



MUSCATINE MUNICIPAL HOUSING AGENCY

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MEMORANDUM

TO: Gregg Mandsager, City Administrator
FROM: Jodi Royal-Goodwin, Housing Administrator
DATE: April 6, 2017
RE: Resolution to Approve the Annual Plan, Capital Fund Program Budget and Authorize the Mayor to sign the *Certification of Compliance with PHA Plan and Related Regulations*

INTRODUCTION: The Muscatine Municipal Housing Agency (MMHA) operates the Section 8 Housing Choice Voucher and Public Housing programs, which are funded by the U.S. Department of Housing and Urban Development. Each year MMHA must develop an Annual Plan, and submit a Capital Fund Program (CFP) Budget and required certifications.

BACKGROUND: The process of developing an Annual Plan requires a 45 day public comment period, consultation with the Resident Advisory Board, and a Public Hearing. The RAB consultation was held April 3 and the members' approved the proposed Annual Plan and CFP Budget.

The Annual Plan must include a report on significant policy changes, and the summary of revisions to the Administrative Plan and the Admissions and Continued Occupancy Policy are included. The CFP Budget is presented on the HUD 50075.1, which has been historically be used to submit the budget to HUD, however this year housing agencies are required to submit the budget through an on-line system. This CFP budget reflects that approved in the City budget process and assumes a FY18 grant equivalent to the current grant.

City Council acts as the MMHA Board of Commissioners and must approve the Plan and budget prior to submission. The Mayor as Chairperson of the Board must execute the *Certification of Compliance with PHA Plan and Related Regulations*

RECOMMENDATION/RATIONALE: It is recommended the Muscatine City Council, acting as the MMHA Board of Commissioners, approve the Annual Plan, Capital Fund Program Budget and Authorize the Mayor to sign the *Certification of Compliance with PHA Plan and Related Regulations*.

Attached:

- Resolution
- Annual Plan – HUD-50075-SM
- Attachment 1: Deconcentration Statement
- Attachment 2: HUD-50077-CRT-SM
- Attachment 3-1 & 3-2 Summaries of Policy Changes
- Attachment 4: Resident Advisory Board Minutes
- Attachment 5: Capital Fund Program Budget/HUD-50075.1 Annual Statement
- Attachment 6: HUD-50077-SL
- Attachment 7: Certification of Public Hearing
- Attachment 8: HUD-50070
- Attachment 9: HUD-50071

"I remember Muscatine for its sunsets. I have never seen any on either side of the ocean that equaled them"- Mark Twain

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE ANNUAL PLAN,
APPROVING THE CAPITAL FUND PROGRAM BUDGET AND AUTHORIZING THE
MAYOR TO SIGN THE CERTIFICATION OF COMPLIANCE WITH PHA PLAN AND
RELATED REGULATIONS**

WHEREAS, the Muscatine Municipal Housing Agency (MMHA) administers the Section 8 Housing Choice Voucher and Public Housing programs funded by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, HUD requires public housing agencies to develop an Annual Plan and Capital Fund Budget annual for submission prior to the beginning of each fiscal year; and

WHEREAS, the Muscatine City Council, acting as the MMHA Board of Commissioners, has reviewed the Annual Plan, Capital Fund Budget and all supporting documents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Muscatine, Iowa, BY THE CITY COUNCIL OF MUSCATINE, IOWA to approve the Annual Plan, Capital Fund Program Budget and authorize the Mayor to sign the *Certification of Compliance with PHA Plan and Related Regulations*.

PASSED, APPROVED AND ADOPTED this 6th day of April 2017.

DIANA L. BRODERSON, MAYOR
CITY OF MUSCATINE, IOWA

GREGG MANDSAGER, CITY CLERK

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

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

Definitions.

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

A.	PHA Information.																										
A.1	<p>PHA Name: <u>Muscatine Municipal Housing Agency</u> PHA Code: <u>IA049</u> PHA Type: <input checked="" type="checkbox"/> Small <input type="checkbox"/> High Performer PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>07/01/2017</u> PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Public Housing (PH) Units <u>150</u> Number of Housing Choice Vouchers (HCVs) <u>376</u> Total Combined <u>526</u> PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2" style="width: 20%;">Participating PHAs</th> <th rowspan="2" style="width: 10%;">PHA Code</th> <th rowspan="2" style="width: 20%;">Program(s) in the Consortia</th> <th rowspan="2" style="width: 20%;">Program(s) not in the Consortia</th> <th colspan="2" style="width: 30%;">No. of Units in Each Program</th> </tr> <tr> <th style="width: 15%;">PH</th> <th style="width: 15%;">HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:																	
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B.	Annual Plan Elements Submitted with 5-Year PHA Plans. Required elements for all PHAs completing this document in years in which the 5-Year Plan is also due. This section does not need to be completed for years when a PHA is not submitting its 5-Year Plan. See Section C for required elements in all other years (Years 1-4).
B.1	<p>Revision of PHA Plan Elements.</p> <p>(a) Have the following PHA Plan elements been revised by the PHA since its last Five-Year PHA Plan submission?</p> <p>Y N</p> <p><input type="checkbox"/> <input type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input type="checkbox"/> <input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input type="checkbox"/> Rent Determination.</p> <p><input type="checkbox"/> <input type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input type="checkbox"/> Significant Amendment/Modification</p> <p>(b) The PHA must submit its Deconcentration Policy for Field Office Review.</p> <p>(c) If the PHA answered yes for any element, describe the revisions for each element below:</p>
B.2	<p>New Activities.</p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y N</p> <p><input type="checkbox"/> <input type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input type="checkbox"/> <input type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input type="checkbox"/> <input type="checkbox"/> Demolition and/or Disposition.</p> <p><input type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Tenant Based Assistance.</p> <p><input type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Project-Based Assistance under RAD.</p> <p><input type="checkbox"/> <input type="checkbox"/> Project Based Vouchers.</p> <p><input type="checkbox"/> <input type="checkbox"/> Units with Approved Vacancies for Modernization.</p> <p><input type="checkbox"/> <input type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project based units and general locations, and describe how project basing would be consistent with the PHA Plan.</p>

<p>B.3</p>	<p>Progress Report.</p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year Plan.</p> <p>Goal: Improve the Quality of assisted housing while managing resources. MMHA has maintained a 98% occupancy and 100% utilization in the Public Housing and Housing Choice Voucher programs, respectively. Maintenance completes work orders in less than 14 hours on average. The inspection process has been revised so that the City Housing Inspector conducts all inspections for the HCV program. This provides consistency for landlords throughout the City and is more consistent with the adopted policies.</p> <p>Goal: Use assisted housing as a platform for improving self-sufficiency and quality of life. MMHA continues to partner with the United Way, Muscatine Center for Strategic Action, Muscatine Community School District, and Muscatine County Community Services to coordinate services to improve efficiencies and outcomes for families and the community. Staff continues to evaluate and develop new partnerships that would enhance the quality of life in our complexes or for those receiving rental assistance.</p> <p>MMHA is in the process of reviewing all FSS policies and procedures to insure the effectiveness of services and utilization of resources. The PCC is being reconfigured to maximize community resources and develop a sustainable approach to service provision. In addition, significant effort is going into increasing FSS participation by public housing residents, especially families living at Sunset Park.</p> <p>Through the Housing Choice Voucher Program MMHA is proposing to adopt a preference for a number of families who are literally homeless and receiving services through the local homeless service provider.</p> <p>Goal: Adapt Programs to Muscatine County's changing housing environment, and to drive employment, education and social service opportunities for tenants.</p> <p>MMHA, as the Housing Department of the city of Muscatine, is co-sponsoring Poverty to Possibility, bringing a national speaker on generational poverty to the community to kick start a discussion on how poverty impacts are community and what we can do about it. The Housing Administrator also sits on the adult education sub-committee of the Aligned Impact Muscatine Initiative to improve family economic conditions through educational attainment and the Iowa Council of Homeless Board focusing on housing those most in need.</p> <p>Staff is working with internal and external partners to insure clients are provided quality living options. The Housing Administrator continues to attend the Muscatine Landlord Association meetings. Opportunities for strengthening the partnership between landlords and the Agency are continuously being evaluated as well as recruitment options.</p> <p>The City has initiated a Housing Demand Study through the Community Development Department and the Housing Administrator sits on the Technical Committee for this initiative. The Study is focused on the relationship between housing location and employment centers and the quality of housing.</p>
<p>C.</p>	<p>Annual Plan Elements Submitted All Other Years (Years 1-4). Required elements for all other fiscal years. This section does not need to be completed in years when a PHA is submitting its 5-Year PHA Plan.</p>
<p>C.1.</p>	<p>New Activities</p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Demolition and/or Disposition.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Tenant-Based Assistance.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Project Based Vouchers.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process.</p> <p>(c) If using Project-Based Vouchers, provide the projected number of project-based units, general locations, and describe how project-basing would be consistent with the PHA Plan.</p> <p>(d) The PHA must submit its Deconcentrating Policy for Field Office Review. See attachment 1.</p>

C.2	<p>Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan</p> <p><u>Form 50077-SM</u>, <i>Certification of Compliance with PHA Plans and Related Regulations</i>, including Item 5 must be submitted by the PHA as an electronic attachment to the PHA Plan. Item 5 requires certification on whether plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public.</p> <p>See Attachment 2, <i>Certification of Compliance with PHA Plans and Related Regulations</i>. The Housing Choice Voucher Administrative Plan and the Public Housing Admission and Continued Occupancy Policy have been revised to reflect regulatory changes, HUD guidance and improve alignment with community goals. Significant changes include revisions to the program overview, mission statement and preferences for both programs, adoption of streamlined verification for fixed income families, and clarification regarding the use of arrest records. A complete overview of the amendments to both documents is included as Attachment 3. There have been no substantial changes to the Capital Fund Program.</p>
<p>D Other Document or Certification Requirements for Annual Plan Submissions. Required in all submission years.</p>	
D.1	<p>Civil Rights Certification.</p> <p><u>Form 50077-SM-HP</u>, <i>Certification of Compliance with PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p> <p>See Attachment 2.</p>
D.2	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) provide comments to the PHA Plan?</p> <p>Y N <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p> <p>See Attachment 4.</p>
D.3	<p>Certification by State or Local Officials.</p> <p><u>Form HUD 50077-SL</u>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p> <p>See Attachment 5.</p>
<p>E Statement of Capital Improvements. Required in all years for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).</p>	
E.1	<p>Capital Improvements. Include a reference here to the most recent HUD-approved 5-Year Action Plan (HUD-50075.2) and the date that it was approved by HUD.</p> <p>See HUD Form 50075.2 approved by HUD June 1, 2015.</p>

Instructions for Preparation of Form HUD-50075-SM Annual Plan for Small and High Performing PHAs

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

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

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

B. Annual Plan. PHAs must complete this section during years where the 5-Year Plan is also due. (24 CFR §903.12)

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

MUSCATINE MUNICIPAL HOUSING AGENCY

DECONCENTRATION

Developments operated by the Muscatine Municipal Housing Agency are not subject to deconcentration of the poverty and income mixing requirements.

