send an update request through first class mail to each family on the waiting list to determine whether the family continues to be interested in and to qualify for, the program. Information regarding this update request will also be placed on the Applicant Portal. This update request will be sent to the last address that HACA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, email or by fax. Responses should be postmarked or received by HACA not later than 15 calendar days from the date of HACA's update request letter.

If the family fails to respond within 15 calendar days, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 calendar days to respond from the date the letter was re-sent. If the family fails to respond within the time period, the family will be removed from the



required by HUD and in accordance with all HUD RAD guidelines, if HACA participates in RAD, HACA will provide a Choice-Mobility option to residents of covered RAD projects in accordance with policies outlined in Chapter 18 of the Housing Choice Voucher Administrative Plan-please see Attachment NM of this Plan.

- ~~Resident Eligibility. Residents have a right to move with tenant-based rental assistance (i.e. Housing Choice Voucher (HCV)) the later of: (a) 24 months from date of execution of the HAP or (b) 24 months after the move-in date.~~
  - ~~Voucher Inventory Turnover Cap. Recognizing the limitation on the availability of turnover vouchers from year to year, HACA, in any year, will only provide one third of its turnover vouchers to the residents of covered projects. HACA will establish this voucher inventory turnover cap, and if implemented HACA will create and maintain a waiting list in the order in which the requests from eligible households are received.~~
- ~~Project Turnover Cap. Also recognizing the limited availability of turnover vouchers and the importance of managing turnover in the best interests of the property, in any year, HACA will limit the number of Choice Mobility moves exercised by eligible households to 15 % of the assisted units in the project. HACA will create and maintain a waiting list and place households in the order in which the requests from eligible households are received. Due to ongoing critical need for affordable housing in Austin, HACA may request a regulatory waiver from HUD to further limit the voucher inventory turnover cap and/or project turnover cap.~~

- (H) **Public Housing Special Accommodation Preference:** HACA will give preference to families that are currently housed in Public Housing and waiting on the transfer list for a unit with an accessible accommodation as well as to families that have been certified eligible off the Public Housing waiting list and are waiting for a unit with an accessible accommodation. To qualify for this preference, the family must meet all of the following requirements:

**For current Public Housing families waiting on the transfer list to be eligible, they must:**

- a) Be currently housed in Public Housing and waiting on the transfer list for a unit with the needed special accommodation;
- b) Have documented need for a reasonable accommodation which requires a specific type of housing unit (including but not limited to wheelchair accessibility, no stairs, etc).
- c) Have waited more than 9 months since the reasonable accommodation was approved and they were placed on the transfer waiting list without receiving a housing offer specifically because the availability of the needed accommodation is limited within HACA's portfolio and all units with that accommodation are occupied by families needing that accommodation.

If the needed accommodation is not structurally or economically feasible in HACA's existing Public Housing portfolio, the family will not be required to wait 9 months.

- d) Have verified income at the time of their last annual or interim recertification which was below the current income limit for the Housing Choice Voucher program.

**For families drawn off the Public Housing waiting list and waiting for their first housing offer, they must:**



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

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

In addition to this general definition, HUD regulations establish policies for treating specific types of income and assets.

### HOUSEHOLD COMPOSITION AND INCOME

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

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

### Temporarily Absent Family Members

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

### Anticipating Annual Income

The PHA is required to count all income “anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date” [24 CFR 5.609(a)(2)].

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

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

PHAs are required to use HUD’s Enterprise Income Verification (EIV) system in its entirety as a third party source to verify employment and income information, and to reduce administrative subsidy payment errors in accordance with HUD administrative guidance [24 CFR 5.233(a)(2)].

### PART I: ASSETS [24 CFR 5.609(b)(3), and 24 CFR 5.603(b) and 24 CFR 960.259]

~~On November 5, 2013 HUD issued Notice PIH 2013-26 extending Notice PIH 2013-03 until March 31, 2015, these notices acknowledge and address the budget and staff constraints that PHAs have had to face in recent years. To address these burdens, the notices give a series of four optional methods to reduce administrative burden.~~

~~One approved method to reduce administrative burden and streamline income recertification efforts, allows HACA to accept a family’s written self declaration of the amount of assets equal to or less than \$5,000, and~~



~~the amount of income expected to be received from those assets. This Asset verification method is approved through March 31, 2015 and any approved HUD extensions of this provision. If HUD doesn't approve an extension of this Asset verification method beyond March 31, 2015, HACA will verify all Assets following the verification hierarchy requirements.~~

On January 22, 2013 HUD issued Notice PIH 2013-03 which granted administrative relief to PHAs by allowing applicant and resident self-certification of assets and the income from assets with a net value of less than \$5000. This administrative relief was temporary and renewed through 2015.

On March 8, 2016, HUD published the Streamlining Rule in the Federal Register. This rule made permanent changes to the way assets were verified, although with modifications to the process outlined in Notice PIH 2013-03.

The approved method to reduce administrative burden and streamline income recertification efforts states the following:

- Applicants must provide full third party verification (i.e. bank statements) at the time of determination of income eligibility.
- For a resident family with net assets equal to or less than \$5,000, a PHA may accept, for purposes of recertification of income, a family's declaration that it has net assets equal to or less than \$5,000, without taking additional steps to verify the accuracy of the declaration. The declaration must state the amount of income the family expects to receive from such assets; this amount must be included in the family's income. However, the PHA must obtain full third-party verification of assets every three years.

The following HACA forms, which are signed by all adult family members, will serve as documentation of the family's self-declaration of asset income: ~~HACA housing application~~, public housing continued occupancy forms, HCV program's Annual Re-certification form and How to Report a Change form. If the family has net family assets equal to or less than \$5,000, HACA will not request supporting documentation (e.g. bank statements) from the family to confirm the assets or the amount of income expected to be received from those assets. If the family has net assets in excess of \$5,000, HACA will request supporting documentation (e.g. bank statements) from the family to confirm the assets.

Any assets reported by the family will be reported on the HUD Form 50058.

#### **EARNED INCOME DISALLOWANCE [24 CFR 960.255]**

The earned income disallowance (EID) encourages people to enter the work force by not including the full value of increases in earned income for a period of time.

#### **PERIODIC PAYMENTS**

##### **Streamlined Income Determination of Fixed Income Sources [24 CFR 960.257]**

On March 8, 2016 HUD published the Streamlining Rule in the Federal Register. According to this rule, for any family member with a fixed source of income, a PHA may elect to determine that family member's income by means of a streamlined income determination. A streamlined income determination must be conducted by applying, for each fixed-income source, the verified cost of living adjustment (COLA) or current rate of interest to the previously verified or adjusted income amount.

##### **HACA Policy**

HACA will apply this streamlined income determination for all fixed income sources in the following way:

- HACA will only use the streamlined income determination as part of a reexamination. HACA will require third-party verification of all income for applicants during the admissions process.



- A “family member with a fixed source of income” is defined as a family member whose income includes periodic payments at reasonably predictable levels from one or more of the following sources:
  - Social Security, Supplemental Security Income, Supplemental Disability Insurance;
  - Federal, state, local, or private pension plans;
  - Annuities or other retirement benefit programs, insurance policies, disability or death benefits, or other similar types of periodic receipts; or
  - Any other source of income subject to adjustment by a verifiable COLA or current rate of interest.
- HACA will use a COLA or current rate of interest specific to the fixed source of income in order to adjust the income amount. HACA will verify the appropriate COLA or current rate of interest from a public source or through tenant-provided, third party-generated documentation. If no such verification is available, then HACA will obtain third-party verification of income amounts in order to calculate the change in income for the source.
- For any family member whose income is determined pursuant to a streamlined income determination, HACA will obtain third-party verification of all income amounts every 3 years.

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

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

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

#### **PAYMENTS IN LIEU OF EARNINGS**

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

#### **WELFARE ASSISTANCE**

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

#### **PERIODIC AND DETERMINABLE ALLOWANCES [24 CFR 5.609(b)(7)]**

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

#### **Regular Contributions or Gifts**

The PHA must count as income regular monetary and nonmonetary contributions or gifts from persons not residing with a tenant family [24 CFR 5.609(b)(7)]. Temporary, nonrecurring or sporadic income and gifts are not counted [24 CFR 5.609(c)(9)].

#### **ADDITIONAL EXCLUSIONS FROM ANNUAL INCOME**



**Welfare Rent [24 CFR 5.628]**HACA Policy

Welfare rent does not apply in this locality.

**Minimum Rent [24 CFR 5.630]**HACA Policy

The minimum rent for this locality is \$25.

**Optional Changes to Income-Based Rents [24 CFR 960.253(c)(2) and PH Occ GB, pp. 131-134]**

PHAs have been given very broad flexibility to establish their own, unique rent calculation systems as long as the rent produced is not higher than that calculated using the TTP and mandatory deductions. At the discretion of the PHA, rent policies may structure a system that uses combinations of permissive deductions, escrow accounts, income-based rents and the required flat and minimum rents.

The PHA's minimum rent and rent choice policies still apply to affected families. Utility allowances are applied to PHA designed income-based rents in the same manner as they are applied to the regulatory income-based rents.

The choices are limited only by the requirement that the method used not produce a TTP or tenant rent greater than the TTP or tenant rent produced under the regulatory formula.

HACA Policy

HACA chooses not to adopt optional changes to income-based rents.

**Ceiling Rents [24 CFR 960.253 (c)(2) and (d)]**

Ceiling rents are used to cap income-based rents. They are part of the income-based formula. If the calculated TTP exceeds the ceiling rent for the unit, the ceiling rent is used to calculate tenant rent (ceiling rent/TTP minus utility allowance). Increases in income do not affect the family since the rent is capped. The use of ceiling rents fosters upward mobility and income mixing.

Because of the mandatory use of flat rents, the primary function of ceiling rents now is to assist families who cannot switch back to flat rent between annual reexaminations and would otherwise be paying an income-based tenant rent that is higher than the flat rent.

Ceiling rents must be set to the level required for flat rents (which will require the addition of the utility allowance to the flat rent for properties with tenant-paid utilities) [PH Occ GB, p. 135].

HACA Policy

HACA has implemented ceiling rents, which are set at a level equivalent to the flat rent schedule, plus utility allowance, if applicable.

**Utility Reimbursement [24 CFR 960.253(c)(3)]**

Utility reimbursement occurs when any applicable utility allowance for tenant-paid utilities exceeds the TTP. HUD permits the PHA to pay the reimbursement to the family or directly to the utility provider.

HACA Policy

HACA will make utility reimbursements to the family.

**PRORATED RENT FOR MIXED FAMILIES [24 CFR 5.520]**

HUD regulations prohibit assistance to ineligible family members. A *mixed family* is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. The PHA must prorate the assistance provided to a mixed family. The PHA will first determine TTP as if all family



members were eligible and then prorate the rent based upon the number of family members that actually are eligible. To do this, the PHA must:

- (1) Subtract the TTP from ~~a maximum~~ the PHA-established flat rent applicable to the unit. The result is the maximum subsidy for which the family could qualify if all members were eligible (family maximum subsidy).
- (2) Divide the family maximum subsidy by the number of persons in the family to determine the maximum subsidy per each family member who is eligible (member maximum subsidy).
- (3) Multiply the member maximum subsidy by the number of eligible family members.
- (4) Subtract the subsidy calculated in the last step from the ~~maximum~~ the PHA-established flat rent applicable to the unit. This is the prorated TTP.
- (5) Subtract the utility allowance for the unit from the prorated TTP. This is the prorated rent for the mixed family.

#### HACA Policy

Revised Public Housing ~~maximum~~ flat rents will be applied to a family's rent calculation at the first interim or annual reexamination after the revision is adopted. In instances where a mixed family's TTP is higher than the current ~~maximum~~ flat rent amount for the family's bedroom size, HACA will apply the higher TTP for purposes of determining family rent.

### **FLAT RENTS AND FAMILY CHOICE IN RENTS [24 CFR 960.253]**

#### **Flat Rents [24 CFR 960.253(b)] (Reference to 6-III.E. in the HACA ACOP)**

The flat rent is designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.

There is no utility allowance or reimbursement with flat rents. When the family elects to pay the flat rent, the flat rent amount quoted to the family by the PHA is the amount the family pays. Changes in family income, expenses or composition will not affect the flat rent amount because it is outside the income-based formula.

Public housing flat rents are needed also used to prorate assistance for a mixed family. A mixed family is one whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigrations status [24 CFR 5.504].

#### **Family Choice in Rents [24 CFR 960.253(a) and (e)]**

Once each year, the PHA must offer families the choice between a flat rent and an income-based rent. The family may not be offered this choice more than once a year. The PHA must document that flat rents were offered to families under the methods used to determine flat rents for the PHA.

#### HACA Policy

The annual HACA offer to a family of the choice between flat and income-based rent will be conducted upon admission and upon each subsequent annual reexamination.

HACA will require families to submit their choice of flat or income-based rent in writing and will maintain such requests in the tenant file as part of the admission or annual reexamination process.

The PHA must provide sufficient information for families to make an informed choice. This information must include the PHA's policy on switching from flat rent to income-based rent due to financial hardship and the dollar amount of the rent under each option. However, if the family chose the flat rent for the previous year the PHA is required to provide an income-based rent amount only in the year that a reexamination of income is conducted or if the family specifically requests it and submits updated income information.

#### **Switching from Flat Rent to Income-Based Rent Due to Hardship [24 CFR 960.253(f)]**

A family can opt to switch from flat rent to income-based rent at any time if they are unable to pay the flat rent due to financial hardship. If the PHA determines that a financial hardship exists, the PHA must immediately allow the family to switch from flat rent to the income-based rent



HACA will review flat rents on an annual basis, and adjust them as necessary to ensure that flat rents continue to mirror market rent values, are no less than 80% of the current applicable Fair Market Rents(FMR) or Small Area Fair Market Rents (SAFMR) and will not cause a family's existing rental payment to increase more than 35%. If the FMR or SAFMR is lower than the previous year, HACA may reduce flat rents to at least 80 percent of the current FMR or SAFMR.

PHAs that determine that reasonable rents would be less than 60 percent of the applicable FMR may choose to request an exception flat rent. In order to demonstrate the need for an exception flat rent, PHAs are required to submit a market analysis methodology that demonstrates the value for the unit. While HUD does not prescribe a particular formula for determining the market analysis, PHAs must compare the public housing unit in the area using the following factors:

- Location, quality, size, unit type, age of the unit, and
- Amenities, housing services, maintenance, and utilities the PHA will provide under the lease.

#### HACA Policy

If HACA determines that reasonable rents would be less than 60 percent of the applicable FMR, the HACA will request an exception flat rent and conduct the market survey.

#### **Flat Rents and Earned Income Disallowance [A&O FAQs]**

Because the EID is a function of income-based rents, a family paying flat rent cannot qualify for the EID even if a family member experiences an event that would qualify the family for the EID. If the family later chooses to pay income-based rent, they would only qualify for the EID if a new qualifying event occurred. A family currently paying flat rent that previously qualified for the EID while paying income based rent and is currently within their 4824 month period would have the 12 ~~cumulative~~ months of full (100 percent) and phase-in (50 percent) exclusion continue while paying flat rent as long as the employment that is the subject of the exclusion continues, and the 4824-month lifetime limit would continue uninterrupted. A family paying flat rent could therefore see a family member's 48 24-month lifetime limit expire while the family is paying flat rent.

#### **Flat Rents and Mixed Families [A&O FAQs]**

Mixed families electing to pay flat rent must first have a flat rent worksheet completed to see if the flat rent must be prorated. The worksheet is located in Appendix III of the *Form HUD-50058 Instruction Booklet*.

#### **Posting of Flat Rents**

##### HACA Policy

HACA will publicly post the schedule of flat rents in a conspicuous manner in the applicable HACA community's bulletin board as well as at HACA's Central Office.

#### **Documentation of Flat Rents [24 CFR 960 Interim Rule]**

The PHA is not required to maintain documentation regarding the PHA's methods of determining a unit's flat rent, as the process setting flat rents is now less reliant upon discretionary actions by the PHA, except in the case of exception requests, which require documentation provided by PHAs.

#### **CHANGES AFFECTING INCOME OR EXPENSES**

Interim reexaminations can be scheduled either because HACA has reason to believe that changes in income or expenses may have occurred, or because the family reports a change.

#### **HACA-Initiated Interim Reexaminations**

PHA-initiated interim reexaminations are those that are scheduled based on circumstances or criteria defined by HACA. They are not scheduled because of changes reported by the family.



1. If the family is on zero income, the family must report any changes in income, regardless of the amount.
2. Income increase of \$600.00 a month or more or \$7200 or more annually. **For HCV program, families are required to report new earned income and new sources of unearned income within 30 days from the date of occurrence.**
3. All changes in family composition.

#### **Not required to report**

The family is not required to report the following until the next annual re-examination.

1. Cost of living adjustments to recipients of Social Security, TANF and Veterans Assistance **or for HCV program, increased amounts of other unearned income.**
2. Total household income increases that total less than \$600 monthly or less than \$7200 annually. **Not applicable to the HCV program.**

#### **Optional Reporting Requirements**

1. FSS participants may request rent increases be processed to increase the escrow account (even if the income increase is less than \$600 per month or \$7200 per year-**not applicable to HCV program**).

#### **OVER-INCOME FAMILIES [24 CFR 960.261]**

Subject to certain restrictions, HUD authorizes PHAs to evict or terminate the tenancies of families because they are over income. Unless required to do so by local law, the PHA may not evict or terminate the tenancy of a family solely because the family is over income if: (1) the family has a valid contract of participation in the Family Self-Sufficiency (FSS) program, or (2) the family is currently receiving the earned income disallowance. This rule does not require PHAs to evict over-income resident, but rather give the PHA the discretion to do so thereby making units available for applicants who are income-eligible.

#### HACA Policy

HACA will not evict or terminate the tenancies of families that are participating in the FSS program, HACA's Homeownership program or that are receiving the earned income disallowance solely because they are over income.

Due to the need for affordable housing in our community, HACA will terminate the tenancy of families that are over the eligibility income limits when all the following criteria have been met:

- (1) The family is not a participant in the FSS program or HACA's Home Ownership Program;
- (2) The family is not receiving the earned income disallowance;
- (3) The total household income is at or above 125% of the eligibility income limit for the total household size; and
- (4) The family income has remained at or above 125% of the eligibility income limit for 6 consecutive months.

If an over-income family includes one or more disabled family members, HACA will terminate the tenancy for families over the eligibility income limits when all of the following criteria have been met:

- (1) The family is not a participant in the FSS program or HACA's Home Ownership Program;



## Documentation and Verification of Exemption Status

### HACA Policy

All family members who claim they are exempt from the community service requirement will be required to sign the community service exemption certification form. HACA will provide a completed copy to the family upon request and will keep a copy in the tenant file.

HACA will verify that an individual is exempt from the community service requirement by following the verification hierarchy and documentation requirements.

HACA makes the final determination whether or not to grant an exemption from the community service requirement. If a resident does not agree with HACA determination, s/he can dispute the decision through the HACA's grievance procedures.

## Documentation and Verification of Compliance

At each regularly scheduled reexamination, each nonexempt family member presents ~~a signed standardized certification form developed by the PHA~~ documentation of community service and self-sufficiency activities performed over the last 12 months. ~~[Notice PIH 2009-48].~~

~~PHAs must obtain third-party verification of CSSR completion administered through outside organizations. Each PHA develops a standardized form with places for signature confirmation by supervisors, instructors, or counselors certifying the number of hours contributed. Additional supporting documentation may be requested of the resident to verify CSSR participation or exemption.~~ Acceptable documentation demonstrating compliance include the following:

- A signed certification to the PHA by such other organization where the family performed the qualifying activities stating who performed the activities, when they were performed and for how many hours.
- A signed self-certification to the PHA by the family member stating that he or she has performed the qualifying activities. The signed self-certification must include the following:
  - A statement that the family member contributed at least 8 hours per month of community service not including political activities within the community in which the adult resides; or participated in an economic self-sufficiency program (as that term is defined in 24 CFR 5.603(b)) for at least 8 hours per month;
  - The name, address, and a contact person at the community service provider; or the name, address, and contact person for the economic self-sufficiency program;
  - The date(s) during which the tenant completed the community service activity, or participated in the economic self-sufficiency program;
  - A description of the activity completed; and
  - A certification that the tenant's statement is true

Copies of the certification forms and supporting documents must be retained in the PHA files. ~~If the PHA accepts self-certifications, the PHA must validate a sample of these self-certifications using third-party verification.~~

### HACA Policy

HACA will accept both third-party verification and self-certification of completion of the CSSR. If anyone in the family is subject to the community service requirement, HACA will provide the family with community service requirement documentation forms at move-in, at lease renewal, when a family member becomes subject to the community service requirement during the lease term or upon request by the family.

Each individual who is subject to the requirement will be required to record their community service required activities and the number of hours contributed on the required form. The certification form will also include places for signatures and phone numbers of supervisors, instructors and counselors certifying to the number of hours contributed. ~~Or the family member~~



can provide the self-certification as outlined above.

Families will be required to submit the documentation to HACA, upon request by HACA.

If HACA has reasonable cause to believe that the certification provided by the family is false or fraudulent, HACA has the right to require additional documentation be provided by the resident to verify CSSR participation.

An individual subject to performing community service must complete the hours him/ herself. No other resident may perform the community service hours on another resident's behalf. Community service hours may not be "donated" by another resident to an individual subject to completion of community service.

HACA will validate a sample of self-certifications. On an annual basis (beginning at the anniversary date of the implementation of self-certification), HACA will determine the number of family members that self-certified their CSSR for the previous 12 months. Then, using the chart below, HACA will determine the appropriate sample size and validate the self-certifications. [PIH Notice 2016-06, Attachment C of the ACOP]

## NONCOMPLIANCE

### Initial Noncompliance

The lease specifies that it is renewed automatically for all purposes, unless the family fails to comply with the community service requirement. Violation of the service requirement is grounds for nonrenewal of the lease at the end of the twelve-month lease term, but not for termination of tenancy during the course of the twelve-month lease term [24 CFR 960.603(b)].

If the tenant or another family member has violated the community service requirement, the PHA may not renew the lease upon expiration of the twelve-month term of the lease, unless the tenant and any other noncompliant family member enter into a written workout agreement with the PHA. Under this agreement the tenant or noncompliant family member must agree to cure the noncompliance by completing the additional community service hours needed to make up the total number of hours required, over the twelve-month term of the new lease. In addition, all other members of the family who are subject to the service requirement must be in compliance or must no longer be residing in the unit [24 CFR 960.607(c)], Notice PIH 2009-48].

### *Notice of Initial Noncompliance [24 CFR 960.607(b)]*

If the PHA determines that there is a family member who is nonexempt, but who has failed to comply with this obligation (noncompliant resident), the PHA must provide written notification to the tenant of the noncompliance which must include:

- a) A brief description of the noncompliance.
- b) A statement that the PHA will not renew the lease at the end of the 12-month lease term unless the tenant, and any other noncompliant family member(s), enter into a written work-out agreement with the PHA, or the family provides written assurance satisfactory to the PHA that the noncompliant tenant(s) no longer resides in the unit. Such written work-out agreement must include the means through which a noncompliant family member will comply with the community service requirement.

The notice must also state that the tenant may request a grievance hearing on the PHA's determination, in accordance with the PHA's grievance procedures, and that the tenant may exercise any available judicial remedy to seek timely redress for the PHA's nonrenewal of the lease because of the PHA's determination.

### HACA Policy

During the annual reexamination, the HACA staff member conducting the re-exam will examine all documentation and determine whether the family is in compliance with the community service

# Attachment N

## Choice Mobility Policy

**HACA Choice Mobility Policy**



***Created 5/19/2016***



## HACA Choice Mobility Policy

### I. Definitions:

1. *Covered Project*: Any Public Housing property that has converted to the Project Based Rental Assistance (PBRA) program through RAD.
2. *Choice Mobility*: The opportunity for families to request a Housing Choice Voucher (HCV) and move into the private rental market with voucher assistance.
3. *Turnover Caps*: The maximum number of families that can receive a voucher in a calendar year. PHAs can establish caps for the maximum number of families that can receive a voucher from each property in the calendar year. PHAs can also establish caps for the maximum number of vouchers from all properties combined that can receive a voucher in a calendar year.

### II. Eligibility and Voucher Caps

HUD seeks to provide all residents of Covered Projects with viable Choice Mobility options. The Housing Choice Voucher (HCV) program provides the most options for families to choose where they want to live within that housing authority's jurisdiction.

PHAs that are applying to convert the assistance of a project to PBRA are required to provide a Choice-Mobility option to residents of Covered Projects in accordance with the following:

- A. **Resident Eligibility.** Residents have a right to move with tenant-based rental assistance (e.g., Housing Choice Voucher (HCV)) the later of: (a) 24 months from the date of execution of the HAP or (b) 24 months after the move-in date.
- B. **Voucher Inventory Turnover Cap.** Recognizing the limitation on the availability of turnover vouchers from year to year, a voucher agency would not be required, in any year, to provide more than one-third of its turnover vouchers to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received.

### HACA Policy

HACA will provide all residents the opportunity to request a Housing Choice Voucher after the later of a) 24 months from the date of the execution of the HAP contract, or b) 24 months from the date of move in.

- If a family moves from one covered project to another covered project, their 24 month clock resets. These families will have to wait for 24 months from the date of move in to the new property, before they can exercise Choice Mobility.
- If a family transfers within the same covered project, their 24 month clock does not reset. They will be eligible to request a Choice Mobility voucher at the later of: (a) 24 months from the date of execution of the HAP or (b) 24 months after the move-

in date.

- A family may request the choice mobility voucher at any time after completing the 24 month requirement. They remain eligible as long as they continue living at the same covered project.
- A family that receives a Choice Mobility voucher, but allows it to expire without using it, can request another Choice Mobility voucher. However, they must wait 1 year from the date of the issuance of the expired voucher before requesting another Choice Mobility voucher. When they do request again, they will start the process from the beginning and are subject to any waiting lists in place at that time.

HACA will implement the voucher inventory cap. Each calendar year, the HCV program will only make 1/3 of its turnover vouchers available to families exercising Choice Mobility from any of its 18 covered projects transitioning into PBRA through the Rental Assistance Demonstration (RAD). HACA will establish an agency-wide Choice Mobility waiting list for times when there are more requests for vouchers than vouchers available due to the cap. HACA will not implement the project turnover cap.

The HCV program also provides the opportunity to move to other parts of the country by exercising the portability options. Families will be required to follow the housing authority's guidelines regarding when they can exercise the portability option.

#### **HACA Policy**

In order to be eligible for the Choice Mobility option, families have to live in Austin, in a HACA owned PBRA property for at least 2 years. These families meet HACA's HCV program requirements and are eligible to exercise portability when they first receive a voucher.

#### **III. Notification of Eligibility**

In keeping with HUD's goal to provide viable Choice Mobility options to residents of all covered projects, PHAs should provide clear notification and explanation of the Choice Mobility options available to them.

#### **HACA Policy**

At the time of the initial lease signing, HACA will provide a copy of the Choice Mobility policy to the family and explain the Choice Mobility option. HACA will provide clear direction and guidance regarding how to request a Choice Mobility voucher. Residents will be asked to sign a certification indicating that they received the Choice Mobility policy.

