

If the student's parents are divorced or separated, HACA will obtain an income declaration and certification of income from each parent.

If the student has been living with one of his/her parents and has not had contact with or does not know where to contact his/her other parent, HACA will require the student to submit a certification under penalty of perjury describing the circumstances and stating that the student does not receive financial assistance from the other parent. HACA will then obtain an income declaration and certification of income from the parent with whom the student has been living or had contact.

In determining the income eligibility of the student's parents, HACA will use the income limits for the jurisdiction in which the parents live.

3-II.F. EIV SYSTEM SEARCHES [Notice PIH 2018-18; EIV FAQs; EIV System Training 9/30/20]

Existing Tenant Search

Prior to admission to the program, the PHA must search for all household members using the EIV Existing Tenant Search module. The PHA must review the reports for any SSA matches involving another PHA or a multifamily entity and follow up on any issues identified. The PHA must provide the family with a copy of the Existing Tenant Search results if requested. At no time may any family member receive duplicative assistance.

If the tenant is a new admission to the PHA, and a match is identified at a multifamily property, the PHA must report the program admission date to the multifamily property and document the notification in the tenant file. The family must provide documentation of move-out from the assisted unit, as applicable.

HACA Policy

HACA will contact the PHA or owner identified in the report to confirm that the family has moved out of the unit and obtain documentation of current tenancy status, including a form HUD-50058 or 50059, as applicable, showing an end of participation. HACA will only approve assistance contingent upon the move-out from the currently occupied assisted unit.

Debts Owed to PHAs and Terminations

All adult household members must sign the form HUD-52675 Debts Owed to Public Housing and Terminations. Prior to admission to the program, the PHA must search for each adult family member in the Debts Owed to PHAs and Terminations module.

If a current or former tenant disputes the information in the module, the tenant should contact the PHA directly in writing to dispute the information and provide any documentation that supports the dispute. If the PHA determines that the disputed information is incorrect, the PHA will update or delete the record from EIV. Former tenants may dispute debt and termination information for a period of up to three years from the end of participation date in the program.

HACA Policy

HACA will require each adult household member to sign the form HUD-52675 once at the eligibility determination. Any new members added to the household after admission will be required to sign the form HUD-52675 prior to being added to the household.

HACA will search the Debts Owed to PHAs and Terminations module as part of the eligibility determination for new households and as part of the screening process for any household members added after the household is admitted to the program. If any information on debts or terminations is returned by the search, HACA will determine if this information warrants a denial in accordance with the policies in Part III of this chapter.

Income and IVT Reports

For each new admission, the PHA is required to review the EIV Income and IVT Reports to confirm and validate family reported income within 120 days of the IMS/PIC submission date of the new admission. The PHA must print and maintain copies of the EIV Income and IVT reports in the tenant file and resolve any discrepancies with the family within 60 days of the EIV Income or IVT report dates.

Prohibited Reasons for Denial of Program Assistance [24 CFR 982.202(b), 24 CFR 5.2005(b)]

HUD rules prohibit denial of program assistance to the program based on any of the following criteria:

Age, disability, race, color, religion, sex, or national origin (See Chapter 2 for additional information about fair housing and equal opportunity requirements.)

Where a family lives prior to admission to the program

Where the family will live with assistance under the program. Although eligibility is not affected by where the family will live, there may be restrictions on the family's ability to move outside HACA's jurisdiction under portability. (See Chapter 10.)

Whether members of the family are unwed parents, recipients of public assistance, or children born out of wedlock

Whether the family includes children

Whether a family decides to participate in a family self-sufficiency program.

Whether or not a qualified applicant is or has been a victim of domestic violence, dating violence, sexual assault or stalking if the applicant is otherwise qualified for assistance (See section 3-III.G.)

3-III.B. MANDATORY DENIAL OF ASSISTANCE [24 CFR 982.553(a)]

HUD requires HACA to deny assistance in the following cases:

Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity. HUD also permits public housing authorities to adopt a policy to deny admissions or terminate assistance if any member of the family has been evicted from federally assisted housing in the last five years (24 CFR 982.552 (c) (1) (ii). HUD also permits, but does not require, HACA to admit an otherwise-eligible family if the household member has completed HACA-approved drug rehabilitation program or the circumstances which led to eviction no longer exist (e.g., the person involved in the criminal activity no longer lives in the household).

HACA Policy

Mandatory denials for criminal activity is described below under Criminal Activity Screening Criteria.

Criminal Activity Screening Criteria [24 CFR 982.553]

~~HACA is responsible for screening family behavior and suitability for tenancy. In doing so, This section outlines HACA's screening criteria -may when considering~~ an applicant's history of criminal activity involving crimes of physical violence to persons or property and other criminal acts that would adversely affect the health, safety or welfare of other tenants.

HACA Policy

If any household member has been convicted of the following criminal activities, during the designated review (look back) period, the family will be denied admission. The designated review period commences on the date of the final conviction, as of the date of the criminal offense.

MANDATORY DENIAL OF ASSISTANCE [24 CFR 982.553(a)]HACA Policy

Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity or evicted from federally-assisted housing for other reasons in the past 3 years.

HUD requires denial of any household member that has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing. In accordance with and furtherance of HUD's requirements, HACA will deny any household member that has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine in any location, not just federally assisted housing.

HUD requires denial of any household member subject to a lifetime sex offender registration requirement as required under federal law.

If any household member has been convicted of any of the following criminal activities **regardless of the date** committed the family will be denied admission:

- ~~Capital murder~~
- Murder
- ~~Kidnapping~~
- Rape or aggravated sexual assault crimes of a sexual nature
- Arson
- Indecency with a child
- First degree felony injury to a child
- ~~Crimes involving terrorism~~
- ~~Crimes involving explosives~~

OTHER PERMITTED REASONS FOR DENIAL OF ASSISTANCE FOR CRIMINAL ACTIVITY

Five year review (look back) period

If any household member has ~~a felony been convicted for any convicted is~~ of the following criminal activities, the family will be denied admission:

- ~~Manslaughter~~
- ~~Kidnapping, abduction, trafficking, smuggling~~
- ~~Assault, aggravated assault~~

ThreeFour year review (look back) period

If any household member has ~~a felony conviction for any been convicted~~ of the following criminal activities, the family will be denied admission:

- ~~Deadly conduct with a firearm, terroristic threat~~
- ~~Crimes involving explosives~~
- ~~Robbery-related offenses—felony conviction~~
- ~~Burglary of a habitation—felony conviction~~
- ~~Drug-related offenses for mManufacture, distribution, or possession with intent to distribute—felony conviction~~
- ~~Illegal possession/discharge/display/carrying of firearm or illegal weapon/ deadly weapon—felony conviction~~
- ~~Physical violence to persons that has one of its elements the use or threatened use of physical force against the person or property of another such as assault, aggravated assault, assault by threat, terroristic threat and domestic violence offenses—felony conviction.~~
- ~~Physical violence to property to include vandalism—felony conviction~~
- ~~Fraud committed against a government entity—felony conviction~~
- ~~Unlawful Restraint—felony conviction~~

OneThree year review (look back) period

If any household member has been convicted of the following criminal activities, the family will be denied admission:

- ~~Assault, injury to a child, elderly individual or disabled individual – misdemeanor~~