**Certification of Compliance with
PHA Plans and Related Regulations
(Small PHAs)**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 02/29/2016

**PHA Certifications of Compliance with the PHA Plans and Related Regulations
including Civil Rights and PHA Plan Elements that Have Changed**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the ___ 5-Year and/or X Annual PHA Plan for the PHA fiscal year beginning July 1, 2017, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA certifies that the following policies, programs, and plan components have been revised since submission of its last Annual PHA Plan (check all policies, programs, and components that have been changed):
 - 903.7a Housing Needs
 - 903.7b Deconcentration and Other Policies Governing Eligibility, Selection, Occupancy, and Admissions Policies
 - 903.7c Financial Resources
 - 903.7d Rent Determination Policies
 - 903.7h Demolition and Disposition
 - 903.7k Homeownership Programs
 - 903.7r Additional Information
 - A. Progress in meeting 5-year mission and goals
 - B. Criteria for substantial deviation and significant amendments
 - C. Other information requested by HUD
 - 1. Resident Advisory Board consultation process
 - 2. Membership of Resident Advisory Board
 - 3. Resident membership on PHA governing board

The PHA provides assurance as part of this certification that:

- (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
 6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
 7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.
 8. For a PHA Plan that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2010-25);

- The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting lists would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
 10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
 11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
 12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
 13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
 14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
 15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
 16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
 17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
 18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
 19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
 20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
 21. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

Muscatine Municipal Housing Agency
 PHA Name

IA049
 PHA Number/HA Code

_____ 5-Year PHA Plan for Fiscal Years 20____ - 20____

Annual PHA Plan for Fiscal Year 2018

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Title
Diana L. Broderson	Mayor
Signature	Date

Summary of Revisions to the MMHA Housing Choice Voucher Administrative Plan

Policy	Proposal
Chapter 1: OVERVIEW OF THE PROGRAM AND PLAN	
1-I.A. Overview	<p>The Muscatine Municipal Housing Agency is the HUD sanctioned Housing Authority for the County of Muscatine. The Agency is administered by the City's Housing department with City Council acting as the Agency Board of Commissioners with the <i>advice input</i> of the Public Housing Resident Advisory Board. The Housing Department is responsible for managing City and not for profit public housing, <i>tenant and project based rental assistance</i> rental assisted privately owned housing, the home ownership program, <i>family self-sufficiency and programming to support academic achievement for children residing in public housing</i> assisting with the Housing Rehabilitation and Housing Code Enforcement Programs.</p> <p>Goal Statement: To formulate, implement and administer nondiscriminatory programs that strive to provide low/moderate income households who reside or expect to reside in Muscatine County the opportunity to choose a healthy, safe dwelling and neighborhood, free of major harmful environmental influences, convenient to social, cultural, educational, commercial, recreational, and economic opportunities, within a reasonable expense to income ratio.</p> <p style="text-align: center;">Agency Flow Chart</p> <pre> graph TD HA["Housing Administrator I (reports to City Administrator & City Council)"] T["Assistant Housing Administrator"] C["Housing Coordinator"] S["Housing Specialist 2 FT"] M["Housing Maintenance Supervisor/Inspector I"] HA --- T HA --- C HA --- S HA --- M T --- TC["Coordinator I FT"] M --- MR["Maintenance Repairperson I"] M --- CU["Custodian I FT"] </pre>
1-I.C. PHA MISSION	<p>The PHA's mission is to promote personal, economic and social upward mobility for very low-income families through the provision of affordable, safe, decent and sanitary housing and appropriate services for very low income families and to manage resources efficiently. The PHA is to promote personal, economic and social upward mobility to provide families the opportunity to make the transition from subsidized to non-subsidized housing.</p>
Chapter 2: FAIR HOUSING AND EQUAL OPPORTUNITY	
2-I.A. OVERVIEW	<p>Iowa Code Chapter 216 also prohibits discrimination based on creed, age of visitors (may not prohibit visitors with children), or another person in any of the rights protected against discrimination by this chapter because such person has lawfully opposed any practice forbidden under this chapter, obeys the provisions of this chapter, or has filed a complaint, testified, or assisted in any proceeding under this Chapter. No state or local nondiscrimination laws or ordinances apply.</p>
PHA Policy	<p>Applicants or participants who believe that they have been subject to unlawful discrimination may notify the PHA either orally or in writing.</p> <p><i>Within 10 business days of receiving the complaint, the PHA will provide a written notice to those alleged to have violated the rule. The PHA will send a written notice to the complainant informing them that notice was sent to those alleged to have violated the rule, as well as provide a copy of a discrimination form to the complainant and provide them with information on how to complete and submit the form to HUD's Office of Fair Housing and Equal Opportunity (FHEO).</i></p> <p>The PHA will attempt to remedy discrimination complaints made against the PHA and will conduct an investigation into all allegations of discrimination.</p>

	<p><i>Within 10 business days following the conclusion of the PHA's investigation, the PHA will provide the complainant and those alleged to have violated the rule with findings and either a proposed corrective action plan or an explanation of why corrective action is not warranted.</i></p> <p><i>The PHA will keep a record of all complaints, investigations, notices, and corrective actions. (See Chapter 16.)</i></p>
<p>2-II.A. OVERVIEW</p>	<p>The PHA will ask all applicants and resident families if they require any type of accommodations, in writing, on the intake application, reexamination documents, and notices of adverse action by the PHA, by including the following language:</p> <p>“If you or anyone in your family is a person with disabilities, and you require a specific accommodation in order to fully utilize our programs and services, please contact the housing authority.”</p> <p>A specific position and phone number will be provided as the contact person for requests for accommodation for persons with disabilities.</p>
<p>2-III.D. IMPLEMENTATI ON PLAN Limited English Proficiency</p>	<p>If it is determined that the PHA serves very few LEP persons, and the PHA has very limited resources, the PHA will not develop a written LEP plan, but will consider alternative ways to articulate in a reasonable manner a plan for providing meaningful access. Entities having significant contact with LEP persons, such as schools, grassroots and faith-based organizations, community groups, and groups working with new immigrants will be contacted for input into the process.</p> <p>If the PHA determines it is appropriate to develop a written LEP plan, The following five steps will be taken in developing an appropriate LEP: (1) Identifying LEP individuals who need language assistance; (2) identifying language assistance measures; (3) training staff; (4) providing notice to LEP persons; and (5) monitoring and updating the LEP plan.</p>
Chapter 3: ELIGIBILITY	
<p>3-I.J. GUESTS</p>	<p>A guest can remain in the assisted unit no longer than 1430 consecutive days or a total of 3090 cumulative calendar days during any 12-month period.</p> <p>Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the assisted household more than 50 percent of the time, are not subject to the time limitations of guests as described above.</p> <p>A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure is expected to last <i>more than 1440</i> consecutive days <i>but not more than 90 days</i>). The PHA may request An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.</p> <p><i>Persons other than authorized members of the assisted family must not use the assisted address for any purpose. An exception may be authorized by the PHA in cases where the PHA has approved utilities being placed in the name of a nonhousehold member.</i></p>

<p>3-I.L. ABSENT FAMILY MEMBERS Definitions of Temporarily and Permanently Absent</p>	<p>Generally an individual who is or is expected to be absent from the assisted unit for 180 consecutive days or less is considered temporarily absent and continues to be considered a family member. Generally an individual who is or is expected to be absent from the assisted unit for more than 180 consecutive days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.</p> <p><i>If a family anticipates being absent from the assisted unit 30 days or longer, the family must notify the PHA in advance or as soon as the family becomes aware of the extended absence.</i></p>
<p>Family Members Permanently Confined for Medical Reasons</p>	<p>The PHA will request verification of the family member's permanent absence from the family a responsible medical professional. If the responsible medical professional cannot provide a determination, the person will be considered temporarily absent. If the family certifies that the family member is confined on a permanent basis the member will be considered permanently absent., they may present, and the PHA will consider, any additional documentation or evidence.</p>
<p>3-II.B. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS U.S. Citizens and Nationals</p>	<p>Family members who declare citizenship or national status will not be required to provide additional documentation unless the PHA receives information indicating that an individual's declaration may not be accurate.</p> <p><i>Family members who claim to be eligible noncitizens must provide a valid permanent residency card or other documentation illustrating eligibility. Eligibility will be established using the SAVES system or whichever system is recommended or required by the Federal government for this purpose.</i></p>
<p>3-III.B. MANDATORY DENIAL OF ADMISSION</p>	<p>HUD requires the PHA to deny assistance in the following cases:</p> <ul style="list-style-type: none"> Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity. HUD permits, but does not require, the PHA to admit an otherwise-eligible family if the household member has completed a PHA-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). <p style="text-align: center;"><u>PHA Policy</u></p> <p>The PHA will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past 3 years for drug-related criminal activity, if the PHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by the PHA, or the person who committed the crime, is no longer living in the household.</p> <ul style="list-style-type: none"> The PHA determines that any household member is currently engaged in the use of illegal drugs. <p style="text-align: center;"><u>PHA Policy</u></p> <p><i>Currently engaged in</i> is defined as any use of illegal drugs during the previous six months, <i>as illustrated by a recent arrest or other documentable activity.</i></p> <ul style="list-style-type: none"> The PHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. <p style="text-align: center;"><u>PHA Policy</u></p> <p>In determining reasonable cause, the PHA will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of</p>