In addition, HACA will provide a written notification to the residents as part of the 90 Day letter that each families receives before their annual recertification appointment. (See Appendix 1)

If anything changes in the method for requesting the Choice Mobility voucher, HACA will provide written notification to the residents at least 30 days in advance of the change becoming effective.



#### **IV. Waiting Lists**

PHA's that establish a voucher turnover cap are required to create a waiting list for families that request the Choice Mobility voucher.

##### **HACA Policy**

HACA will establish a Choice Mobility waiting list for all eligible families that request a voucher. The waiting list will be managed by HACA's centralized Admissions Department.

Since HACA is not implementing a project turnover cap, there will be no project specific waiting lists. Eligible families that request the voucher will be placed directly onto the Choice Mobility waiting list.

HACA will remove families from the Choice Mobility waiting list who move out of the covered project before receiving a voucher.

- If a family moves out of the covered project into the private rental market after being placed on the Choice Mobility waiting list, they are no longer eligible for the voucher and their name will be removed from the Choice Mobility waiting list.
- If a family moves from one covered project to another covered project after being placed on the Choice Mobility waiting list, their 2 year clock resets. They will be removed from the Choice Mobility waiting list. They can re-apply once they have lived at the new covered project for 2 years.

Families that are already on the regular HCV waiting list will be allowed to request a Choice Mobility voucher if they are eligible. Families will be allowed to keep their place on both lists until one of the following happens:

- The family moves out of the covered project and is no longer eligible to be on the Choice Mobility list. The family will be removed from the Choice Mobility waiting list, but maintain their position on the regular HCV waiting list.
- The family voluntarily withdraws their name from one or both lists.
  - The family receives a voucher and exercises the voucher by leasing up in the voucher program. The family will then be removed from the other list. ○ If a family receives a voucher through the regular HCV waiting list, but does not exercise the voucher (i.e. lease up in the voucher program), they will remain on the Choice Mobility waiting list.

#### **V. Exercising the Choice Mobility Option**

In order to ensure that all residents at all covered projects have an equal and fair opportunity to request and receive a Choice Mobility voucher, PHAs should provide clear guidance and instructions regarding how to apply for the voucher.

##### **HACA Policy**

In order to maintain a safe, orderly and fair process for families to request a Choice Mobility voucher, HACA will implement the following:

- **Voucher Request:** ○ When a family is eligible to request a voucher, they must do so in writing using the voucher request form provided at the property (See Appendix 2).
  - The written request must be submitted to the management office at the covered property or at HACA's Central Administration building.
  - Once received, the property management staff or central office staff will forward the request to the Admissions Department to be placed on the Choice Mobility waiting list.
  
- **Acknowledgement of Request:** ○ Once the request is received and processed onto the Choice Mobility waiting list, the Admissions Department will send the family a notice acknowledging receipt of the voucher request (See Appendix 3).
  - This is the family's confirmation that they are on the Choice Mobility waiting list.
  - The acknowledgement of request will be sent to the family within 5 business days of receipt of the request.
  
- **Random Sorting:** ○ Once there are families on the Choice Mobility waiting list, HACA will select 1/3 of its monthly draw from the Choice Mobility waiting list.
  - Before each draw, HACA will conduct a random sort of the Choice Mobility waiting list.
  - The random sort protects each individual property from high volume resident turnover, while providing each family an equal opportunity to receive a voucher.

When a family is drawn from the Choice Mobility waiting list, they will be invited to attend the Housing Choice Voucher (HCV) program eligibility interview.

#### **VI. Screening Process for the Choice Mobility HCV Voucher**

In order to receive a Housing Choice voucher, families will be required to meet all the eligibility requirements for the HCV program in effect at the time of their eligibility processing. These requirements can be found in the HCV Administrative Plan.

#### **HACA Policy**

HACA will screen all Choice Mobility families using the same criteria as for all other families.

However, HACA will streamline the eligibility determination process in the following ways:

- HACA will use the certifications of identification, age, social security number and citizenship that it already has on file for the family.
- HACA will review the most recent certification and 50059 for basic information about the family composition and annual household income.
- HACA will only require new verification of income if the verifications for the most recent certification are too old to meet the criteria for the HCV program.

If eligible to receive a voucher, families will follow the HCV program rules and guidelines for



using the voucher. Families are reminded of the following:

- ***The voucher has an expiration date.*** If extensions are available, families must follow the HCV program guidelines in effect at that time to request an extension. Failure to use the voucher before it expires will result in loss of the voucher.
- ***Receipt of a voucher is not a guarantee that the family will be able to find a place to use the voucher.*** Landlords have their own screening criteria which families will have to meet to be able to live at that property.
- ***The family's lease at their current property requires at least 30 days notice to vacate.*** The family must provide this notice to their current property management staff.

#### **VII. Transitioning from Project Based Rental Assistance to the Housing Choice Voucher Program**

When transitioning from PBRA to the HCV program with a Choice Mobility voucher, program participants are required to fulfill their obligations to the terms of the PBRA lease as well as all HCV requirements. Families are not allowed to receive assistance from both programs at the same time. To assist with the transition process and prevent duplicate assistance, PHA's should develop policies and guidelines to ensure that both program requirements are met.

##### **HACA Policy**

Residents at a HACA PBRA property will be required to complete the following when transitioning to HACA's HCV program with a choice mobility voucher:

- Remain current on all rent, fees or other balances owed to the PBRA property. ○ Families with outstanding debts who are in a repayment agreement and who are current on their payments within the agreement are considered eligible.
- Families with active repayment agreements must continue to make all payments until the balance is paid in full or risk losing their voucher assistance.
- Provide at least 30 days notice of their intent to vacate the unit to the property management.
- Participate in the move out inspection.
- Turn in their keys to the property management.
  - Pay all move out expenses that may be charged after moving to their new home with voucher assistance. ○ If necessary, repayment agreements can be established to pay any outstanding move out balances.
- Failure to pay the move out balance or to remain current in any repayment agreements that are established is grounds for termination of the family's voucher assistance.
- Pay all moving expenses related to the move from the PBRA property to their voucher assisted unit.

HACA and PBRA property staff will work to facilitate this process by doing the following:

- Communicate between departments information related to the issuance of the voucher, move out notices, voucher extensions and specific dates of move out / move in.

- Note: Coordination of communication between departments does not remove any of the family's obligations.
  - Communicate the move out date from the PBRA program to the HCV Intake Team to prevent the overlapping of assistance. ○ The move out from PBRA will not be effective until the property manager receives the keys from the resident family.
  - The family will be required to pay the full rental cost for any days that they have moved in to their new unit before returning the keys to the PBRA property management.
  - The voucher assistance will not start until the day after the family provides the keys to the PBRA property management.

For a detailed flow chart of the transition process, please see Appendix 4.

#### **VIII. Promoting Self-Sufficiency Through Choice Mobility**

The decision about where to live can have a significant impact on a family's journey toward self-sufficiency. Through the Choice Mobility voucher option, families living in the PBRA property are given the opportunity to make that decision. Therefore PHA's should strategize how to maximize the use of the Choice Mobility voucher as a self-sufficiency tool.

##### **HACA Policy**

Within available resources, HACA will intentionally strategize and leverage the utilization of specific supportive services to provide a solid foundation for the use of the Choice Mobility voucher as a self-sufficiency and resource building tool.

- HACA will explore how to efficiently and effectively use the 2 + years that families are living in PBRA to offer community development services that focus on preparing families for transition to use of a voucher in the private rental market. Such services may include, but are not limited to, financial literacy training, credit counseling and credit improvement, addressing rental history, increasing income through employment, financial coaching, and home maintenance and upkeep among others.
- HACA will explore how to use the resources available (i.e. opportunity mapping) to help direct families toward areas of higher opportunity when they are searching for neighborhoods and housing that meets their needs and where they can use the voucher. This will include helping families to understand how to use these tools to gain information on items such as schools, supportive services and transportation.



# Housing Authority of the City of Austin

*Established in 1937*

## Annual Recertification Notice - 90 DAY REMINDER

Name Date

Address Account No:

Austin, TX Client No:

Dear :

It will soon be time to renew your housing lease. In order to complete your lease renewal in a timely manner, you will need to provide us with updated documentation regarding your household's income, assets and expenses. If you have lived at [name of property] for at least 2 years, you will also have opportunity to request a Housing Choice Voucher through Choice Mobility.

You will be receiving a letter in the next few weeks scheduling you for your lease renewal appointment. It is very important that you attend this appointment and bring all documentation listed below that applies to your household.

**ALL BENEFIT LETTERS MUST NOT BE MORE THAN 120 DAYS OLD.**

### INCOME:

- Proof of all income received by all household members. Income sources and proper documentation include but are not limited to: letter from employer on company letterhead; consecutive pay stubs for at least the last 2 months; TANF letter; Social Security/SSI/SSDI award letters; child support payment history printouts; unemployment benefits statements; pension statements; annuity payments; military pay; Workman's compensation; severance pay; etc.

### ASSETS:

- Most recent three months' bank statements for checking/savings accounts owned by all household members.
- Most recent quarterly statements for any certificates of deposit, money market, IRA/Keogh, stocks, bonds, treasury bills, trust funds, universal life policies, etc.
- Most recent property appraisal/tax statement for any real estate owned.

### EXPENSES:

- Proof of ongoing childcare expenses for children under 13 years of age (example: CCMS contract, receipts or payment history printout from childcare provider).
- Disabled or elderly household only: Proof of ongoing unreimbursed medical expenses not covered by insurance (examples: Pharmacy printouts, medical/dental receipts, payments of medical insurance premiums, payments for live-in aides, etc.)
- Proof of full-time enrollment in college/higher education for family members age 18 years and older (must NOT be the head of household/co-head/spouse).

### OTHER:

- Birth certificates and Social Security cards for any new family members residing with you.

**NOTE:** Failure to attend your scheduled appointment and/or submit all necessary documents to complete your lease renewal will jeopardize your family's housing. If you are unable to keep your appointment, you must contact us within three (3) days from the date of this letter to reschedule.  
Sincerely,





Appendix 2: Choice Mobility Voucher Request Form

# Housing Authority of the City of Austin

*Bringing Opportunity Home*

## Choice Mobility Voucher Request

Date: \_\_\_\_\_ Client No. \_\_\_\_\_

Acct. No. \_\_\_\_\_ Property: \_\_\_\_\_

Head of Household: \_\_\_\_\_

Present Address: \_\_\_\_\_

### Family Composition:

Co-Head of Household: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Household Member: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_

Has Resident lived in PBRA at this property for at least two (2) years? ( ) Yes ( ) No

Does the Resident owe any balance to HACA? ( ) Yes ( ) No

Is there an Eviction and/or Lease Termination pending? ( ) Yes ( ) No

Resident Signature: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### DO NOT WRITE IN THIS BOX – FOR ADMISSIONS OFFICE ONLY

Date Received: \_\_\_\_\_

Date Acknowledgment Letter Sent: \_\_\_\_\_

Admissions Director: \_\_\_\_\_ Date: \_\_\_\_\_

**Appendix 3: Acknowledgment of Voucher Request**

1124 S IH 35, Austin, TX 78704 - Phone: (512) 477-488 - Fax: (512) 472-2958

**Housing**

**Authority of the City of Austin**

*Bringing Opportunity Home*

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**AGENDA ITEM NO. 8**

**Presentation, Discussion and Possible Action regarding Resolution No. 2449: Approving the authorization of the Housing Authority of the City of Austin (HACA) to submit to the U.S. Department of Housing and Urban Development (HUD) applications for the potential conversion of Phase II of public housing to the Rental Assistance Demonstration (RAD) Program**

# HOUSING AUTHORITY OF THE CITY OF AUSTIN BOARD OF COMMISSIONERS

## Resolution No. 2449

**MEETING DATE:** May 19, 2016

**STAFF CONTACT:** Ann Gass, Director of Strategic Housing Initiatives

**TITLE:** Presentation, Discussion and Possible Action regarding Resolution No. 2449: Approving the authorization of the Housing Authority of the City of Austin (HACA) to submit to the U.S. Department of Housing and Urban Development (HUD) applications for the potential conversion of Phase II of public housing to the Rental Assistance Demonstration (RAD) Program

**ACTION:** Approving the authorization of the Housing Authority of the City of Austin (HACA) to submit to the U.S. Department of Housing and Urban Development (HUD) applications for the potential conversion of Phase II of public housing to the Rental Assistance Demonstration (RAD) Program

### **SUMMARY:**

The Rental Assistance Demonstration (RAD) Program is authorized by the Consolidated and Further Continuing Appropriations Act of 2012 which provided fiscal year 2012 appropriations for HUD to support this program.

HACA previously submitted applications for nine public housing properties (Phase I) and was awarded Commitments to Enter into Housing Assistance Payments Contracts (CHAPs) for these nine properties in 2015. With that application, HACA requested that HUD approve a multi-phase award for the remainder of HACA's portfolio, thus allowing HACA to submit applications for the remaining nine properties (Phase II) at a later date. The multi-phase award was granted in 2015. Applications for Phase II properties are due to be submitted to HUD no later than July 15, 2016.

### **Fiscal Impact:**

%o None

**Budgeted  
Expenditure**

**Name of Fund(s)  
or Account(s)**

**Dollar Amount(s)**

### **STAFF ANALYSIS SUMMARY**

**EXECUTIVE DIRECTOR:**

**DEPARTMENT HEAD:**

**FINANCE REVIEW:**



## **RESOLUTION NO. 2449**

### **APPROVAL TO AUTHORIZE THE HOUSING AUTHORITY OF THE CITY OF AUSTIN TO SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) APPLICATIONS FOR THE POTENTIAL CONVERSION OF PHASE II OF HACA'S PUBLIC HOUSING TO THE RENTAL ASSISTANCE DEMONSTRATION PROGRAM (RAD)**

**WHEREAS**, the Housing Authority of the City of Austin continues to be a leader among housing authorities nationwide and as one of its goals strives to ensure quality, affordable housing opportunities exist for families and individuals of low and moderate incomes;

**WHEREAS**, the Housing Authority of the City of Austin has completed its due diligence on HUD's Rental Assistance Demonstration Program (RAD);

**WHEREAS**, per the RAD program requirements, the Housing Authority of the City of Austin shall conduct resident meetings and any other necessary meetings regarding this potential conversion;

**WHEREAS**, the Housing Authority of the City of Austin previously submitted applications and received Commitments to enter into a Housing Assistance Payments Contract (CHAP) for nine of its eighteen public housing properties and is in the process of submitting Financing Plans to HUD for those nine properties;

**WHEREAS**, if selected for a RAD award for Phase II, the Housing Authority of the City of Austin still has the option to withdraw its application at any time up to closing and funding of any RAD conversion;

**NOW THEREFORE BE IT RESOLVED** that the Housing Authority of the City of Austin Board of Commissioners authorize the Housing Authority of the City of Austin to submit to the Department of Housing and Urban Development (HUD) applications for the potential conversion of the remaining nine public housing properties to the Rental Assistance Demonstration (RAD) program.

**PASSED, APPROVED, AND ADOPTED** this 19<sup>th</sup> day of May, 2016

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**Carl S. Richie, Jr., Chairperson**

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**Michael G. Gerber, President**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**AGENDA ITEM NO. 9**

**presentation, Discussion, and Possible Action regarding Resolution No. 2450: Approving the submittal of the Section 8 Management Assessment Program (SEMAP) Certification to the Department of Housing and Urban Development (HUD) for the period from April 1, 2015 to March 31, 2016**

# **HOUSING AUTHORITY OF THE CITY OF AUSTIN BOARD OF COMMISSIONERS**

## **Item No. 9 Resolution No. 2450**

**MEETING DATE:** May 19, 2016

**STAFF CONTACT:** Lisa Garcia, Vice President of Assisted Housing

**TITLE:** Presentation, Discussion, and Possible Action regarding Resolution No. : Approving the submittal of the Section 8 Management Assessment Program (SEMAP) Certification to the U.S. Department of Housing and Urban Development (HUD)

**ACTION:** Motion to approve Resolution No. to approve the submittal of the Section 8 Management Assessment Program (SEMAP) Certification to the U.S. Department of Housing and Urban Development (HUD) for the period from April 1, 2015 through March 31, 2016

**SUMMARY:**

The Section 8 Management Assessment Program (SEMAP) became effective October 13, 1998 (24 CFR Part 985). This rule establishes SEMAP to objectively measure Public Housing Authorities' (PHAs') performance in fourteen (14) key performance areas and a Deconcentration Bonus indicator.

The Board of Commissioners are required to approve the SEMAP certification, and PHAs are required to submit the certification electronically through PIC (Public and Indian Housing Information Center) within 60 calendar days after the fiscal year end.

### **SEMAP Score and Overall Performance Rating**

HUD will independently assess HACA's performance under SEMAP using annual audit reports for indicators 1-7 and the deconcentration bonus indicator and information maintained in HUD's Public and Indian Housing Information Center (PIC) for indicators 8-14. The Lease-up rate is obtained from HUD's Financial Management Center.

For this fiscal year's Deconcentration Bonus point analysis, HACA used data from the 2010-2014 American Community Survey, which reflects more updated information regarding population, demographic and housing unit estimates. The American Community Survey is based on 1 million people surveyed in Travis County. Last year, HACA used the 2000 Census data.

This new data changed the poverty landscape with some areas that were previously considered low poverty census tracts now considered high poverty census tracts. In addition, the poverty rate decreased from 18.5% to 17.5%. The result of using this new data is that the total families with children that live in low poverty census tracts on the last day of the fiscal year decreased from 52.3% to 40.1%. Thus, HACA is not eligible for the deconcentration bonus points for the 2015-2016 FY.

The attached SEMAP Certification summarizes the results of this SEMAP assessment. Based on the review, **HACA scored a 96%, high performer.**

You will note that HACA lost 5 points for indicator #2, determination of reasonable rent. The Quality Control division reviewed 51 files for this indicator. The Quality Control (QC) department noted that the file sample reflected that HACA has a written method to determine and document that the rent to owner is reasonable based on current rents for comparable unassisted units. However, based on the sample of tenant files, QC noted two staff errors. In order to receive all 20 points for this indicator, 98% of the files reviewed needed to be correct, which would allow for only one error. Staff has been informed of the importance of accurately documenting rent reasonableness determinations and to follow written procedures to ensure 100% accuracy in the future.

## **ATTACHMENTS**

Attachment 1 - Section 8 Management Assessment Program (SEMAP) Certification  
Attachment 2 - SEMAP Certification Summary for Fiscal Year Ending March 31, 2016  
Attachment 3 – Deconcentration Map 2016  
Attachment 4 – Deconcentration Map 2015

## **STAFF REVIEW:**

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Michael G. Gerber, President and CEO

## **FINANCE REVIEW**

☒ Proposed action does not require Finance Department review

☐ Fiscal Impact was approved by Thomas Cherian, CPA

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Thomas Cherian, Vice President of Finance and CFO

## **RESOLUTION NO. 2450**

**RESOLUTION APPROVING** the submittal of the Section 8 Management Assessment Program (SEMAP) Certification to the Department of Housing and Urban Development (HUD) for the period from April 1, 2015 through March 31, 2016

**WHEREAS**, the Section 8 Management Assessment Program (SEMAP) Certification is designed to allow the Department of Housing and Urban Development (HUD) to identify Public Housing Authorities' (PHAs') management capabilities and deficiencies and help lead to better overall management of the Section 8 program;

**WHEREAS**, HUD has proposed fourteen (14) specific indicators for SEMAP and requires certification of the PHA; and

**WHEREAS**, the Housing Authority of the City of Austin has completed the SEMAP certification for each indicator listed on form HUD-52648 for the period from April 1, 2015 through March 31, 2016.

**NOW, THEREFORE BE IT RESOLVED** that the Housing Authority of the City of Austin's Board of Commissioners approves the Housing Authority of the City of Austin's SEMAP (Section 8 Management Assessment Program) Certification for the Fiscal Year 2015/2016.

**PASSED, APPROVED AND ADOPTED** this 19th day of May 2016.

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Carl S. Richie Jr., Chairperson

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Michael G. Gerber, Secretary



# Section 8 Management Assessment Program (SEMAP) Certification

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

Attachment 1

Public reporting burden for this collection of information is estimated to average 12 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

This collection of information is required by 24 CFR sec 985.101 which requires a Public Housing Agency (PHA) administering a Section 8 tenant-based assistance program to submit an annual SEMAP Certification within 60 days after the end of its fiscal year. The information from the PHA concerns the performance of the PHA and provides assurance that there is no evidence of seriously deficient performance. HUD uses the information and other data to assess PHA management capabilities and deficiencies, and to assign an overall performance rating to the PHA. Responses are mandatory and the information collected does not lend itself to confidentiality.

**Instructions** Respond to this certification form using the PHA's actual data for the fiscal year just ended.

PHA Name	For PHA FY Ending (mm/dd/yyyy)	Submission Date (mm/dd/yyyy)
Housing Authority of the City of Austin	03/31/2016	05/20/2016

Check here if the PHA expends less than \$300,000 a year in Federal awards ☐

Indicators 1 - 7 will not be rated if the PHA expends less than \$300,000 a year in Federal awards and its Section 8 programs are not audited for compliance with regulations by an independent auditor. A PHA that expends less than \$300,000 in Federal awards in a year must still complete the certification for these indicators.

## Performance Indicators

- Selection from the Waiting List. (24 CFR 982.54(d)(1) and 982.204(a))  
(a) The PHA has written policies in its administrative plan for selecting applicants from the waiting list.  
**PHA Response** Yes ☒ No ☐  
(b) The PHA's quality control samples of applicants reaching the top of the waiting list and of admissions show that at least 98% of the families in the samples were selected from the waiting list for admission in accordance with the PHA's policies and met the selection criteria that determined their places on the waiting list and their order of selection.  
**PHA Response** Yes ☒ No ☐
- Reasonable Rent. (24 CFR 982.4, 982.54(d)(15), 982.158(f)(7) and 982.507)  
(a) The PHA has and implements a reasonable written method to determine and document for each unit leased that the rent to owner is reasonable based on current rents for comparable unassisted units (i) at the time of initial leasing, (ii) before any increase in the rent to owner, and (iii) at the HAP contract anniversary if there is a 5 percent decrease in the published FMR in effect 60 days before the HAP contract anniversary. The PHA's method takes into consideration the location, size, type, quality, and age of the program unit and of similar unassisted units, and any amenities, housing services, maintenance or utilities provided by the owners.  
**PHA Response** Yes ☒ No ☐  
(b) The PHA's quality control sample of tenant files for which a determination of reasonable rent was required shows that the PHA followed its written method to determine reasonable rent and documented its determination that the rent to owner is reasonable as required for (check one):  
**PHA Response** ☐ At least 98% of units sampled ☒ 80 to 97% of units sampled ☐ Less than 80% of units sampled
- Determination of Adjusted Income. (24 CFR part 5, subpart F and 24 CFR 982.516)  
The PHA's quality control sample of tenant files shows that at the time of admission and reexamination, the PHA properly obtained third party verification of adjusted income or documented why third party verification was not available; used the verified information in determining adjusted income; properly attributed allowances for expenses; and, where the family is responsible for utilities under the lease, the PHA used the appropriate utility allowances for the unit leased in determining the gross rent for (check one):  
**PHA Response** ☒ At least 90% of files sampled ☐ 80 to 89% of files sampled ☐ Less than 80% of files sampled
- Utility Allowance Schedule. (24 CFR 982.517)  
The PHA maintains an up-to-date utility allowance schedule. The PHA reviewed utility rate data that it obtained within the last 12 months, and adjusted its utility allowance schedule if there has been a change of 10% or more in a utility rate since the last time the utility allowance schedule was revised.  
**PHA Response** Yes ☒ No ☐
- HQS Quality Control Inspections. (24 CFR 982.405(b))  
A PHA supervisor (or other qualified person) reinspected a sample of units during the PHA fiscal year, which met the minimum sample size required by HUD (see 24 CFR 985.2), for quality control of HQS inspections. The PHA supervisor's reinspected sample was drawn from recently completed HQS inspections and represents a cross section of neighborhoods and the work of a cross section of inspectors.  
**PHA Response** Yes ☒ No ☐
- HQS Enforcement. (24 CFR 982.404)  
The PHA's quality control sample of case files with failed HQS inspections shows that, for all cases sampled, any cited life-threatening HQS deficiencies were corrected within 24 hours from the inspection and, all other cited HQS deficiencies were corrected within no more than 30 calendar days from the inspection or any PHA-approved extension, or, if HQS deficiencies were not corrected within the required time frame, the PHA stopped housing assistance payments beginning no later than the first of the month following the correction period, or took prompt and vigorous action to enforce the family obligations for (check one):  
**PHA Response** ☒ At least 98% of cases sampled ☐ Less than 98% of cases sampled



7. Expanding Housing Opportunities. (24 CFR 982.54(d)(5), 982.153(b)(3) and (b)(4), 982.301(a) and 983.301(b)(4) and (b)(12)).

**Applies only to PHAs with jurisdiction in metropolitan FMR areas.**

Check here if not applicable ☐

(a) The PHA has a written policy to encourage participation by owners of units outside areas of poverty or minority concentration which clearly delineates areas in its jurisdiction that the PHA considers areas of poverty or minority concentration, and which includes actions the PHA will take to encourage owner participation.

PHA Response Yes ☒ No ☐

(b) The PHA has documentation that shows that it took actions indicated in its written policy to encourage participation by owners outside areas of poverty and minority concentration.

PHA Response Yes ☒ No ☐

(c) The PHA has prepared maps that show various areas, both within and neighboring its jurisdiction, with housing opportunities outside areas of poverty and minority concentration; the PHA has assembled information about job opportunities, schools and services in these areas; and the PHA uses the maps and related information when briefing voucher holders.

PHA Response Yes ☒ No ☐

(d) The PHA's information packet for voucher holders contains either a list of owners who are willing to lease, or properties available for lease, under the voucher program, or a list of other organizations that will help families find units and the list includes properties or organizations that operate outside areas of poverty or minority concentration.

PHA Response Yes ☒ No ☐

(e) The PHA's information packet includes an explanation of how portability works and includes a list of neighboring PHAs with the name, address and telephone number of a portability contact person at each.

PHA Response Yes ☒ No ☐

(f) The PHA has analyzed whether voucher holders have experienced difficulties in finding housing outside areas of poverty or minority concentration and, where such difficulties were found, the PHA has considered whether it is appropriate to seek approval of exception payment standard amounts in any part of its jurisdiction and has sought HUD approval when necessary.

PHA Response Yes ☒ No ☐

8. Payment Standards. The PHA has adopted current payment standards for the voucher program by unit size for each FMR area in the PHA jurisdiction and, if applicable, for each PHA-designated part of an FMR area, which do not exceed 110 percent of the current applicable FMR and which are not less than 90 percent of the current FMR (unless a lower percent is approved by HUD). (24 CFR 982.503)

PHA Response Yes ☒ No ☐

Enter current FMRs and payment standards (PS)

0-BR FMR	740	1-BR FMR	902	2-BR FMR	1126	3-BR FMR	1523	4-BR FMR	1845
PS	814	PS	992	PS	1239	PS	1563	PS	1895

If the PHA has jurisdiction in more than one FMR area, and/or if the PHA has established separate payment standards for a PHA-designated part of an FMR area, attach similar FMR and payment standard comparisons for each FMR area and designated area.