Formatted: Font: Bold

Formatted: Font: Bold

Formatted: Font: Not Bold, Font color: Auto

Formatted: Font: Bold

Formatted: Font: Not Bold, Font color: Auto

Formatted: Font: Bold

Formatted: Font: Not Bold, Font color: Auto

Formatted: Font: Not Bold, Underline, Font color: Auto

Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 1" + Indent at: 1.25"

Formatted: Font: Bold

Formatted: List Paragraph, Indent: Left: 1.25", First line: 0"

Formatted: Font: Bold

Formatted: Indent: Left: 1.5", No bullets or numbering

Formatted: Indent: Left: 1.5", No bullets or numbering

A,B

- Non-forcible sex offences – felony and misdemeanor A, B
- Deadly conduct, terroristic threat – misdemeanor A, B
- Destruction/Damage/Vandalism of Property – felony conviction
- Theft ~~stolen or property~~ or fraud committed against a non-government entity –
felony conviction
- Prostitution related offenses – felony conviction
- Stalking – felony conviction
- Drug-related offenses for manufacture, distribution, possession, or possession
with intent to distribute – misdemeanor A, B
- Public lewdness and indecent exposure offenses – felony conviction

Formatted: Indent: Left: 1", Hanging: 0.5", Right: -0.01",
Space After: 0 pt, Line spacing: single

Two year review (look back) period

~~If any household member has been convicted of the following criminal activities, the family will be denied admission:~~

- ~~Drug related offenses for possession – felony conviction~~

One year review (look back) period

~~If any household member has been convicted of the following criminal activities, the family will be denied admission:~~

- ~~DWI/DUI – felony conviction~~

Patterns of Criminal Activity

If any household member has been convicted of or has a pattern of engaging in any of the following criminal activities the family will be denied admission. A pattern consists of three or more incidences, with a minimum of two or more incidences occurring within the last three years.

1. A pattern of organized criminal activity
2. A pattern of prostitution
3. ~~A pattern of misdemeanor harassment or domestic violence offenses~~
4. ~~A pattern of misdemeanor terroristic threat offenses~~

If an applicant has one misdemeanor offense within the past four years, HACA will not deny the applicant. More than one misdemeanor may be considered a pattern (for the purpose of determining eligibility) and the applicant may be subject to denial based on the nature of the offenses.

Mainstream Voucher program alternative Criminal Background screening criteria

~~Draft revised October 2021~~ revised December 17, 2020

including police reports, statements, disposition of criminal charges such as abandonment, plea, dismissal, prosecution or acquittal, and any other evidence relevant to determining whether or not the applicant engaged in the disqualifying activity. In sum, any evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety of residents and/or property.

Individualized Assessment

In making its decision to deny assistance, HACA will consider the criminal background discussed in Sections 3-III.E and 3-III.F, on an individual and case-by-case basis taking into consideration the nature and gravity of the offense and any other mitigating factors known and available. Upon consideration of such factors, HACA may, on a case-by-case basis, decide not to deny assistance.

Previous Behavior in Assisted Housing [24 CFR 982.552 c]

HUD authorizes HACA to deny admission based on relevant information pertaining to the family's previous behavior in assisted housing.

In the event of the receipt of unfavorable information with respect to an applicant, HACA must consider the time, nature and extent of the applicant's conduct (including the seriousness of the offense). As discussed in Section 3-III.F, HACA may also need to consider whether the cause of the unfavorable information may be that the applicant is the victim of domestic violence, dating violence or stalking.

HACA Policy

HACA will deny admission to an applicant family for the following reasons.

If the head of household, spouse, or co-head owes rent or other amounts to HACA or any other PHA in connection with Section 8 or other public housing assistance under the 1937 Act. Any amounts owed to HACA or other federally subsidized programs will have to be repaid by the applicant before Admissions approval. There is a four-year statute of limitations that ends the latter of:

- a) Four years from the date the debt became delinquent, or
- b) Four years from the date the final payment would have been due if a repayment agreement was signed by the former tenant.

1)

HACA will not deny admissions if the head or co-head are moving from the HACA ~~Project Based Rental Assistance (PBRA)~~ **Public Housing** program to the HACA Section 8 program (or vice versa) and are in compliance with their HACA repayment agreements. Compliance with a repayment agreement requires at least two on-time, monthly payments. ~~There is a four-year statute of limitations that ends the latter of:~~

- ~~a) Four years from the date the debt became delinquent, or~~
- ~~b) Four years from the date the final payment would have been due if a repayment agreement was signed by the former tenant.~~

- 2) Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent.
- 3) Any family member has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program. This includes intentional misrepresentation of citizenship or immigration status within the last four years.
- 4) Refuses to sign and submit consent forms for obtaining information necessary to determine eligibility and continued eligibility for housing assistance.
- 5) Any family member **currently under eviction status or that** has been evicted from federally-assisted housing in the last **threefive** years.
- 6) Has engaged in or threatened violent or abusive behavior that threaten the health or safety of property owners, management staff, HACA staff, persons performing contract administration functions or other responsibilities on behalf of HACA including contractors, subcontractors or agents within the last four years.

Abusive or violent behavior towards HACA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

Targeted Funding [24 CFR 982.204(e)]

HUD may award HACA funding for a specified category of families on the waiting list. HACA must use this funding only to assist the families within the specified category. In order to assist families within a targeted funding category, HACA may skip families that do not qualify within the targeted funding category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

HACA Policy

HACA administers the following types of targeted funding:

Mainstream Vouchers for Persons with Disabilities

Mainstream Vouchers for non-elderly persons with disabilities who are homeless or who are transitioning out of institutions or other segregated settings

VASH - Veterans Affairs for Supportive Housing

Family Unification Program

Non-elderly Disabled

Foster Youth to Independence

Order of Selection – specified category vouchers

When HACA resumes voucher issuance after a funding shortfall, HACA will first issue vouchers to specified category vouchers until HACA is assisting the required number of special purpose families.

Regular HCV Funding

Regular HCV funding may be used to assist any eligible family on the waiting list. Families are selected from the waiting list according to the policies provided in Section 4-III.C.

4-III.C. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that HACA will use [24 CFR 982.202(d)].

Local Preferences [24 CFR 982.207; HCV p. 4-16]

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits HACA to establish other local preferences, at its discretion. Any local preferences established must be consistent with HACA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

HACA Policy

Families can claim eligibility for any local preference any time from the date they applied up until the time their name is drawn off the waiting list. Preference claims will be verified once they have been drawn off the waiting list during the interview process. If

after all lottery applicants and in order according to the date and time when HACA first had received both documents.

If a family coded as NED ceases to meet the criteria for NED eligibility before the family has moved into an assisted unit, HACA will remove the NED coding. If the family was previously on the waiting list, they will maintain their original place on the waiting list. If the family was only on the waiting list due to a NED referral, or direct application for an NED voucher, they will be removed from the waiting list or lose their voucher if already issued.

- C. **Veterans Affairs Supportive Housing (VASH):** HACA accepts VASH applicants as referrals in the order received from the Veterans Affairs administration.
- D. ~~**Mainstream:** HACA will assist the minimum number of families defined in the original grant and will replace any vacancies with eligible disabled households from the HCV waiting list.~~
- E. **Mainstream NED for homeless or institutional transitions** (targeted funding) waiting list policy:

For the issuance of Mainstream NED vouchers, only applicants certified eligible for Mainstream NED Vouchers will be issued a Mainstream NED voucher. To be an eligible application for a Mainstream NED voucher, HACA will have to receive both (1) a completed application and (2) a completed referral from ECHO, Integral Care, ARCIL, or verification of age, verification of disability, and verification of homelessness or verification of residence in an eligible institution or eligible segregated setting. Until both are received, the application will not be considered an eligible application. The applicant will only be placed on the waiting list once both documents have been received.