	<p>household members related to the use of illegal drugs or the abuse of alcohol. A <i>pattern is defined as 2 or more incidents involving illegal drugs or abuse of alcohol within the past 12 months</i>. A conviction will be given more weight than an arrest. The PHA will also consider evidence from treatment providers or community-based organizations providing services to household members.</p> <ul style="list-style-type: none"> Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing <p><i>PHA Policy</i></p> <p><i>A household will be determined ineligible if evidence exists that any member of the household has been involved in the production, manufacture, or distribution of methamphetamine within the past five years.</i></p> <ul style="list-style-type: none"> Any household member is subject to a lifetime registration requirement under a state sex offender registration program <p><i>PHA Policy</i></p> <p><i>The PHA will deny admission if any household member is subject to any federal, state or local sex offender registration program.</i></p>
<p>3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ASSISTANCE Criminal Activity</p>	<p>If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family <i>may will</i> be denied assistance.</p> <p><i>Drug-related criminal activity</i>, 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].</p> <p><i>Violent criminal activity</i>, 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].</p> <p>Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or</p> <p>Criminal activity that may threaten the health or safety of property owners, management staff, and persons performing contract administration functions or other responsibilities on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor, or agent).</p> <p><i>Immediate vicinity</i> means within a three-block radius of the premises.</p> <p>Evidence of such criminal activity includes, but is not limited to:</p> <ul style="list-style-type: none"> Any conviction for drug-related or violent criminal activity within the past 5 years. Records of arrests for drug-related or violent criminal activity within the past 5 years, <i>although a record of arrest(s) alone will not be used as the basis for the denial or proof that the applicant engaged in disqualifying criminal activity.</i> Any record of eviction from public or privately-owned housing as a result of criminal activity within the past 5 years. A conviction for drug-related or violent criminal activity will be given more weight than an arrest for such activity. <p>In making its decision to deny assistance, the PHA will consider the factors discussed in Section 3-III.E. Upon consideration of such factors, the PHA may, on a case-by-case basis, decide not to deny assistance.</p>

<p>Previous Behavior in Assisted Housing</p>	<p>The PHA will not deny assistance to an otherwise eligible family because the family previously failed to meet its obligations under the Family Self-Sufficiency (FSS) program.</p> <p>The PHA will deny assistance to an applicant family if:</p> <p>The family does not provide information that the PHA or HUD determines is necessary in the administration of the program.</p> <p>The family does not provide complete and true information to the PHA.</p> <p>Any family member has been evicted from federally-assisted housing in the last five years.</p> <p>Any PHA, <i>including MMHA</i>, has terminated assistance under the program for any member of the family <i>within the past 12 months</i>.</p> <p>Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.</p> <p>The family owes rent or other amounts to any PHA in connection with the HCV, Certificate, Moderate Rehabilitation or public housing programs, unless the family repays the full amount of the debt prior to a Housing Assistance Voucher being extended. If the debt is owed to the PHA debt must also be paid in full, however the Executive Director Housing Administrator may allow a family previously terminated from the PHA HCV program for being delinquent on a repayment agreement to become current on the Agreement and contingent upon receipt of monthly payments. applicants pays the debt to the agency in full or enters inot a repayment agreement with MMHA prior to receiving assistance and in accordance with administrative policies Chapter 16 IV.B Repayment Agreements. (Iowa State Law statute of limitations will supersede this denial (10 years)</p> <p>The family has breached the terms of a repayment agreement entered into with the PHA, unless the family repays the full amount of the debt covered in the repayment agreement <i>prior to a voucher for housing assistance being issued</i>. pays the debt to the agency in full or enters into a repayment agreement with MMHA prior to receiving assistance and in accordance with administrative policies Chapter 16-IV.B Repayment Agreements. (Iowa State Law statute of limitations will supersede this denial (10 years)-The Housing Administrator Executive Director may allow a family previously terminated from the PHA HCV program for being delinquent on a repayment agreement to become current on the Agreement and contingent upon receipt of monthly payments.</p> <p>A family member has engaged in or threatened violent or abusive behavior toward PHA personnel.</p> <p><i>Abusive or violent behavior towards PHA personnel</i> 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.</p> <p><i>Threatening</i> refers to oral, written or veiled threats, or physical gestures that communicate intent to abuse or commit violence. <i>Including spoken or written words tending to intimidate or menace other involved, or suggested without being directly or explicitly stated. A declaration of intention or determination to inflict punishment or injury, in retaliation for, or conditionally upon, some action or course. Sending threatening or harassing emails, instant messages, or website entries. Repeated attempts to target a specific PHA staff member by directly contacting them, or indirectly using or disseminating their personal information, causing them distress, fear, or anger.</i></p>
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	In making its decision to deny assistance, the PHA will consider the factors discussed in Section 3-III.E. Upon consideration of such factors, the PHA may, on a case-by-case basis, decide not to deny assistance.
3-III.D. SCREENING Screening for Eligibility	<p>The PHA will perform a criminal background check for every adult household member <i>using state and local records. If the applicant reports or the PHA has reason to believe any adult household members have resided or spent significant time in locations outside of the state of Iowa a national criminal background check will be conducted through a third-party service.</i></p> <p>If the results of the criminal background check indicate that there may be past criminal activity, but the results are inconclusive, the PHA may will request a fingerprint card and will request information from the National Crime Information center (NCIC).</p>
	The PHA will use the Dru Sjodin National Sex Offender database to screen applicants for admission. <i>This screening may be conducted by a third-party service.</i>
3-III.E. CRITERIA FOR DECIDING TO DENY ADMISSION Consideration of Circumstances	<p>The PHA will consider the following factors <i>and circumstances</i> prior to making its decision:</p> <p>The seriousness of the case, especially with respect to how it would affect other residents' <i>safety or property</i></p> <p>The effects that denial of assistance may have on other members of the family who were not involved in the action or failure <i>to act</i></p> <p>The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities, or (as discussed further in section 3-III.G) a victim of domestic violence, dating violence, sexual assault, or stalking</p> <p>The length of time since the violation occurred, <i>including the age of the individual at the time of the conduct, as well as the family's recent history and the likelihood of favorable conduct in the future</i></p> <p><i>While a record of arrest(s) will not be used as the basis for denial, an arrest may, however, trigger an investigation to determine whether the applicant actually engaged in disqualifying criminal activity. As part of its investigation, the PHA may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. The PHA may also consider:</i></p> <ul style="list-style-type: none"> <i>Any statements made by witnesses or the applicant not included in the police report</i> <i>Whether criminal charges were filed</i> <i>Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal</i> <i>Any other evidence relevant to determining whether or not the applicant engaged in disqualifying activity</i> <p><i>Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property</i></p> <p>In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully</p> <p>The PHA will require the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.</p>

Removal of a Family Member's Name from the Application	<p>As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the public housing unit.</p> <p>After admission to the program, Prior to occupancy the family must present evidence of the former family member's current address upon PHA request.</p>
	Chapter 4: APPLICATIONS, WAITING LIST AND TENANT SELECTION
4-I.B. APPLYING FOR ASSISTANCE	<p><i>Depending upon the length of time that applicants may need to wait to receive assistance, the PHA may use a one- or two-step application process.</i></p> <p><i>A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and level of assistance.</i></p> <p><i>A two-step process will be used when it is expected that a family will not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, the PHA initially will require families to provide the information needed to make an initial assessment of the family's eligibility, and 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 level of assistance when the family is selected from the waiting list.</i></p> <p><i>Families may obtain application forms from the PHA's office during normal business hours or download and print from the website at www.muscatineiowa.gov. Families may also request – by telephone or by mail – that an application be mailed to them via first class mail.</i></p> <p><i>Completed applications must be returned to the PHA by mail, by fax, or submitted in person during normal business hours. Applications must be complete in order to be accepted by the PHA for processing. If an application is incomplete, the PHA will return the application identifying notify the family of the additional information required.</i></p> <p><i>At the time of application, applicants will elect to be placed on any one or all of the available waiting lists, including the tenant-based, Fulton Place or Harrison Lofts waiting list. If an applicant fails to identify the wait list being applied for, the applicant will be placed only on the tenant-based waiting list.</i></p> <p>The PHA will require families to provide only the information needed to make an initial assessment of the family's 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 level of assistance when the family is selected from the waiting list.</p> <p>While the waiting list is open families may obtain application forms from the PHA's office during normal business hours. Families may also request – by telephone or by mail – that a form be sent to the family via first class mail.</p>
4-I.D. PLACEMENT ON THE WAITING LIST Eligible for Placement on the Waiting List	<p>The PHA will send written notification of the preliminary eligibility determination within 10 business days of receiving a complete application. If applicable, the notice will also indicate the waiting list preferences for which the family appears to qualify.</p> <p>Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.</p> <p>Applicants will be placed on the waiting list according to the PHA preference(s) and the date and time their complete application is received by the PHA for which they qualify, and the date and time their complete application is received by the PHA.</p>

	<p>Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. When the family is selected from the waiting list, the PHA will verify any preference(s) claimed and determine eligibility and suitability for admission to the program.</p>
<p>4-II.B. ORGANIZATION OF THE WAITING LIST</p>	<p>The PHA will maintain a single waiting list for the tenant-based HCV program <i>with separate waiting lists for units covered by project-based HCV assistance.</i></p> <p>The PHA will not merge the HCV waiting lists with the waiting list for any other program the PHA operates. <i>The PHA will maintain a tenant-based wait list and separate wait lists for each property with a HAP contract for project-based rental assistance.</i></p>
<p>4-II.C. OPENING AND CLOSING THE WAITING LIST</p>	<p>The PHA will <i>may</i> close the waiting list as needed when the estimated wait time for housing assistance for new applicants families on the list reaches is greater than 24 months <i>for the most current applicants.</i></p> <p>Where the PHA has particular preferences or funding criteria that require a specific category of family, the PHA may elect to continue to accept applications from these applicants while closing the waiting list to others.</p>
<p>4-II.F. UPDATING THE WAITING LIST Purging the Waiting List</p>	<p>The waiting list may <i>will</i> be updated annually to ensure that all applicants and applicant information is current and timely.</p> <p>To update the waiting list, the PHA 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 the PHA 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.</p> <p>The family's response must be in writing and may be delivered in person, by mail, or by e-mail fax. Responses should be postmarked or received by the PHA not later than 105 business days from the date of the PHA letter.</p> <p>If the family fails to respond within 10 business days, the family will be removed from the waiting list without further notice in accordance with removal from the waiting list policy (see Chapter 4 page 11).</p> <p>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.</p> <p>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 10 business days to respond from the date the letter was re-sent.</p> <p>If a family is removed from the waiting list for failure to respond, the PHA may reinstate the family if it is determined that the lack of response was due to PHA error or to circumstances beyond the family's control.</p>
<p>4-III.B. SELECTION METHOD Local Preferences</p>	<p>P1. The PHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.</p> <p>P2.</p> <ul style="list-style-type: none"> • Effective March 1, 1997, a local preference was established by the City of Muscatine for qualified families being displaced as a result of a property being substandard not as a result of actions or inactions by the qualifying family. • Displaced Individuals or families displaced by government action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to federal disaster relief laws.