9. Annual Reexaminations. The PHA completes a reexamination for each participating family at least every 12 months. (24 CFR 982.516)

PHA Response Yes ☒ No ☐

10. Correct Tenant Rent Calculations. The PHA correctly calculates tenant rent in the rental certificate program and the family rent to owner in the rental voucher program. (24 CFR 982, Subpart K)

PHA Response Yes ☒ No ☐

11. Precontract HQS Inspections. Each newly leased unit passed HQS inspection before the beginning date of the assisted lease and HAP contract. (24 CFR 982.305)

PHA Response Yes ☒ No ☐

12. Annual HQS Inspections. The PHA inspects each unit under contract at least annually. (24 CFR 982.405(a))

PHA Response Yes ☒ No ☐

13. Lease-Up. The PHA executes assistance contracts on behalf of eligible families for the number of units that has been under budget for at least one year.

PHA Response Yes ☒ No ☐

- 14a. Family Self-Sufficiency Enrollment. The PHA has enrolled families in FSS as required. (24 CFR 984.105)

**Applies only to PHAs required to administer an FSS program.**

Check here if not applicable ☒

PHA Response

a. Number of mandatory FSS slots (Count units funded under the FY 1992 FSS incentive awards and in FY 1993 and later through 10/20/1998. Exclude units funded in connection with Section 8 and Section 23 project-based contract terminations; public housing demolition, disposition and replacement; HUD multifamily property sales; prepaid or terminated mortgages under section 236 or section 221(d)(3); and Section 8 renewal funding. Subtract the number of families that successfully completed their contracts on or after 10/21/1998.)

or, Number of mandatory FSS slots under HUD-approved exception



b. Number of FSS families currently enrolled

c. Portability: If you are the **initial** PHA, enter the number of families currently enrolled in your FSS program, but who have moved under portability and whose Section 8 assistance is administered by another PHA

Percent of FSS slots filled (b + c divided by a)

14b. Percent of FSS Participants with Escrow Account Balances. The PHA has made progress in supporting family self-sufficiency as measured by the percent of currently enrolled FSS families with escrow account balances. (24 CFR 984.305)

**Applies only to PHAs required to administer an FSS program.**

Check here if not applicable ☒

PHA Response

Yes ☐

No ☐

Portability: If you are the **initial** PHA, enter the number of families with FSS escrow accounts currently enrolled in your FSS program, but who have moved under portability and whose Section 8 assistance is administered by another PHA

**Deconcentration Bonus Indicator** (Optional and only for PHAs with jurisdiction in metropolitan FMR areas).

The PHA is submitting with this certification data which show that:

- (1) Half or more of all Section 8 families with children assisted by the PHA in its principal operating area resided in low poverty census tracts at the end of the last PHA FY;
- (2) The percent of Section 8 mover families with children who moved to low poverty census tracts in the PHA's principal operating area during the last PHA FY is at least two percentage points higher than the percent of all Section 8 families with children who resided in low poverty census tracts at the end of the last PHA FY;

or

- (3) The percent of Section 8 mover families with children who moved to low poverty census tracts in the PHA's principal operating area over the last two PHA FYs is at least two percentage points higher than the percent of all Section 8 families with children who resided in low poverty census tracts at the end of the second to last PHA FY.

PHA Response

Yes ☐

No ☒

If yes, attach completed deconcentration bonus indicator addendum.

I hereby certify that, to the best of my knowledge, the above responses under the Section 8 Management Assessment Program (SEMAP) are true and accurate for the PHA fiscal year indicated above. I also certify that, to my present knowledge, there is not evidence to indicate seriously deficient performance that casts doubt on the PHA's capacity to administer Section 8 rental assistance in accordance with Federal law and regulations.

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Executive Director, signature

Chairperson, Board of Commissioners, signature

Date (mm/dd/yyyy) \_\_\_\_\_

Date (mm/dd/yyyy) \_\_\_\_\_

The PHA may include with its SEMAP certification any information bearing on the accuracy or completeness of the information used by the PHA in providing its certification.

# SEMAP Certification - Addendum for Reporting Data for Deconcentration Bonus Indicator

Date (mm/dd/yyyy) 03/31/2016

PHA Name Housing Authority of the City of Austin

Principal Operating Area of PHA Ausitn - Round Rock - San Marcus  
(The geographic entity for which the Census tabulates data)

**Special Instructions for State or regional PHAs** Complete a copy of this addendum for each metropolitan area or portion of a metropolitan area (i.e., principal operating areas) where the PHA has assisted 20 or more Section 8 families with children in the last completed PHA FY. HUD will rate the areas separately and the separate ratings will then be weighted by the number of assisted families with children in each area and averaged to determine bonus points.

1990 Census Poverty Rate of Principal Operating Area 17.5

## Criteria to Obtain Deconcentration Indicator Bonus Points

To qualify for bonus points, a PHA must complete the requested information and answer yes for only one of the 3 criteria below. However, State and regional PHAs must always complete line 1) b for each metropolitan principal operating area.

- 1) 1,166 a. Number of Section 8 families with children assisted by the PHA in its principal operating area at the end of the last PHA FY who live in low poverty census tracts. A low poverty census tract is a tract with a poverty rate at or below the overall poverty rate for the principal operating area of the PHA, or at or below 10% whichever is greater.
- 2,906 b. Total Section 8 families with children assisted by the PHA in its principal operating area at the end of the last PHA FY.
- 40.10 c. Percent of all Section 8 families with children residing in low poverty census tracts in the PHA's principal operating area at the end of the last PHA FY (line a divided by line b).
- Is line c 50% or more? Yes ☐ No ☒

- 2) 40.10 a. Percent of all Section 8 families with children residing in low poverty census tracts in the PHA's principal operating area at the end of the last completed PHA FY.
- 340 b. Number of Section 8 families with children who moved to low poverty census tracts during the last completed PHA FY.
- 895 c. Number of Section 8 families with children who moved during the last completed PHA FY.
- 38.00 d. Percent of all Section 8 mover families with children who moved to low poverty census tracts during the last PHA fiscal year (line b divided by line c).
- Is line d at least two percentage points higher than line a? Yes ☐ No ☒

- 3) 52.30 a. Percent of all Section 8 families with children residing in low poverty census tracts in the PHA's principal operating area at the end of the second to last completed PHA FY.
- 723 b. Number of Section 8 families with children who moved to low poverty census tracts during the last two completed PHA FYs.
- 1,744 c. Number of Section 8 families with children who moved during the last two completed PHA FYs.
- 41.45 d. Percent of all Section 8 mover families with children who moved to low poverty census tracts over the last two completed PHA FYs (line b divided by line c).
- Is line d at least two percentage points higher than line a? Yes ☐ No ☒

If one of the 3 criteria above is met, the PHA may be eligible for 5 bonus points.

See instructions above concerning bonus points for State and regional PHAs.



**THE HOUSING AUTHORITY OF THE CITY OF AUSTIN**  
**SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION SUMMA**  
**FOR FISCAL YEAR ENDING MARCH 31, 2016**

Performance Indicator	Summary of Certification	Points per Certification
<b>1. Selection from Waiting List</b> HA has and follows written policies for selecting applicants for admission  <i>98 % of sample correct = 15 points</i>	<p>The Quality Control department reviewed the required minimum quality control sample for applicants reaching the top of the waiting list and for families determined eligible for admissions. 100% of both samples were selected properly from the waiting list in compliance with HACA's Admissions policy.</p> <ul style="list-style-type: none"> <li>There were 702 applicants invited for eligibility interviews with a required sample size of 18 - 100% were selected properly.</li> <li>There were 389 families invited in for orientations to receive vouchers with a required sample size of 12 - 100% of applicants in the sample were properly selected.</li> </ul>	15
<b>2. Reasonable Rent</b> HA has and implements a written method to determine that rent is reasonable at initial leasing, before rent increase, and if there is a 5% decrease in FMR  <i>98% of sample correct = 20 points</i> <i>80 -97 % of sample correct = 15 points</i>	<p>The total units that required rent reasonableness reviews was 5,901 The required sample size was 51. The Quality Control department reviewed the quality control sample. 96% of files reviewed, which required a reasonable rent determination, had the proper documentation in the file per written policy.</p> <p>Rent reasonableness is HUD's terminology for a market analysis. The inspections department completes all required rent determinations. This includes approving the rent for properties prior to executing a housing assistance payments contract as well as rent increase requests. The rent determinations are made by comparing unassisted units that are similar in location, size, unit type, and condition of the unit, as well as any amenities, housing services, maintenance and provided utilities. For each rent determination, a rent reasonableness certification is completed with attached supporting documentation. Section G of HACA's Section 8 Administrative Plan defines the policy for determining rent reasonableness.</p>	15
<b>3. Determination of Adjusted Income</b> -HA verifies and correctly determines adjusted annual income -HA uses appropriate utility allowances <i>at least 90% of files sampled = 20 points</i> <i>80 - 89% of files sampled = 15 points</i>	<p>The total units approved by HUD was 5901 which required a random sample of 51 files. The Quality Control department reviewed the required quality control sample and 90% of files were correct under this indicator.</p> <p>Housing Eligibility Specialists complete all rent calculations in compliance with HUD regulations. Compliance Supervisors screen files to verify compliance with HUD requirements and HACA's policies, the Quality Control department screens a random sample of files.</p>	20
<b>4. Utility Allowance Schedule</b> HA maintains an up-to-date utility allowance schedule <i>5 points</i>	<p>Housing Authorities are required to review utility allowance schedules annually and adjust the schedules if there has been a 10% or more rate change per category since the last revision. HACA contracted with Nelrod Company who reviewed the utility allowance schedule for the Housing Choice Voucher Program in December 2015. The Housing Authority of the City of Austin's Board of Commissioners adopted the new utility allowance schedules at the February 22, 2016 Board meeting.</p>	5
<b>5. HQS Quality Control Inspections</b> HA supervisor re-inspects required minimum sample of units.	<p>Quality control inspections were completed by the Inspections Manager and the Inspections Coordinator. These inspections were conducted within 30 days of a housing quality standards inspection completed by the Inspectors. HUD requires 50 quality control inspections be completed annually for a housing authority that has up to 6000 vouchers. Last year, we completed 50 quality control inspections.</p>	5



**THE HOUSING AUTHORITY OF THE CITY OF AUSTIN**  
**SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION SUMMARY**  
**FOR FISCAL YEAR ENDING MARCH 31, 2016**

Performance Indicator	Summary of Certification	Points per Certification
<b>5 points</b>		
<b>6. HQS Enforcement</b> -For each HQS fail, any life-threatening defic. are corrected within 24 hours and other deficiencies within 30 days or HA approved extension -If HQS deficiencies not corrected on time, HA abates pmt, term HAP or enforces family obligations  <b>98% of cases sampled = 10 points</b>	<p>The Housing Authority enforces compliance with housing quality standards by sending repair notices identifying the date items need to be repaired. If deficiencies are not corrected within the required timeframe, the Inspections Manager abates or stops payment, terminates the HAP Contract or enforces family obligations.</p> <p>During the fiscal year, 1,556 units failed inspection, which required a quality control sample size of 26. The Assisted Director of the Housing Choice Voucher Program reviewed the required sample and 100% of inspections sampled had repairs completed by the required timeframe or housing assistance payments were stopped the first of the month following the correction period.</p>	10
<b>7. Expanding Housing Opportunities</b> -HA has and implements written policy to encourage participation by owners of units outside areas of poverty or minority concentration -HA informs families of all areas where they may lease units -HA supplies list of landlords and other parties who can help families find units  <b>5 points</b>	<p>Landlord outreach efforts are ongoing to encourage participation of property owners and managers who have units in areas that do not have undue concentrations of poverty. Families receive an information packet when they were issued a voucher or move to a new unit. Information they receive includes maps, which delineates housing opportunities outside areas of poverty, a list of properties available for lease in these areas, and an explanation on portability opportunities.</p>	5
<b>8. Payment Standards</b> The PHA has adopted current payment standards for the voucher program by unit size which do not exceed 110 percent of the current applicable FMR and which are not less than 90 percent of the current FMR.	<p>Housing Authorities are required to adopt Payment Standards for the Housing Choice Voucher Program between 90 and 110 percent of the currently published fair market rents.</p> <p>During the Fiscal Year, the Housing Authority of the City of Austin's Board of Commissioners adopted new payment standards based on a review of the FMRs, market conditions, lease-up success rates and available funds as follows.</p> <ul style="list-style-type: none"> <li>• November 18, 2014, Board approved 105% payment standards based on published FMRs</li> <li>• May 21, 2015, Board approved 110% payment standards based on published FMRs</li> <li>• January 21, 2016, Board approved 110% payment standards for Eff, 1 and 2 bdrm units and 102% for 3, 4 and 5 brm units based on published FMRs</li> </ul>	5



**THE HOUSING AUTHORITY OF THE CITY OF AUSTIN**  
**SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION SUMMARY**  
**FOR FISCAL YEAR ENDING MARCH 31, 2016**

Performance Indicator	Summary of Certification	Points per Certification
<b>5 points</b>		
<b>9. Annual Reexaminations</b> HA completes a reexamination for each participating family at least every 12 months  <i>fewer than 5% late = 10 points</i> <i>5-10% late = 5 points</i>	The most recent SEMAP Indicators report in PIC (Public and Indian Housing Information Center) reflects 0% late annual reexaminations. Data is transmitted to PIC monthly and the Compliance Manager reviews SEMAP reports monthly and resolves any discrepancies.  The Housing Eligibility Specialists schedule annual reexamination appointments at least 90 days before the expiration date. A monthly report is printed identifying incomplete reexams. The Compliance Supervisors review the report with the Housing Eligibility and advise of appropriate action to complete reexaminations.	10
<b>10. Correct Tenant Rent Calc.</b>  HA correctly calculates family's share of rent to owner  <i>fewer than 2% error = 5 points</i>	The most recent SEMAP Indicators report in PIC (Public and Indian Housing Information Center) reflects 0% tenant rent discrepancies. Data is transmitted to PIC monthly and the Compliance Manager reviews SEMAP reports monthly and resolves any discrepancies.  The computer calculates family rent portions. The Compliance Supervisors check for accurate rent calculations during the screening process. Housing Eligibility Specialists are informed of any errors and are required to complete corrections within a given time frame or the MIS Director is informed of any computer calculation problems.	5
<b>11. Pre-contract HQS Inspections</b> Newly leased units pass HQS inspection before beginning date of Assisted Lease and HAP Contract  <i>98-100% = 5 points</i>	HUD requires units to pass housing quality standards inspections prior to executing a housing assistance payment (HAP) contract with the owner.  The most recent SEMAP Indicators report in PIC (Public and Indian Housing Information Center) reflects 100% of units passed before the contract effective date. Data is transmitted to PIC monthly and the Compliance Manager reviews SEMAP reports and resolves any discrepancies.	5
<b>12. Annual HQS Inspections</b> The HA inspects each unit under contract at least annually  <i>fewer than 5% = 10 points</i> <i>5-10 % = 5 points</i>	The most recent SEMAP Indicators report in PIC (Public and Indian Housing Information Center) reflects 0% late HQS inspections. Data is transmitted to PIC monthly and the Compliance Manager reviews SEMAP reports each month and resolves any discrepancies. The Inspections Manager also monitors the completion of all HQS inspections.	10



**THE HOUSING AUTHORITY OF THE CITY OF AUSTIN  
SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION SUMMARY  
FOR FISCAL YEAR ENDING MARCH 31, 2016**

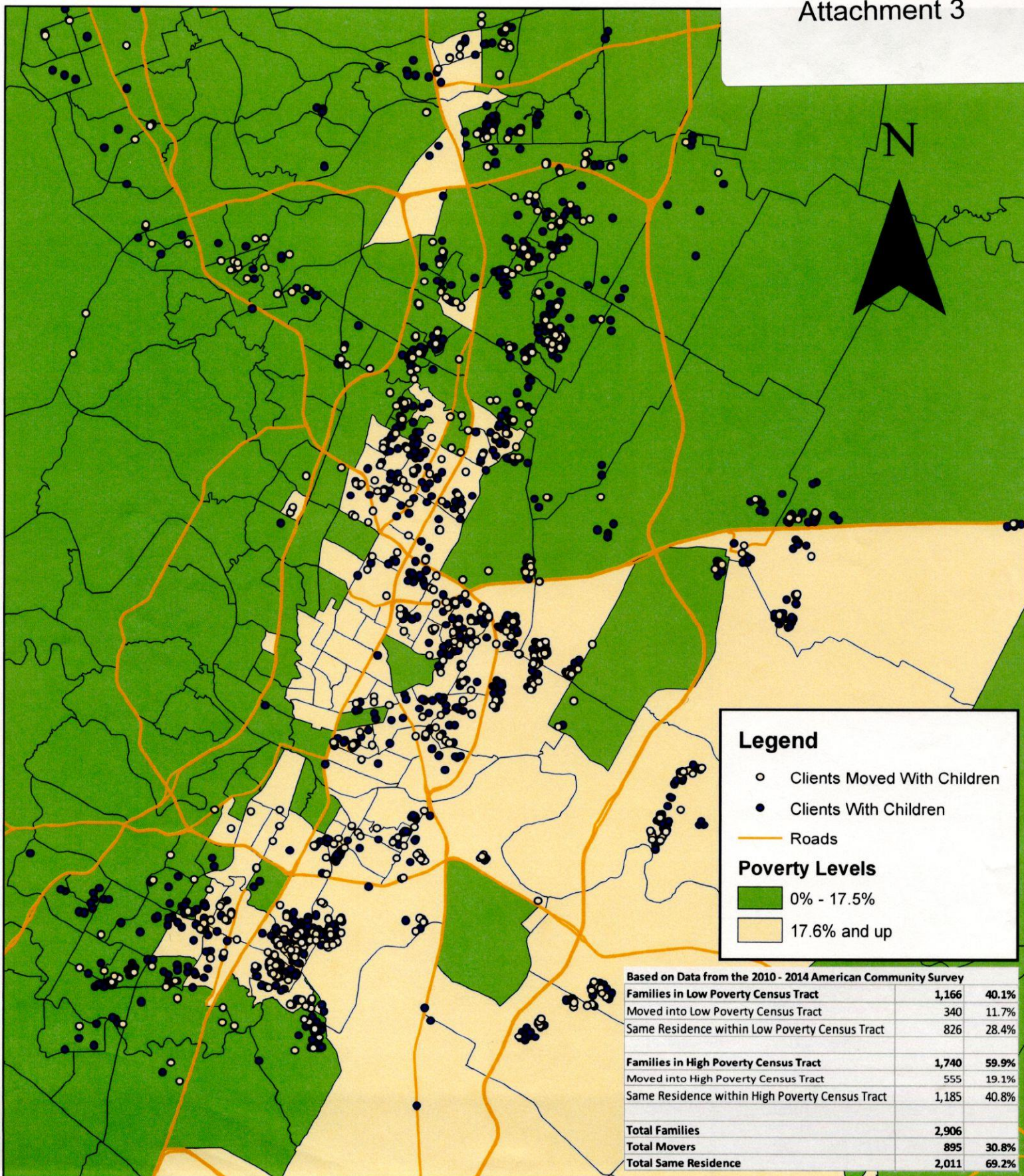
<b>13. Lease-up</b> The HA executes HAP contracts for # of units under budget for at least one year  <i>98% or more = 20 points</i> <i>95-97% = 15 points</i>	2015 CY cumulative eligibility Annual Budget authority expended 99.1%	20
<b>14 a. Family Self-sufficiency</b> a. The HA has enrolled families in FSS as required  <i>80% filled, 30% with escrow = 10 points</i>	HACA's FSS Program has 0 mandatory slots with 147 families enrolled.	na
<b>14 b. Percent of FSS Participants with Escrow Account Balances</b>	61 % of FSS families have escrow balances.	
<b>DECONCENTRATION BONUS INDICATOR</b>  <i>5 points</i>	The attached Deconcentration Bonus addendum provides details on this indicator. <ul style="list-style-type: none"> <li>Based on the 2010 – 2015 American Community Survey, 40.1% of families with children resided in low poverty census tracts in HACA's principal operating area at the end of the fiscal year. HACA is not eligible for the deconcentration bonus points because less than 50 % of families with children resided in a low poverty census tracks at the end of the fiscal year.</li> </ul>	0
<b>total possible points = 135</b> plus 5 points for deconcentration bonus indicator = 140	*****130/135 = 96% <b>HIGH PERFORMER = 90 -100%</b> <b>STANDARD = 60 - 89%</b> <b>TROUBLED = LESS THAN 60%</b>	<b>total per certification 130</b>





# Housing Authority of the City of Austin Deconcentration Results 2016

Attachment 3

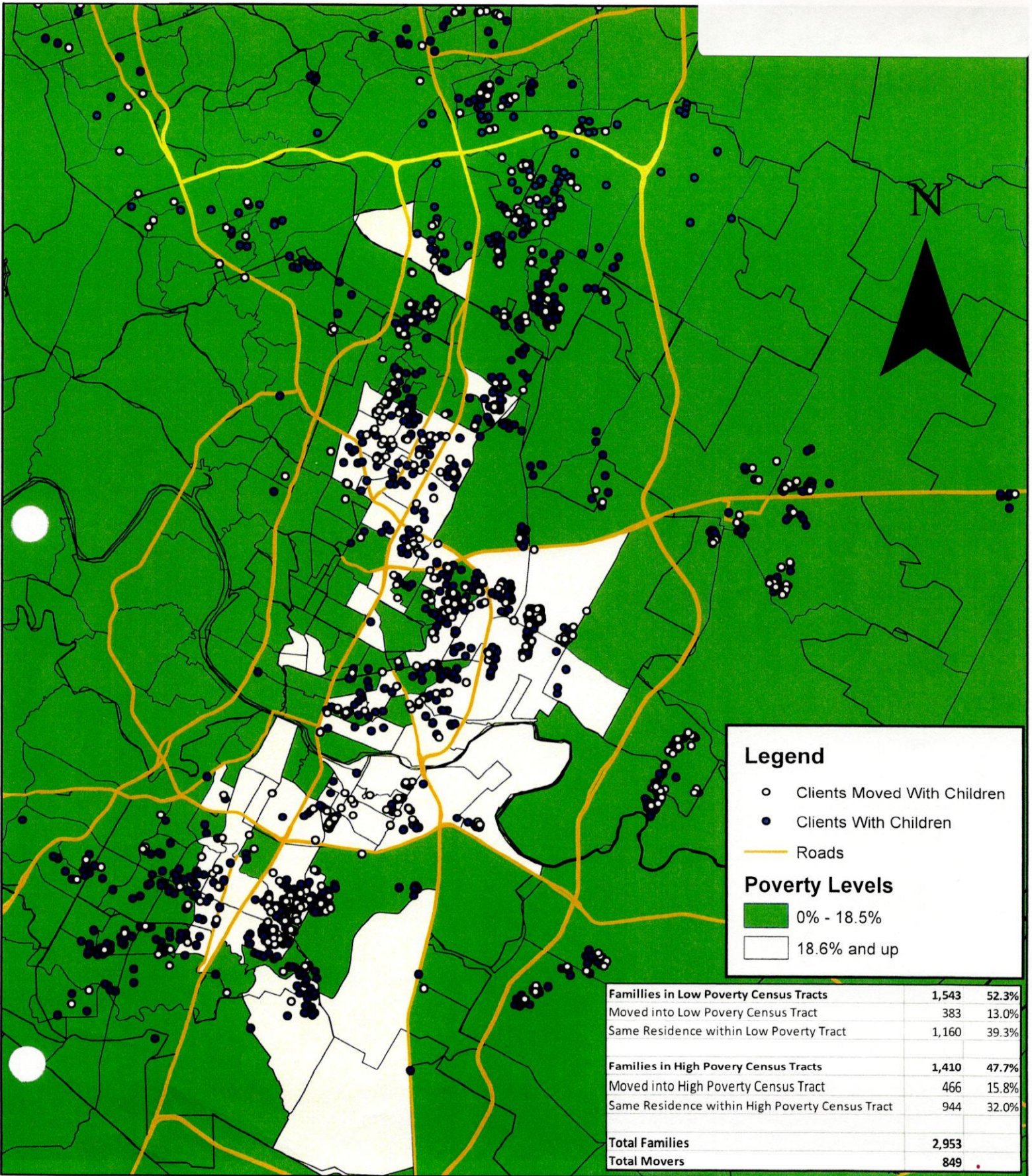






# Housing Authority of the City of Austin Deconcentration Results 2015

Attachment 4





**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**EXECUTIVE SESSION**

**The Board may go into Executive Session (close its meeting to the public)  
Pursuant to:**

- a. § 551.071, Texas Gov't Code, consultations with Attorney regarding legal advice, pending or contemplated litigation; or a settlement offer;**
- b. §551.072, Texas Gov't Code, discussion about the purchase, exchange, lease or value of real property;**
- c. §551.074, Texas Gov't Code, discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee;**
- d. §551.087, Texas Gov't Code, discuss certain economic development negotiations.**

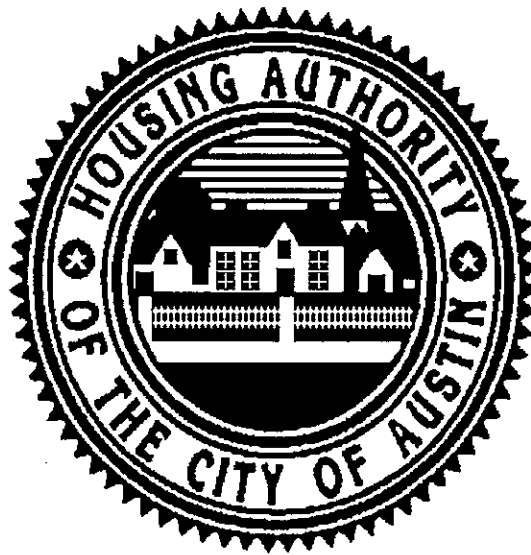
**Return to Open Session for discussion, consideration and possible action of matters discussed in Executive Session**

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**REPORTS**

**May 19, 2016  
Regular Meeting**

# HOUSING AUTHORITY OF THE CITY OF AUSTIN



APRIL 2016  
MONTHLY  
FINANCE REPORT



# Housing Authority of the City of Austin

*Established in 1937*

## INTEROFFICE MEMORANDUM

**DATE:** May 12, 2016

**TO:** Board of Commissioners  
Michael G. Gerber, President & CEO

**FROM:** Thomas Cherian, CPA, Vice President & CFO

**SUBJECT: APRIL 2016 FINANCE REPORT**

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This report contains financial status of all programs administered by the Housing Authority of the City of Austin and its blended component unit subsidiary corporations for the one month ended April 30, 2016.

### **ALL PROGRAMS COMBINED**

All programs combined produced excess revenue of \$683,439 compared to the budgeted excess revenue of \$124,672 for the one month ended April 30, 2016.

### **CENTRAL OFFICE**

The Central Office took in excess fees over expenses of \$44,957 for the one month ended April 30, 2016. Central Office has an estimated reserve balance of \$4,143,110 as of the end of the month.