Therefore, Mainstream NED eligible applicants are granted a preference over all other applicants not eligible for Mainstream NED vouchers. Applicants certified eligible for the Mainstream NED vouchers will be coded as such on HACA's waiting list. This preference will be granted only for the issuance of Mainstream NED vouchers and not any other voucher. If Mainstream NED vouchers are not available, Mainstream NED eligible families will maintain their original place on the waiting list for the issuance of other vouchers. All families granted a Mainstream NED preference will be prioritized based on date and time of being certified eligible and any other applicable preference (elderly, disable, displaced, homeless, residency).

In response to PIH Notice 2020-22, HACA applied for additional Mainstream Vouchers available for coronavirus response efforts. Any new Mainstream vouchers received in response to PIH Notice 2020-22 authorized by the CARES Act, will be prioritized for non-elderly disabled persons residing in Protective

G. Foster Youth to Independence (FYI)

Placing FYI eligible families referred by CPS on HACA's HCV waiting list:

The waiting list will remain open for FYI eligible referrals. Eligibility for the FYI vouchers will be based on the respective HUD Notice of Funding Availability and limited to referrals approved by the Texas DFPS, identified by the Coordinated Entry System. When HACA receives a completed application and referral from the Texas Department of Family and Protective Service (DFPS) or other identified service provider, the applicant will be placed on the waiting list in order according to the date and time when HACA first received both documents. FYI eligible applicants are granted a preference over all other applicants not eligible for FYI vouchers. Applicants certified eligible for the FYI vouchers will be coded as such on HACA's waiting list. This preference will be granted only for the issuance of FYI vouchers and not any other voucher. If FYI vouchers are not available, FYI eligible families will maintain their original place on the waiting list for the issuance of non-FYI vouchers. All families granted a FYI preference will be prioritized based on date and time of being certified eligible and any other applicable preference (elderly, disable, displaced, homeless, residency).

If a an applicant coded as FYI ceases to meet the criteria for FYI eligibility before the family has moved into an assisted unit, HACA will remove the FYI coding. If the family or youth was previously on the Housing Choice Voucher waiting list, they will maintain their original place on the waiting list. If the youth or family was only on the waiting list due to a FYI referral, they will be removed from the waiting list or lose their voucher if already issued.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75 percent of the families admitted to the HCV program during HACA's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30 percent of the area median income, whichever number is higher. To ensure this requirement is met, HACA may skip non-ELI families on the waiting list in order to select an ELI family.

Low income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

HACA Policy

HACA will monitor progress in meeting the income targeting requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible

HUD regulations require HACA to conduct mandatory briefings for applicant families who qualify for a voucher. The briefing provides a broad description of owner and family responsibilities, explains HACA's procedures, and includes instructions on how to lease a unit. This part describes how oral briefings will be conducted, specifies what written information will be provided to families, and lists the family's obligations under the program.

5-I.B. BRIEFING [24 CFR 982.301 and PIH Notice: 2020-32]

Notification of Briefing

Prior to issuance of a voucher, ~~The PHA must give the family an oral briefing and provide the family with a briefing packet containing written information about the program. Families may be briefed in individual face-to-face meetings, through individually or in-group briefing sessions, or via remote briefing sessions.-~~

HACA must give the family an oral briefing and provide the family with a briefing packet containing written information about the program. Families will be given the option to receive the briefing packet in electronic format or hard copy. Families may be briefed individually or in groups. At the briefing, HACA must ensure effective communication in accordance with Section 504 requirements (Section 504 of the Rehabilitation Act of 1973), and ensure that the briefing site is accessible to individuals with disabilities. For a more thorough discussion of accessibility requirements, refer to Chapter 2.

HACA Policy

HACA will conduct briefings individually or in groups either in-person or remotely via webcast, video call, by phone, by mail or by another virtual method..

- The head of household is required to attend the briefing.
- Families that attend group briefings and still need individual assistance will be referred to an appropriate staff person. If additional assistance is needed due to a disability or LEP need, staff will coordinate services to ensure information is communicated appropriately to meet the needs of the applicant.
- Briefings will be conducted in English. For Limited English Proficient (LEP) applicants, HACA will provide interpretation services in accordance with HACA's LEP plan (See Chapter 2).

Remote Briefings

Accessibility Requirements for Persons with Disabilities and LEP Individuals

As with in-person briefings, the platform for conducting remote briefings must be accessible and the briefing conducted in accordance with Section 504 and accessibility requirements. This includes ensuring any information, websites, emails, digital notifications, and other virtual platforms are accessible for persons with vision, hearing, and other disabilities. Further, providing effective communication in a digital context may require the use of individualized auxiliary aids or services, such as audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Auxiliary aids or services must be provided in accessible formats, in a timely manner, and in such a way to protect the privacy and independence of the individual.

If no method of conducting a remote briefing is available that appropriately accommodates an individual's disability, the PHA may not hold against the individual his or her inability to participate in the remote briefing, and the PHA should consider whether postponing the remote briefing to a later date is appropriate or whether there is a suitable alternative.

Due to the individualized nature of disability, the appropriate auxiliary aid or service necessary, or reasonable accommodation, will depend on the specific circumstances.

Limited English Proficiency (LEP) requirements also apply to remote briefings, including the use of interpretation services and document translation. See Chapter 2 for a more thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote briefings.

HACA Policy

HACA will provide an opportunity for remote briefing participants to ask questions.

After the remote briefing, HACA staff will reach out directly to tenants by phone to make sure their questions have been answered.

Identify and Resolve Technology Barriers Prior to Conducting the Remote Remote Briefing. The lack of technology or inability to use technology for a remote briefing can impose a disadvantage for individuals or families that may not be apparent to HACA. Thus, HACA will determine if barriers exist prior to scheduling the remote briefing. If the participant does not have proper technology access which will allow the individual to fully participate, then the remote briefing will be postponed, or an in-person alternative must be provided

Accessible Platform—~~For remote briefings, steps for an accessible platform will be~~

~~taken to include ensuring any information, websites, emails, digital notifications, and platforms are accessible for persons with vision, hearing, and other disabilities. Helpful guidelines for ensuring the accessibility of webbased and digital materials are available through the World Wide Web Consortium's Web Accessibility Initiative at <https://www.w3.org/WAI/>.~~

~~**Individualized auxiliary aids or services.** To provide effective communication in a digital context, individualized AA/S may include audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Examples of AA/S that may be necessary when conducting a remote briefing can be found at 28 CFR 35.104.~~

~~Under Section 504 and the ADA, the type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual, the nature, length, and complexity of the communication involved, and the context in which the communication is taking place. Important information is conveyed during the remote briefing. HACA will give primary consideration to the auxiliary aid or service requested by the individual with a disability. In order to be effective, auxiliary aids or services as this term is defined in 28 CFR 35.104 and 24 CFR 8.3 must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability as this term is defined in 28 CFR 35.108 (see also 28 CFR 35.160(b)(2); 24 CFR 8.6).~~

HACA will never require that an individual with disabilities provide their own auxiliary aids or services, including for remote hearings or remote briefings. HACA will not rely on an adult or minor child accompanying a person with a disability to interpret or facilitate communication for such person, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available; or where the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on the adult for such assistance is appropriate under the circumstances. . (28 CFR 35.160-164; 24 CFR 8.6).