	<ul style="list-style-type: none"> • <i>Up to 10 families referred by Muscatine Center for Social Action (MCSA) who are currently experiencing Category 1 or Category 4 homelessness, as defined by HUD, and will be provided on-going supportive services by MCSA or other qualified agency.</i> <p>P3. Families with children under the age of 18 or all elderly or disabled families who are residents (have a legal domicile) at time of application and when their name comes to the top of the waiting list, in the Muscatine Municipal Housing Agency jurisdiction, or applicants who are working or who have been notified that they are hired to work in the agency jurisdiction. Applicants shall also be given the benefit of the working family preference if the head and spouse, or sole member is age 62 or older, or is a person with disabilities. 24 CFR 982.207(b) (1);</p> <p>P4. <i>Families with no children under 18 years of age who are residents (have a legal domicile), at time of application and when their name comes to the top of the waiting list, in the Muscatine Municipal Housing Agency jurisdiction or applicants who are working or who have been notified that they are hired to work in the agency jurisdiction 24 CFR 982.207(b)(1); Families with children under the age of 18 who are not residents (do not have a legal domicile) in the Muscatine Municipal Housing Agency jurisdiction 24 CFR 982.207(b)(1);</i></p> <p>P5. <i>All families, other than those where the head and spouse, or sole member is age 62 or older, or is a person with disabilities, who are not residents in the Muscatine Municipal Housing Agency jurisdiction. Families with children under the age of 18 who are not residents (do not have a legal domicile) in the Muscatine Municipal Housing Agency jurisdiction 24 CFR 982.207(b)(1); Families with no children under 18 years of age who are residents (have a legal domicile) in the Muscatine Municipal Housing Agency jurisdiction 24 CFR 982.207(b)(1);</i></p> <p>P6. <i>Families with no children under 18 years of age who are not residents (do not have a legal domicile) in the Muscatine Municipal Housing Agency jurisdiction 24 CFR 982.207(b)(1);</i></p> <p><i>Applicants who have attended a PHA approved rental class will receive priority over other families eligible for the same preferences. For example, a P3 family that has completed such a class will receive priority over P3 family that has not.</i></p>
<p>Order of Selection</p>	<p>Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with the PHA’s hierarchy of preferences, if applicable. Within each targeted funding or preference category <i>and after priority for families having completed a PHA approved rental class families in the same preference category will be selected in numerical order based on the date and time of their program application on a first-come, first-served basis according to the date and time their complete application is received by the PHA.</i> Documentation will be maintained by the PHA as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not qualified or not interested in targeted funding, there will be a notation maintained so that the PHA does not have to ask higher placed families each time targeted selections are made.</p>
<p>4-III.C. NOTIFICATION OF SELECTION</p>	<p>The PHA will notify the family by first class mail when it is selected from the waiting list. The notice will inform the family of the following:</p> <ul style="list-style-type: none"> Date, time, and location of the scheduled <i>briefing and/or</i> application interview, including any procedures for rescheduling the interview. <i>Typically the applicant family will be invited to attend a briefing first followed by an interview;</i> Who is required to attend the <i>briefing/interview</i>; and All documents that must be provided at the interview, including information about what constitutes acceptable documentation.

	<p><i>If a notification is returned with a forwarding address, the notification will be sent to the new address. If a notification letter is returned to the PHA with no forwarding address, the family will be removed from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record, as well as to any known alternate address.</i></p>
<p>4-III.E. THE APPLICATION INTERVIEW</p>	<p>Families selected from the waiting list are required to participate in an eligibility interview and a group briefing.</p> <p>The head of household must attend and the spouse/cohead will be strongly encouraged to attend the interview together. <i>A spouse or cohead may be authorized to attend the interview/briefing on behalf of the family if the head of household is unable to attend due to circumstances beyond their control and with prior approval of the Housing Administrator. However, either the head of household or the spouse/cohead may attend the interview on behalf of the family.</i> Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to the PHA.</p> <p>The head of household and spouse/cohead must provide acceptable documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity.) If the family representative does not provide the required documentation at the time of the interview, he or she will be required to provide it within 10 business days.</p> <p>Pending disclosure and documentation of social security numbers, the PHA will allow the family to retain its place on the waiting list for 10 days. If not all household members have disclosed their SSNs at the next time the PHA is issuing vouchers, the PHA will issue a voucher to the next eligible applicant family on the waiting list.</p> <p>The family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completing required forms, providing required signatures, and submitting required documentation. If any materials are missing, the PHA will provide the family with a written list of items that must be submitted.</p> <p>Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3).</p> <p>An advocate, interpreter, or other assistant may assist the family with the application and the interview process.</p> <p>Interviews will be conducted in English. For limited English proficient (LEP) applicants, the PHA will provide translation services in accordance with the PHA's LAP plan.</p> <p>If the family is unable to attend a scheduled interview, the family should contact the PHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview without informing the Housing Agency the applicant will be removed from the waiting list based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in Chapter 3.</p> <p>If a family is removed from the waiting list or denied assistance based on not attending the required interview, the <i>Housing Administrator</i> Executive Director may reinstate the family if s/he determines the lack of response was due to PHA error, or to circumstances beyond the family's control.</p>
	<p>Chapter 5: BRIEFINGS AND VOUCHER ISSUANCE</p>

<p>5-I.B. BRIEFING</p>	<p><i>Briefings will be conducted in group meetings.</i></p> <p>Generally, the head of household is required to attend the briefing. If the head of household is unable to attend, the PHA may approve another adult family member to attend the briefing.</p> <p><i>Families that attend group briefings and still need individual assistance will be referred to an appropriate PHA staff person.</i></p> <p>Briefings will be conducted in English. For limited English proficient (LEP) applicants, the PHA will provide translation services in accordance with the PHA’s LAP plan (See Chapter 2).</p> <p>Notification and Attendance</p> <p><u>PHA Policy</u></p> <p>Families will be invited to a briefing when their name reaches top of the wait list. Families will be notified of their eligibility for assistance at the time they are invited to attend a briefing. The invitation notice will identify who is required to attend the briefing, as well as the date and time of the scheduled briefing.</p> <p>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.</p> <p>Applicants who fail to attend a scheduled briefing will be <i>re-scheduled for</i> into another briefing automatically. The PHA will notify the family of the date and time of the second scheduled briefing. Applicants who fail to attend two scheduled briefings, without prior PHA approval, will be denied assistance (see Chapter 3).</p>												
<p>5-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE</p>	<p><i>Children of separate genders, regardless of age, will be allocated separate bedrooms with 2 children per bedroom. Siblings and children of the same gender, regardless of age, will be allocated 1 bedroom.</i></p> <p><i>Adults regardless of gender will be allocated one bedroom for every 2 adults, except related persons of different generations or with close familial relationship (e.g. adult brother and sister, mother and daughter) will be allocated separate bedrooms.</i></p> <p>The PHA will assign one bedroom for each two persons within the household, except in the following circumstances:</p> <p style="padding-left: 40px;">Persons of the opposite sex (other than spouses, and children under age 5) will be allocated separate bedrooms.</p> <p style="padding-left: 40px;">Single person families will be allocated one bedroom.</p> <p style="padding-left: 40px;">Live-in aides will be allocated a separate bedroom.</p> <p>The PHA will reference the following chart in determining the appropriate voucher size for a family:</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Voucher Size</th> <th style="text-align: center;">Persons in Household (Minimum – Maximum)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1 Bedroom</td> <td style="text-align: center;">1-2</td> </tr> <tr> <td style="text-align: center;">2 Bedrooms</td> <td style="text-align: center;">2-4</td> </tr> <tr> <td style="text-align: center;">3 Bedrooms</td> <td style="text-align: center;">3-6</td> </tr> <tr> <td style="text-align: center;">4 Bedrooms</td> <td style="text-align: center;">4-8</td> </tr> <tr> <td style="text-align: center;">5 Bedrooms</td> <td style="text-align: center;">6-10</td> </tr> </tbody> </table>	Voucher Size	Persons in Household (Minimum – Maximum)	1 Bedroom	1-2	2 Bedrooms	2-4	3 Bedrooms	3-6	4 Bedrooms	4-8	5 Bedrooms	6-10
Voucher Size	Persons in Household (Minimum – Maximum)												
1 Bedroom	1-2												
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<p>5-II.D. VOUCHER ISSUANCE</p>	<p>Vouchers will be issued to eligible applicants <i>at the interview and submittal if all required documentation</i> mandatory briefing</p>												