### **LOW RENT PUBLIC HOUSING**

The Low Rent Public Housing program with all Asset Management Projects (AMPs) combined produced excess revenue of \$189,849 compared to the budgeted deficit of \$158,618 for the one month ended April 30, 2016. Operating Revenue and Expenses by AMP is also included.

### **HOUSING CHOICE VOUCHER PROGRAM**

The Housing Choice Voucher Programs produced no excess revenue or deficit for the one month ended April 30, 2016 as budgeted. \$44,283 Management Fee was paid to the central Office.

### **SHCC PROGRAMS COMBINED**

SHCC Programs combined produced excess revenue of \$377,825 for the one month ended April 30, 2016 compared to the budgeted no excess revenue or deficit. \$298,414 Management Fee was paid to the Central Office.

### **AAHC PROGRAMS COMBINED**

AAHC programs combined produced excess revenue of \$39,217 for the one month ended April 30, 2016 compared to the budgeted excess revenue of \$260,350 after paying \$194,206 Management Fee to the Central Office.

### **BLUEPRINT HOUSING SOLUTIONS**

Blueprint Housing Solutions produced excess revenue of \$3,936 for the one month ended April 30, 2016 compared to the budgeted excess revenue of \$8,379.

### **AUTIN PATHWAYS**

Austin Pathways generated total revenue of \$32,555 from donations and HACA contributions and \$4,900 was expended as of April 30, 2016.

### **RAD COVERSION**

We have budgeted \$620,082 toward RAD Conversion expenses and \$97,407 was expended as of April 30, 2016.

### **ANALYSIS OF OPERATING RESERVES FOR ALL PROGRAMS**

We ended this past fiscal year with an Operating Reserve balance of \$25,844,244 for all programs. Based on the \$683,439 excess revenue produced by all programs, reserve increased to \$26,527,683. Out of the reserve balance, \$5,739,344 is restricted for program use only and \$20,788,339 is unrestricted.

### **CAPITAL FUND PROGRAM (CFP)**

The 2015 Capital Fund Program (CFP) for \$2,370,772 was awarded with a program year from May 13, 2015 to May 12, 2019. The 2014 CFP for \$2,287,896 was awarded with a program year from May 13, 2014 to May 12, 2018. Capital Fund Emergency Safety and Security program for \$250,000 was awarded with program year May 20, 2015 to June 7, 2017.

### **RESIDENT OPPORTUNITIES AND SELF SUFFICIENCY (ROSS GRANT)**

The 2012 ROSS Service Coordinator Grant for \$486,000 was awarded by the department of HUD with a grant period from September 01, 2013 to August 31, 2016. The 2015 ROSS Public Housing and Housing Choice Voucher FSS Grant for \$248,317 was awarded by the department of HUD with a grant period from January 1, 2016 to December 31, 2016.

### **HOME - TENANT BASED RENTAL ASSISTANCE (TBRA) PROGRAM**

The TBRA grant was awarded by the City of Austin with a total budget of \$527,000 and the grant period from October 1, 2015 to September 30, 2016. \$500,000 was also received from the City of Austin for a short term Rental Assistance Pilot program with grant period from March 1, 2014 to February 28, 2017.

### **S8 Mod Rehab SRO PROGRAM**

The SRO HAP contract was awarded by the department of HUD with a total budget of \$312,812 and with the contract period from April 1, 2016 to March 31, 2017.

### **CONTINUUM OF CARE (SNAP)**

The Continuum of Care Program was awarded by the Department of HUD for \$561,204 with grant period from April 1, 2015 to March 31, 2016. The Annual Grants for \$123,726 was awarded with a grant period from September 1, 2015 to August 31, 2016.



# HOUSING AUTHORITY OF THE CITY OF AUSTIN

April 30, 2016

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3	AAHC Programs Combined
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# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## SCHEDULE 1 ALL PROGRAMS OPERATING REVENUES AND EXPENSES FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
Rental & Rental Related Income	\$ 13,276,260	\$ 1,106,356	\$ 1,117,066	\$ 1,117,066		\$ 12,159,194
Interest	50,000	4,167	4,665	4,665		45,335
HAP Reimbursements	46,561,992	3,880,166	4,041,212	4,041,212		42,520,780
HUD Subsidy, Fees and Grants	22,393,524	1,866,127	2,122,129	2,122,129		20,271,395
COCC Fees and Revenues	8,642,516	720,210	715,280	715,280		7,927,236
Public Donations	484,500	40,375	32,555	32,555		
Non Federal Donations	1,245,236	103,770	97,407	97,407		1,147,829
Inter AMPS Transfer						
Other Income/Donations	3,919,493	326,624	74,862	74,862		3,844,631
<b>Total Revenues</b>	<b>\$ 96,573,521</b>	<b>\$ 8,047,795</b>	<b>\$ 8,205,176</b>	<b>\$ 8,205,176</b>		<b>\$ 87,916,400</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 10,794,552	\$ 899,545	\$ 743,584	\$ 743,584		\$ 10,050,968
Performance Incentive						
Legal	310,480	25,874	2,298	2,298		308,182
Travel & Training	429,667	35,806	30,372	30,372		399,295
Audit Fees	70,001	5,833				70,001
Office Rent/Utilities	216,288	18,024	18,024	18,024		198,264
Sundry Administrative	2,699,936	224,995	229,878	229,878		2,470,058
Property General & Admin. Costs	1,614,312	134,525	122,327	122,327		1,491,985
Mgmt Fees & Commissions	8,329,927	694,161	664,536	664,536		7,665,391
Promotions & Advertising	85,210	7,101	2,882	2,882		82,328
<b>Total Administrative</b>	<b>\$ 24,550,373</b>	<b>\$ 2,045,864</b>	<b>\$ 1,813,901</b>	<b>\$ 1,813,901</b>		<b>\$ 22,736,472</b>
Maintenance:						
Labor	\$ 1,324,888	\$ 110,407	\$ 102,584	\$ 102,584		\$ 1,222,304
Materials	682,204	56,849	27,129	27,129		655,075
Contracts	2,949,179	245,764	176,629	176,629		2,772,550
<b>Total Maintenance</b>	<b>\$ 4,956,271</b>	<b>\$ 413,020</b>	<b>\$ 306,342</b>	<b>\$ 306,342</b>		<b>\$ 4,649,929</b>
General Expense:						
Insurance	\$ 796,721	\$ 66,393	\$ 48,051	\$ 48,051		\$ 748,670
Employee Benefit Contributions	5,630,011	469,168	402,854	402,854		5,227,157
Collection Losses	66,100	5,509	28,680	28,680		37,420
Performance Contracting	2,303,999	192,000	199,660	199,660		2,104,339
Interest Expense	1,233,605	102,800	131,056	131,056		1,102,549
Property Taxes	88,107	7,342	7,342	7,342		80,765
<b>Total General Expenses</b>	<b>\$ 10,118,543</b>	<b>\$ 843,212</b>	<b>\$ 817,643</b>	<b>\$ 817,643</b>		<b>\$ 9,300,900</b>
Other Routine Expenses:						
Tenant Services	\$ 2,240,862	\$ 186,739	\$ 25,717	\$ 25,717		\$ 2,215,145
Utilities	3,743,703	311,975	273,341	273,341		3,470,362
Protective Services	658,729	54,894	17,165	17,165		641,564
<b>Total Other Routine Expenses</b>	<b>\$ 6,643,294</b>	<b>\$ 553,608</b>	<b>\$ 316,223</b>	<b>\$ 316,223</b>		<b>\$ 6,327,071</b>
Non-Routine Expenses:						
Capital Expenditures	297,000	24,750	107,842	107,842		189,158
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$ 297,000</b>	<b>\$ 24,750</b>	<b>\$ 107,842</b>	<b>\$ 107,842</b>		<b>\$ 189,158</b>
Housing Assistance Payments	\$ 46,561,992	\$ 3,880,166	\$ 4,041,212	\$ 4,041,212		\$ 42,520,780
Scholarships/ Digital Inclusion	445,375	37,112				445,375
Utility Assistance	2,500	208	300	300		2,200
Employee Contributions Match	15,000	1,250	500	500		14,500
FSS Education and Training						
Fin. Lit. ED & Hm. ownership	7,000	583	10,000	10,000		(3,000)
Down payment Assistance	80,000	6,667				80,000
Community Initiatives	154,964	12,913	10,367	10,367		144,597
Donation to Housing Programs	1,245,236	103,770	97,407	97,407		1,147,829
Other Expenses/Donations	\$ 48,512,067	\$ 4,042,669	\$ 4,159,786	\$ 4,159,786		\$ 44,352,281
<b>Total-All Expenses</b>	<b>\$ 95,077,548</b>	<b>\$ 7,923,123</b>	<b>\$ 7,521,737</b>	<b>\$ 7,521,737</b>		<b>\$ 87,555,811</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 1,495,973</b>	<b>\$ 124,672</b>	<b>\$ 683,439</b>	<b>\$ 683,439</b>		<b>\$ 360,589</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## SCHEDULE 1A CENTRAL OFFICE BUDGET ANALYSIS

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
COCC Fees and Revenue	\$ 8,642,516	\$ 720,210	\$ 715,280	\$ 715,280		\$ 7,927,236
Interest	50,000	4,167	4,665	4,665		45,335
Other Income						
<b>Total Revenues</b>	<b>\$ 8,692,516</b>	<b>\$ 724,377</b>	<b>\$ 719,945</b>	<b>\$ 719,945</b>		<b>\$ 7,972,571</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 4,232,232	\$ 352,686	\$ 305,018	\$ 305,018		\$ 3,927,214
Performance Incentive						
Legal	28,750	2,396				28,750
Travel & Training	166,400	13,867	4,393	4,393		162,007
Audit Fees	24,496	2,041				24,496
Sundry Administrative	1,615,106	134,592	140,612	140,612		1,474,494
<b>Total Administrative</b>	<b>\$ 6,066,984</b>	<b>\$ 505,582</b>	<b>\$ 450,023</b>	<b>\$ 450,023</b>		<b>\$ 5,616,961</b>
Maintenance:						
Labor	\$	\$	\$	\$		\$
Materials	25,600	2,133	1,167	1,167		24,433
Contracts	33,750	2,813	1,292	1,292		32,458
<b>Total Maintenance</b>	<b>\$ 59,350</b>	<b>\$ 4,946</b>	<b>\$ 2,459</b>	<b>\$ 2,459</b>		<b>\$ 56,891</b>
General Expense:						
Insurance	\$ 179,645	\$ 14,970	\$ 7,603	\$ 7,603		\$ 172,042
Employee Benefit Contributions	1,680,037	140,003	127,790	127,790		1,552,247
Scholarships	4,000	333				4,000
Utility Assistance	2,500	208	300	300		2,200
Employee Contributions Match	15,000	1,250	500	500		14,500
Fin. Lit. ED & Hm. ownership	7,000	583	10,000	10,000		(3,000)
Down payment Assistance	80,000	6,667				80,000
Homeownership Center						
Interest on Notes	265,000	22,083	21,095	21,095		243,905
<b>Total General Expenses</b>	<b>\$ 2,233,182</b>	<b>\$ 186,097</b>	<b>\$ 167,288</b>	<b>\$ 167,288</b>		<b>\$ 2,065,894</b>
Other Routine Expenses:						
Utilities	\$ 250,000	\$ 20,833	\$ 19,530	\$ 19,530		\$ 230,470
FSS Education and Training						
Protective Services	35,500	2,958				35,500
Community Initiatives	47,500	3,958	10,000	10,000		37,500
<b>Total Other Routine Expenses</b>	<b>\$ 333,000</b>	<b>\$ 27,749</b>	<b>\$ 29,530</b>	<b>\$ 29,530</b>		<b>\$ 303,470</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$	\$	\$	\$		\$
Capital Expenditures			25,688	25,688		(25,688)
Donation/Transfer						
<b>Total Non-Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$ 25,688</b>	<b>\$ 25,688</b>		<b>\$ (25,688)</b>
<b>Total-All Expenses</b>	<b>\$ 8,692,516</b>	<b>\$ 724,374</b>	<b>\$ 674,988</b>	<b>\$ 674,988</b>		<b>\$ 8,017,528</b>
<b>PROVISION FOR RESERVE</b>	<b>\$</b>	<b>\$ 3</b>	<b>\$ 44,957</b>	<b>\$ 44,957</b>		<b>\$ (44,957)</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## SCHEDULE 1B LOW RENT PUBLIC HOUSING OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 4,556,438	\$ 379,703	\$ 411,237	\$ 411,237	\$ 213	\$ 4,145,201
Nondwelling Rental	51,089	4,256	4,919	4,919	3	46,150
Excess Utilities Usage	46,566	3,881	11,881	11,881	6	34,685
Interest					-	
Other Income	310,827	25,902	28,397	28,397	15	282,430
Transfer from other AMPS					-	
Non Federal Donations	284,896	23,741			-	284,896
HUD Subsidy	9,070,193	755,849	772,692	772,692	401	8,297,501
<b>Total Revenues</b>	<b>\$ 14,319,989</b>	<b>\$ 1,193,332</b>	<b>\$ 1,229,126</b>	<b>\$ 1,229,126</b>	<b>637</b>	<b>\$ 13,090,863</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 1,288,816	\$ 107,401	\$ 97,260	\$ 97,260	\$ 50	\$ 1,191,556
Legal	152,070	12,673			-	152,070
Travel & Training	4,454	371	449	449	0	4,005
Audit Fees	28,081	2,340			-	28,081
Management Fee	1,750,679	145,890	127,633	127,633	66	1,623,046
Sundry Administrative	263,372	21,948	11,303	11,303	6	252,069
<b>Total Administrative</b>	<b>\$ 3,487,472</b>	<b>\$ 290,623</b>	<b>\$ 236,645</b>	<b>\$ 236,645</b>	<b>123</b>	<b>\$ 3,250,827</b>
Maintenance:						
Labor	\$ 1,324,888	\$ 110,407	\$ 102,584	\$ 102,584	\$ 53	\$ 1,222,304
Materials	635,691	52,974	25,514	25,514	13	610,177
Contracts	1,177,357	98,113	58,983	58,983	31	1,118,374
<b>Total Maintenance</b>	<b>\$ 3,137,936</b>	<b>\$ 261,494</b>	<b>\$ 187,081</b>	<b>\$ 187,081</b>	<b>97</b>	<b>\$ 2,950,855</b>
General Expense:						
Insurance	\$ 232,514	\$ 19,376	\$ 16,785	\$ 16,785	\$ 9	\$ 215,729
Employee Benefit Contributions	1,473,258	122,772	108,726	108,726	56	1,364,532
Collection Losses	61,100	5,092	28,680	28,680	15	32,420
<b>Total General Expenses</b>	<b>\$ 1,766,872</b>	<b>\$ 147,240</b>	<b>\$ 154,191</b>	<b>\$ 154,191</b>	<b>80</b>	<b>\$ 1,612,681</b>
Other Routine Expenses:						
Tenant Services	\$ 2,235,862	\$ 186,322	\$ 24,996	\$ 24,996	\$ 13	\$ 2,210,866
Utilities	2,749,883	229,157	193,488	193,488	100	2,556,395
Protective Services	519,369	43,281	13,771	13,771	7	505,598
<b>Total Other Routine Expenses</b>	<b>\$ 5,505,114</b>	<b>\$ 458,760</b>	<b>\$ 232,255</b>	<b>\$ 232,255</b>	<b>120</b>	<b>\$ 5,272,859</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$	\$	\$	\$	\$ -	\$
Capital Expenditures	22,000	1,833	29,445	29,445	15	(7,445)
Performance Contracting	2,303,999	192,000	199,660	199,660	104	2,104,339
Transfer to other AMPS					-	
<b>Total Non-Routine Expenses</b>	<b>\$ 2,325,999</b>	<b>\$ 193,833</b>	<b>\$ 229,105</b>	<b>\$ 229,105</b>	<b>119</b>	<b>\$ 2,096,894</b>
<b>Total-All Expenses</b>	<b>\$ 16,223,393</b>	<b>\$ 1,351,950</b>	<b>\$ 1,039,277</b>	<b>\$ 1,039,277</b>	<b>539</b>	<b>\$ 15,184,116</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (1,903,404)</b>	<b>\$ (158,618)</b>	<b>\$ 189,849</b>	<b>\$ 189,849</b>	<b>98</b>	<b>\$ (2,093,253)</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## SCHEDULE 1C HOUSING CHOICE VOUCHER PROGRAM OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	Y.T.D. Budget	April 2016	Y.T.D. As of 04/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Estimated Administrative Fees	\$ 4,085,300	\$ 340,442	\$ 320,290	\$ 320,290	\$ 63	3,765,010
HAP Reimbursements	46,561,992	3,880,166	4,041,212	4,041,212	797	42,520,780
Interest & Other Income					-	
<b>Total Revenues</b>	<b>\$ 50,647,292</b>	<b>\$ 4,220,608</b>	<b>\$ 4,361,502</b>	<b>\$ 4,361,502</b>	<b>\$ 861</b>	<b>\$ 46,285,790</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 2,385,077	\$ 198,756	\$ 168,058	\$ 168,058	\$ 33	2,217,019
Legal	1,250	104	2,298	2,298	0	(1,048)
Travel & Training	41,600	3,467	1,255	1,255	0	40,345
Audit Fees					-	
Management fees	163,035	13,586	44,283	44,283	9	118,752
Sundry Administrative	201,505	16,792	15,386	15,386	3	186,119
<b>Total Administrative</b>	<b>\$ 2,792,467</b>	<b>\$ 232,705</b>	<b>\$ 231,280</b>	<b>\$ 231,280</b>	<b>\$ 46</b>	<b>\$ 2,561,187</b>
Maintenance:						
Labor	\$	\$	\$	\$	\$ -	\$
Materials	13,000	1,083	397	397	0	12,603
Contracts	7,000	583			-	7,000
<b>Total Maintenance</b>	<b>\$ 20,000</b>	<b>\$ 1,666</b>	<b>\$ 397</b>	<b>\$ 397</b>	<b>\$ 0</b>	<b>\$ 19,603</b>
Other:						
Insurance	\$ 47,701	\$ 3,975	\$ 340	\$ 340	\$ 0	47,361
Protective Services	27,500	2,292	2,246	2,246	0	25,254
Employee Benefit Contributions	1,192,632	99,386	85,306	85,306	17	1,107,326
Capital Expenditures					-	
<b>Total Other Expenses</b>	<b>\$ 1,267,833</b>	<b>\$ 105,653</b>	<b>\$ 87,892</b>	<b>\$ 87,892</b>	<b>\$ 17</b>	<b>\$ 1,179,941</b>
Housing Assistance Payments	\$ 46,561,992	\$ 3,880,166	\$ 4,041,212	\$ 4,041,212	797	42,520,780
FSS Programs	5,000	417	721	721	0	4,279
<b>Total-All Expenses</b>	<b>\$ 50,647,292</b>	<b>\$ 4,220,607</b>	<b>\$ 4,361,502</b>	<b>\$ 4,361,502</b>	<b>\$ 861</b>	<b>\$ 46,285,790</b>
<b>PROVISION FOR RESERVE</b>	<b>\$</b>	<b>\$ 1</b>	<b>\$</b>	<b>\$</b>	<b>\$ -</b>	<b>\$</b>



# SOUTHWEST HOUSING COMPLIANCE CORPORATION

## SCHEDULE 2 SHCC PROGRAMS COMBINED OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
Estimated Administrative Fees	\$ 9,238,031	\$ 769,836	\$ 1,029,147	\$ 1,029,147		\$ 8,208,884
Other Income						289,024
Donations						
Interest Income						
<b>Total Revenues</b>	<b>\$ 9,238,031</b>	<b>\$ 769,836</b>	<b>\$ 1,029,147</b>	<b>\$ 1,029,147</b>		<b>\$ 8,497,908</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 2,475,132	\$ 206,261	\$ 154,834	\$ 154,834		\$ 2,420,800
Legal	100,000	8,333				103,510
Travel & Training	110,964	9,247	1,572	1,572		135,741
Audit Fees	17,424	1,452				17,424
Management Fees	3,580,978	298,415	298,414	298,414		3,282,564
Office Rent/Utilities	216,288	18,024	18,024	18,024		
Other	244,910	20,409	1,936	1,936		267,447
<b>Total Administrative</b>	<b>\$ 6,745,696</b>	<b>\$ 562,141</b>	<b>\$ 474,780</b>	<b>\$ 474,780</b>		<b>\$ 6,227,486</b>
Maintenance:						
Labor	\$	\$	\$	\$		\$
Materials	7,850	654	51	51		7,862
Contracts	1,647	137				1,647
<b>Total Maintenance</b>	<b>\$ 9,497</b>	<b>\$ 791</b>	<b>\$ 51</b>	<b>\$ 51</b>		<b>\$ 9,509</b>
Other:						
Insurance	\$ 119,252	\$ 9,938	\$ 5,641	\$ 5,641		\$ 115,716
Emp. Benefit Contrib. -SHCC	1,118,349	93,196	73,443	73,443		1,080,322
Donation to Housing Programs	1,245,236	103,770	97,407	97,407		1,147,829
Capital Expenditures						
<b>Total Other Expenses</b>	<b>\$ 2,482,837</b>	<b>\$ 206,904</b>	<b>\$ 176,491</b>	<b>\$ 176,491</b>		<b>\$ 2,343,867</b>
<b>Total-All Expenses</b>	<b>\$ 9,238,030</b>	<b>\$ 769,836</b>	<b>\$ 651,322</b>	<b>\$ 651,322</b>		<b>\$ 8,580,862</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 1</b>	<b>\$</b>	<b>\$ 377,825</b>	<b>\$ 377,825</b>		<b>\$ (82,954)</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 ALL AAHC PROGRAMS COMBINED OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
Rental & Rental Related Income	\$ 8,622,187	\$ 718,516	\$ 689,029	\$ 689,029		\$ 7,933,158
Interest Income						
Other Income	3,283,666	273,639	35,489	35,489		3,248,177
<b>Total Revenues</b>	<b>\$ 11,905,853</b>	<b>\$ 992,155</b>	<b>\$ 724,518</b>	<b>\$ 724,518</b>		<b>\$ 11,181,335</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$		\$
HACA Other Admin Costs	34,728	2,894				34,728
Legal Expense	2,900	242				2,900
Property Mgmt - Fees & Commis.	276,857	23,071	22,662	22,662		254,195
Property Mgmt - Payroll Costs	1,122,255	93,521	74,336	74,336		1,047,919
Property Admn. Costs	215,200	17,933	25,329	25,329		189,871
HACA Management Fees	2,835,235	236,270	194,206	194,206		2,641,029
Promotions & Advertising	85,210	7,101	2,882	2,882		82,328
<b>Total Administrative</b>	<b>\$ 4,572,385</b>	<b>\$ 381,032</b>	<b>\$ 319,415</b>	<b>\$ 319,415</b>		<b>\$ 4,252,970</b>
Maintenance:						
Materials & Contracts	\$ 1,217,800	\$ 101,483	\$ 88,288	\$ 88,288		\$ 1,129,512
Cleaning & Decorating	511,625	42,635	28,066	28,066		483,559
<b>Total Maintenance</b>	<b>\$ 1,729,425</b>	<b>\$ 144,118</b>	<b>\$ 116,354</b>	<b>\$ 116,354</b>		<b>\$ 1,613,071</b>
General Expense:						
Insurance	\$ 215,504	\$ 17,959	\$ 17,682	\$ 17,682		\$ 197,822
Protective Services	76,360	6,363	1,148	1,148		75,212
Collection Loss	5,000	417				5,000
Property Taxes	88,107	7,342	7,342	7,342		80,765
Other - Interest on Note	968,605	80,717	109,961	109,961		858,644
Donation to Public Housing	107,464	8,955	367	367		107,097
<b>Total General Expenses</b>	<b>\$ 1,461,040</b>	<b>\$ 121,753</b>	<b>\$ 136,500</b>	<b>\$ 136,500</b>		<b>\$ 1,324,540</b>
Other Routine Expenses:						
Utilities	\$ 743,820	\$ 61,985	\$ 60,323	\$ 60,323		\$ 683,497
<b>Total Other Routine Expenses</b>	<b>\$ 743,820</b>	<b>\$ 61,985</b>	<b>\$ 60,323</b>	<b>\$ 60,323</b>		<b>\$ 683,497</b>
Non-Routine Expenses:						
Capital Expenditures	\$ 275,000	\$ 22,917	\$ 52,709	\$ 52,709		\$ 222,291
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$ 275,000</b>	<b>\$ 22,917</b>	<b>\$ 52,709</b>	<b>\$ 52,709</b>		<b>\$ 222,291</b>
<b>Total-All Expenses</b>	<b>\$ 8,781,670</b>	<b>\$ 731,805</b>	<b>\$ 685,301</b>	<b>\$ 685,301</b>		<b>\$ 8,096,369</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 3,124,183</b>	<b>\$ 260,350</b>	<b>\$ 39,217</b>	<b>\$ 39,217</b>		<b>\$ 3,084,966</b>

# SOUTHWEST HOUSING COMPLIANCE CORPORATION

## SCHEDULE 4 BLUEPRINT HOUSING SOLUTIONS OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
Estimated Administrative Fees	\$	\$	\$	\$		\$
Other Income	300,000	25,000	10,976	10,976		289,024
Donations						
Interest Income						
<b>Total Revenues</b>	<b>\$ 300,000</b>	<b>\$ 25,000</b>	<b>\$ 10,976</b>	<b>\$ 10,976</b>		<b>\$ 289,024</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 105,256	\$ 8,771	\$ 4,754	\$ 4,754		\$ 100,502
Legal	3,510	293				3,510
Travel & Training	26,349	2,196				26,349
Audit Fees						
Management Fees						
Other	24,634	2,053	161	161		24,473
<b>Total Administrative</b>	<b>\$ 159,749</b>	<b>\$ 13,313</b>	<b>\$ 4,915</b>	<b>\$ 4,915</b>		<b>\$ 154,834</b>
Maintenance:						
Labor	\$	\$	\$	\$		\$
Materials	63	5				63
Contracts						
<b>Total Maintenance</b>	<b>\$ 63</b>	<b>\$ 5</b>	<b>\$</b>	<b>\$</b>		<b>\$ 63</b>
Other:						
Insurance	\$ 2,105	\$ 175	\$	\$		\$ 2,105
Emp. Benefit Contrib. -SHCC	37,541	3,128	2,125	2,125		35,416
Capital Expenditures						
<b>Total Other Expenses</b>	<b>\$ 39,646</b>	<b>\$ 3,303</b>	<b>\$ 2,125</b>	<b>\$ 2,125</b>		<b>\$ 37,521</b>
<b>Total-All Expenses</b>	<b>\$ 199,458</b>	<b>\$ 16,621</b>	<b>\$ 7,040</b>	<b>\$ 7,040</b>		<b>\$ 192,418</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 100,542</b>	<b>\$ 8,379</b>	<b>\$ 3,936</b>	<b>\$ 3,936</b>		<b>\$ 96,606</b>