Reasonable Accommodations. HACA is required to make reasonable accommodations in policies, practices, and procedures to ensure persons with disabilities have a full and equal opportunity to participate in and benefit from all aspects of the remote briefing. This obligation is in addition to the obligation to ensure effective communication under Section 504 and the ADA.

If no method of conducting a remote briefing is available that appropriately

Personally Identifiable Information (PII). For documents that contain PII and are provided prior to a remote briefing, HACA will minimizing the risk of exposure or misuse of the data collected, used, and shared. PII is information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information directly linked or linkable to a specific individual. Examples of PII include name, social security number, biometric records, date and place of birth, and mother's maiden name. When considering how remote briefing information is shared, HACA shall ensure that electronic information stored or transmitted is secure per Notice PIH-2015-06.

Notification and Attendance

HACA Policy

Families will be notified of their eligibility for assistance at the time they are invited to attend a briefing. The notice will identify who is required to attend the briefing, as well as the date and time of the scheduled briefing. **The notice will also inform the family of any additional requirements for in-person or remote briefings as addressed in relevant policy elsewhere in this section.**

The notice will be sent by first class mail and will also be sent by email if the family has provided a valid email address to the PHA.

If the notice is returned by the post office with no forwarding address, the applicant will be denied and their name will not be placed back on the waiting list. If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated.

Applicants who fail to attend a scheduled briefing will be scheduled for another briefing automatically. HACA will notify the family of the date and time of the second scheduled briefing. Applicants who fail to attend two scheduled briefings, without HACA approval, will be denied assistance (see Chapter 3).

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 the PHA's jurisdiction;

When HACA was required to obtain third-party verification but instead relies on a tenant declaration for verification of income, assets, or expenses, the family's file must be documented to explain why third-party verification was not available.

HACA Policy

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to the HACA.

HACA may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification/tenant declaration must be made in a format acceptable to HACA and must be signed by the family member whose information or status is being verified.

PART II: VERIFYING FAMILY INFORMATION

7-II.A. VERIFICATION OF LEGAL IDENTITY

HACA Policy

HACA will require families to furnish verification of legal identity for each household member.

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 Vehicles identification card U.S. military discharge (DD 214) Current U.S. passport Current government employer identification card with picture	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 identification card with picture

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 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 HACA and be signed in the presence of a HACA representative or HACA notary public.

documentation of an individual's SSN.

HACA Policy

Once an individual's status is classified as "verified" in HUD's EIV system, HACA will no longer require documentation as evidence of social security numbers, however HACA will keep documentation previously submitted by the tenant.

7-II.C. DOCUMENTATION OF AGE

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.

HACA Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, HACA will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license, government-issued photo ID, DD-214 form, or other document from a government entity that displays the family member's name and date of birth) ~~if birth year is recorded~~ and to provide a self-certification.

Age must be verified only once during continuously-assisted occupancy.

7-II.D. FAMILY RELATIONSHIPS

Applicants and program participants are required to identify the relationship of each household member to the head of household. Definitions of the primary household relationships are provided in the Eligibility chapter.

HACA Policy

Family relationships are verified only to the extent necessary to determine a family's eligibility and level of assistance. Certification by the head of household normally is sufficient verification of family relationships.

Marriage

HACA Policy

Certification by the head of household is normally sufficient verification. If the HACA has reasonable doubts about a marital relationship, the HACA will require the family to document the marriage.

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

Separation or Divorce

HACA Policy

SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. The family member must provide written consent and contact information for HACA to contact the knowledgeable medical professional and send a request for written verification. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition. Based upon the knowledgeable medical professional's response, HACA will or will not grant the family a wait list preference or certain income disallowances and deductions. If HACA does not receive a response from the medical professional within 30 calendar days, the family's claim for disability status is denied. The family will receive written notification of the denial, the reason for the denial and is advised of their right to request an informal hearing.

7-II.G. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5.508]

Overview

Housing assistance is not available to persons who are not citizens, nationals, or eligible immigrants. Prorated assistance is provided for "mixed families" containing both eligible and ineligible persons. A detailed discussion of eligibility requirements is in the Eligibility chapter. This verifications chapter discusses HUD and HACA verification requirements related to citizenship status.

The family must provide a certification that identifies each family member as a U.S. citizen, a U.S. national, an eligible noncitizen or an ineligible noncitizen and submit the documents

discussed below for each family member. Once eligibility to receive assistance has been verified for an individual it need not be collected or verified again during continuously-assisted occupancy. [24 CFR 5.508(g)(5)]

U.S. Citizens and Nationals

HUD requires a declaration for each family member who claims to be a U.S. citizen or national. The declaration must be signed personally by any family member 18 or older and by a guardian for minors.

The HACA may request verification of the declaration by requiring presentation of a birth certificate, United States passport or other appropriate documentation.

HACA Policy

~~Family members who claim U.S. citizenship or national status will be required to provide one of the following supporting documents: an original birth certificate, naturalization document, valid unexpired United States passport, an original baptism certificate or U.S. military report of separation (DD214). HACA will not require verification of the declaration of family members who claim to be U.S. citizens or nationals.~~

Eligible Immigrants

are observed and will require the responsible party to make the necessary repairs.

If the annual inspection has been scheduled or is due within 60 days of the date the special inspection is scheduled, HACA may elect to conduct a full annual inspection.

HACA may conduct special inspections by HUD's approved remote video inspection (RVIs) protocol. (PIH Notice 2020-31).

8-II.E. QUALITY CONTROL INSPECTIONS [24 CFR 982.405(b); HCV GB, p. 10-32]

HUD requires a HACA supervisor or other qualified person to conduct quality control inspections of a sample of units to ensure that each inspector is conducting accurate and complete inspections and that there is consistency in the application of the HQS.

The unit sample must include only units that have been inspected within the preceding ~~three 3~~ months. ~~The selected sample should be drawn to represent a cross section of neighborhoods and the work of a cross section of inspectors~~ ~~The selected sample will include (1) each type of inspection (initial, annual, and special), (2) inspections completed by each inspector, and (3) units from a cross section of neighborhoods.~~

HACA Policy

The Inspections Manager, or other designated qualified person will conduct the Quality Control Inspection.

Quality Control Inspections will be selected at random from HQS inspections that have been completed within the last 60 days.

The Quality Control Inspection will be scheduled with the tenant. QC Inspections will be conducted with the tenant's permission and at the tenant's convenience during normal business hours. If the tenant is unable or unwilling to schedule a QC Inspection, another inspection will be selected.

During the Quality Control Inspection, The HQS Quality Control Inspection form and the Quality Control Unit Inspection form will be completed. Completed QC Inspections will be tracked in the QC Database and supporting documentation will be maintained in the QC Inspection File.

HACA may conduct quality control inspections by HUD's approved remote video inspection (RVIs) protocol (PIH Notice 2020-31).