<p>5-II.E. VOUCHER TERM AND EXTENSIONS Extensions of Voucher Term</p>	<p><i>The PHA will automatically approve one 30-day extension upon written request from the family.</i></p> <p>The PHA will approve additional extensions only in the following circumstances:</p> <ul style="list-style-type: none"> It is necessary as a reasonable accommodation for a person with disabilities. It is necessary due to reasons beyond the family’s control, as determined by the PHA. Following is a list of extenuating circumstances that the PHA may consider in making its decision. The presence of these circumstances does not guarantee that an extension will be granted: <ul style="list-style-type: none"> Serious illness or death in the family Other family emergency Obstacles due to employment Whether the family has already submitted requests for tenancy approval that were not approved by the PHA Whether family size or other special circumstances make it difficult to find a suitable unit <p>Any request for an additional extension must include the reason(s) an additional extension is necessary. The PHA may require the family to provide documentation to support the request or obtain verification from a qualified third party.</p> <p>All requests for extensions to the voucher term must be made in writing and submitted to the PHA prior to the expiration date of the voucher (or extended term of the voucher).</p> <p>The PHA will decide whether to approve or deny an extension request within 10 business days of the date the request is received, and will immediately provide the family written notice of its decision.</p>
<p>Suspensions of Voucher Term</p>	<p>When a Request for Tenancy Approval is received by the PHA, the term of the voucher will be suspended while the PHA processes the request.</p>
<p>Expiration of Voucher Term</p>	<p>If an applicant family’s voucher term or extension expires before the family has submitted a Request for Tenancy Approval (RTA) PHA has approved a tenancy, the PHA will require the family to reapply for assistance.</p> <p>Within 10 business days after the expiration of the voucher term or any extension, the PHA will notify the family in writing that the voucher term has expired and that the family must reapply in order to be placed on the waiting list.</p>
<p>Chapter 6: INCOME AND SUBSIDY DETERMINATIONS</p>	
<p>6-I.E. EARNED INCOME DISALLOWANCE</p>	<p>Calculation of the Disallowance</p> <p>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 “baseline income.” The family member’s baseline income is his or her income immediately prior to qualifying for the EID. The family member’s baseline income remains constant throughout the period that he or she is participating in the EID. While qualification for the disallowance is the same for all families, calculation of the disallowance will differ depending on when the family member qualified for the EID. <i>Participants qualifying prior to May 9, 2016, will have the disallowance calculated under the “Original Calculation Method” described below which requires a maximum lifetime disallowance period of up to 48 consecutive months. Participants qualifying on or after May 9, 2016, will be subject to the “Revised Calculation Method” which shortens the lifetime disallowance period to 24 consecutive months.</i></p>

	<p><i>Under both the original and new methods, the EID eligibility criteria, the benefit amount, the single lifetime eligibility requirement and the ability of the applicable family member to stop and restart employment during the eligibility period are the same.</i></p> <p>Revised Calculation Method</p> <p>Initial 12-Month Exclusion</p> <p><i>During the initial exclusion period of 12 consecutive months, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded.</i></p> <p><u>PHA Policy</u></p> <p><i>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.</i></p> <p>Second 12-Month Exclusion</p> <p><i>During the second exclusion period of 12 consecutive months, the PHA must exclude at least 50 percent of any increase in income attributable to employment or increased earnings.</i></p> <p><u>PHA Policy</u></p> <p><i>During the second 12-month exclusion period, the PHA will exclude 50 percent of any increase in income attributable to new employment or increased earnings.</i></p> <p>Lifetime Limitation</p> <p><i>The EID has a two-year (24-month) lifetime maximum. The two-year eligibility period begins at the same time that the initial exclusion period begins and ends 24 months later. During the 24-month period, an individual remains eligible for EID even if they begin to receive assistance from a different housing agency, move between public housing and Section 8 assistance, or have breaks in assistance.</i></p>
	Chapter 7: VERIFICATION
<p>7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION Value of Assets and Asset Income</p>	<p><i>For families with net assets totaling \$5,000 or less, the PHA may accept the family's declaration of asset value and anticipated asset income. However, the PHA is required to obtain third-party verification of all assets regardless of the amount during the intake process and at least every three years thereafter.</i></p> <p><u>PHA Policy</u></p> <p><i>For families with net assets totaling \$5,000 or less, the PHA will accept the family's self-certification of the value of family assets and anticipated asset income when applicable. The family's declaration must show each asset and the amount of income expected from that asset. All family members 18 years of age and older must sign the family's declaration.</i></p> <p><i>The PHA will use third-party documentation for assets as part of the intake process, whenever a family member is added to verify the individual's assets, and every three years thereafter.</i></p>
<p>7-I.E. SELF-CERTIFICATION</p>	<p><i>When HUD requires third-party verification, self-certification or "tenant declaration," is used as a last resort when the PHA is unable to obtain third-party verification. Self-certification, however, is an acceptable form of verification when:</i></p> <ul style="list-style-type: none"> • <i>A source of income is fully excluded</i> • <i>Net family assets total \$5,000 or less and the PHA has adopted a policy to accept self certification at annual recertification, when applicable</i>

	<ul style="list-style-type: none"> • <i>The PHA has adopted a policy to implement streamlined annual recertifications for fixed sources of income (See Chapter 11)</i> <p><i>When the PHA 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.</i></p> <p><u><i>PHA Policy</i></u></p> <p><i>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 PHA.</i></p> <p><i>The PHA may require a family to certify that a family member does <u>not</u> receive a particular type of income or benefit.</i></p> <p><i>The self-certification must be made in a format acceptable to the PHA and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a PHA representative or PHA notary public.</i></p>
<p>7-II.B. SOCIAL SECURITY NUMBERS</p>	<p>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 program participants who were at least 62 years of age as of January 31, 2010, and had not previously disclosed an SSN.</p> <p>Note that an individual who previously declared to have eligible immigration status may not change his or her declaration for the purpose of avoiding compliance with the SSN disclosure and documentation requirements or penalties associated with noncompliance with these requirements. Nor may the head of household opt to remove a household member from the family composition for this purpose.</p> <p>The PHA must accept the following documentation as acceptable evidence of the social security number:</p> <ul style="list-style-type: none"> • 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 <p>The PHA 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, is illegible, or appears to be forged.</p> <p><u>PHA Policy</u></p> <p>The PHA will explain to the applicant or participant the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to the PHA within 30 90 days.</p> <p>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 PHA 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.</p> <p><u>PHA Policy</u></p> <p>The PHA will <i>not</i> grant extensions. 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</p>

~~emergency.~~ If the individual fails to comply with SSN disclosure and documentation requirements upon expiration of the provided time period, the PHA will terminate the individual's assistance.

If an applicant family includes a child under 6 years of age who joined the household within the 6 months prior to the date of voucher issuance, an otherwise eligible family may be admitted to the program and the family must provide documentation of the child's SSN within 90 days of the effective date of the initial HAP contract. A 90-day extension will be granted if the PHA determines that the participant's failure to comply was due to unforeseen circumstances and was outside of the participant's control.

PHA Policy

The PHA will *not* grant extensions. ~~one additional 90-day extension if needed for reasons beyond the applicant's control, such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency.~~

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 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 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 the PHA determines that the participant's failure to comply was due to unforeseen circumstances and was outside of the participant's control. During the period the PHA is awaiting documentation of the SSN, the child will be counted as part of the assisted household.

PHA Policy

The PHA will not grant additional extensions.

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

PHA Policy

The PHA will verify each disclosed SSN by:

Obtaining documentation from applicants and participants 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 the individual's verification status is classified as "verified," the PHA may, at its discretion, remove and destroy copies of documentation accepted as evidence of social security numbers. The retention of the EIV Summary Report or Income Report is adequate documentation of an individual's SSN.

PHA Policy

The PHA will retain documentation of social security numbers in the file once an individual's status is classified as "verified" in HUD's EIV system, ~~the PHA will remove and destroy copies of documentation accepted as evidence of social security numbers.~~

7-II.D. FAMILY RELATIONSHIPS

If an adult member who was formerly a member of the household is reported to be permanently absent, the family must provide evidence to support that the person is no

Absence of Adult Member	longer a member of the family (e.g., documentation of another address at which the person resides such as a lease or utility bill). <i>Notes from relatives and friends indicating a previous household member is "staying with them" will generally not be considered acceptable documentation.</i>
7-III.A. EARNED INCOME Wages	For wages other than tips, the family must provide originals of the <i>most recent 60 days two-most-current</i> , consecutive pay stubs.
7-III.I. ZERO ANNUAL INCOME STATUS	The PHA will check UIV sources and/or request information from third-party sources to verify that certain forms of income such as unemployment benefits, TANF, SS, SSI, and earnings are not being received by families claiming to have zero annual income. <i>Households claiming zero annual income will be required to submit certification indicating they do not receive income of any type, including in-kind and payments-in-lieu of cash.</i>
Chapter 8: HOUSING QUALITY STANDARDS AND RENT REASONABLENESS DETERMINATIONS	
8-I.B. ADDITIONAL LOCAL REQUIREMENTS	The Housing Agency will comply with all local codes and standards that the City of Muscatine determines for rental property in the city. All other areas of the county will comply with HQS minimum standards and other standards identified below.
Clarifications of HUD Requirements	As permitted by HUD, the PHA has adopted the following specific requirements that elaborate on HUD standards. <i>Walls</i> In areas where plaster or drywall is sagging, severely cracked, or otherwise damaged, it must be repaired or replaced. <i>Windows</i> Window sashes must be in good condition, solid and intact, and properly fitted to the window frame. Damaged or deteriorated sashes must be replaced. Windows must be weather-stripped as needed to ensure a weather-tight seal. Window screens must be in good condition (applies only if screens are present). <i>Doors</i> All exterior doors must be weather-tight to avoid any air or water infiltration, be lockable, have no holes, have all trim intact, and have a threshold. All interior doors must have no holes, have all trim intact, and be openable without the use of a key. <i>Floors</i> All wood floors must be sanded to a smooth surface and sealed. Any loose or warped boards must be resecured and made level. If they cannot be leveled, they must be replaced. All floors must be in a finished state. Raw wood or unsealed concrete is not permitted. All floors should have some type of base shoe, trim, or sealing for a "finished look." Vinyl base shoe is permitted. <i>Sinks</i> All sinks and commode water lines must have shut off valves, unless faucets are wall mounted.