# HACA SCHOLARSHIP FOUNDATION

## SCHEDULE 5 AUSTIN PATHWAYS OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
Public Donations	\$ 484,500	\$ 40,375	\$ 32,555	\$ 32,555		\$ 451,945
HACA Donation	340,258	28,355				340,258
HACA Donation Carryover						
Other Income						
Grants	25,000	2,083				25,000
<b>Total Revenues</b>	<b>\$ 849,758</b>	<b>\$ 70,813</b>	<b>\$ 32,555</b>	<b>\$ 32,555</b>		<b>\$ 817,203</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 115,424	\$ 9,619	\$ 3,890	\$ 3,890		\$ 111,534
HACA Other Admin Costs						
Computer Equipment						
Travel & Training	9,600	800				9,600
Legal						
HACA Management Fees						
Other	58,700	4,892				58,700
<b>Total Administrative</b>	<b>\$ 183,724</b>	<b>\$ 15,311</b>	<b>\$ 3,890</b>	<b>\$ 3,890</b>		<b>\$ 179,834</b>
General Expense:						
Resident Children Scholarship	50,000	4,167				50,000
Scholarship Marketing	3,500	292				3,500
Training Content Licenses	7,000	583				7,000
Youth STEM/STEAM Programming	96,302	8,025				96,302
Adult Digital Inclusion Training	118,125	9,844				118,125
Apprenticeship Stipends	37,148	3,096				37,148
Transportation Assistance	3,000	250				3,000
Transportation Counseling Assistance	7,000	583				
Incentives	10,000	833				10,000
FSS Luncheon	10,000	833				10,000
Google Fiber Signup Fees	10,000	833				10,000
HCV Support Services	16,800	1,400				16,800
HCV GED Incentives	2,500	208				2,500
Workforce Development Service	10,000	833				
Smoking Cessation Program Support	10,000	833				
ACC Tech Support Program	10,000	833				
Devices	40,000	3,333				40,000
<b>Total General Expenses</b>	<b>\$ 441,375</b>	<b>\$ 36,779</b>	<b>\$</b>	<b>\$</b>		<b>\$ 404,375</b>
Other:						
Insurance	\$					
Workers Comp	2,308	192				2,308
Emp. Benefit	\$ 47,700	\$ 3,975	\$ 1,010	\$ 1,010		\$ 46,690
<b>Total Other Routine Expenses</b>	<b>\$ 50,008</b>	<b>\$ 4,167</b>	<b>\$ 1,010</b>	<b>\$ 1,010</b>		<b>\$ 46,690</b>
Non-Routine Expenses:						
Capital Expenditures	\$	\$	\$	\$		\$
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
<b>Total-All Expenses</b>	<b>\$ 675,107</b>	<b>\$ 56,257</b>	<b>\$ 4,900</b>	<b>\$ 4,900</b>		<b>\$ 630,899</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 174,651</b>	<b>\$ 14,556</b>	<b>\$ 27,655</b>	<b>\$ 27,655</b>	Finance Report page 12	<b>\$ 186,304</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## SCHEDULE 6 RAD Conversion OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/2016		Budget Balance
<b>REVENUE:</b>						
	\$	\$	\$	\$		\$
HACA Transfer	620,082	51,674	97,407	97,407		522,675
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 192,615	\$ 16,051	\$ 9,770	\$ 9,770		\$ 182,845
Legal	22,000	1,833				22,000
Travel & Training	70,300	5,858	22,703	22,703		47,597
Sundry Administrative	256,981	21,415	60,480	60,480		196,501
<b>Total Administrative</b>	\$ 541,896	\$ 45,157	\$ 92,953	\$ 92,953		\$ 448,943
Maintenance:						
Materials & Contracts	\$	\$	\$	\$		\$
Cleaning & Decorating						
<b>Total Maintenance</b>	\$	\$	\$	\$		\$
	\$	\$	\$	\$		\$
Employee Benefit Contributions	78,186	6,516	4,454	4,454		73,732
<b>Total General Expenses</b>	\$ 78,186	\$ 6,516	\$ 4,454	\$ 4,454		\$ 73,732
Other Routine Expenses:						
	\$	\$	\$	\$		\$
<b>Total Other Routine Expenses</b>	\$	\$	\$	\$		\$
Non-Routine Expenses:						
Capital Expenditures	\$	\$	\$	\$		\$
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	\$	\$	\$	\$		\$
<b>Total-All Expenses</b>	\$ 620,082	\$ 51,673	\$ 97,407	\$ 97,407		\$ 522,675
<b>PROVISION FOR RESERVE</b>	\$	\$ 1	\$	\$		\$



# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## SCHEDULE 7

### OPERATING RESERVE ANALYSIS

ESTIMATED AS OF MARCH 31, 2016

	2015/2016 Actual	CY Excess Revenue Actual		Drawdown		2015/16 Estimated Reserve
Public Housing	5,549,495	189,849				\$ 5,739,344
Housing Choice Voucher	-	-				-
Central Office	4,098,153	44,957				4,143,110
Blended Component Units	16,196,596	448,633				16,645,229
						-
						-
Total Reserve	25,844,244	683,439		-		\$ 26,527,683
						-
Restricted For Program Use	5,549,495	189,849				\$ 5,739,344
						-
Unrestricted Reserve	20,294,749	493,590		-		\$ 20,788,339

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## Financial Status of Grants Schedule 8

Grant/Program	Awarding Agency	Program Year	Grant Amount	Actual as of 04/30/16	Balance
Capital Fund Program - 2015	U.S. Dept of HUD	May 13, 2015 - May 12, 2019	2,370,772	41,344	2,329,428
Capital Fund Program - 2014	U.S. Dept of HUD	May 13, 2014 - May 12, 2018	2,287,896	1,667,610	620,286
Capital Fund Emergency Safety & Security	U.S. Dept of HUD	May 20, 2015-June 7, 2017	250,000	-	250,000
2012 ROSS Service Coordinator Grant	U.S. Dept of HUD	Sept 1, 2013 - Aug 31, 2016	486,000	452,204	33,796
2015 ROSS PH & HCV FSS Grant	U.S. Dept of HUD	Jan 1, 2016 - Dec 31, 2016	248,317	51,410	196,907
Tenant Based Rental Assistance	Pass-thru' from COA	Oct. 1, 2015 - Sept. 30, 2016	527,000	347,838	179,162
Short Term Rental Assistance - Pilot Program	City of Austin	March 1, 2014 - Feb 28, 2017	500,000	172,282	327,718
S8 Mod Rehab - SRO	U.S. Dept of HUD	April 1, 2016 - March 31, 2017	312,812	26,067	286,745
Continuum of Care Program (SNAP)	U.S. Dept of HUD	April 1, 2015 - March 31, 2016	561,204	545,981	15,223
Continuum of Care Program (SNAP)	U.S. Dept of HUD	Sept 1, 2015 - Aug 31, 2016	123,726	89,348	34,378

Other	Awarded By	Award Period	Expenses
Eastland Incubator	NA	NA	367.45

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## INVESTMENT REGISTER

April 30, 2016

Schedule 9

Type of Investment	Broker	Purchase Date	Maturity Date	Rate of return	Bank Balance
Discover Bank Fixed Rate CD	UBS Financial	10/15/13	10/24/16	1.20%	\$177,000.00
Comenity Bank	UBS Financial	01/27/15	05/30/17	1.15%	\$100,000.00
BMO Harris Bank	UBS Financial	03/28/16	06/30/17	0.80%	\$135,000.00
Money Market Funds	Horizon Bank	N/A	N/A	0.52%	\$8,219,407.04
Money Market Funds	JP Morgan Chase	N/A	N/A	N/A	12,606,694.79
					\$21,238,101.83

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

PAYMENTS OVER \$5000 (Excluding HAP and Utilities)  
FOR THE MONTH OF APRIL 2016

CK DATE	VENDOR	DESCRIPTION	CK NO	AMOUNT
04/08/16	AFLAC	MEDICAL REIMB/DEPENDENT CARE - FLEX SPENDING	7193	6,874.24
04/27/16	AFLAC	MEDICAL REIMB/DEPENDENT CARE- FLEX SPENDING	7255	6,878.41
04/27/16	AFLAC	APRIL STMT- SUPPLEMENTAL POLICIES	7257	6,817.27
04/15/16	Arthur Trillo III	Legal Services	710279	12,619.28
04/11/16	Austin Free Net	digital inclusion services-January and February 2016	285737	16,666.66
04/15/16	BDO USA LLP	BDO Invoice for February and March 2016	285908	19,563.39
04/28/16	Bellweather Enterprise Real Estate	Loan Payment-Lexington Hills	7275	60,628.69
04/28/16	Chase	HACA Building Loan Payment	7276	86,343.72
04/28/16	Chase	Loan Payment - Sweetwater	7277	24,217.10
04/14/16	Cokinos Bosien & Young	Legal Services	285805	5,579.50
04/28/16	Crockett National Bank	Loan Payment - Sterling Village	7278	20,513.59
04/28/16	Crockett National Bank	Loan Payment - Sterling Village	7279	5,534.43
04/28/16	Crockett National Bank	Loan Payment - Bent Tree	7280	9,830.00
04/21/16	Dell Marketing LP	Dell Backup Server and AppAssure Rapid Recovery ap	285873	25,688.50
04/08/16	Designing Success Inc	Tracking at a Glance (TAAG) Annual Fee for CD use	285736	18,880.11
04/21/16	Done Right Janitorial & Maintenance	Janitorial Dayporter services for the month of April	710326	8,250.80
04/11/16	Dykema Architects Inc	Programming services for RAD Phase I - not to exce	285741	49,022.89
04/08/16	Emphasys Software	Elite Annual Invoice	710228	88,703.55
04/12/16	Emphasys Software	Reasonable Accommodation Elite Module/Maintenance Agreement	710247	8,053.33
04/14/16	Family Eldercare Inc	March Invoice for monthly Service Coordination	710267	8,560.00
04/15/16	General Electric Co	REFRIGERATORS & RANGES	285817	11,009.00
04/04/16	Gibraltar Construction Co Inc	Gibraltar Pay App #8 - For EPC work done at Meadow	285687	440,820.00
04/07/16	Goodwill Industries of Central TX	Feb 2016 Goodwill service workforce	285717	8,442.92
04/21/16	Goodwill Industries of Central TX	March 2016 workforce services	285854	8,442.92
04/26/16	Greater Houston Community Foundation/Grea	DONATION STORM RELIEF FUND	710333	10,000.00
04/28/16	Hahn Public Communications	March Invoice for RAD PR services	285910	19,984.96
04/08/16	HART - Housing Renewal & Local Agency - Ba	RETIREMENT CONTRIBUTION - PAYDATE 4/8/16	7196	63,244.09
04/27/16	HART - Housing Renewal & Local Agency - Ba	RETIREMENT CONTRIBUTION PAYDATE 4/22/16	7263	63,162.34
04/13/16	HD Supply Facilities Maintenance	Various materials for AMPs	7211	9,284.39
04/28/16	HD Supply Facilities Maintenance	Various materials for AMPs	7274	6,191.22
04/29/16	Independence Title Company	Down Payment Assistance - McDonald/5712 Abby Ann L	7287	10,000.00
04/08/16	Internal Revenue Service	Payroll Taxes	7197	116,559.38
04/27/16	Internal Revenue Service	Payroll Taxes	7265	116,362.41
04/07/16	Jeff Oliver and Associates Inc	22 appraisals for scattered site homes for RAD Con	285718	7,700.00
04/08/16	JP Morgan Chase	Credit Card Charges	7203	9,599.05
04/12/16	JP Morgan Chase	Credit Card Charges	7207	18,806.50
04/19/16	JP Morgan Chase	Credit Card Charges	7216	32,867.41
04/27/16	Morris Beck Construction Services	Morris Beck Pay App #10 - Payment for EPC work per	285893	314,694.00
04/15/16	Myelyn Contractors LLC	HACA Project#2015-10 Santa Rita Exterior Painting	285809	21,978.00
04/12/16	Nan McKay & Associates Inc	RAD COS training through Nan McKay, June & July	285755	22,470.00
04/14/16	Oliver Termite Pest Control Inc	Pest Control	710263	5,550.95
04/05/16	Pitney Bowes	POSTAGE	710187	5,434.08
04/12/16	S Cook Construction	Remove and replace tub and tub walls, inspect and	285757	8,600.00
04/04/16	Sisk-Robb Incorporated	Pay App #2 - SiskRobb - for abatement work done at	285688	109,542.60
04/26/16	Smith Paving Inc	HACA Project#2015-08-Parking Renovations @ Thurmond	285886	34,542.00
04/08/16	Texas Capital Bank	EPC LOAN PYMT 3/31/2	7190	23,683.54
04/28/16	Texas Capital Bank	EPC LOAN PYMT 4/2016	7281	192,714.84
04/12/16	Texas Workforce Commission	1ST QTR UNEMPLOYEMENT TAXES	7209	35,554.86
04/12/16	Time Warner Communications	Fiber Connection at 1124 S IH 35 / Internet services	7210	8,592.80
04/27/16	Time Warner Communications	Res Cable Services	7268	6,808.05
04/08/16	United Healthcare Insurance Company	EMPLOYEES PREMIUM - HEALTH INSURANCE	7199	240,991.64
04/27/16	United Healthcare Insurance Company	DENTAL INSURANCE	7271	8,345.25
04/20/16	United Way for Greater Austin	Digital Inclusion ServicesApril 2016	710289	16,875.00
04/20/16	Unity Contractor Services Inc	Weekly ground maintenance - week of 4/1/16	710290	6,740.00
04/27/16	Unity Contractor Services Inc	HACA Project 2015-12 Phase III Interior Exterior R	710341	185,054.80
04/08/16	Waste Management Of Texas Inc	Trash pick up / recycling	7201	21,457.01
04/20/16	Woods Fun Center	3 quantity-2016 Polaris Ranger ETX Utility Vehicle model R16R	285849	29,445.57
04/12/16	Xerox Corp	Copier / Printer Lease	285758	5,181.69
04/13/16	Yardi Systems Inc	Yardi Software/Implementation/Data Conversion - RAD	285773	59,550.00

# SOUTHWEST HOUSING COMPLIANCE CORPORATION

## SCHEDULE 2A SECTION 8 CONTRACT ADMINISTRATION - TEXAS OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
Estimated Administrative Fees	\$ 7,931,866	\$ 660,989	\$ 881,280	\$ 881,280		\$ 7,050,586
HAP Reimbursements	N/A	N/A		N/A		
Interest Income						
<b>Total Revenues</b>	<b>\$ 7,931,866</b>	<b>\$ 660,989</b>	<b>\$ 881,280</b>	<b>\$ 881,280</b>		<b>\$ 7,050,586</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 1,806,845	\$ 150,570	\$ 113,248	\$ 113,248		\$ 1,693,597
Legal	73,000	6,083				73,000
Travel & Training	80,097	6,675	1,493	1,493		78,604
Audit Fees	12,719	1,060				12,719
Management Fees	3,456,821	288,068	288,068	288,068		3,168,753
Office Rent/Utilities	162,216	13,518	13,518	13,518		148,698
Other	176,896	14,741	1,691	1,691		175,205
<b>Total Administrative</b>	<b>\$ 5,768,594</b>	<b>\$ 480,715</b>	<b>\$ 418,018</b>	<b>\$ 418,018</b>		<b>\$ 5,350,576</b>
Maintenance:						
Labor	\$	\$	\$	\$		\$
Materials	5,960	497	51	51		5,909
Contracts	1,647	137				1,647
<b>Total Maintenance</b>	<b>\$ 7,607</b>	<b>\$ 634</b>	<b>\$ 51</b>	<b>\$ 51</b>		<b>\$ 7,556</b>
Other:						
Insurance	\$ 94,029	\$ 7,836	\$ 4,743	\$ 4,743		\$ 89,286
Emp. Benefit Contrib. -SHCC	816,399	68,033	53,608	53,608		762,791
Donation to Housing Programs	1,245,236	103,770	97,407	97,407		1,147,829
Capital Expenditures						
<b>Total Other Expenses</b>	<b>\$ 2,155,664</b>	<b>\$ 179,639</b>	<b>\$ 155,758</b>	<b>\$ 155,758</b>		<b>\$ 1,999,906</b>
<b>Non-Profit Funds</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
<b>Total-All Expenses</b>	<b>\$ 7,931,865</b>	<b>\$ 660,988</b>	<b>\$ 573,827</b>	<b>\$ 573,827</b>		<b>\$ 7,358,038</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 1</b>	<b>\$ 1</b>	<b>\$ 307,453</b>	<b>\$ 307,453</b>		<b>\$ (307,452)</b>



# SOUTHWEST HOUSING COMPLIANCE CORPORATION

## SCHEDULE 2B SECTION 8 CONTRACT ADMINISTRATION - ARKANSAS OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
Estimated Administrative Fees	\$ 1,306,165	\$ 108,847	\$ 147,867	\$ 147,867		\$ 1,158,298
Interest Income						
<b>Total Revenues</b>	<b>\$ 1,306,165</b>	<b>\$ 108,847</b>	<b>\$ 147,867</b>	<b>\$ 147,867</b>		<b>\$ 1,158,298</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries - SHCC	\$ 668,287	\$ 55,691	\$ 41,586	\$ 41,586		\$ 626,701
Legal	27,000	2,250				27,000
Travel & Training	30,867	2,572	79	79		30,788
Audit Fees	4,705	392				4,705
Management Fees	124,157	10,346	10,346	10,346		113,811
Office Rent/Utilities	54,072	4,506	4,506	4,506		49,566
Other	68,014	5,668	245	245		67,769
<b>Total Administrative</b>	<b>\$ 977,102</b>	<b>\$ 81,425</b>	<b>\$ 56,762</b>	<b>\$ 56,762</b>		<b>\$ 920,340</b>
Maintenance:						
Labor	\$	\$	\$	\$		\$
Materials	1,890	630				1,890
Contracts						
<b>Total Maintenance</b>	<b>\$ 1,890</b>	<b>\$ 630</b>	<b>\$</b>	<b>\$</b>		<b>\$ 1,890</b>
Other:						
Insurance	\$ 25,223	\$ 2,102	\$ 898	\$ 898		\$ 24,325
Emp. Benefit Contrib. -SHCC	301,950	25,163	19,835	19,835		282,115
Capital Expenditures						
<b>Total Other Expenses</b>	<b>\$ 327,173</b>	<b>\$ 27,265</b>	<b>\$ 20,733</b>	<b>\$ 20,733</b>		<b>\$ 306,440</b>
<b>Total-All Expenses</b>	<b>\$ 1,306,165</b>	<b>\$ 109,320</b>	<b>\$ 77,495</b>	<b>\$ 77,495</b>		<b>\$ 1,228,670</b>
<b>PROVISION FOR RESERVE</b>	<b>\$</b>	<b>\$ (473)</b>	<b>\$ 70,372</b>	<b>\$ 70,372</b>		<b>\$ (70,372)</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

SCHEDULE 3 A  
OPERATING REVENUES AND EXPENSES  
AAHC SINGLE FAMILY HOMES  
UNITS AVAILABLE - 17  
FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16	PUM \$	Budget Balance
<b>REVENUE:</b>						
Rental Income	\$ 215,760	\$ 17,980	\$ 17,980	\$ 17,980	\$ 1,058	\$ 197,780
Interest Income					-	
Other Income	1,000	83	25	25	1	975
<b>Total Revenues</b>	<b>\$ 216,760</b>	<b>\$ 18,063</b>	<b>\$ 18,005</b>	<b>\$ 18,005</b>	<b>\$ 1,059</b>	<b>\$ 198,755</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$	\$	\$	\$	\$ -	\$
Legal					-	
Travel & Training					-	
Management Fees	131,960	10,997	10,997	10,997	647	120,963
Other	500	42			-	500
<b>Total Administrative</b>	<b>\$ 132,460</b>	<b>\$ 11,039</b>	<b>\$ 10,997</b>	<b>\$ 10,997</b>	<b>\$ 647</b>	<b>\$ 121,463</b>
Maintenance:						
Labor	\$	\$	\$	\$	\$ -	\$
Materials					-	
Contracts	45,000	3,750			-	45,000
<b>Total Maintenance</b>	<b>\$ 45,000</b>	<b>\$ 3,750</b>	<b>\$</b>	<b>\$</b>	<b>\$ -</b>	<b>\$ 45,000</b>
Other:						
Insurance	\$ 5,350	\$ 446	\$ 452	\$ 452	\$ 27	\$ 4,898
Utilities	2,450	204	15	15	1	2,435
Emp. Benefits					-	
Collection Loss	1,500	125			-	1,500
Donation to Public Housing					-	
<b>Total Other Expenses</b>	<b>\$ 9,300</b>	<b>\$ 775</b>	<b>\$ 467</b>	<b>\$ 467</b>	<b>\$ 27</b>	<b>\$ 8,833</b>
<b>TOTAL ROUTINE EXPENSES</b>	<b>\$ 186,760</b>	<b>\$ 15,564</b>	<b>\$ 11,464</b>	<b>\$ 11,464</b>	<b>\$ 674</b>	<b>\$ 175,296</b>
<b>Total Capital Expenditures</b>	<b>\$ 30,000</b>	<b>\$ 2,500</b>	<b>\$</b>	<b>\$</b>	<b>\$ -</b>	<b>\$ 30,000</b>
<b>PROVISION FOR RESERVE</b>	<b>\$</b>	<b>\$ (1)</b>	<b>\$ 6,541</b>	<b>\$ 6,541</b>	<b>\$ 385</b>	<b>\$ (6,541)</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 B OPERATING REVENUES AND EXPENSES EASTLAND PLAZA SHOPPING CENTER FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUES</b>						
Rental Income & Other Income	\$ 1,275,250	\$ 106,271	\$ 87,996	\$ 87,996		\$ 1,187,254
<b>Total Operating Income</b>	\$ 1,275,250	\$ 106,271	\$ 87,996	\$ 87,996		\$ 1,187,254
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$	\$	\$	\$		\$
Administrative Costs	2,500	208				2,500
Audit Fees						
Legal	2,500	208				2,500
Management Fees	781,899	65,158	65,158	65,158		716,741
<b>Total Administrative</b>	\$ 786,899	\$ 65,574	\$ 65,158	\$ 65,158		\$ 721,741
Maintenance:						
	\$	\$	\$	\$		\$
Materials & Contracts	130,000	10,833	3,237	3,237		126,763
<b>Total Maintenance</b>	\$ 130,000	\$ 10,833	\$ 3,237	\$ 3,237		\$ 126,763
General Expense:						
Insurance	\$ 31,920	\$ 2,660	\$ 2,627	\$ 2,627		\$ 29,293
Employee Benefits						
Property Taxes - Estimated	88,107	7,342	7,342	7,342		80,765
Other - Interest on Note						
Community Initiatives	107,464	8,955	367	367		107,097
<b>Total General Expenses</b>	\$ 227,491	\$ 18,957	\$ 10,336	\$ 10,336		\$ 217,155
Other Routine Expenses:						
Utilities	\$ 37,500	\$ 3,125	\$ 5,567	\$ 5,567		\$ 31,933
Protective Services	43,360	3,613	201	201		43,159
<b>Total Other Routine Expenses</b>	\$ 80,860	\$ 6,738	\$ 5,768	\$ 5,768		\$ 75,092
Non-Routine Expenses:						
Capital Expenditures	\$ 50,000	\$ 4,167	\$	\$		\$ 50,000
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	\$ 50,000	\$ 4,167	\$	\$		\$ 50,000
<b>Total-All Expenses</b>	\$ 1,275,250	\$ 106,269	\$ 84,499	\$ 84,499		\$ 1,190,751
<b>PROVISION FOR RESERVE</b>	\$	\$ 2	\$ 3,497	\$ 3,497		\$ (3,497)

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 C STERLING VILLAGE APARTMENTS OPERATING REVENUES AND EXPENSES UNITS AVAILABLE - 207 FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16	PUM \$	Budget Balance
<b>REVENUE:</b>						
Rental & Rental Related Income	\$ 1,425,725	\$ 118,810	\$ 119,404	\$ 119,404	\$ 577	\$ 1,306,321
Other Income	132,650	11,054	11,488	11,488	55	121,162
<b>Total Revenues</b>	<b>\$ 1,558,375</b>	<b>\$ 129,864</b>	<b>\$ 130,892</b>	<b>\$ 130,892</b>	<b>\$ 632</b>	<b>\$ 1,427,483</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$	\$ -	\$
HACA Other Admin Costs					-	
Audit Fees					-	
Property Mgmt - Fees & Commis.	70,100	5,842	5,858	5,858	28	64,242
Property Mgmt - Payroll Costs	324,725	27,060	18,308	18,308	88	306,417
Property Admn. Costs	61,000	5,083	7,833	7,833	38	53,167
HACA Management Fees	282,975	23,581	23,581	23,581	114	259,394
Promotions & Advertising	17,950	1,496	693	693	3	17,257
<b>Total Administrative</b>	<b>\$ 756,750</b>	<b>\$ 63,062</b>	<b>\$ 56,273</b>	<b>\$ 56,273</b>	<b>\$ 272</b>	<b>\$ 700,477</b>
Maintenance:						
Materials & Contracts	\$ 280,750	\$ 23,396	\$ 23,424	\$ 23,424	\$ 113	\$ 257,326
Cleaning & Decorating	106,325	8,860	5,904	5,904	29	100,421
<b>Total Maintenance</b>	<b>\$ 387,075</b>	<b>\$ 32,256</b>	<b>\$ 29,328</b>	<b>\$ 29,328</b>	<b>\$ 142</b>	<b>\$ 357,747</b>
General Expense:						
Insurance	\$ 33,000	\$ 2,750	\$ 3,591	\$ 3,591	\$ 17	\$ 29,409
Collection Loss	2,000	167			-	2,000
Protective Services					-	
Other - Interest on Note	158,000	13,167	26,048	26,048	126	131,952
Donation to Public Housing					-	
<b>Total General Expenses</b>	<b>\$ 193,000</b>	<b>\$ 16,084</b>	<b>\$ 29,639</b>	<b>\$ 29,639</b>	<b>\$ 143</b>	<b>\$ 163,361</b>
Other Routine Expenses:						
Utilities	\$ 191,550	\$ 15,963	\$ 15,971	\$ 15,971	\$ 77	\$ 175,579
<b>Total Other Routine Expenses</b>	<b>\$ 191,550</b>	<b>\$ 15,963</b>	<b>\$ 15,971</b>	<b>\$ 15,971</b>	<b>\$ 77</b>	<b>\$ 175,579</b>
Non-Routine Expenses:						
Capital Expenditures	\$ 30,000	\$ 2,500	\$ 2,900	\$ 2,900	\$ 14	\$ 27,100
Other Non-Routine					-	
<b>Total Non-Routine Expenses</b>	<b>\$ 30,000</b>	<b>\$ 2,500</b>	<b>\$ 2,900</b>	<b>\$ 2,900</b>	<b>\$ 14</b>	<b>\$ 27,100</b>
<b>Total-All Expenses</b>	<b>\$ 1,558,375</b>	<b>\$ 129,865</b>	<b>\$ 134,111</b>	<b>\$ 134,111</b>	<b>\$ 648</b>	<b>\$ 1,424,264</b>
<b>PROVISION FOR RESERVE</b>	<b>\$</b>	<b>\$ (1)</b>	<b>\$ (3,219)</b>	<b>\$ (3,219)</b>	<b>\$ (16)</b>	<b>\$ 3,219</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