8-II.F. INSPECTION RESULTS AND REINSPECTIONS FOR UNITS UNDER HAP CONTRACT

Notification of Corrective Actions

The owner and the family will be notified in writing of the results of all inspections. When an inspection identifies HQS failures, HACA will determine (1) whether or not the failure is a life threatening condition and (2) whether the family or owner is responsible.

HACA Policy

amounts for each FMR area within HACA's jurisdiction, and for each unit size within each of the FMR areas. For each unit size, HACA may establish a single payment standard amount for the whole FMR area, or may set different payment standards for different parts of the FMR area. Unless HUD grants an exception, HACA is required to establish a payment standard within a "basic range" established by HUD – between 90 and 110 percent of the published FMR for each unit size.

Updating Payment Standards

When HUD updates its FMRs, 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.

Lease-up Time and Success Rate: HACA will consider the percentage of families that are unable to locate suitable housing before the voucher expires and whether families are leaving the jurisdiction to find affordable housing.

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 [24 CFR 982.503(c)(5), Notice PIH 2018-01]

A non-SAFMR PHA may establish an exception payment standard for a zip code area of up to and including 110 percent of the SAFMR determined by HUD for that zip code area. Regardless of the level of the exception payment standard compared to the metropolitan area FMRs (MAFMRs), the PHA must send an email to SAFMRs@hud.gov to notify HUD that it has adopted an exception payment standard based on the SAFMR. A PHA that adopts an exception payment standard pursuant to this authority must apply it to the entire ZIP code area, for both its

in person, ~~or~~ by first class mail **or emailed**, by the close of the business day, no later than 15 calendar days from the date of HACA's denial of assistance.

HACA will schedule and send written notice of the informal review within 30 calendar days of the family's request. **The notice will be mailed and if we have the family's email, the notice may be emailed.**

Informal Review Procedures [24 CFR 982.554(b)]

The informal review must be conducted by a person other than the one who made or approved the decision under review, or a subordinate of this person.

The applicant must be provided an opportunity to present written or oral objections to the decision of HACA.

HACA Policy

The informal review will be conducted by an appointed Hearing Officer who is a person other than the one who made or approved 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 HACA.

The Hearing Officer will render a decision on whether assistance should be granted or denied.

Remote Informal Reviews [Notice PIH 2020-32]

~~All PHA policies and processes for remote informal reviews must be conducted in accordance with due process requirements and be in compliance with HUD regulations.~~ There is no requirement that informal reviews be conducted in-person and, as such, HUD allows PHAs to conduct all or a portion of their informal review remotely either over the phone, via video conferencing, or through other virtual platforms. If the PHA chooses to conduct remote informal reviews, applicants may still request an in-person informal review, as applicable.

HACA Policy

HACA has the sole discretion to require that informal reviews be conducted remotely in case of local, state, or national physical distancing orders, and in cases of inclement weather or natural disaster.

In addition, HACA will conduct an informal review remotely upon request of the applicant as a reasonable accommodation for a person with a disability, if an applicant does not have child care or transportation that would enable them to attend the informal review, or if the applicant believes an in-person informal review would create an undue

health risk. HACA will consider other reasonable requests for a remote informal review on a case-by-case basis.

Ensuring Accessibility for Persons with Disabilities and LEP Individuals

As with in-person informal reviews, the platform for conducting remote informal reviews must be accessible to persons with disabilities and the informal review must be conducted in accordance with Section 504 and accessibility requirements. This includes ensuring any information, websites, emails, digital notifications, and other virtual platforms are accessible for persons with vision, hearing, and other disabilities. Further, providing effective communication in a digital context may require the use of individualized auxiliary aids or services, such as audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Auxiliary aids or services must be provided in accessible formats, in a timely manner, and in such a way to protect the privacy and independence of the individual. PHAs may never request or require that individuals with disabilities provide their own auxiliary aids or services, including for remote informal hearings.

PHAs are required to make reasonable accommodations in policies, practices, and procedures to ensure persons with disabilities have a full and equal opportunity to participate in and benefit from all aspects of the informal review process. See Chapter 2 for a more detailed discussion of reasonable accommodation requirements.

If no method of conducting a remote informal review is available that appropriately accommodates an individual's disability, the PHA may not hold against the individual his or her inability to participate in the remote informal review, and the PHA should consider whether postponing the remote informal review to a later date is appropriate or whether there is a suitable alternative.

Due to the individualized nature of disability, the appropriate auxiliary aid or service necessary, or reasonable accommodation, will depend on the specific circumstances and requirements.

As with in-person reviews, Limited English Proficiency (LEP) requirements also apply to remote informal reviews, including the use of interpretation services and document translation. See Chapter 2 for a more thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote informal reviews.

Conducting Remote Informal Reviews

The PHA must ensure that the lack of technology or inability to use technology for remote informal reviews does not pose a disadvantage to families that may not be apparent to the PHA. The PHA should determine through a survey or other means if these barriers exist prior to

conducting the remote informal review and, if the family does not have the proper technology to fully participate, either postpone the informal review or provide an alternative means of access.

As with in-person informal reviews, the PHA must provide all materials presented, whether paper or electronic, to the family prior to the remote informal review. The family must also be provided with an accessible means by which to transmit their own evidence.

HACA must ensure that the applicant has the right to hear and be heard. All PHA policies and processes for remote informal reviews must be conducted in accordance with due process requirements and be in compliance with HUD regulations at 24 CFR 982.554 and guidance specified in Notice PIH 2020-32.

HACA Policy

HACA will conduct remote informal reviews via telephone conferencing call-in or via videoconferencing. If the informal review will be conducted via videoconferencing, HACA will ensure that all applicants, applicant representatives, HACA representatives and the person conducting the informal review can adequately access the platform (i.e., hear, be heard, see, and be seen). If any applicant, applicant representative, HACA representative, or person conducting the informal review is unable to effectively utilize the videoconferencing platform, the informal review will be conducted by telephone conferencing call-in.

Whether the informal review is to be conducted via videoconferencing or telephone call-in, the HACA will provide all parties login information and/or conferencing call-in information before the review.

Informal Review Decision [24 CFR 982.554(b)]

HACA must notify the applicant of HACA's final decision, including a brief statement of the reasons for the final decision.

HACA Policy

HACA will notify the applicant of HACA's final decision, including a brief statement of the reasons for the final decision.

In rendering a decision, HACA will evaluate the following matters:

Whether or not the grounds for denial were stated factually in the notice to the family.

The validity of grounds for denial of assistance. If the grounds for denial are not specified in the regulations, then the decision to deny assistance will be

Remote Informal Hearings (PIH Notice 2020-32_

There is no requirement that informal hearings be conducted in-person, and as such, HUD allows PHAs to conduct all or a portion of their informal hearings remotely either over the phone, via video conferencing, or through other virtual platforms. If the PHA chooses to conduct remote informal hearings, applicants may still request an in-person informal hearing, as applicable. ~~HACA's essential responsibility is to ensure informal hearings meet the requirements of due process and comply with HUD regulations. Therefore, all HACA policies and processes for remote informal hearings will be conducted in accordance with due process requirements and will be in compliance with HUD regulations and outlined in PIH Notice 2020-32~~

HACA Policy

HACA may conduct informal hearings in-person or remotely via webcast, video call, by phone, by mail or by another virtual method.

HACA has the sole discretion to require that informal hearings be conducted remotely in case of local, state, or national physical distancing orders, and in cases of inclement weather or natural disaster.