	<p>All sinks must have functioning stoppers.</p> <p>Toilets</p> <p>All worn or cracked toilet seats and tank lids must be replaced and toilet tank lid must fit properly. <i>Loose seats must be repaired.</i></p> <p>Security</p> <p>If window security bars or security screens are present on emergency exit windows, they must be equipped with a quick release system. The owner is responsible for ensuring that the family is instructed on the use of the quick release system.</p>
8-II.A. OVERVIEW [Inspections]	<p>Inspection Costs [Notice PIH 2016-05]</p> <p>The PHA may not charge the family for unit inspections or reinspections [24 CFR 982.405(e)]. In the case of inspections of PHA-owned units, the PHA may compensate the independent agency from ongoing administrative fee for inspections performed. The PHA and the independent agency may not charge the family any fee or charge for the inspection [24 CFR.982.352(b)].</p> <p><i>The PHA may not charge the owner for the inspection of the unit prior to the initial term of the lease or for a first inspection during assisted occupancy of the unit. However, the PHA may charge a reasonable fee to owners for reinspections in two situations: when the owner notifies the PHA that a repair has been made but the deficiency has not been corrected, and when the time for repairs has elapsed and the deficiency has not been corrected. Fees may not be imposed for tenant-caused damages, for cases in which the inspector could not gain access to the unit, or for new deficiencies discovered during a reinspection.</i></p> <p>The owner may not pass the cost of a reinspection fee to the family. Reinspection fees must be added to the PHA's administrative fee reserves and may only be used for activities related to the provision of tenant-based assistance.</p> <p>PHA Policy</p> <p><i>The PHA will not charge a fee for failed reinspections.</i></p>
Owner and Family Inspection Attendance	<p><i>When a family occupies the unit at the time of inspection an adult family member must be present for the inspection. The presence of the owner or the owner's representative is encouraged but is not required.</i></p> <p><i>At initial inspection of a vacant unit, the PHA will inspect the unit in the presence of the owner or owner's representative. The presence of a family representative is permitted, but is not required.</i></p> <p>The PHA will conduct the inspection if either an adult family member or an owner's representative is present.</p>
8-II.B. INITIAL HQS INSPECTION Timing of Initial Inspections	The PHA will complete the initial inspection, determine whether the unit satisfies applicable housing standards HQS, and notify the owner and the family of the determination within 10-15 business days of submission of the Request for Tenancy Approval (RTA).
Utilities	<i>Utilities must be on at the time of the initial inspection.</i>
8-II.C. ANNUAL/ BIENNIAL HQS INSPECTIONS	<p><i>Each unit under HAP contract must be inspected within 24 months of the last full HQS inspection. Units continuously occupied by the same family will be inspected not less than every other year, with unit inspection dates in odd months conducted in odd years and unit inspection dates due in even months conducted in even year.</i></p> <p><i>The PHA will not rely on alternative inspection standards.</i></p>

<p>8-II.F. INSPECTION RESULTS AND REINSPECTIONS FOR UNITS UNDER HAP CONTRACT Extensions</p>	<p>Extensions will be granted in cases where the PHA has determined that the owner has made a good faith effort to correct the deficiencies and is unable to for reasons beyond the owner's control. Reasons may include, but are not limited to:</p> <p style="padding-left: 40px;">A repair cannot be completed because required parts or services are not available.</p> <p style="padding-left: 40px;">A repair cannot be completed because of weather conditions.</p> <p style="padding-left: 40px;">A reasonable accommodation is needed because the family includes a person with disabilities.</p> <p>The length of the extension will be determined on a case by case basis, but will not exceed 60 days, except in the case of delays caused by weather conditions. In the case of weather conditions, extensions may be continued until the weather has improved sufficiently to make repairs possible. <i>The necessary repairs must be made within 30 calendar days, once the weather conditions have subsided.</i></p>
<p>8-II.G. ENFORCING OWNER COMPLIANCE HAP Abatement</p>	<p>The PHA will make all HAP abatements effective the first of the month following the expiration of the PHA specified correction period (including any extension).</p> <p>The PHA will inspect abated units within 5 10 business days of the owner's notification that the work has been completed. Payment will resume effective on the day the unit passes inspection.</p>
<p>8-III.D. PHA RENT REASONABLENESS METHODOLOGY How Rents Are Determined</p>	<p><i>The rent for a unit proposed for HCV assistance will be compared to the rent charged for comparable units in the same or similar market area.</i></p> <p>The rent for a unit proposed for HCV assistance will be compared to the rent charged for comparable units in the same market area. The PHA will develop a range of prices for comparable units by bedroom size within defined market areas. Units proposed for HCV assistance will be compared to the units within this rent range. Because units may be similar, but not exactly like the unit proposed for HCV assistance, the PHA may make adjustments to the range of prices to account for these differences.</p> <p>The adjustment must reflect the local market. Not all differences in units require adjustments (e.g., the presence or absence of a garbage disposal may not affect the rent in some market areas).</p> <p>Adjustments may vary by unit type (e.g., a second bathroom may be more valuable in a three bedroom unit than in a two bedroom).</p> <p>The adjustment must reflect the rental value of the difference—not its construction costs (e.g., it might cost \$20,000 to put on a new roof, but the new roof might not make any difference in what a tenant would be willing to pay because rental units are presumed to have functioning roofs).</p> <p>When a comparable project offers rent concessions (e.g., first month rent-free, or reduced rent) reported monthly rents will be adjusted accordingly. For example, if a comparable project reports rents of \$500/month but new tenants receive the first month's rent free, the actual rent for the unit would be calculated as follows: \$500 x 11 months = 5500/12 months = actual monthly rent of \$488.</p> <p><i>If comparable units are unable to be found, the PHA will notify the owner of the rent the PHA cannot approve based upon its analysis of rents for comparable units. The owner may submit information about other comparable units in the market area. The PHA will confirm the accuracy of the information provided and consider this additional information when making rent determinations. The owner must submit any additional information within 5 business days of the PHA's request for information or the owner's request to submit information.</i></p> <p>The PHA will notify the owner of the rent the PHA can approve based upon its analysis of rents for comparable units. The owner may submit information about other</p>

	comparable units in the market area. The PHA will confirm the accuracy of the information provided and consider this additional information when making rent determinations. The owner must submit any additional information within 5 business days of the PHA's request for information or the owner's request to submit information.
	Chapter 9: GENERAL LEASING POLICIES
9-I.E. LEASE AND TENANCY ADDENDUM Lease Form and Tenancy Addendum	The PHA will does not provide a model or standard dwelling lease for owners to use in the HCV program. When landlord chooses to use his or her own lease, The HCV Lease Addendum <i>will be attached to all leases</i> Part B will be required.
Term of Assisted Tenancy	The PHA will not approve an initial lease term of less than one (1) year. <i>Lease term must much that of the HAP contract.</i>
PHA Review of Lease	<i>The PHA will review the dwelling lease for compliance with all applicable program requirements.</i> <u><i>PHA Policy</i></u> <i>If the dwelling lease is incomplete or incorrect, the PHA will notify the family and the owner of the deficiencies. Missing and corrected lease information will only be accepted as hard copies, in-person, by mail, or by fax. The PHA will not accept missing and corrected information over the phone</i> <i>Because the initial leasing process is time-sensitive, the PHA will attempt to communicate with the owner and family by phone, fax, or email. The PHA will use mail when the parties can't be reached by phone, fax, or email.</i>
9-I.G. HAP CONTRACT EXECUTION	Owners who have not previously participated in the HCV program must attend a meeting with the PHA in which the terms of the Tenancy Addendum and the HAP contract will be explained. The PHA may waive this requirement on a case-by-case basis, if it determines that the owner is sufficiently familiar with the requirements and responsibilities under the HCV program. The owner and the assisted family will execute the dwelling lease and the owner must provide a copy to the PHA. The PHA will ensure that both the owner and the assisted family receive copies of the dwelling lease. The owner and the PHA will execute the HAP contract. The PHA will not execute the HAP contract until the owner has submitted IRS form W-9. The PHA will ensure that the owner receives a copy of the executed HAP contract.
Optional Reporting	<i>If a family reports a change that it was not required to report and that would result in an increase in the tenant rent, the PHA will note the information in the tenant file, but will not conduct an interim reexamination.</i> <i>If a family reports a change that it was not required to report and that would result in a decrease in the tenant rent, the PHA will conduct an interim reexamination. See Section 9-III.D. for effective dates.</i> Families may report changes in income or expenses at any time.
	Chapter 10: MOVING
10-II.B. INITIAL PHA ROLE [Portability] Applicant Families	In determining whether or not to deny an applicant family permission to move under portability because the PHA 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. <i>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.</i>
Briefing	No formal briefing will be required for a participant family wishing to move outside the PHA's jurisdiction under portability. However, the PHA will provide the family with the

	<p>same oral and written explanation of portability that it provides to applicant families selected for admission to the program (see Chapter 5).</p> <p>The PHA will provide the name, address, and phone of the contact for the PHA in the jurisdiction to which they wish to move. <i>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.</i></p> <p>The PHA will advise the family that they will be under the RHA's policies and procedures, including <i>screening</i>, subsidy standards, voucher extension policies, and <i>payment standards</i>.</p>
Voucher Issuance and Term	<p>For participating families approved to move under portability, the PHA will issue a new voucher within 10 business days of the PHA's written approval to move.</p> <p>The initial term of the voucher will be 60 120 days.</p>
Voucher Extensions and Expiration	<p>The PHA will approve no extensions to a voucher issued to an applicant or participant family porting out of the PHA'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 apply for an extension in writing prior to the expiration of the initial voucher term.</p> <p>To receive or continue receiving assistance under the initial PHA's voucher program, a family that moves to another PHA's jurisdiction under portability must be under HAP contract in the receiving PHA's jurisdiction within 90 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.)</p>
10-II.C. RECEIVING PHA ROLE Voucher Term	<p>The receiving PHA's voucher will expire <i>on the same date as</i> 30 calendar days from the expiration date of the initial PHA's voucher.</p>
Administering a Portable Family's Voucher Portability Billing	<p><i>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.</i></p> <p><i>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).</i></p> <p><i>If both PHAs agree, the PHAs may negotiate a different amount of reimbursement.</i></p> <p><u>PHA Policy</u></p> <p><i>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.</i></p>
Chapter 11: REEXAMINATIONS	
11-I.B STREAMLINED	<p><i>HUD permits PHAs to streamline the income determination process for family members with fixed sources of income. While third-party verification of all income sources must</i></p>