SCHEDULE 3 D  
BENT TREE APARTMENTS  
BUDGET ANALYSIS  
UNITS AVAILABLE - 126  
FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16	PJM \$	Budget Balance
<b>REVENUE:</b>						
Rental & Rental Related Income	\$ 1,130,000	\$ 94,167	\$ 87,628	\$ 87,628	\$ 695	\$ 1,042,372
Other Income	81,600	6,800	5,569	5,569	44	76,031
<b>Total Revenues</b>	<b>\$ 1,211,600</b>	<b>\$ 100,967</b>	<b>\$ 93,197</b>	<b>\$ 93,197</b>	<b>\$ 740</b>	<b>\$ 1,118,403</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$	\$ -	\$
HACA Other Admin Costs					-	
Audit Fees					-	
Property Mgmt - Fees & Commis.	54,522	4,544	4,167	4,167	33	50,355
Property Mgmt - Payroll Costs	239,570	19,964	13,752	13,752	109	225,818
Property Admn. Costs	38,580	3,215	5,931	5,931	47	32,649
HACA Management Fees	307,080	25,590	25,590	25,590	203	281,490
Promotions & Advertising	10,800	900	416	416	3	10,384
<b>Total Administrative</b>	<b>\$ 650,552</b>	<b>\$ 54,213</b>	<b>\$ 49,856</b>	<b>\$ 49,856</b>	<b>\$ 396</b>	<b>\$ 600,696</b>
Maintenance:						
Materials & Contracts	\$ 131,160	\$ 10,930	\$ 11,647	\$ 11,647	\$ 92	\$ 119,513
Cleaning & Decorating	76,100	6,342	9,313	9,313	74	66,787
<b>Total Maintenance</b>	<b>\$ 207,260</b>	<b>\$ 17,272</b>	<b>\$ 20,960</b>	<b>\$ 20,960</b>	<b>\$ 166</b>	<b>\$ 186,300</b>
General Expense:						
Insurance	\$ 31,380	\$ 2,615	\$ 2,539	\$ 2,539	\$ 20	\$ 28,841
					-	
Other - Interest on Note	53,000	4,417	9,830	9,830	78	43,170
Donation to Public Housing					-	
<b>Total General Expenses</b>	<b>\$ 84,380</b>	<b>\$ 7,032</b>	<b>\$ 12,369</b>	<b>\$ 12,369</b>	<b>\$ 98</b>	<b>\$ 72,011</b>
Other Routine Expenses:						
Utilities	\$ 102,000	\$ 8,500	\$ 8,009	\$ 8,009	\$ 64	\$ 93,991
<b>Total Other Routine Expenses</b>	<b>\$ 102,000</b>	<b>\$ 8,500</b>	<b>\$ 8,009</b>	<b>\$ 8,009</b>	<b>\$ 64</b>	<b>\$ 93,991</b>
Non-Routine Expenses:						
Capital Expenditures	\$ 30,000	\$ 2,500	\$ 5,080	\$ 5,080	\$ 40	\$ 24,920
Other Non-Routine					-	
<b>Total Non-Routine Expenses</b>	<b>\$ 30,000</b>	<b>\$ 2,500</b>	<b>\$ 5,080</b>	<b>\$ 5,080</b>	<b>\$ 40</b>	<b>\$ 24,920</b>
<b>Total-All Expenses</b>	<b>\$ 1,074,192</b>	<b>\$ 89,517</b>	<b>\$ 96,274</b>	<b>\$ 96,274</b>	<b>\$ 764</b>	<b>\$ 977,918</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 137,408</b>	<b>\$ 11,450</b>	<b>\$ (3,077)</b>	<b>\$ (3,077)</b>	<b>\$ (24)</b>	<b>\$ 140,485</b>



# AUSTIN AFFORDABLE HOUSING CORPORATION

SCHEDULE 3 E  
SWEET WATER APARTMENTS  
OPERATING REVENUES AND EXPENSES  
UNITS AVAILABLE - 152  
FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	Y.T.D. Budget	April 2016	Y.T.D. As of 04/30/16	PUM \$	Budget Balance
<b>REVENUE:</b>						
Rental & Rental Related Income	\$ 1,025,000	\$ 85,417	\$ 84,264	\$ 84,264	\$ 554	\$ 940,736
Other Income	78,000	6,500	5,516	5,516	36	72,484
<b>Total Revenues</b>	<b>\$ 1,103,000</b>	<b>\$ 91,917</b>	<b>\$ 89,780</b>	<b>\$ 89,780</b>	<b>\$ 591</b>	<b>\$ 1,013,220</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$	\$ -	\$
HACA Other Admin Costs					-	
Audit Fees					-	
Property Mgmt - Fees & Commis.	49,635	4,136	3,983	3,983	26	45,652
Property Mgmt - Payroll Costs	223,800	18,650	16,007	16,007	105	207,793
Property Admn. Costs	57,120	4,760	6,635	6,635	44	50,485
HACA Management Fees	57,344	4,779	4,779	4,779	31	52,565
Promotions & Advertising	13,860	1,155	748	748	5	13,112
<b>Total Administrative</b>	<b>\$ 401,759</b>	<b>\$ 33,480</b>	<b>\$ 32,152</b>	<b>\$ 32,152</b>	<b>\$ 212</b>	<b>\$ 369,607</b>
Maintenance:						
Materials & Contracts	\$ 155,240	\$ 12,937	\$ 16,611	\$ 16,611	\$ 109	\$ 138,629
Cleaning & Decorating	86,700	7,225	2,704	2,704	18	83,996
<b>Total Maintenance</b>	<b>\$ 241,940</b>	<b>\$ 20,162</b>	<b>\$ 19,315</b>	<b>\$ 19,315</b>	<b>\$ 127</b>	<b>\$ 222,625</b>
General Expense:						
Insurance	\$ 33,376	\$ 2,781	\$ 2,700	\$ 2,700	\$ 18	\$ 30,676
Protective Services					-	
Other - Interest on Note	290,605	24,217	24,217	24,217	159	266,388
<b>Total General Expenses</b>	<b>\$ 323,981</b>	<b>\$ 26,998</b>	<b>\$ 26,917</b>	<b>\$ 26,917</b>	<b>\$ 177</b>	<b>\$ 297,064</b>
Other Routine Expenses:						
Utilities	\$ 105,320	\$ 8,777	\$ 7,392	\$ 7,392	\$ 49	\$ 97,928
<b>Total Other Routine Expenses</b>	<b>\$ 105,320</b>	<b>\$ 8,777</b>	<b>\$ 7,392</b>	<b>\$ 7,392</b>	<b>\$ 49</b>	<b>\$ 97,928</b>
Non-Routine Expenses:						
Capital Expenditures	\$ 30,000	\$ 2,500	\$ 1,151	\$ 1,151	\$ 8	\$
Other Non-Routine					-	
<b>Total Non-Routine Expenses</b>	<b>\$ 30,000</b>	<b>\$ 2,500</b>	<b>\$ 1,151</b>	<b>\$ 1,151</b>	<b>\$ 8</b>	<b>\$</b>
<b>Total-All Expenses</b>	<b>\$ 1,103,000</b>	<b>\$ 91,917</b>	<b>\$ 86,927</b>	<b>\$ 86,927</b>	<b>\$ 572</b>	<b>\$ 987,224</b>
<b>PROVISION FOR RESERVE</b>	<b>\$</b>	<b>\$</b>	<b>\$ 2,853</b>	<b>\$ 2,853</b>	<b>\$ 19</b>	<b>\$ 25,996</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 F OFFICE RENTAL OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
Lease Revenue	\$ 1,270,140	\$ 105,845	\$ 100,519	\$ 100,519		\$ 1,169,621
Other Income						
<b>Total Revenues</b>	<b>\$ 1,270,140</b>	<b>\$ 105,845</b>	<b>\$ 100,519</b>	<b>\$ 100,519</b>		<b>\$ 1,169,621</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$	\$	\$	\$		\$
Legal						
Audit						
Management Fees	557,732	46,478	46,478	46,478		511,254
Other						
<b>Total Administrative</b>	<b>\$ 557,732</b>	<b>\$ 46,478</b>	<b>\$ 46,478</b>	<b>\$ 46,478</b>		<b>\$ 511,254</b>
Maintenance & Protective Services:						
Materials & Contracts	\$ 71,000	\$ 5,917	\$ 1,449	\$ 1,449		\$ 69,551
Protective Services	31,700	2,642	947	947		30,753
<b>Total Maintenance &amp; Prot. Svs.</b>	<b>\$ 102,700</b>	<b>\$ 8,559</b>	<b>\$ 2,396</b>	<b>\$ 2,396</b>		<b>\$ 100,304</b>
General Expense:						
Insurance	\$ 13,170	\$ 1,098	\$ 1,017	\$ 1,017		\$ 12,153
Emp. Benefits						
Collection Loss						
Donation to Public Housing						
<b>Total General Expenses</b>	<b>\$ 13,170</b>	<b>\$ 1,098</b>	<b>\$ 1,017</b>	<b>\$ 1,017</b>		<b>\$ 12,153</b>
Other Routine Expenses:						
Utilities	\$ 57,300	\$ 4,775	\$ 3,661	\$ 3,661		\$ 53,639
<b>Total Other Routine Expenses</b>	<b>\$ 57,300</b>	<b>\$ 4,775</b>	<b>\$ 3,661</b>	<b>\$ 3,661</b>		<b>\$ 53,639</b>
Non-Routine Expenses:						
Capital Expenditures	\$ 50,000	\$ 4,167	\$	\$		\$ 50,000
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$ 50,000</b>	<b>\$ 4,167</b>	<b>\$</b>	<b>\$</b>		<b>\$ 50,000</b>
<b>Total-All Expenses</b>	<b>\$ 780,902</b>	<b>\$ 65,077</b>	<b>\$ 53,552</b>	<b>\$ 53,552</b>		<b>\$ 727,350</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 489,238</b>	<b>\$ 40,768</b>	<b>\$ 46,967</b>	<b>\$ 46,967</b>		<b>\$ 442,271</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 G LEISURE TIME CONDOMINIUMS OPERATING REVENUES AND EXPENSES UNITS AVAILABLE - 22 FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
Rental & Rental Related Income	\$ 156,312	\$ 13,026	\$ 12,683	\$ 12,683	577	\$ 143,629
Other Income	500	42	15	15	1	485
<b>Total Revenues</b>	<b>\$ 156,812</b>	<b>\$ 13,068</b>	<b>\$ 12,698</b>	<b>\$ 12,698</b>		<b>\$ 144,114</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$	\$	\$	\$		\$
Legal	400	33				400
Property Admin. Costs						
Management Fees	31,362	2,614	2,614	2,614	119	28,748
Other	31,728	2,644			-	31,728
<b>Total Administrative</b>	<b>\$ 63,490</b>	<b>\$ 5,291</b>	<b>\$ 2,614</b>	<b>\$ 2,614</b>	<b>119</b>	<b>\$ 60,876</b>
Maintenance:						
Materials & Contracts	\$ 37,000	\$ 3,083	\$ 129	\$ 129	6	\$ 36,871
Cleaning & Decorating						
<b>Total Maintenance</b>	<b>\$ 37,000</b>	<b>\$ 3,083</b>	<b>\$ 129</b>	<b>\$ 129</b>	<b>6</b>	<b>\$ 36,871</b>
General Expense:						
Insurance	\$	\$	\$	\$		\$
Emp. Benefits						
Protective Services	1,300	108				1,300
Other - Collection Losses	1,500	125				1,500
<b>Total General Expenses</b>	<b>\$ 2,800</b>	<b>\$ 233</b>	<b>\$</b>	<b>\$</b>		<b>\$ 2,800</b>
Other Routine Expenses:						
Utilities	\$ 1,500	\$ 125	\$	\$	-	\$ 1,500
<b>Total Other Routine Expenses</b>	<b>\$ 1,500</b>	<b>\$ 125</b>	<b>\$</b>	<b>\$</b>	<b>-</b>	<b>\$ 1,500</b>
Non-Routine Expenses:						
Capital Expenditures	\$ 25,000	\$ 2,083	\$	\$		\$ 25,000
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$ 25,000</b>	<b>\$ 2,083</b>	<b>\$</b>	<b>\$</b>		<b>\$ 25,000</b>
<b>Total-All Expenses</b>	<b>\$ 129,790</b>	<b>\$ 10,815</b>	<b>\$ 2,743</b>	<b>\$ 2,743</b>	<b>125</b>	<b>\$ 127,047</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 27,022</b>	<b>\$ 2,253</b>	<b>\$ 9,955</b>	<b>\$ 9,955</b>	<b>453</b>	<b>\$ 17,067</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 H LEXINGTON HILLS OPERATING REVENUES AND EXPENSES UNITS AVAILABLE - 238 FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16		Budget Balance
<b>REVENUE:</b>						
Rental & Rental Related Income	\$ 2,124,000	\$ 177,000	\$ 178,555	\$ 178,555	750	\$ 1,945,445
Other Income	156,000	13,000	12,876	12,876	54	143,124
<b>Total Revenues</b>	<b>\$ 2,280,000</b>	<b>\$ 190,000</b>	<b>\$ 191,431</b>	<b>\$ 191,431</b>	<b>804</b>	<b>\$ 2,088,569</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$		\$
HACA Other Admin Costs						
Audit Fees						
Legal						
Property Mgmt - Fees & Commis.	102,600	8,550	8,654	8,654	36	93,946
Property Mgmt - Payroll Costs	334,160	27,847	26,269	26,269	110	307,891
Property Admn. Costs	58,500	4,875	4,930	4,930	21	53,570
HACA Management Fees	118,100	9,842	9,842	9,842	41	108,258
Promotions & Advertising	42,600	3,550	1,025	1,025	4	41,575
<b>Total Administrative</b>	<b>\$ 655,960</b>	<b>\$ 54,664</b>	<b>\$ 50,720</b>	<b>\$ 50,720</b>	<b>213</b>	<b>\$ 605,240</b>
Maintenance:						
Materials & Contracts	\$ 367,650	\$ 30,638	\$ 31,791	\$ 31,791	134	\$ 335,859
Cleaning & Decorating	242,500	20,208	10,145	10,145	43	232,355
<b>Total Maintenance</b>	<b>\$ 610,150</b>	<b>\$ 50,846</b>	<b>\$ 41,936</b>	<b>\$ 41,936</b>	<b>176</b>	<b>\$ 568,214</b>
General Expense:						
Insurance	\$ 67,308	\$ 5,609	\$ 4,756	\$ 4,756	20	\$ 62,552
Other - Interest on Note	467,000	38,917	49,866	49,866	210	417,134
<b>Total General Expenses</b>	<b>\$ 534,308</b>	<b>\$ 44,526</b>	<b>\$ 54,622</b>	<b>\$ 54,622</b>	<b>230</b>	<b>\$ 479,686</b>
Other Routine Expenses:						
Utilities	\$ 246,200	\$ 20,517	\$ 19,708	\$ 19,708	83	\$ 226,492
<b>Total Other Routine Expenses</b>	<b>\$ 246,200</b>	<b>\$ 20,517</b>	<b>\$ 19,708</b>	<b>\$ 19,708</b>	<b>83</b>	<b>\$ 226,492</b>
Non-Routine Expenses:						
Capital Expenditures	\$ 30,000	\$ 2,500	\$ 43,578	\$ 43,578		\$ (13,578)
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$ 30,000</b>	<b>\$ 2,500</b>	<b>\$ 43,578</b>	<b>\$ 43,578</b>		<b>\$ (13,578)</b>
<b>Total-All Expenses</b>	<b>\$ 2,076,618</b>	<b>\$ 173,053</b>	<b>\$ 210,564</b>	<b>\$ 210,564</b>	<b>865</b>	<b>\$ 1,866,054</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 203,382</b>	<b>\$ 16,947</b>	<b>\$ (19,133)</b>	<b>\$ (19,133)</b>	<b>(80)</b>	<b>\$ 222,515</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 I BEN WHITE DEVELOPMENT OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/2016		Budget Balance
<b>REVENUE:</b>						
	\$	\$	\$	\$		\$
Other Income	310,000	25,833				310,000
<b>Total Revenues</b>	<b>\$ 310,000</b>	<b>\$ 25,833</b>	<b>\$</b>	<b>\$</b>		<b>\$ 310,000</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$		\$
HACA Other Admin Costs						
Audit Fees						
Legal						
HACA Management Fees	62,000	5,167	5,167	5,167		56,833
Promotions & Advertising						
<b>Total Administrative</b>	<b>\$ 62,000</b>	<b>\$ 5,167</b>	<b>\$ 5,167</b>	<b>\$ 5,167</b>		<b>\$ 56,833</b>
	\$	\$	\$	\$		\$
<b>Total General Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Other Routine Expenses:						
Utilities	\$	\$	\$	\$		\$
<b>Total Other Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Non-Routine Expenses:						
Capital Expenditures	\$	\$	\$	\$		\$
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
<b>Total-All Expenses</b>	<b>\$ 62,000</b>	<b>\$ 5,167</b>	<b>\$ 5,167</b>	<b>\$ 5,167</b>		<b>\$ 56,833</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 248,000</b>	<b>\$ 20,666</b>	<b>\$ (5,167)</b>	<b>\$ (5,167)</b>		<b>\$ 253,167</b>



# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 J HARRIS BRANCH SENIOR OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/2016		Budget Balance
<b>REVENUE:</b>						
Other Income	\$ 108,000	\$ 9,000				\$ 108,000
<b>Total Revenues</b>	<b>\$ 108,000</b>	<b>\$ 9,000</b>	<b>\$</b>	<b>\$</b>		<b>\$ 108,000</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$		\$
HACA Other Admin Costs						
Audit Fees						
Legal						
HACA Management Fees	21,600	1,800				21,600
Promotions & Advertising						
<b>Total Administrative</b>	<b>\$ 21,600</b>	<b>\$ 1,800</b>	<b>\$</b>	<b>\$</b>		<b>\$ 21,600</b>
Maintenance:						
Materials & Contracts	\$	\$	\$	\$		\$
Cleaning & Decorating						
<b>Total Maintenance</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
	\$	\$	\$	\$		\$
<b>Total General Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Other Routine Expenses:						
Utilities	\$	\$	\$	\$		\$
<b>Total Other Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Non-Routine Expenses:						
Capital Expenditures	\$	\$	\$	\$		\$
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
<b>Total-All Expenses</b>	<b>\$ 21,600</b>	<b>\$ 1,800</b>	<b>\$</b>	<b>\$</b>		<b>\$ 21,600</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 86,400</b>	<b>\$ 7,200</b>	<b>\$</b>	<b>\$</b>		<b>\$ 86,400</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 K THE RESERVE AT SPRINGDALE OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/2016		Budget Balance
<b>REVENUE:</b>						
Other Income	\$ 300,000	\$ 25,000				\$ 300,000
<b>Total Revenues</b>	<b>\$ 300,000</b>	<b>\$ 25,000</b>				<b>\$ 300,000</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$		\$
HACA Other Admin Costs						
Audit Fees						
Legal						
HACA Management Fees	60,000	5,000				60,000
Promotions & Advertising						
<b>Total Administrative</b>	<b>\$ 60,000</b>	<b>\$ 5,000</b>				<b>\$ 60,000</b>
Maintenance:						
Materials & Contracts	\$	\$	\$	\$		\$
Cleaning & Decorating						
<b>Total Maintenance</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
	\$	\$	\$	\$		\$
<b>Total General Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Other Routine Expenses:						
Utilities	\$	\$	\$	\$		\$
<b>Total Other Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Non-Routine Expenses:						
Capital Expenditures	\$	\$	\$	\$		\$
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
<b>Total All Expenses</b>	<b>\$ 60,000</b>	<b>\$ 5,000</b>				<b>\$ 60,000</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 240,000</b>	<b>\$ 20,000</b>				<b>\$ 240,000</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 L URBAN OAKS OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/2016		Budget Balance
<b>REVENUE:</b>						
	\$	\$	\$	\$		\$
Other Income	176,000	14,667				176,000
<b>Total Revenues</b>	<b>\$ 176,000</b>	<b>\$ 14,667</b>	<b>\$</b>	<b>\$</b>		<b>\$ 176,000</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$		\$
HACA Other Admin Costs						
Audit Fees						
Legal						
HACA Management Fees	35,200	2,933				35,200
Promotions & Advertising						
<b>Total Administrative</b>	<b>\$ 35,200</b>	<b>\$ 2,933</b>	<b>\$</b>	<b>\$</b>		<b>\$ 35,200</b>
Maintenance:						
Materials & Contracts	\$	\$	\$	\$		\$
Cleaning & Decorating						
<b>Total Maintenance</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
	\$	\$	\$	\$		\$
<b>Total General Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Other Routine Expenses:						
Utilities	\$	\$	\$	\$		\$
<b>Total Other Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Non-Routine Expenses:						
Capital Expenditures	\$	\$	\$	\$		\$
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
<b>Total-All Expenses</b>	<b>\$ 35,200</b>	<b>\$ 2,933</b>	<b>\$</b>	<b>\$</b>		<b>\$ 35,200</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 140,800</b>	<b>\$ 11,734</b>	<b>\$</b>	<b>\$</b>		<b>\$ 140,800</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 M THE PARK AT SUMMERS GROVE OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/2016		Budget Balance
<b>REVENUE:</b>						
	\$	\$	\$	\$		\$
Other Income	225,000	18,750				225,000
<b>Total Revenues</b>	<b>\$ 225,000</b>	<b>\$ 18,750</b>	<b>\$</b>	<b>\$</b>		<b>\$ 225,000</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$		\$
HACA Other Admin Costs						
Audit Fees						
Legal						
HACA Management Fees	45,000	3,750				45,000
Promotions & Advertising						
<b>Total Administrative</b>	<b>\$ 45,000</b>	<b>\$ 3,750</b>	<b>\$</b>	<b>\$</b>		<b>\$ 45,000</b>
Maintenance:						
Materials & Contracts	\$	\$	\$	\$		\$
Cleaning & Decorating						
<b>Total Maintenance</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
	\$	\$	\$	\$		\$
<b>Total General Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Other Routine Expenses:						
Utilities	\$	\$	\$	\$		\$
<b>Total Other Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Non-Routine Expenses:						
Capital Expenditures	\$	\$	\$	\$		\$
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
<b>Total-All Expenses</b>	<b>\$ 45,000</b>	<b>\$ 3,750</b>	<b>\$</b>	<b>\$</b>		<b>\$ 45,000</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 180,000</b>	<b>\$ 15,000</b>	<b>\$</b>	<b>\$</b>		<b>\$ 180,000</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3 N AAHC PFC AND FUTURE DEVELOPMENTS OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/2016		Budget Balance
<b>REVENUE:</b>						
Other Income	\$ 1,150,000	\$ 95,833				\$ 1,150,000
<b>Total Revenues</b>	<b>\$ 1,150,000</b>	<b>\$ 95,833</b>				<b>\$ 1,150,000</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$		\$
HACA Other Admin Costs						
Audit Fees						
Legal						
HACA Management Fees	230,000	19,167				230,000
Promotions & Advertising						
<b>Total Administrative</b>	<b>\$ 230,000</b>	<b>\$ 19,167</b>				<b>\$ 230,000</b>
Maintenance:						
Materials & Contracts	\$	\$	\$	\$		\$
Cleaning & Decorating						
<b>Total Maintenance</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
	\$	\$	\$	\$		\$
<b>Total General Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Other Routine Expenses:						
Utilities	\$	\$	\$	\$		\$
<b>Total Other Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Non-Routine Expenses:						
Capital Expenditures	\$	\$	\$	\$		\$
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
<b>Total-All Expenses</b>	<b>\$ 230,000</b>	<b>\$ 19,167</b>				<b>\$ 230,000</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 920,000</b>	<b>\$ 76,666</b>				<b>\$ 920,000</b>



# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 30 BRIDGE AT CENTER RIDGE OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/2016		Budget Balance
<b>REVENUE:</b>						
	\$	\$	\$	\$		\$
Other Income	309,255	25,771				309,255
<b>Total Revenues</b>	<b>\$ 309,255</b>	<b>\$ 25,771</b>	<b>\$</b>	<b>\$</b>		<b>\$ 309,255</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$		\$
HACA Other Admin Costs						
Audit Fees						
Legal						
HACA Management Fees	61,851	5,154				61,851
Promotions & Advertising						
<b>Total Administrative</b>	<b>\$ 61,851</b>	<b>\$ 5,154</b>	<b>\$</b>	<b>\$</b>		<b>\$ 61,851</b>
Maintenance:						
Materials & Contracts	\$	\$	\$	\$		\$
Cleaning & Decorating						
<b>Total Maintenance</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
	\$	\$	\$	\$		\$
<b>Total General Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Other Routine Expenses:						
Utilities	\$	\$	\$	\$		\$
<b>Total Other Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Non-Routine Expenses:						
Capital Expenditures	\$	\$	\$	\$		\$
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
<b>Total-All Expenses</b>	<b>\$ 61,851</b>	<b>\$ 5,154</b>	<b>\$</b>	<b>\$</b>		<b>\$ 61,851</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 247,404</b>	<b>\$ 20,617</b>	<b>\$</b>	<b>\$</b>		<b>\$ 247,404</b>

# AUSTIN AFFORDABLE HOUSING CORPORATION

## SCHEDULE 3P BRIDGE AT TECH RIDGE OPERATING REVENUES AND EXPENSES

FISCAL YEAR - APRIL 1, 2016 - MARCH 31, 2017

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/2016		Budget Balance
<b>REVENUE:</b>						
	\$	\$	\$	\$		\$
Other Income	255,661	21,305				255,661
<b>Total Revenues</b>	<b>\$ 255,661</b>	<b>\$ 21,305</b>	<b>\$</b>	<b>\$</b>		<b>\$ 255,661</b>
<b>EXPENSE:</b>						
Administrative:						
HACA In-House Salaries	\$	\$	\$	\$		\$
HACA Other Admin Costs						
Audit Fees						
Legal						
HACA Management Fees	51,132	4,261				51,132
Promotions & Advertising						
<b>Total Administrative</b>	<b>\$ 51,132</b>	<b>\$ 4,261</b>	<b>\$</b>	<b>\$</b>		<b>\$ 51,132</b>
Maintenance:						
Materials & Contracts	\$	\$	\$	\$		\$
Cleaning & Decorating						
<b>Total Maintenance</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
	\$	\$	\$	\$		\$
<b>Total General Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Other Routine Expenses:						
Utilities	\$	\$	\$	\$		\$
<b>Total Other Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
Non-Routine Expenses:						
Capital Expenditures	\$	\$	\$	\$		\$
Other Non-Routine						
<b>Total Non-Routine Expenses</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>		<b>\$</b>
<b>Total-All Expenses</b>	<b>\$ 51,132</b>	<b>\$ 4,261</b>	<b>\$</b>	<b>\$</b>		<b>\$ 51,132</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 204,529</b>	<b>\$ 17,044</b>	<b>\$</b>	<b>\$</b>		<b>\$ 204,529</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