In addition, HACA will conduct an informal hearing remotely upon request as a reasonable accommodation for a person with a disability, if a participant does not have child care or transportation that would enable them to attend the informal hearing, or if the participant believes an in-person hearing would create an undue health risk. HACA will consider other reasonable requests for a remote informal hearing on a case-by-case basis.

Ensuring Accessibility for Persons with Disabilities and LEP Individuals

As with in-person informal hearings, the platform for conducting remote informal hearings must be accessible to persons with disabilities and the informal hearings must be conducted in accordance with Section 504 and accessibility requirements. This includes ensuring any information, websites, emails, digital notifications, and other virtual platforms are accessible for persons with vision, hearing, and other disabilities. Further, providing effective communication in a digital context may require the use of individualized auxiliary aids or services, such as audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Auxiliary aids or services must be provided in accessible formats, in a timely manner, and in such a way to protect the privacy and independence of the individual. PHAs may never request or require that individuals with disabilities provide their own auxiliary aids or services, including for remote informal hearings.

PHAs are required to make reasonable accommodations in policies, practices, and procedures to ensure persons with disabilities have a full and equal opportunity to participate in and benefit

from all aspects of the informal hearing process. See Chapter 2 for a more detailed discussion of reasonable accommodation requirements.

If no method of conducting a remote informal hearing is available that appropriately accommodates an individual's disability, the PHA may not hold against the individual his or her inability to participate in the remote informal hearing, and the PHA should consider whether postponing the remote hearing to a later date is appropriate or whether there is a suitable alternative.

Due to the individualized nature of disability, the appropriate auxiliary aid or service necessary, or reasonable accommodation will depend on the specific circumstances and requirements.

As with in-person reviews, Limited English Proficiency (LEP) requirements also apply to remote informal hearings, including the use of interpretation services and document translation. See Chapter 2 for a more thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote informal hearings.

Conducting Informal Hearings Remotely

The PHA must ensure that the lack of technology or inability to use technology for remote informal hearings does not pose a disadvantage to families that may not be apparent to the PHA. The PHA should determine through a survey or other means if these barriers exist prior to conducting the remote informal hearing and, if the family does not have the proper technology to fully participate, either postpone the informal hearing or provide an alternative means of access.

As with in-person informal hearings, the PHA must provide all materials presented, whether paper or electronic, to the family prior to the remote informal hearing. The family must also be provided with an accessible means by which to transmit their own evidence.

The PHA's essential responsibility is to ensure informal hearings meet the requirements of due process and comply with HUD regulations. Therefore, all PHA policies and processes for remote informal hearings will be conducted in accordance with due process requirements, and will be in compliance with HUD regulations at 24 CFR 982.555 and the guidance for conducting remote hearings specified in Notice PIH 2020-32. ~~In conducting any informal hearing remotely, the PHA shall ensure due process and that all parties are able to have full access to the hearing.~~

Remote Informal Hearings Policy (Ref PIH Notice 2020-32)

~~In conducting any informal hearing remotely, HACA shall ensure due process and that all parties are able to have full access to the hearing.~~

HACA Policy

HACA will conduct remote informal hearings via telephone conferencing call or via

video conferencing. If the informal hearing will be conducted via videoconferencing, HACA will ensure that all participants, participant representatives, advocates, witnesses, HACA representatives, and the informal hearing officer can adequately access the platform.

If any participant, representative, advocate, witness, HACA representative, or hearing officer is unable to effectively utilize the videoconferencing platform, the informal hearing will be conducted by telephone conferencing call-in.

Whether the informal hearing is to be conducted via videoconferencing or telephone call-in, HACA will provide all parties login information and/or telephone call-in information before the informal hearing. HACA will also provide technical assistance, if needed, before the informal hearing.

~~**Accessible Platform**—For remote hearings, steps for an accessible platform will be taken to include ensuring any information, websites, emails, digital notifications, and platforms are accessible for persons with vision, hearing, and other disabilities. Helpful guidelines for ensuring the accessibility of webbased and digital materials are available through the World Wide Web Consortium’s Web Accessibility Initiative at <https://www.w3.org/WAI/>.~~

~~**Individualized auxiliary aids or services.** To provide effective communication in a digital context, individualized AA/S may include audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Examples of AA/S that may be necessary when conducting a remote informal hearing can be found at 28 CFR 35.104.~~

~~Under Section 504 and the ADA, the type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual, the nature, length, and complexity of the communication involved, and the context in which the communication is taking place. Important information is conveyed during remote informal hearing. HACA will give primary consideration to the auxiliary aid or service requested by the individual with a disability. In order to be effective, auxiliary aids or services as this term is defined in 28 CFR 35.104 and 24 CFR 8.3 must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability as this term is defined in 28 CFR 35.108 (see also 28 CFR 35.160(b)(2); 24 CFR 8.6).~~

HACA will never require that an individual with disabilities provide their own auxiliary aids or services for remote hearings. HACA will not rely on an adult or minor child accompanying a person with a disability to interpret or facilitate communication for such person, except in an emergency involving

HACA will schedule and send written notice of the informal hearing to the family within 30 calendar days of the family's request.

If the hearing will be conducted remotely, at the time the notice is sent to the family, the family will be notified:

Regarding the processes involved in a remote informal hearing;

That HACA will provide technical assistance prior to and during the informal hearing, if needed; and

That if the family or any individual witness has any technological, resource, or accessibility barriers, the family may inform the HACA and HACA will assist the family in either resolving the issue or allow the family to participate in an in-person hearing, as appropriate.

The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict, which seriously affects the health, safety or welfare of the family. Requests to reschedule a hearing must be made orally or in writing within forty-eight (48) hours of hearing date. At its discretion, HACA may request documentation of the "good cause" prior to rescheduling the hearing. Failure to adhere to the forty-eight (48) hour notice requirement or failure to show up for the hearing will result in automatic loss of appeal.

Failure to Appear

There may be times when a participant does not appear due to unforeseen circumstances that are out of their control and are no fault of their own.

HACA Policy

If the tenant does not appear at the scheduled time of the hearing, the Hearing Officer will wait up to 15 minutes. If the tenant appears within 15 minutes of the scheduled time, the hearing will be held. If the tenant does not arrive within 15 minutes of the scheduled time, they will be considered to have failed to appear.

If the tenant fails to appear and was unable to reschedule the hearing in advance, the tenant must contact HACA within 24 hours of the scheduled hearing date, excluding weekends and holidays. The Hearing Officer will reschedule the hearing only if the tenant can show good cause for the failure to appear, or it is needed as a reasonable accommodation for a person with disabilities.

Good cause is defined as an unavoidable conflict that seriously affects the health, safety or welfare of the family.

- Are located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year Estimates. Only units that are under a HAP contract that was first executed on or after April 18, 2017, may be covered by the 10 percent exception.

HACA Policy

HACA may project-base up to an additional 10 percent of its authorized units, up to 30 percent, in accordance with HUD regulations and requirements. ~~The PHA will not set aside units above the 20 percent program limit.~~

Units Not Subject to the PBV Program Limitation [FR Notice 1/18/17]

PBV units under the RAD program and HUD-VASH PBV set-aside vouchers do not count toward the 20 percent limitation when PBV assistance is attached to them.

In addition, units that were previously subject to certain federal rent restrictions or were receiving another type of long-term housing subsidy provided by HUD are not subject to the cap. The unit must be covered under a PBV HAP contract that first became effective on or after April 18, 2017.