<p>ANNUAL REEXAMINATIONS</p>	<p><i>be obtained during the intake process and every three years thereafter, in the intervening years the PHA may determine income from fixed sources by applying a verified cost of living adjustment (COLA) or rate of interest. The PHA may, however, obtain third-party verification of all income, regardless of the source. Further, upon request of the family, the PHA must perform third-party verification of all income sources.</i></p> <p><i>Fixed sources of income include Social Security and SSI benefits, pensions, annuities, disability or death benefits, and other sources of income subject to a COLA or rate of interest. The determination of fixed income may be streamlined even if the family also receives income from other non-fixed sources.</i></p> <p><u><i>PHA Policy</i></u></p> <p><i>The PHA will streamline the annual reexamination process by applying the verified COLA or interest rate to fixed-income sources. The PHA will document in the file how the determination that a source of income was fixed was made.</i></p> <p><i>If a family member with a fixed source of income is added, the PHA will use third-party verification of all income amounts for that family member.</i></p> <p><i>If verification of the COLA or rate of interest is not available, the PHA will obtain third-party verification of income amounts.</i></p> <p><i>Third-party verification of fixed sources of income will be obtained during the intake process and at least once every three years thereafter.</i></p>
<p>11-I.C. SCHEDULING ANNUAL REEXAMINATIONS Notification of and Participation in the Annual Reexamination Process</p>	<p>Annual reexaminations will be conducted by mail. Notification of the annual reexamination will be sent by first-class mail and will inform the family of the information and documentation that must be provided to the PHA, and the deadline for providing it. Documents will be accepted by mail, by fax, by e-mail, or in person.</p> <p>In the notice is returned by the post office with no forwarding address, a notice of termination (see Chapter 12) will be sent to the family's address of record, as well as to any alternate address provided in the family's file.</p> <p>An interview will be scheduled if the family requests assistance in providing information or documentation requested by the PHA.</p> <p>If the family is unable to attend a scheduled interview, the family should contact the PHA in advance of the interview to schedule a new appointment. If a family does not attend the scheduled interview, the PHA will send a second notification with a new interview date and appointment time.</p> <p><i>If a family fails to attend two scheduled interviews without PHA approval, or if the notice is returned by the post office with no forwarding address, a notice of termination (see Chapter 12) will be sent to the family's address of record in accordance with policies contained in Chapter 12.</i></p> <p>An advocate, interpreter, or other assistant may assist the family in the interview process. The family and the PHA must execute a certification attesting to the role and the assistance provided by any such third party.</p>
<p>11-I.D. CONDUCTING ANNUAL REEXAMINATIONS</p>	<p><i>Additionally, HUD recommends that at annual reexaminations PHAs ask whether the tenant, or any member of the tenant's household, is subject to a lifetime sex offender registration requirement in any state [Notice PIH 2012-28].</i></p> <p><u><i>PHA Policy</i></u></p> <p><i>At the annual reexamination, the PHA will ask whether the tenant, or any member of the tenant's household, is subject to a sex offender registration requirement in any state. The PHA will use the Dru Sjodin National Sex Offender database to verify the information provided by the tenant.</i></p>

<p>11-II.C. CHANGES AFFECTING INCOME OR EXPENSES PHA-Initiated Interim Reexaminations</p>	<p>Families are required to report all increases in earned income, including new employment, within 10 business days of the date the change takes effect.</p> <p>The PHA will conduct interim reexaminations in each of the following instances:</p> <p>For families receiving the Earned Income Disallowance (EID), the PHA will conduct an interim reexamination at the start and conclusion of the second 12 month exclusion period (50 percent phase-in period).</p> <p>If the family has reported zero income or no earned income, the PHA will <i>conduct an interim reexamination when the family has begun receiving any new income</i> require the family to complete and return a "Zero Income" verification form at the 1st of each month.</p> <p><i>When a family begins receiving income from a previously unreported source, e.g. social security or TANF benefits, or starts or changes a job with a new employer or returns to work after an extended absence.</i></p> <p><i>Any increases in earned income for families participating in the FSS or Homeownership Programs.</i></p> <p>If at the time of the annual reexamination, it is not feasible to anticipate a level of income for the next 12 months (e.g. seasonal or cyclic income), the PHA will schedule an interim reexamination to coincide with the end of the period for which it is feasible to project income.</p> <p>If at the time of the annual reexamination, tenant declarations were used on a provisional basis due to the lack of third-party verification, and third-party verification becomes available, the PHA will conduct an interim reexamination.</p> <p>If at the time of the annual reexamination, tenant declarations were used on a provisional basis due to the lack of third-party verification, and third-party verification becomes available, the PHA will conduct an interim reexamination.</p> <p>The PHA 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.</p>
<p>Family-Initiated Interim Reexaminations <i>Required Reporting</i></p>	<p>Families are required to report all increases in earned income, including new employment or other sources of income, within 10 business days of the date the change takes effect.</p> <p>The PHA will conduct interim reexaminations in each of the following instances:</p> <p><i>For families receiving the Earned Income Disallowance (EID), the PHA will conduct an interim reexamination at the start and conclusion of the second 12 month exclusion period (50 percent phase-in period).</i></p> <p><i>If the family has reported zero income or no earned income, the PHA will conduct an interim reexamination when the family has begun receiving any new income.</i></p> <p><i>When a family begins receiving income from a previously unreported source, e.g. social security or TANF benefits, or starts or changes a job with a new employer or returns to work after an extended absence.</i></p> <p><i>Any increases in earned income for families participating in the FSS or Homeownership Programs.</i></p> <p>The PHA will only conduct interim reexaminations for families that qualify for the earned income disallowance (EID), and only when the EID family's share of rent will change as a result of the increase. In all other cases, the PHA will note the information in the tenant file, but will not conduct an interim reexamination.</p> <p>Families are not required to report any other changes in income or expenses.</p>

<p>11-II.D. PROCESSING THE INTERIM REEXAMINATION Method of Reporting</p>	<p>Families are require to report all increases in earned income, including new employment, within 10 business days of the date the change takes effect as required by 11-II.D. Processing Interim Reexaminations.</p> <p>The family must notify the PHA of changes either or in writing within 10 days of the event. <i>To initiate an interim reexamination for a decrease in income the family must notify the PHA of changes in writing by the 20th day of the month.</i></p> <p>Generally, the family will not be required to attend an interview for an interim reexamination. However, if the PHA determines that an interview is warranted, the family may be required to attend.</p> <p>Based on the type of change reported, the PHA will determine the documentation the family will be required to submit. The family must submit any required information or documents within 10 business days of receiving a request from the PHA. This time frame may be extended for good cause with PHA approval. The PHA will accept required documentation by mail, by fax, by e-mail, or in person.</p>
<p>Chapter 12: TERMINATION OF ASSISTANCE AND TENANCY</p>	
<p>12-I.D. MANDATORY TERMINATION OF ASSISTANCE <i>Use of Illegal Drugs and Alcohol Abuse</i></p>	<p>The PHA will terminate a family's assistance if any household member is currently engaged in any illegal use of a drug, or has a pattern of illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.</p> <p>The PHA will terminate assistance if any household member's abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.</p> <p><i>Currently engaged in</i> is defined as any use of illegal drugs during the previous six months.</p> <p>The PHA will consider all credible evidence, including but not limited to, any record of arrests, convictions, or eviction of household members related to the use of illegal drugs or abuse of alcohol.</p> <p><i>A record of arrest(s) will not be used as the basis for the termination or proof that the participant engaged in disqualifying criminal activity.</i></p> <p>In making its decision to terminate assistance, the PHA will consider alternatives as described in Section 12-II.C and other factors described in Sections 12-II.D and 12-II.E. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate assistance.</p>
<p>Drug-Related and Violent Criminal Activity</p>	<p>The PHA will terminate a family's assistance if any household member has violated the family's obligation not to engage in any drug-related or violent criminal activity during participation in the HCV program.</p> <p>The PHA will consider all credible evidence, including but not limited to, any record of arrests and/or convictions of household members related to drug-related or violent criminal activity, and any eviction or notice to evict based on drug-related or violent criminal activity.</p> <p><i>A record of arrest(s) will not be used as the basis for the termination or proof that the participant engaged in disqualifying criminal activity.</i></p> <p>In making its decision to terminate assistance, the PHA will consider alternatives as described in Section 12-II.C and other factors described in Sections 12-II.D and 12-II.E. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate assistance.</p>
<p>Other Authorized Reasons for</p>	<p>The PHA will not terminate a family's assistance because of the family's failure to meet its obligations under the Family Self-Sufficiency program.</p>

Termination of Assistance	<p>The PHA will terminate a family's assistance if:</p> <p>The family has failed to comply with any family obligations under the program. See Exhibit 12-1 for a listing of family obligations and related PHA policies.</p> <p>Any family member has been evicted from federally-assisted housing in the last five years.</p> <p>Any PHA has ever terminated assistance under the program for any member of the family.</p> <p>Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.</p> <p>The family currently owes rent or other amounts to any PHA in connection with <i>Section 8 or public housing assistance under the 1937 Act</i>. The HCV, Certificate, Moderate Rehabilitation or public housing programs (Iowa State Law statute of limitations will supersede this denial (10 years))</p> <p>The family has not reimbursed any PHA for amounts the PHA paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease. (Iowa State Law statute of limitations will supersede this denial (10 years))</p> <p>The family has breached the terms of a repayment agreement entered into with the PHA. (Iowa State Law statute of limitations will supersede this denial (10 years))</p> <p>A family member has engaged in or threatened violent or abusive behavior toward PHA personnel.</p> <p><i>Abusive or violent behavior towards PHA personnel</i> 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.</p> <p><i>Threatening</i> refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence. <i>Including spoken or written words tending to intimidate or menace other involved, or suggested without being directly or explicitly stated. A declaration of intention or determination to inflict punishment or injury, in retaliation for, or conditionally upon, some action or course. Sending threatening or harassing emails, instant messages, or website entries. Repeated attempts to target a specific PHA staff member by directly contacting them, or indirectly using or disseminating their personal information, causing them distress, fear, or anger.</i></p>
Family Absence from the Unit	If the family is absent from the unit for more than 180 consecutive calendar days, <i>or more than 30 days without providing notice to the PHA</i> , the family's assistance will be terminated. Notice of termination will be sent in accordance with Section 12-II.F.
Chapter 13: OWNERS	
13-I.A. OWNER RECRUITMENT AND RETENTION Retention	<p>All PHA activities that may affect an owner's ability to lease a unit will be processed as rapidly as possible, in order to minimize vacancy losses for owners.</p> <p>The PHA will provide owners with a handbook that explains the program, including HUD and PHA policies and procedures, in easy to understand language.</p> <p>The PHA will give special attention to helping new owners succeed through activities such as:</p> <ul style="list-style-type: none"> Providing the owner with a designated PHA contact person. Coordinating inspection and leasing activities between the PHA, the owner, and the family.