SCHEDULE 1B  
LOW RENT PUBLIC HOUSING COMBINED TOTAL  
UNITS AVAILABLE - 1929  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 04/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 4,556,438	\$ 379,705	\$ 411,237	\$ 411,237	\$ 213	\$ (4,145,201)
Nondwelling Rental	51,069	4,256	4,919	4,919	3	(46,150)
Excess Utilities Usage	46,566	3,881	11,881	11,881	6	(34,685)
Other Income	310,827	25,903	28,397	28,397	15	(282,430)
Transfer from other AMPS	0	0	0	0	0	0
SHCC Donation	284,896	23,742	0	0	0	(284,896)
HUD Subsidy	9,070,193	755,849	772,692	772,692	401	(8,297,501)
<b>Total Revenues</b>	<b>\$ 14,319,989</b>	<b>\$ 1,193,336</b>	<b>\$ 1,229,126</b>	<b>\$ 1,229,126</b>	<b>\$ 637</b>	<b>\$ (13,090,863)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 1,288,816	\$ 107,401	\$ 97,260	\$ 97,260	\$ 50	\$ 1,191,556
Legal - Misc.	152,070	12,674	0	0	0	152,070
Travel & Training	4,454	370	449	449	0	4,005
Accounting & Audit Fees	28,081	2,341	0	0	0	28,081
Management Fee	1,750,679	145,889	127,633	127,633	66	1,623,046
Sundry Administrative	263,372	21,948	11,303	11,303	6	252,069
<b>Total Administrative</b>	<b>\$ 3,487,472</b>	<b>\$ 290,623</b>	<b>\$ 236,645</b>	<b>\$ 236,645</b>	<b>\$ 123</b>	<b>\$ 3,250,827</b>
Maintenance:						
Labor	\$ 1,324,888	\$ 110,407	\$ 102,584	\$ 102,584	\$ 53	\$ 1,222,304
Materials	635,691	52,975	25,514	25,514	13	610,177
Contracts	1,177,357	98,113	58,983	58,983	31	1,118,374
<b>Total Maintenance</b>	<b>\$ 3,137,936</b>	<b>\$ 261,495</b>	<b>\$ 187,081</b>	<b>\$ 187,081</b>	<b>\$ 97</b>	<b>\$ 2,950,855</b>
General Expense:						
Insurance	\$ 232,514	\$ 19,378	\$ 16,785	\$ 16,785	\$ 9	\$ 215,729
Employee Benefit Contributions	1,473,258	122,773	108,726	108,726	56	1,364,532
Collection Losses	61,100	5,093	28,680	28,680	15	32,420
<b>Total General Expenses</b>	<b>\$ 1,766,872</b>	<b>\$ 147,244</b>	<b>\$ 154,191</b>	<b>\$ 154,191</b>	<b>\$ 80</b>	<b>\$ 1,612,681</b>
Other Routine Expenses:						
Tenant Services	\$ 2,235,862	\$ 186,323	\$ 24,996	\$ 24,996	\$ 13	\$ 2,210,866
Utilities	2,749,883	229,159	193,488	193,488	100	2,556,395
Protective Services	519,369	43,283	13,771	13,771	7	505,598
<b>Total Other Routine Expenses</b>	<b>\$ 5,505,114</b>	<b>\$ 458,765</b>	<b>\$ 232,255</b>	<b>\$ 232,255</b>	<b>\$ 120</b>	<b>\$ 5,272,859</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$ 0	\$ 0	\$ -	\$ 0
Capital Expenditures	22,000	1,834	29,445	29,445	15	(7,445)
Performance Contracting	2,303,999	191,999	199,660	199,660	104	2,104,339
Transfer to other AMPS	0	0	0	0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 2,325,999</b>	<b>\$ 193,833</b>	<b>\$ 229,105</b>	<b>\$ 229,105</b>	<b>\$ 118.77</b>	<b>\$ 2,096,894</b>
<b>Total-All Expenses</b>	<b>\$ 16,223,393</b>	<b>\$ 1,351,960</b>	<b>\$ 1,039,277</b>	<b>\$ 1,039,277</b>	<b>\$ 539</b>	<b>\$ 15,184,116</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (1,903,404)</b>	<b>\$ (158,624)</b>	<b>\$ 189,849</b>	<b>\$ 189,849</b>	<b>\$ 98</b>	<b>\$ 2,093,253</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

## ASSET MANAGEMENT PROJECT (AMP) DETAIL TX001000001P CHALMERS COURTS UNITS AVAILABLE - 158 OPERATING REVENUES & EXPENSES

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 363,311	\$ 30,276	\$ 33,779	\$ 33,779	\$ 214	\$ (329,532)
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	4,100	342	1,210	1,210	8	(2,890)
Other Income	42,584	3,549	4,629	4,629	29	(37,955)
Transfer from other AMPS	0	0		0	0	0
Non Federal Donations	88,438	7,370		0	0	(88,438)
HUD Subsidy	753,959	62,830	62,020	62,020	393	(691,939)
<b>Total Revenues</b>	<b>\$ 1,252,392</b>	<b>\$ 104,367</b>	<b>\$ 101,638</b>	<b>\$ 101,638</b>	<b>\$ 643</b>	<b>\$ (1,150,754)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 97,711	\$ 8,143	\$ 7,166	\$ 7,166	\$ 45	\$ 90,545
Legal - Misc.	29,000	2,417		0	0	29,000
Travel & Training	400	33	63	63	0	337
Accounting & Audit Fees	2,413	201		0	0	2,413
Management Fee	150,987	12,582	10,862	10,862	69	140,125
Sundry Administrative	18,599	1,550	909	909	6	17,690
<b>Total Administrative</b>	<b>\$ 299,110</b>	<b>\$ 24,926</b>	<b>\$ 19,000</b>	<b>\$ 19,000</b>	<b>\$ 120</b>	<b>\$ 280,110</b>
Maintenance:						
Labor	\$ 115,981	\$ 9,665	\$ 12,036	\$ 12,036	\$ 76	\$ 103,945
Materials/Resident Charges	58,248	4,854	1,629	1,629	10	56,619
Contracts	113,858	9,488	5,732	5,732	36	108,126
<b>Total Maintenance</b>	<b>\$ 288,087</b>	<b>\$ 24,007</b>	<b>\$ 19,397</b>	<b>\$ 19,397</b>	<b>\$ 123</b>	<b>\$ 268,690</b>
General Expense:						
Insurance	\$ 19,274	\$ 1,606	\$ 1,438	\$ 1,438	\$ 9	\$ 17,836
Employee Benefit Contributions	117,550	9,796	8,720	8,720	55	108,830
Collection Losses	5,000	417	3,057	3,057	19	1,943
<b>Total General Expenses</b>	<b>\$ 141,824</b>	<b>\$ 11,819</b>	<b>\$ 13,215</b>	<b>\$ 13,215</b>	<b>\$ 84</b>	<b>\$ 128,609</b>
Other Routine Expenses:						
Tenant Services	\$ 280,688	\$ 23,391	\$ 1,396	\$ 1,396	\$ 9	\$ 279,292
Utilities	223,891	18,658	12,715	12,715	80	211,176
Protective Services	28,330	2,361	1,311	1,311	8	27,019
<b>Total Other Routine Expenses</b>	<b>\$ 532,909</b>	<b>\$ 44,410</b>	<b>\$ 15,422</b>	<b>\$ 15,422</b>	<b>\$ 98</b>	<b>\$ 517,487</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Capital Expenditures		0		0	0	0
Performance Contracting	197,951	16,496	16,577	16,577	105	181,374
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 197,951</b>	<b>\$ 16,496</b>	<b>\$ 16,577</b>	<b>\$ 16,577</b>	<b>\$ 104.92</b>	<b>\$ 181,374</b>
<b>Total-All Expenses</b>	<b>\$ 1,459,881</b>	<b>\$ 121,658</b>	<b>\$ 83,611</b>	<b>\$ 83,611</b>	<b>\$ 529</b>	<b>\$ 1,376,270</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (207,489)</b>	<b>\$ (17,291)</b>	<b>\$ 18,027</b>	<b>\$ 18,027</b>	<b>\$ 114</b>	<b>\$ 225,516</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000002P ROSEWOOD/SALINA  
UNITS AVAILABLE - 156  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 362,072	\$ 30,173	\$ 31,245	\$ 31,245	\$ 200	\$ (330,827)
Nondwelling Rental	9,000	750	700	700	4	(8,300)
Excess Utilities Usage	4,469	372	1,126	1,126	7	(3,343)
Other Income	12,774	1,065	1,934	1,934	12	(10,840)
Transfer from other AMPS	0	0		0	0	0
Non Federal Donations	7,719	643		0	0	(7,719)
HUD Subsidy	706,672	58,889	60,977	60,977	391	(645,695)
<b>Total Revenues</b>	<b>\$ 1,102,706</b>	<b>\$ 91,892</b>	<b>\$ 95,982</b>	<b>\$ 95,982</b>	<b>\$ 615</b>	<b>\$ (1,006,724)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 102,510	\$ 8,543	\$ 7,214	\$ 7,214	\$ 46	\$ 95,296
Legal - Misc.	12,000	1,000		0	0	12,000
Travel & Training	340	28	19	19	0	321
Accounting & Audit Fees	2,382	199		0	0	2,382
Management Fee	148,120	12,343	10,793	10,793	69	137,327
Sundry Administrative	19,442	1,620	818	818	5	18,624
<b>Total Administrative</b>	<b>\$ 284,794</b>	<b>\$ 23,733</b>	<b>\$ 18,844</b>	<b>\$ 18,844</b>	<b>\$ 121</b>	<b>\$ 265,950</b>
Maintenance:						
Labor	\$ 112,190	\$ 9,349	\$ 8,514	\$ 8,514	\$ 55	\$ 103,676
Materials	51,645	4,304	2,779	2,779	18	48,866
Contracts	96,750	8,063	5,257	5,257	34	91,493
<b>Total Maintenance</b>	<b>\$ 260,585</b>	<b>\$ 21,716</b>	<b>\$ 16,550</b>	<b>\$ 16,550</b>	<b>\$ 106</b>	<b>\$ 244,035</b>
General Expense:						
Insurance	\$ 19,494	\$ 1,625	\$ 1,421	\$ 1,421	\$ 9.1	\$ 18,073
Employee Benefit Contributions	115,891	9,658	7,328	7,328	47	108,563
Collection Losses	12,500	1,042	1,544	1,544	10	10,956
<b>Total General Expenses</b>	<b>\$ 147,885</b>	<b>\$ 12,325</b>	<b>\$ 10,293</b>	<b>\$ 10,293</b>	<b>\$ 66</b>	<b>\$ 137,592</b>
Other Routine Expenses:						
Tenant Services	\$ 117,962	\$ 9,830	\$ 1,917	\$ 1,917	\$ 12	\$ 116,045
Utilities	178,017	14,835	10,552	10,552	68	167,465
Protective Services	42,141	3,512	643	643	4	41,498
<b>Total Other Routine Expenses</b>	<b>\$ 338,120</b>	<b>\$ 28,177</b>	<b>\$ 13,112</b>	<b>\$ 13,112</b>	<b>\$ 84</b>	<b>\$ 325,008</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Capital Expenditures	0	0		0	0	0
Performance Contracting	195,445	16,287	16,384	16,384	105	179,061
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 195,445</b>	<b>\$ 16,287</b>	<b>\$ 16,384</b>	<b>\$ 16,384</b>	<b>\$ 105.03</b>	<b>\$ 179,061</b>
<b>Total-All Expenses</b>	<b>\$ 1,226,829</b>	<b>\$ 102,238</b>	<b>\$ 75,183</b>	<b>\$ 75,183</b>	<b>\$ 482</b>	<b>\$ 1,151,646</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (124,123)</b>	<b>\$ (10,346)</b>	<b>\$ 20,799</b>	<b>\$ 20,799</b>	<b>\$ 133</b>	<b>\$ 144,922</b>



# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000003P SANTA RITA  
UNITS AVAILABLE - 97  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 241,758	\$ 20,147	\$ 17,736	\$ 17,736	\$ 183	\$ (224,022)
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	1,300	108	514	514	5	(786)
Other Income	14,673	1,223	2,183	2,183	23	(12,490)
Transfer from other AMPS	0	0		0	0	0
Non Federal Donations	4,800	400		0	0	(4,800)
HUD Subsidy	584,521	48,710	49,696	49,696	512	(534,825)
<b>Total Revenues</b>	<b>\$ 847,052</b>	<b>\$ 70,588</b>	<b>\$ 70,129</b>	<b>\$ 70,129</b>	<b>\$ 723</b>	<b>\$ (776,923)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 84,605	\$ 7,050	\$ 6,452	\$ 6,452	\$ 67	\$ 78,153
Legal - Misc.	5,000	417		0	0	5,000
Travel & Training	211	18	27	27	0	184
Accounting & Audit Fees	1,481	123		0	0	1,481
Management Fee	92,694	7,725	6,684	6,684	69	86,010
Sundry Administrative	13,045	1,087	428	428	4	12,617
<b>Total Administrative</b>	<b>\$ 197,036</b>	<b>\$ 16,420</b>	<b>\$ 13,591</b>	<b>\$ 13,591</b>	<b>\$ 140</b>	<b>\$ 183,445</b>
Maintenance:						
Labor	\$ 74,174	\$ 6,181	\$ 5,406	\$ 5,406	\$ 56	\$ 68,768
Materials	50,600	4,217	1,048	1,048	11	49,552
Contracts	73,200	6,100	4,026	4,026	42	69,174
<b>Total Maintenance</b>	<b>\$ 197,974</b>	<b>\$ 16,498</b>	<b>\$ 10,480</b>	<b>\$ 10,480</b>	<b>\$ 108</b>	<b>\$ 187,494</b>
General Expense:						
Insurance	\$ 11,176	\$ 931	\$ 887	\$ 887	\$ 9	\$ 10,289
Employee Benefit Contributions	88,899	7,408	7,830	7,830	81	81,069
Collection Losses	5,000	417		0	0	5,000
<b>Total General Expenses</b>	<b>\$ 105,075</b>	<b>\$ 8,756</b>	<b>\$ 8,717</b>	<b>\$ 8,717</b>	<b>\$ 90</b>	<b>\$ 96,358</b>
Other Routine Expenses:						
Tenant Services	\$ 187,151	\$ 15,596	\$ 1,054	\$ 1,054	\$ 11	\$ 186,097
Utilities	151,396	12,616	8,480	8,480	87	142,916
Protective Services	34,088	2,841	568	568	6	33,520
<b>Total Other Routine Expenses</b>	<b>\$ 372,635</b>	<b>\$ 31,053</b>	<b>\$ 10,102</b>	<b>\$ 10,102</b>	<b>\$ 104</b>	<b>\$ 362,533</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$	\$ 0	\$	\$ 0	\$ -	\$ 0
Capital Expenditures		0		0	0	0
Performance Contracting	121,527	10,127	10,217	10,217	105	111,310
Transfer to other AMPS		0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 121,527</b>	<b>\$ 10,127</b>	<b>\$ 10,217</b>	<b>\$ 10,217</b>	<b>\$ 105.33</b>	<b>\$ 111,310</b>
<b>Total-All Expenses</b>	<b>\$ 994,247</b>	<b>\$ 82,854</b>	<b>\$ 53,107</b>	<b>\$ 53,107</b>	<b>\$ 547</b>	<b>\$ 941,140</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (147,195)</b>	<b>\$ (12,266)</b>	<b>\$ 17,022</b>	<b>\$ 17,022</b>	<b>\$ 175</b>	<b>\$ 164,217</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000004P MEADOWBROOK  
UNITS AVAILABLE - 160  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 347,281	\$ 28,940	\$ 38,420	\$ 38,420	\$ 240	\$ (308,861)
Nondwelling Rental	7,569	631	635	635	4	(6,934)
Excess Utilities Usage	500	42	1,119	1,119	7	619
Other Income	20,590	1,716	11,253	11,253	70	(9,337)
Transfer from other AMPS	0	0		0	0	0
Non Federal Donations	7,917	660		0	0	(7,917)
HUD Subsidy	1,024,119	85,343	87,741	87,741	548	(936,378)
<b>Total Revenues</b>	<b>\$ 1,407,976</b>	<b>\$ 117,332</b>	<b>\$ 139,168</b>	<b>\$ 139,168</b>	<b>\$ 870</b>	<b>\$ (1,268,808)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 135,396	\$ 11,283	\$ 10,188	\$ 10,188	\$ 64	\$ 125,208
Legal - Misc.	14,000	1,167		0	0	14,000
Travel & Training	349	29	20	20	0	329
Accounting & Audit Fees	2,443	204		0	0	2,443
Management Fee	152,898	12,742	11,141	11,141	70	141,757
Sundry Administrative	34,633	2,886	1,433	1,433	9	33,200
<b>Total Administrative</b>	<b>\$ 339,719</b>	<b>\$ 28,311</b>	<b>\$ 22,782</b>	<b>\$ 22,782</b>	<b>\$ 142</b>	<b>\$ 316,937</b>
Maintenance:						
Labor	\$ 123,327	\$ 10,277	\$ 9,348	\$ 9,348	\$ 58	\$ 113,979
Materials	67,253	5,604	5,312	5,312	33	61,941
Contracts	121,252	10,104	7,845	7,845	49	113,407
<b>Total Maintenance</b>	<b>\$ 311,832</b>	<b>\$ 25,985</b>	<b>\$ 22,505</b>	<b>\$ 22,505</b>	<b>\$ 141</b>	<b>\$ 289,327</b>
General Expense:						
Insurance	\$ 21,174	\$ 1,765	\$ 1,455	\$ 1,455	\$ 9	\$ 19,719
Employee Benefit Contributions	146,817	12,235	10,468	10,468	65	136,349
Collection Losses	1,000	83	1,614	1,614	10	(614)
<b>Total General Expenses</b>	<b>\$ 168,991</b>	<b>\$ 14,083</b>	<b>\$ 13,537</b>	<b>\$ 13,537</b>	<b>\$ 96</b>	<b>\$ 155,454</b>
Other Routine Expenses:						
Tenant Services	\$ 329,112	\$ 27,426	\$ 3,414	\$ 3,414	\$ 21	\$ 325,698
Utilities	246,368	20,531	15,302	15,302	96	231,066
Protective Services	48,461	4,038	1,008	1,008	6	47,453
<b>Total Other Routine Expenses</b>	<b>\$ 623,941</b>	<b>\$ 51,995</b>	<b>\$ 19,724</b>	<b>\$ 19,724</b>	<b>\$ 38</b>	<b>\$ 604,217</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Capital Expenditures	11,000	917	9,815	9,815	61	1,185
Performance Contracting	200,457	16,705	19,346	19,346	121	181,111
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 211,457</b>	<b>\$ 17,622</b>	<b>\$ 29,161</b>	<b>\$ 29,161</b>	<b>\$ 182.26</b>	<b>\$ 182,296</b>
<b>Total-All Expenses</b>	<b>\$ 1,655,940</b>	<b>\$ 137,996</b>	<b>\$ 107,709</b>	<b>\$ 107,709</b>	<b>\$ 673</b>	<b>\$ 1,548,231</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (247,964)</b>	<b>\$ (20,664)</b>	<b>\$ 31,459</b>	<b>\$ 31,459</b>	<b>\$ 197</b>	<b>\$ 279,423</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
 TX001000005P B. T. WASHINGTON & 6 S/S  
 UNITS AVAILABLE - 222  
 OPERATING REVENUES & EXPENSES  
 FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 507,080	\$ 42,257	\$ 47,864	\$ 47,864	\$ 216	\$ (459,216)
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	1,500	125	1,339	1,339	6	(161)
Other Income	88,924	7,410	2,672	2,672	12	(86,252)
Transfer from other AMPS	0	0		0	0	0
Non Federal Donations	124,262	10,355		0	0	(124,262)
HUD Subsidy	1,511,879	125,990	131,006	131,006	590	(1,380,873)
<b>Total Revenues</b>	<b>\$ 2,233,645</b>	<b>\$ 186,137</b>	<b>\$ 182,881</b>	<b>\$ 182,881</b>	<b>\$ 824</b>	<b>\$ (2,050,764)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 137,176	\$ 11,431	\$ 10,060	\$ 10,060	\$ 45	\$ 127,116
Legal - Misc.	20,600	1,717		0	0	20,600
Travel & Training	300	25	91	91	0	209
Accounting & Audit Fees	3,390	283		0	0	3,390
Management Fee	206,412	17,201	15,458	15,458	70	190,954
Sundry Administrative	37,006	3,084	1,452	1,452	7	35,554
<b>Total Administrative</b>	<b>\$ 404,884</b>	<b>\$ 33,741</b>	<b>\$ 27,061</b>	<b>\$ 27,061</b>	<b>\$ 122</b>	<b>\$ 377,823</b>
Maintenance:						
Labor	\$ 149,265	\$ 12,439	\$ 11,376	\$ 11,376	\$ 51	\$ 137,889
Materials	124,459	10,372	3,460	3,460	16	120,999
Contracts	192,639	16,053	7,892	7,892	36	184,747
<b>Total Maintenance</b>	<b>\$ 466,363</b>	<b>\$ 38,864</b>	<b>\$ 22,728</b>	<b>\$ 22,728</b>	<b>\$ 102</b>	<b>\$ 443,635</b>
General Expense:						
Insurance	\$ 27,177	\$ 2,265	\$ 2,007	\$ 2,007	\$ 9	\$ 25,170
Employee Benefit Contributions	158,620	13,218	11,994	11,994	54	146,626
Collection Losses	10,000	833		0	0	10,000
<b>Total General Expenses</b>	<b>\$ 195,797</b>	<b>\$ 16,316</b>	<b>\$ 14,001</b>	<b>\$ 14,001</b>	<b>\$ 63</b>	<b>\$ 181,796</b>
Other Routine Expenses:						
Tenant Services	\$ 586,480	\$ 48,873	\$ 1,790	\$ 1,790	\$ 8	\$ 584,690
Utilities	440,293	36,691	46,430	46,430	209	393,863
Protective Services	44,880	3,740	1,455	1,455	7	43,425
<b>Total Other Routine Expenses</b>	<b>\$ 1,071,653</b>	<b>\$ 89,304</b>	<b>\$ 49,675</b>	<b>\$ 49,675</b>	<b>\$ 224</b>	<b>\$ 1,021,978</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Capital Expenditures		0		0	0	0
Performance Contracting	278,134	23,178	23,131	23,131	104	255,003
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 278,134</b>	<b>\$ 23,178</b>	<b>\$ 23,131</b>	<b>\$ 23,131</b>	<b>\$ 104.19</b>	<b>\$ 255,003</b>
<b>Total-All Expenses</b>	<b>\$ 2,416,831</b>	<b>\$ 201,403</b>	<b>\$ 136,596</b>	<b>\$ 136,596</b>	<b>\$ 615</b>	<b>\$ 2,280,235</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (183,186)</b>	<b>\$ (15,266)</b>	<b>\$ 46,285</b>	<b>\$ 46,285</b>	<b>\$ 208</b>	<b>\$ 229,471</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000007P LAKESIDE  
UNITS AVAILABLE - 164  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 471,473	\$ 39,289	\$ 38,458	\$ 38,458	\$ 235	\$ (433,015)
Nondwelling Rental	34,500	2,875	3,584	3,584	22	(30,916)
Excess Utilities Usage	17,557	1,463	1,752	1,752	11	(15,805)
Other Income	9,231	769	284	284	2	(8,947)
Transfer from other AMPS	0	0		0	0	
Non Federal Donations	8,115	676		0	0	(8,115)
HUD Subsidy	635,562	52,964	52,579	52,579	321	(582,983)
<b>Total Revenues</b>	<b>\$ 1,176,438</b>	<b>\$ 98,036</b>	<b>\$ 96,657</b>	<b>\$ 96,657</b>	<b>\$ 589</b>	<b>\$ (1,079,781)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 129,161	\$ 10,763	\$ 7,114	\$ 7,114	\$ 43	\$ 122,047
Legal - Misc.	18,405	1,534		0	0	18,405
Travel & Training	358	30	20	20	0	338
Accounting & Audit Fees	2,504	209		0	0	2,504
Management Fee	156,720	13,060	11,350	11,350	69	145,370
Sundry Administrative	20,256	1,688	837	837	5	19,419
<b>Total Administrative</b>	<b>\$ 327,404</b>	<b>\$ 27,284</b>	<b>\$ 19,321</b>	<b>\$ 19,321</b>	<b>\$ 118</b>	<b>\$ 308,083</b>
Maintenance:						
Labor	\$ 131,601	\$ 10,967	\$ 10,520	\$ 10,520	\$ 64	\$ 121,081
Materials	60,226	5,019	2,552	2,552	16	57,674
Contracts	108,700	9,058	4,276	4,276	26	104,424
<b>Total Maintenance</b>	<b>\$ 300,527</b>	<b>\$ 25,044</b>	<b>\$ 17,348</b>	<b>\$ 17,348</b>	<b>\$ 106</b>	<b>\$ 283,179</b>
General Expense:						
Insurance	\$ 22,850	\$ 1,904	\$ 1,548	\$ 1,548	\$ 9	\$ 21,302
Employee Benefit Contributions	139,239	11,603	9,182	9,182	56	130,057
Collection Losses	2,000	167	582	582	4	1,418
<b>Total General Expenses</b>	<b>\$ 164,089</b>	<b>\$ 13,674</b>	<b>\$ 11,312</b>	<b>\$ 11,312</b>	<b>\$ 69</b>	<b>\$ 152,777</b>
Other Routine Expenses:						
Tenant Services	\$ 106,065	\$ 8,839	\$ 1,854	\$ 1,854	\$ 11	\$ 104,211
Utilities	231,198	19,267	16,252	16,252	99	214,946
Protective Services	84,144	7,012	2,558	2,558	16	81,586
<b>Total Other Routine Expenses</b>	<b>\$ 421,407</b>	<b>\$ 35,118</b>	<b>\$ 20,664</b>	<b>\$ 20,664</b>	<b>\$ 126</b>	<b>\$ 400,743</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	0	\$	\$ 0	\$ -	\$ 0
Capital Expenditures	0	0		0	0	0
Performance Contracting	205,468	17,122	17,156	17,156	105	188,312
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 205,468</b>	<b>\$ 17,122</b>	<b>\$ 17,156</b>	<b>\$ 17,156</b>	<b>\$ 104.61</b>	<b>\$ 188,312</b>
<b>Total-All Expenses</b>	<b>\$ 1,418,895</b>	<b>\$ 118,242</b>	<b>\$ 85,801</b>	<b>\$ 85,801</b>	<b>\$ 523</b>	<b>\$ 1,333,094</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (242,457)</b>	<b>\$ (20,206)</b>	<b>\$ 10,856</b>	<b>\$ 10,856</b>	<b>\$ 66</b>	<b>\$ 253,313</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000009P GASTON  
UNITS AVAILABLE - 100  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 293,353	\$ 24,446	\$ 24,481	\$ 24,481	\$ 245	\$ (268,872)
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	3,831	319	7	7	0	(3,824)
Other Income	9,143	762	162	162	2	(8,981)
Transfer from other AMPS	0	0		0	0	
Non Federal Donations	4,948	412		0	0	(4,948)
HUD Subsidy	276,026	23,002	23,759	23,759	238	(252,267)
<b>Total Revenues</b>	<b>\$ 587,301</b>	<b>\$ 48,941</b>	<b>\$ 48,409</b>	<b>\$ 48,409</b>	<b>\$ 484</b>	<b>\$ (538,892)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 73,465	\$ 6,122	\$ 5,650	\$ 5,650	\$ 57	\$ 67,815
Legal - Misc.	2,665	222		0	0	2,665
Travel & Training	218	18	12	12	0	206
Accounting & Audit Fees	1,527	127		0	0	1,527
Management Fee	95,561	7,963	6,963	6,963	70	88,598
Sundry Administrative	14,073	1,173	517	517	5	13,556
<b>Total Administrative</b>	<b>\$ 187,509</b>	<b>\$ 15,625</b>	<b>\$ 13,142</b>	<b>\$ 13,142</b>	<b>\$ 131</b>	<b>\$ 174,367</b>
Maintenance:						
Labor	\$ 72,353	\$ 6,029	\$ 3,706	\$ 3,706	\$ 37	\$ 68,647
Materials	25,551	2,129	1,566	1,566	16	23,985
Contracts	55,870	4,656	2,533	2,533	25	53,337
<b>Total Maintenance</b>	<b>\$ 153,774</b>	<b>\$ 12,814</b>	<b>\$ 7,805</b>	<b>\$ 7,805</b>	<b>\$ 78</b>	<b>\$ 145,969</b>
General Expense:						
Insurance	\$ 12,806	\$ 1,067	\$ 920	\$ 920	\$ 9	\$ 11,886
Employee Benefit Contributions	88,531	7,378	4,214	4,214	42	84,317
Collection Losses	500	42	440	440	4	60
<b>Total General Expenses</b>	<b>\$ 101,837</b>	<b>\$ 8,487</b>	<b>\$ 5,574</b>	<b>\$ 5,574</b>	<b>\$ 56</b>	<b>\$ 96,263</b>
Other Routine Expenses:						
Tenant Services	\$ 93,302	\$ 7,775	\$ 1,016	\$ 1,016	\$ 10	\$ 92,286
Utilities	121,527	10,127	8,175	8,175	82	113,352
Protective Services	32,480	2,707	499	499	5	31,981
<b>Total Other Routine Expenses</b>	<b>\$ 247,309</b>	<b>\$ 20,609</b>	<b>\$ 9,690</b>	<b>\$ 9,690</b>	<b>\$ 97</b>	<b>\$ 237,619</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Capital Expenditures	0	0		0	0	0
Performance Contracting	125,285	10,440	10,601	10,601	106	114,684
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 125,285</b>	<b>\$ 10,440</b>	<b>\$ 10,601</b>	<b>\$ 10,601</b>	<b>\$ 106.01</b>	<b>\$ 114,684</b>
<b>Total-All Expenses</b>	<b>\$ 815,714</b>	<b>\$ 67,975</b>	<b>\$ 46,812</b>	<b>\$ 46,812</b>	<b>\$ 468</b>	<b>\$ 768,902</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (228,413)</b>	<b>\$ (19,034)</b>	<b>\$ 1,597</b>	<b>\$ 1,597</b>	<b>\$ 16</b>	<b>\$ 230,010</b>



# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000010P BOULDIN  
UNITS AVAILABLE - 144  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PJM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 388,113	\$ 32,343	\$ 33,267	\$ 33,267	\$ 231	\$ (354,846)
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	355	30	806	806	6	451
Other Income	17,445	1,454	672	672	5	(16,773)
Transfer from other AMPS	0	0		0	0	0
Non Federal Donations	7,126	594		0	0	(7,126)
HUD Subsidy	721,776	60,148	60,217	60,217	418	(661,559)
<b>Total Revenues</b>	<b>\$ 1,134,815</b>	<b>\$ 94,569</b>	<b>\$ 94,962</b>	<b>\$ 94,962</b>	<b>\$ 659</b>	<b>\$ (1,039,853)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 94,595	\$ 7,883	\$ 6,960	\$ 6,960	\$ 48	\$ 87,635
Legal - Misc.	12,000	1,000		0	0	12,000
Travel & Training	314	26	18	18	0	296
Accounting & Audit Fees	2,199	183		0	0	2,199
Management Fee	137,608	11,467	10,027	10,027	70	127,581
Sundry Administrative	16,686	1,391	843	843	6	15,843
<b>Total Administrative</b>	<b>\$ 263,402</b>	<b>\$ 21,950</b>	<b>\$ 17,848</b>	<b>\$ 17,848</b>	<b>\$ 124</b>	<b>\$ 245,554</b>
Maintenance:						
Labor	\$ 81,343	\$ 6,779	\$ 7,904	\$ 7,904	\$ 55	\$ 73,439
Materials	33,437	2,786	762	762	5	32,675
Contracts	62,425	5,202	2,633	2,633	18	59,792
<b>Total Maintenance</b>	<b>\$ 177,205</b>	<b>\$ 14,767</b>	<b>\$ 11,299</b>	<b>\$ 11,299</b>	<b>\$ 78</b>	<b>\$ 165,906</b>
General Expense:						
Insurance	\$ 17,603	\$ 1,467	\$ 1,305	\$ 1,305	\$ 9	\$ 16,298
Employee Benefit Contributions	94,782	7,899	5,828	5,828	40	88,954
Collection Losses	3,000	250	18,527	18,527	129	(15,527)
<b>Total General Expenses</b>	<b>\$ 115,385</b>	<b>\$ 9,616</b>	<b>\$ 25,660</b>	<b>\$ 25,660</b>	<b>\$ 178</b>	<b>\$ 89,725</b>
Other Routine Expenses:						
Tenant Services	\$ 244,248	\$ 20,354	\$ 1,744	\$ 1,744	\$ 12	\$ 242,504
Utilities	203,827	16,986	13,741	13,741	95	190,086
Protective Services	39,694	3,308	996	996	7	38,698
<b>Total Other Routine Expenses</b>	<b>\$ 487,769</b>	<b>\$ 40,648</b>	<b>\$ 16,481</b>	<b>\$ 16,481</b>	<b>\$ 114</b>	<b>\$ 471,288</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Capital Expenditures	11,000	917	9,815	9,815	68	1,185
Performance Contracting	180,411	15,034	19,047	19,047	132	161,364
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 191,411</b>	<b>\$ 15,951</b>	<b>\$ 28,862</b>	<b>\$ 28,862</b>	<b>\$ 200.43</b>	<b>\$ 162,549</b>
<b>Total-All Expenses</b>	<b>\$ 1,235,172</b>	<b>\$ 102,932</b>	<b>\$ 100,150</b>	<b>\$ 100,150</b>	<b>\$ 695</b>	<b>\$ 1,135,022</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (100,357)</b>	<b>\$ (8,363)</b>	<b>\$ (5,188)</b>	<b>\$ (5,188)</b>	<b>\$ (36)</b>	<b>\$ 95,169</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000011P THURMOND  
UNITS AVAILABLE - 144  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PJM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 273,024	\$ 22,752	\$ 26,757	\$ 26,757	\$ 186	\$ (246,267)
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	500	42	738	738	5	238
Other Income	13,685	1,140	267	267	2	(13,418)
Transfer from other AMPS	0	0		0	0	
Non Federal Donations	7,126	594		0	0	(7,126)
HUD Subsidy	746,270	62,189	63,588	63,588	442	(682,682)
<b>Total Revenues</b>	<b>\$ 1,040,605</b>	<b>\$ 86,717</b>	<b>\$ 91,350</b>	<b>\$ 91,350</b>	<b>\$ 634</b>	<b>\$ (949,255)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 100,401	\$ 8,367	\$ 7,142	\$ 7,142	\$ 50	\$ 93,259
Legal - Misc.	10,000	833		0	0	10,000
Travel & Training	314	26	63	63	0	251
Accounting & Audit Fees	2,199	183		0	0	2,199
Management Fee	137,608	11,467	9,957	9,957	69	127,651
Sundry Administrative	17,065	1,422	534	534	4	16,531
<b>Total Administrative</b>	<b>\$ 267,587</b>	<b>\$ 22,298</b>	<b>\$ 17,696</b>	<b>\$ 17,696</b>	<b>\$ 123</b>	<b>\$ 249,891</b>
Maintenance:						
Labor	\$ 88,711	\$ 7,393	\$ 6,636	\$ 6,636	\$ 46	\$ 82,075
Materials	28,498	2,375	2,316	2,316	16	26,182
Contracts	67,813	5,651	2,896	2,896	20	64,917
<b>Total Maintenance</b>	<b>\$ 185,022</b>	<b>\$ 15,419</b>	<b>\$ 11,848</b>	<b>\$ 11,848</b>	<b>\$ 82</b>	<b>\$ 173,174</b>
General Expense:						
Insurance	\$ 17,732	\$ 1,478	\$ 1,305	\$ 1,305	\$ 9	\$ 16,427
Employee Benefit Contributions	102,525	8,544	8,758	8,758	61	93,767
Collection Losses	10,000	833		0	0	10,000
<b>Total General Expenses</b>	<b>\$ 130,257</b>	<b>\$ 10,855</b>	<b>\$ 10,063</b>	<b>\$ 10,063</b>	<b>\$ 70</b>	<b>\$ 120,194</b>
Other Routine Expenses:						
Tenant Services	\$ 72,762	\$ 6,064	\$ 4,060	\$ 4,060	\$ 28	\$ 68,702
Utilities	214,141	17,845	13,023	13,023	90	201,118
Protective Services	36,358	3,030	848	848	6	35,510
<b>Total Other Routine Expenses</b>	<b>\$ 323,261</b>	<b>\$ 26,939</b>	<b>\$ 17,931</b>	<b>\$ 17,931</b>	<b>\$ 125</b>	<b>\$ 305,330</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Capital Expenditures		0	9,815	9,815	68	(9,815)
Performance Contracting	180,411	15,034	15,035	15,035	104	165,376
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 180,411</b>	<b>\$ 15,034</b>	<b>\$ 24,850</b>	<b>\$ 24,850</b>	<b>\$ 172.57</b>	<b>\$ 155,561</b>
<b>Total-All Expenses</b>	<b>\$ 1,086,538</b>	<b>\$ 90,545</b>	<b>\$ 82,388</b>	<b>\$ 82,388</b>	<b>\$ 572</b>	<b>\$ 1,004,150</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (45,933)</b>	<b>\$ (3,828)</b>	<b>\$ 8,962</b>	<b>\$ 8,962</b>	<b>\$ 62</b>	<b>\$ 54,895</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000012P GEORGIAN  
UNITS AVAILABLE - 94  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PJM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 234,270	\$ 19,523	\$ 23,073	\$ 23,073	\$ 245	\$ (211,197)
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	95	8	568	568	6	473
Other Income	9,214	768	163	163	2	(9,051)
Transfer from other AMPS	0	0		0	0	
Non Federal Donations	4,651	388		0	0	(4,651)
HUD Subsidy	455,687	37,974	39,294	39,294	418	(416,393)
<b>Total Revenues</b>	<b>\$ 703,917</b>	<b>\$ 58,661</b>	<b>\$ 63,098</b>	<b>\$ 63,098</b>	<b>\$ 671</b>	<b>\$ (640,819)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 73,058	\$ 6,088	\$ 5,136	\$ 5,136	\$ 55	\$ 67,922
Legal - Misc.	14,000	1,167		0	0	14,000
Travel & Training	205	17	44	44	0	161
Accounting & Audit Fees	1,435	120		0	0	1,435
Management Fee	89,827	7,486	6,545	6,545	70	83,282
Sundry Administrative	12,321	1,027	947	947	10	11,374
<b>Total Administrative</b>	<b>\$ 190,846</b>	<b>\$ 15,905</b>	<b>\$ 12,672</b>	<b>\$ 12,672</b>	<b>\$ 135</b>	<b>\$ 178,174</b>
Maintenance:						
Labor	\$ 68,692	\$ 5,724	\$ 5,278	\$ 5,278	\$ 56	\$ 63,414
Materials	20,999	1,750	226	226	2	20,773
Contracts	57,331	4,778	2,740	2,740	29	54,591
<b>Total Maintenance</b>	<b>\$ 147,022</b>	<b>\$ 12,252</b>	<b>\$ 8,244</b>	<b>\$ 8,244</b>	<b>\$ 88</b>	<b>\$ 138,778</b>
General Expense:						
Insurance	\$ 12,085	\$ 1,007	\$ 853	\$ 853	\$ 9	\$ 11,232
Employee Benefit Contributions	79,827	6,652	6,146	6,146	65	73,681
Collection Losses	1,000	83		0	0	1,000
<b>Total General Expenses</b>	<b>\$ 92,912</b>	<b>\$ 7,742</b>	<b>\$ 6,999</b>	<b>\$ 6,999</b>	<b>\$ 74</b>	<b>\$ 85,913</b>
Other Routine Expenses:						
Tenant Services	\$ 48,722	\$ 4,060	\$ 1,134	\$ 1,134	\$ 12	\$ 47,588
Utilities	157,422	13,119	10,594	10,594	113	146,828
Protective Services	25,094	2,091	785	785	8	24,309
<b>Total Other Routine Expenses</b>	<b>\$ 231,238</b>	<b>\$ 19,270</b>	<b>\$ 12,513</b>	<b>\$ 12,513</b>	<b>\$ 133</b>	<b>\$ 218,725</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$ 0	\$ 0	\$ -	\$ 0
Capital Expenditures		0		0	0	0
Performance Contracting	117,768	9,814	9,830	9,830	105	107,938
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 117,768</b>	<b>\$ 9,814</b>	<b>\$ 9,830</b>	<b>\$ 9,830</b>	<b>\$ 104.57</b>	<b>\$ 107,938</b>
<b>Total-All Expenses</b>	<b>\$ 779,786</b>	<b>\$ 64,983</b>	<b>\$ 50,258</b>	<b>\$ 50,258</b>	<b>\$ 535</b>	<b>\$ 729,528</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (75,869)</b>	<b>\$ (6,322)</b>	<b>\$ 12,840</b>	<b>\$ 12,840</b>	<b>\$ 137</b>	<b>\$ 88,709</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000015P NORTH LOOP  
UNITS AVAILABLE - 130  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PUM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 387,696	\$ 32,308	\$ 32,518	\$ 32,518	\$ 250	\$ (355,178)
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	11,000	917	787	787	6	(10,213)
Other Income	2,200	183	458	458	4	(1,742)
Transfer from other AMPS	0	0		0	0	
Non Federal Donations	6,433	536		0	0	(6,433)
HUD Subsidy	458,174	38,181	39,150	39,150	301	(419,024)
<b>Total Revenues</b>	<b>\$ 865,503</b>	<b>\$ 72,125</b>	<b>\$ 72,913</b>	<b>\$ 72,913</b>	<b>\$ 561</b>	<b>\$ (792,590)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 61,282	\$ 5,107	\$ 6,872	\$ 6,872	\$ 53	\$ 54,410
Legal - Misc.	4,000	333		0	0	4,000
Travel & Training	200	17	16	16	0	184
Accounting & Audit Fees	1,985	165		0	0	1,985
Management Fee	124,229	10,352	9,052	9,052	70	115,177
Sundry Administrative	15,142	1,262	624	624	5	14,518
<b>Total Administrative</b>	<b>\$ 206,838</b>	<b>\$ 17,236</b>	<b>\$ 16,564</b>	<b>\$ 16,564</b>	<b>\$ 127</b>	<b>\$ 190,274</b>
Maintenance:						
Labor	\$ 73,589	\$ 6,132	\$ 5,548	\$ 5,548	\$ 43	\$ 68,041
Materials	32,800	2,733	2,565	2,565	20	30,235
Contracts	79,696	6,641	4,038	4,038	31	75,658
<b>Total Maintenance</b>	<b>\$ 186,085</b>	<b>\$ 15,506</b>	<b>\$ 12,151</b>	<b>\$ 12,151</b>	<b>\$ 93</b>	<b>\$ 173,934</b>
General Expense:						
Insurance	\$ 16,101	\$ 1,342	\$ 1,188	\$ 1,188	\$ 9	\$ 14,913
Employee Benefit Contributions	107,418	8,952	8,054	8,054	62	99,364
Collection Losses	3,600	300	307	307	2	3,293
<b>Total General Expenses</b>	<b>\$ 127,119</b>	<b>\$ 10,594</b>	<b>\$ 9,549</b>	<b>\$ 9,549</b>	<b>\$ 73</b>	<b>\$ 117,570</b>
Other Routine Expenses:						
Tenant Services	\$ 101,182	\$ 8,432	\$ 1,281	\$ 1,281	\$ 10	\$ 99,901
Utilities	213,211	17,768	13,861	13,861	107	199,350
Protective Services	41,958	3,497	1,276	1,276	10	40,682
<b>Total Other Routine Expenses</b>	<b>\$ 356,351</b>	<b>\$ 29,697</b>	<b>\$ 16,418</b>	<b>\$ 16,418</b>	<b>\$ 126</b>	<b>\$ 339,933</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$ 0	\$ 0	\$ -	\$ 0
Capital Expenditures		0		0	0	0
Performance Contracting	162,871	13,573	14,001	14,001	108	148,870
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 162,871</b>	<b>\$ 13,573</b>	<b>\$ 14,001</b>	<b>\$ 14,001</b>	<b>\$ 107.70</b>	<b>\$ 148,870</b>
<b>Total-All Expenses</b>	<b>\$ 1,039,264</b>	<b>\$ 86,606</b>	<b>\$ 68,683</b>	<b>\$ 68,683</b>	<b>\$ 528</b>	<b>\$ 970,581</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (173,761)</b>	<b>\$ (14,481)</b>	<b>\$ 4,230</b>	<b>\$ 4,230</b>	<b>\$ 33</b>	<b>\$ 177,991</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000016P NORTHGATE/CORONADO & 14 S/S  
UNITS AVAILABLE - 112  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PJM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 279,056	\$ 23,255	\$ 29,096	\$ 29,096	\$ 260	\$ (249,960)
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	0	0	675	675	6	675
Other Income	8,015	668	2,722	2,722	24	(5,293)
Transfer from other AMPS	0	0		0	0	0
Non Federal Donations	5,542	462		0	0	(5,542)
HUD Subsidy	491,265	40,939	40,365	40,365	360	(450,900)
<b>Total Revenues</b>	<b>\$ 783,878</b>	<b>\$ 65,324</b>	<b>\$ 72,858</b>	<b>\$ 72,858</b>	<b>\$ 651</b>	<b>\$ (711,020)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 92,425	\$ 7,702	\$ 6,824	\$ 6,824	\$ 61	\$ 85,601
Legal - Misc.	3,600	300		0	0	3,600
Travel & Training	245	20	37	37	0	208
Accounting & Audit Fees	1,710	143		0	0	1,710
Management Fee	107,028	8,919	7,799	7,799	70	99,229
Sundry Administrative	20,403	1,700	963	963	9	19,440
<b>Total Administrative</b>	<b>\$ 225,411</b>	<b>\$ 18,784</b>	<b>\$ 15,623</b>	<b>\$ 15,623</b>	<b>\$ 139</b>	<b>\$ 209,788</b>
Maintenance:						
Labor	\$ 78,733	\$ 6,561	\$ 5,722	\$ 5,722	\$ 51	\$ 73,011
Materials	36,547	3,046	102	102	1	36,445
Contracts	60,030	5,003	4,834	4,834	43	55,196
<b>Total Maintenance</b>	<b>\$ 175,310</b>	<b>\$ 14,610</b>	<b>\$ 10,658</b>	<b>\$ 10,658</b>	<b>\$ 95</b>	<b>\$ 164,652</b>
General Expense:						
Insurance	\$ 14,274	\$ 1,190	\$ 1,020	\$ 1,020	\$ 9	\$ 13,254
Employee Benefit Contributions	89,459	7,455	8,188	8,188	73	81,271
Collection Losses	750	63	1,934	1,934	17	(1,184)
<b>Total General Expenses</b>	<b>\$ 104,483</b>	<b>\$ 8,708</b>	<b>\$ 11,142</b>	<b>\$ 11,142</b>	<b>\$ 99</b>	<b>\$ 93,341</b>
Other Routine Expenses:						
Tenant Services	\$ 30,034	\$ 2,503	\$ 2,297	\$ 2,297	\$ 21	\$ 27,737
Utilities	126,085	10,507	8,951	8,951	80	117,134
Protective Services	29,911	2,493	1,105	1,105	10	28,806
<b>Total Other Routine Expenses</b>	<b>\$ 186,030</b>	<b>\$ 15,503</b>	<b>\$ 12,353</b>	<b>\$ 12,353</b>	<b>\$ 110</b>	<b>\$ 173,677</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$ 0	\$ 0	\$ -	\$ 0
Capital Expenditures		0		0	0	0
Performance Contracting	140,320	11,693	11,758	11,758	105	128,562
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 140,320</b>	<b>\$ 11,693</b>	<b>\$ 11,758</b>	<b>\$ 11,758</b>	<b>\$ 105</b>	<b>\$ 128,562</b>
<b>Total-All Expenses</b>	<b>\$ 831,554</b>	<b>\$ 69,298</b>	<b>\$ 61,534</b>	<b>\$ 61,534</b>	<b>\$ 549</b>	<b>\$ 770,020</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (47,676)</b>	<b>\$ (3,974)</b>	<b>\$ 11,324</b>	<b>\$ 11,324</b>	<b>\$ 101</b>	<b>\$ 59,000</b>



# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000017P SB/MII/GR/MV & 2 S/S  
UNITS AVAILABLE - 158  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PJM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 407,951	\$ 33,996	\$ 34,543	\$ 34,543	\$ 219	\$ (373,408)
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	1,359	113	1,240	1,240	8	(119)
Other Income	62,349	5,196	998	998	6	(61,351)
Transfer from other AMPS	0	0		0	0	0
Non Federal Donations	7,819	652		0	0	(7,819)
HUD Subsidy	704,283	58,690	62,300	62,300	394	(641,983)
<b>Total Revenues</b>	<b>\$ 1,183,761</b>	<b>\$ 98,647</b>	<b>\$ 99,081</b>	<b>\$ 99,081</b>	<b>\$ 627</b>	<b>\$ (1,084,680)</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 107,031	\$ 8,919	\$ 10,482	\$ 10,482	\$ 66	\$ 96,549
Legal - Misc.	6,800	567		0	0	6,800
Travel & Training	1,000	83	19	19	0	981
Accounting & Audit Fees	2,413	201		0	0	2,413
Management Fee	150,987	12,582	11,002	11,002	70	139,985
Sundry Administrative	24,701	2,058	998	998	6	23,703
<b>Total Administrative</b>	<b>\$ 292,932</b>	<b>\$ 24,410</b>	<b>\$ 22,501</b>	<b>\$ 22,501</b>	<b>\$ 142</b>	<b>\$ 270,431</b>
Maintenance:						
Labor	\$ 154,929	\$ 12,911	\$ 10,590	\$ 10,590	\$ 67	\$ 144,339
Materials	45,428	3,786	1,197	1,197	8	44,231
Contracts	87,793	7,316	3,915	3,915	25	83,878
<b>Total Maintenance</b>	<b>\$ 288,150</b>	<b>\$ 24,013</b>	<b>\$ 15,702</b>	<b>\$ 15,702</b>	<b>\$ 99</b>	<b>\$ 272,448</b>
General Expense:						
Insurance	\$ 20,768	\$ 1,731	\$ 1,438	\$ 1,438	\$ 9	\$ 19,330
Employee Benefit Contributions	143,700	11,975	12,016	12,016	76	131,684
Collection Losses	6,750	563	675	675	4	6,075
<b>Total General Expenses</b>	<b>\$ 171,218</b>	<b>\$ 14,269</b>	<b>\$ 14,129</b>	<b>\$ 14,129</b>	<b>\$ 89</b>	<b>\$ 157,089</b>
Other Routine Expenses:						
Tenant Services	\$ 38,154	\$ 3,180	\$ 2,039	\$ 2,039	\$ 13	\$ 36,115
Utilities	242,507	20,209	15,412	15,412	98	227,095
Protective Services	31,830	2,653	719	719	5	31,111
<b>Total Other Routine Expenses</b>	<b>\$ 312,491</b>	<b>\$ 26,042</b>	<b>\$ 18,170</b>	<b>\$ 18,170</b>	<b>\$ 115</b>	<b>\$ 294,321</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$		\$ -	\$ 0
Capital Expenditures		0		0	0	0
Performance Contracting	197,951	16,496	16,577	16,577	105	181,374
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 197,951</b>	<b>\$ 16,496</b>	<b>\$ 16,577</b>	<b>\$ 16,577</b>	<b>\$ 104.92</b>	<b>\$ 181,374</b>
<b>Total-All Expenses</b>	<b>\$ 1,262,742</b>	<b>\$ 105,230</b>	<b>\$ 87,079</b>	<b>\$ 87,079</b>	<b>\$ 551</b>	<b>\$ 1,175,663</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ (78,981)</b>	<b>\$ (6,583)</b>	<b>\$ 12,002</b>	<b>\$ 12,002</b>	<b>\$ 76</b>	<b>\$ 90,983</b>

# HOUSING AUTHORITY OF THE CITY OF AUSTIN

ASSET MANAGEMENT PROJECT (AMP) DETAIL  
TX001000020P RIO LADO  
UNITS AVAILABLE - 90  
OPERATING REVENUES & EXPENSES  
FISCAL YEAR - APRIL 1, 2015 - MARCH 31, 2016

	2016/2017 Budget	YTD Budget	April 2016	Y.T.D. As of 4/30/16	PJM	Budget Balance
<b>REVENUE:</b>						
Dwelling Rentals	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Nondwelling Rental	0	0		0	0	0
Excess Utilities Usage	0	0		0	0	0
Other Income	0	0		0	0	0
Transfer from other AMPS	0	0		0	0	0
SHCC Donation	0	0		0	0	0
HUD Subsidy	0	0		0	0	0
<b>Total Revenues</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ -</b>	<b>\$ 0</b>
<b>EXPENSE:</b>						
Administrative:						
Salaries	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Legal - Misc.	0	0		0	0	0
Travel & Training	0	0		0	0	0
Accounting & Audit Fees	0	0		0	0	0
Management Fee	0	0		0	0	0
Sundry Administrative	0	0		0	0	0
<b>Total Administrative</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ -</b>	<b>\$ 0</b>
Maintenance:						
Labor	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Materials	0	0		0	0	0
Contracts	0	0	366	366	4	(366)
<b>Total Maintenance</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 366</b>	<b>\$ 366</b>	<b>\$ 4</b>	<b>\$ (366)</b>
General Expense:						
Insurance	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Employee Benefit Contributions	0	0		0	0	0
Collection Losses	0	0		0	0	0
<b>Total General Expenses</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ -</b>	<b>\$ 0</b>
Other Routine Expenses:						
Tenant Services	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Utilities	0	0		0	0	0
Protective Services	0	0		0	0	0
<b>Total Other Routine Expenses</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ -</b>	<b>\$ 0</b>
Non-Routine Expenses:						
Extraordinary Maintenance	\$ 0	\$ 0	\$	\$ 0	\$ -	\$ 0
Capital Expenditures	0	0		0	0	0
Performance Contracting		0		0	0	0
Transfer to other AMPS	0	0		0	0	0
<b>Total Non-Routine Expenses</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>Total-All Expenses</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 366</b>	<b>\$ 366</b>	<b>\$ 4</b>	<b>\$ (366)</b>
<b>PROVISION FOR RESERVE</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ (366)</b>	<b>\$ (366)</b>	<b>\$ (4)</b>	<b>\$ (366)</b>

**HOUSING AUTHORITY OF THE CITY OF AUSTIN  
BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**ADJOURNMENT**

**May 19, 2016  
Regular Meeting**