HACA Policy

HACA may project-base units not subject to the 20 percent cap in accordance with HUD regulations and requirements.

~~HACA will not project base any units not subject to the 20 percent cap.~~

17-I.B. TENANT-BASED VS. PROJECT-BASED VOUCHER ASSISTANCE [24 CFR 983.2]

Much of the tenant-based voucher program regulations also apply to the PBV program. Consequently, many of the PHA policies related to tenant-based assistance also apply to PBV assistance. The provisions of the tenant-based voucher regulations that do not apply to the PBV program are listed at 24 CFR 983.2.

HACA Policy

Except as otherwise noted in this chapter, or unless specifically prohibited by PBV program regulations, HACA's policies for the tenant-based voucher program contained in this administrative plan also apply to the PBV program and its participants.

17-I.C. RELOCATION REQUIREMENTS [24 CFR 983.7]

Any persons displaced as a result of implementation of the PBV program must be provided relocation assistance in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)[42 U.S.C. 4201-4655] and implementing regulations at 49 CFR part 24.

The cost of required relocation assistance may be paid with funds provided by the owner, local public funds, or funds available from other sources. PHAs may not use voucher program funds to cover relocation costs, except that PHAs may use their administrative fee reserve to pay for relocation expenses after all other program administrative expenses are satisfied, and provided that payment of the relocation benefits is consistent with state and local law. Use of the administrative fee for these purposes must also be consistent with other legal and regulatory requirements, including the requirement in 24 CFR 982.155 and other official HUD issuances.

The acquisition of real property for a PBV project is subject to the URA and 49 CFR part 24, subpart B. It is the responsibility of the PHA to ensure the owner complies with these requirements.

17-I.D. EQUAL OPPORTUNITY REQUIREMENTS [24 CFR 983.8]

The PHA must comply with all equal opportunity requirements under federal law and regulations in its implementation of the PBV program. This includes the requirements and authorities cited at 24 CFR 5.105(a). In addition, the PHA must comply with the PHA Plan certification on civil rights and affirmatively furthering fair housing, submitted in accordance with 24 CFR 903.7(o).

HACA will rate and rank proposals for rehabilitated and newly constructed housing using the following criteria:

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

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

If applicable, the extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and

Projects which 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.

HACA Requests for Proposals for Existing Housing Units

HACA will advertise its request for proposals (RFP) for existing housing in the following newspapers and trade journals.

Austin American Statesman

The Austin Chronicle

The Villager

El Mundo

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, HACA will post the notice inviting such proposal submission and the rating and ranking procedures on its electronic web site.

HACA may periodically publish its advertisement in the newspapers and trade journals mentioned above for at least one day per week for two consecutive weeks. The advertisement will specify the number of project based units available. The due date for proposals will be specified in the RFP. *Advertisements will also contain a statement that participation in the PBV program requires compliance with Fair Housing and Equal Opportunity (FHEO) requirements.*

assistance, the family may do so regardless of whether the family share would initially exceed 40 percent of the family's adjusted monthly income.

Remedies for HQS Violations [24 CFR 983.208(b)]

The PHA may not make any HAP payment to the owner for a contract unit during any period in which the unit does not comply with HQS. If the PHA determines that a contract does not comply with HQS, the PHA may exercise any of its remedies under the HAP contract, for any or all of the contract units. Available remedies include termination of housing assistance payments, abatement or reduction of housing assistance payments, reduction of contract units, and termination of the HAP contract.

HACA Policy

HACA will abate and terminate PBV HAP contracts for non-compliance with HQS in accordance with the policies defined in the tenant-based voucher program. These policies are contained in Chapter 8 of HACA's HCV Administrative Plan.

17-V.C. AMENDMENTS TO THE HAP CONTRACT**Substitution of Contract Units [24 CFR 983.207(a)]**

At the PHA's discretion and subject to all PBV requirements, the HAP contract may be amended to substitute a different unit with the same number of bedrooms in the same project for a previously covered contract unit. Before any such substitution can take place, the PHA must inspect the proposed unit and determine the reasonable rent for the unit.

Addition of Contract Units [FR Notice 1/18/17 and Notice PIH 2017-21]

The PHA and owner may amend the HAP contract to add additional PBV contract units in projects that already have a HAP contract without having to fulfill the selection requirements found at 24 CFR 983.51(b) for those additional PBV units, regardless of when the HAP contract was signed. The additional PBV units, however, are still subject to the PBV program cap and individual project caps. Prior to attaching additional units without competition, the PHA must submit to the local field office information outlined in FR Notice 1/18/17. The PHA must also detail in the administrative plan their intent to add PBV units and the rationale for adding units to the specific PBV project.

HACA Policy

HACA will consider adding units to the contract on a case-by-case basis to ensure the availability of affordable housing as long as the addition of units does not exceed allowable project caps ~~HACA will consider adding contract units to the HAP contract when HACA determines that additional housing is needed to serve eligible low-income~~

~~opportunity to be~~ added to Pathways at Chalmers Court West project-based voucher waiting list. If the Housing Choice Voucher waiting list doesn't provide enough referrals to fill the available project-based voucher units, referrals would come directly from Pathways at Chalmers Court West to be added to the project-based voucher waiting list. Households who meet the Housing Choice Voucher initial eligibility requirements will be referred to Pathways at Chalmers Court West for a project-based voucher unit.

Eligible applicants must meet Pathways at Chalmers Court West tenant selection screening criteria.

If the applicant was previously on the Housing Choice Voucher waiting and decides not to lease a unit at Pathways at Chalmers Court West, the applicant will remain on the HCV tenant-base voucher waiting list.

If the applicant was not previously on the Housing Choice Voucher waiting list and was referred to apply by Pathways at Chalmers Court West and refuses an offer of PBV assistance or does not meet Pathways at Chalmers Court West's screening criteria, they will not be eligible to remain on the regular tenant-base Housing Choice Voucher waiting list.

Pathways at Rosewood Courts

HACA will project-base up to 60 vouchers at Rosewood Courts. The property is located at 2001 Rosewood Ave, Austin Texas.

Tenant Selection

Up to sixty (60) regular Project-based Vouchers

HACA will use the same selection preferences that are used for the HCV tenant-base voucher program for up to 60 regular PBV units.

Applicants on the Housing Choice Voucher programs tenant-base waiting list will be added to Pathways at Rosewood Courts project-based voucher waiting list. If the Housing Choice Voucher waiting list doesn't provide enough referrals to fill the available project-based voucher units, referrals would come directly from Pathways at Rosewood Courts to be added to the project-based voucher waiting list. Households who meet the Housing Choice Voucher initial eligibility requirements will be referred to Pathways at Rosewood Courts for a project-based voucher unit.

Eligible applicants must meet Pathways at Rosewood Courts tenant selection screening criteria.

If the applicant was previously on the Housing Choice Voucher waiting and decide not to lease a unit at Pathways at Rosewood Courts, the applicant will remain on the HCV tenant-base voucher waiting list.

If the applicant was not previously on the Housing Choice Voucher waiting list and was referred

to apply by Pathways at Rosewood Courts and refuses an offer of PBV assistance or does not meet Pathways at Rosewood Courts's screening criteria, they will not be eligible to remain on the regular tenant-base Housing Choice Voucher waiting list.

Cambrian East Riverside

HACA will project-base 8 vouchers at Cambrian East Riverside located at 1806 Clubview Avenue, Austin TX 78741

HACA will use the same selection preferences that are used for the HCV tenant-base voucher program.

Applicants on the Housing Choice Voucher programs tenant-base waiting list will be ~~given the opportunity to be~~ added to the Cambrian East Riverside project-based voucher waiting list. If the Housing Choice Voucher waiting list does not provide enough referrals to fill the available project-based voucher units, referrals would come directly from Cambrian East Riverside to be added to the project-based voucher waiting list. Households who meet the Housing Choice Voucher initial eligibility requirements will be referred to Cambrian East Riverside for a project-base voucher unit.

Eligible applicants must meet Cambrian East Riverside's tenant selection screening criteria.

If the applicant was previously on the Housing Choice Voucher waiting and decides not to lease a unit at Cambrian East Riverside, the applicant will remain on the waiting list for HCV tenant-based voucher assistance.

If the applicant was not previously on the Housing Choice Voucher waiting list and was referred to apply by Cambrian East Riverside and refuses an offer of PBV assistance or doesn't meet Cambrian East Riverside's screening criteria, they will not be eligible to remain on the regular tenant-base Housing Choice Voucher waiting list.

Waterloo Terrace

HACA will project-base 15 units at Waterloo Terrace. The property is located at 12190 North Mopac Expressway, Austin TX 78758.

Tenant Selection

HACA will allow the PBV owner to refer households for placement on the waiting list. HACA will use the following local preferences for purposes of establishing priority. The local preferences are weighted differently, with the higher number representing a higher ranking. Each applicant family can be granted a maximum of one

local preference plus the Owner Referral preference (if they qualify). Weights for each preference are as follows:

Owner Referral	= 1
Project-Specific Supportive Services Need	= 1
Disability	= 1
Chronically Homeless	= 2

Owner Referral Preference: HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC ~~Lead~~ ~~a~~Agency as the highest priority eligible household as required by the project's funding sources.

Project-Specific Supportive Services Need Preference: HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

Disability: HACA will give preference to disabled families. A disabled family is a family in which the head, spouse or co-head is disabled using the current HUD definition of disability.

Chronically Homeless Preference: HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

Capital Studios

HACA will project-base 10 units at Capital Studios. The property is located at 309 East 11th Street, Austin TX 78701.

Tenant Selection

HACA will allow the PBV owner to refer households for placement on the waiting list. HACA will use the following local preferences for purposes of establishing priority. The local preferences are weighted differently, with the higher number representing a higher ranking. Each applicant family can be granted a maximum of one local preference plus the Owner Referral preference (if they qualify). Weights for each preference are as follows:

Owner Referral	= 1
Project-Specific Supportive Services Need	= 1
Disability	= 1
Chronically Homeless	= 2

Owner Referral Preference: HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC ~~Lead~~ **a**Agency as the highest priority eligible household as required by the project's funding sources.

Project-Specific Supportive Services Need Preference: HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

Disability: HACA will give preference to disabled families. A disabled family is a family in which the head, spouse or co-head is disabled using the current HUD definition of disability.

Chronically Homeless Preference: HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

Texas Bungalows

HACA will project-base 50 units at Texas Bungalows. The property is located at 13311 Burnet Road, Austin TX 78727.

Tenant Selection

HACA will allow the PBV owner to refer households for placement on the waiting list. HACA will use the following local preferences for purposes of establishing priority. The local preferences are weighted differently, with the higher number representing a higher ranking. Each applicant family can be granted a maximum of one local preference plus the Owner Referral preference (if they qualify). Weights for each preference are as follows:

Owner Referral	= 1
Project-Specific Supportive Services Need	= 1
Disability	= 1
Chronically Homeless	= 2

Owner Referral Preference: HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC ~~Lead~~ **a**Agency as the highest priority eligible household as required by the project's funding sources.

Project-Specific Supportive Services Need Preference: HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

Disability: HACA will give preference to disabled families. A disabled family is a family in which the head, spouse or co-head is disabled using the current HUD definition of disability.

Chronically Homeless Preference: HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score

the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

Espero at Rutland

HACA will project-base 25 HCV and 25 HUD-VASH units at Espero at Rutland. The property is located at 1934 Rutland Drive, Austin TX 78758.

Tenant Selection

HACA will accept HUD-VASH applicants for vacant units in the order received from the Veterans Affairs Austin Outpatient Clinic in accordance with HUD-VASH Operating Requirements.

For non-specified category vouchers, HACA will allow the PBV owner to refer households for placement on the waiting list. HACA will use the following local preferences for purposes of establishing priority. The local preferences are weighted differently, with the higher number representing a higher ranking. Each applicant family can be granted a maximum of one local preference plus the Owner Referral preference (if they qualify). Weights for each preference are as follows:

Owner Referral	= 1
Project-Specific Supportive Services Need	= 1
Disability	= 1
Chronically Homeless	= 2

Owner Referral Preference: HACA will give preference to households (including individuals) referred by the project owner who have completed a Coordinated Assessment administered by a member of the Austin/Travis County Continuum of Care (CoC) and been verified by the CoC ~~Lead~~ **a**Agency as the highest priority eligible household as required by the project's funding sources.

Project-Specific Supportive Services Need Preference: HACA will give preference to households (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain housing, who without appropriate supportive services will not be able to obtain or maintain housing, and for whom such services cannot be provided in a non-segregated setting. HACA will verify qualification for this preference with the PBV owner's on-site clinical staff. Disabled residents shall not be required to accept particular services offered at the project. HACA is prohibited from granting preferences to persons with specific disabilities (24 CFR 982.207(b)(3)).

Disability: HACA will give preference to disabled families. A disabled family is a family in which the head, spouse or co-head is disabled using the current HUD definition of disability.

Chronically Homeless Preference: HACA will give preference to households (including individuals) who meet the HUD definition of chronically homeless defined in the Final Rule published December 4, 2015 (24 CFR Part 91).

When notified of a vacancy in a PBV unit, HACA will first draw applicants that meet and score the highest site-based preferences based on date and time of application. HACA will then draw all other applicants based on the date and time of application.

17-VLE. OFFER OF PBV ASSISTANCE

Refusal of Offer [24 CFR 983.251(e)(3)]

The PHA is prohibited from taking any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:

- Refuse to list the applicant on the waiting list for tenant-based voucher assistance;
- Deny any admission preference for which the applicant qualifies;
- Change the applicant's place on the waiting list based on preference, date, and time of application, or other factors affecting selection under the PHA's selection policy;
- Remove the applicant from the tenant-based voucher waiting list.

Disapproval by Landlord [24 CFR 983.251(e)(2)]

If a PBV owner rejects a family for admission to the owner's units, such rejection may not affect the family's position on the tenant-based voucher waiting list.

Acceptance of Offer [24 CFR 983.252]

Family Briefing

When a family accepts an offer for PBV assistance, the PHA must give the family an oral briefing. The briefing must include information on how the program works and the responsibilities of the family and owner. In addition to the oral briefing, the PHA must provide a briefing packet that explains how the PHA determines the total tenant payment for a family, the family obligations under the program, and applicable fair housing information.

Persons with Disabilities

If an applicant family's head or spouse is disabled, the PHA must assure effective communication, in accordance with 24 CFR 8.6, in conducting the oral briefing and in providing