	<p>Initiating telephone contact with the owner to explain the inspection process, and providing an inspection booklet and other resource materials about HUD housing quality standards.</p> <p>Providing other written information about how the program operates, including answers to frequently asked questions.</p>
<p>13-I.D. OWNER QUALIFICATIONS Legal Ownership of Unit</p>	<p><i>The PHA will only enter into a contractual relationship with the legal owner of a qualified unit. No tenancy will be approved without acceptable documentation of legal ownership (e.g., deed of trust, proof of taxes for most recent year).</i></p> <p>Landlord will sign a Section 8 Landlord Certification for each property leased through the HCV program.</p>
<p>13-II.E. HAP CONTRACT TERM AND TERMINATIONS</p>	<p>The PHA may elect to terminate the HAP contract in each of the following situations:</p> <p>Available program funding is not sufficient to support continued assistance for families in the program [24 CFR 982.454];</p> <p>The unit does not meet HQS size requirements due to change in family composition [24 CFR 982.403] – see chapter 8;</p> <p>The unit does not meet HQS local code [24 CFR 982.404] – see chapter 8;</p> <p>The family breaks up [HUD Form 52641] – see chapter 3;</p> <p>The owner breaches the HAP contract [24 CFR 982.453(b)] – see Section 13-II.D.</p>
<p>13-II.G. FORECLOSURE</p>	<p>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.</p> <p>If the PHA learns that a property is in foreclosure, it must take the following actions:</p> <ul style="list-style-type: none"> • Make all reasonable efforts to determine the status of the foreclosure and ownership of the property. (Further guidance on how to obtain this information can be found in Notice PIH 2010-49.) • Continue to make payments to the original owner until ownership legally transfers in accordance with the HAP contract. • Attempt to obtain a written acknowledgement of the assignment of the HAP contract from the successor in interest. The written agreement should include a request for 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. • Inform the tenant that they must continue to pay rent in accordance with the lease, and if the successor in interest refuses to accept payment or cannot be identified, the tenant should pay rent into escrow. Failure to pay rent may constitute an independent ground for eviction. • Inform the tenant in the event that the PHA 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. The PHA 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.)~~
- ~~• PHAs are 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.~~

PHA Policy

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

~~The PHA 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.~~

- ~~• 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.~~

Chapter 14: PROGRAM INTEGRITY

No Changes

Chapter 15: SPECIAL HOUSING TYPES

INTRODUCTION

Families will be permitted to use the homeownership or shared housing options.

Families will not be permitted to use any *other* special housing types, unless use is needed as a reasonable accommodation so that the program is readily accessible to a person with disabilities.

15-VI.B. SPECIAL POLICIES FOR MANUFACTURED HOME OWNERS WHO LEASE A SPACE

The PHA will not provide assistance with lot rent for families who own a manufactured home.

15-VII.B. FAMILY ELIGIBILITY

The PHA will not establish a higher minimum income standard for disabled and/or non-disabled families

Families will be considered "continuously employed" if the break in employment does not exceed four months.

The PHA will count self-employment in a business when determining whether the family meets the employment requirement.

The PHA will impose additional eligibility requirements. To be eligible to participate in the homeownership option, families must meet the following criteria:

The family has been assisted for not less than 12 consecutive months

The family has had no family-caused violations of HUD's Housing Quality standards within the past year.

The family is not within the initial one-year period of a HAP Contract.

The family does not owe money to the PHA.

	The family has not committed any serious or repeated violations of a PHA-assisted lease within the past year.
15-VII.E. ADDITIONAL PHA REQUIREMENTS FOR SEARCH AND PURCHASE	<p>The family will be allowed 120 days to identify a unit and submit a sales contract to the PHA for review. The family will be allowed an additional 120 days to close on the home. PHAs may grant extensions to either of these periods for good cause. The length of the extensions(s) will be determined on a case-by-case, but in no case will an extension exceed 125 days. The maximum amount of time a family will be given to locate and complete the purchase of a home under the homeownership option is 365 days.</p> <p>During these periods, the family will continue to receive HCV rental assistance in accordance with any applicable lease and HAP contract until the family vacates the rental unit for its purchased home.</p> <p>All requests for extensions must be submitted in writing to the PHA prior to the expiration of the period for which the extension is being requested. The PHA will approve or disapprove the extension request within 10 business days. The family will be notified of the PHA's decision in writing.</p> <p>The family will be required to report their progress on locating and purchasing a home to the PHA every 30 days until the home is purchased.</p> <p>If the family cannot complete the purchase of a unit within the maximum required time frame, and is not receiving rental assistance under a HAP contract at the time the search and purchase time period expires, the family will be required to reapply for assistance and placed on the HCV waiting list.</p>
15-VII.F. HOMEOWNERSHIP COUNSELING	<p><i>Housing counseling must be completed not more than 12 months prior to closing.</i></p> <p>Families may will not be required to participate in ongoing counseling after commencement of homeownership assistance.</p>
15-VII.G. HOME INSPECTIONS, CONTRACT OF SALE, AND PHA DISAPPROVAL OF SELLER	<p>When the family locates a home they wish to purchase and submits a copy of their purchase offer/contract, the PHA will conduct a housing quality standards (HQS) inspection within 10 business days. Any items found not to meet HQS <i>or local building code</i> must be repaired before the unit can be determined eligible for the homeownership program.</p> <p>The family must hire an independent, <i>licensed</i> professional inspector, whose report must be submitted to the PHA for review. No specific credentials are required. The inspector may not be a PHA employee.</p> <p>The PHA will review the professional report in a timely fashion and, based on the presence of <u>major physical problems</u>, may disapprove the purchase of the home.</p>
15-VII.H. FINANCING	<p>As a check against predatory lending, the PHA will review the financing of each purchase transaction, including estimated closing costs. The PHA will review the loans for features, such as balloon payments, adjustable rate mortgages, and unusually high interest rates. The PHA will not approve "seller financing" or "owner-held" mortgages. Beyond these basic criteria, the PHA will rely on the lenders to determine that the loan will be affordable to program participants.</p> <p>Financing for purchase of a home under the HCV Section 8 homeownership will be insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.</p> <p><i>The PHA will approve a family's request to utilize its Family Self-Sufficiency escrow account for down payment and/or closing costs when purchasing a unit under the HCV homeownership option.</i></p> <p>The PHA has no FSS program.</p>

15-VII.I. CONTINUED ASSISTANCE REQUIREMENTS; FAMILY OBLIGATIONS	<p><i>The PHA will not conduct inspections following closing unless requested by the homeowner.</i></p> <p>Any inspection the PHA conducts after the initial inspection will be done on an advisory basis. The family will be encouraged to make the repairs, but will not be required to do so as a condition of ongoing assistance.</p>
15-VII.K. HOMEOWNERSHIP ASSISTANCE PAYMENTS AND HOMEOWNERSHIP EXPENSES	<p>The PHA's housing assistance payment will be paid directly to the owner lender unless the homebuyer or mortgage company requests <i>refuses to accept</i> payments be made <i>directly to the mortgage company from more than one source</i>. In such case, the PHA's housing assistance payment will be paid directly to the family. If the assistance payment exceeds the amount due to the lender, the PHA must pay the excess directly to the family. Any housing assistance amount over the required mortgage payment, with the exception of utility reimbursements, will be paid directly to the homebuyer. Any utility reimbursement will be paid directly to the utility company.</p>
	<p>The PHA will allow the following homeownership expenses:</p> <p>Monthly homeownership payment. This includes principal and interest on initial mortgage debt, taxes and insurance, and any mortgage insurance premium, if applicable.</p> <p>Utility allowance. The PHAs utility allowance for the unit, based on the current HCV utility allowance schedule.</p> <p>Monthly maintenance allowance. <i>The monthly maintenance allowance will be \$25</i></p> <p>Monthly major repair/replacement allowance. <i>The monthly major repair/replacement allowance will be \$25</i></p>
15-VII.M. MOVING WITH CONTINUED ASSISTANCE	<p>For families participating in the homeownership option, requests to move will be approved and/or denied in accordance with PHA policies in Chapter 10.</p> <p>The PHA will not require additional <i>housing</i> counseling of any families who move with continued assistance.</p>
Chapter 16: PROGRAM ADMINISTRATION	
16-II.B. PAYMENT STANDARDS	<p>The PHA had established payment standards for all unit sizes, and for the entire jurisdiction, at</p> <p style="text-align: center;"><u>PHA Policy</u> _____ 110 percent of the published FMR for SRO & one bed room</p>
16-IV.B. REPAYMENT POLICY General Repayment Agreement Guidelines for Families <i>Down Payment Requirement</i>	<p><i>The PHA will not require a down payment at the initiation of a repayment agreement.</i></p> <p>NONE</p>
16-III.B. REPAYMENT POLICY General Repayment Agreement Guidelines <i>Down Payment Requirement</i>	<p><i>The PHA does not require a down payment prior to entering into a repayment agreement. Before executing a repayment agreement with a family, the PHA will generally require a down payment of 10 percent of the total amount owed. If the family can provide evidence satisfactory to the PHA that a down payment of 10 percent would impose an undue hardship, the PHA may, in its sole discretion, require a lesser percentage or waive the requirement.</i></p>
16-IX.F. NON-CITIZEN VICTIMS (VAWA)	<p><i>A non-citizen applicant or resident/tenant is eligible for protection under VAWA is the victim of a U.S. Citizen or Lawful Permanent Resident.</i></p> <p style="text-align: center;"><u>PHA Policy</u></p>

	<p><i>A victim of crimes covered under VAWA may self-petition that they are in “satisfactory immigration status” and eligible to receive financial assistance when applying for assistance or continued assistance by submitting INS Form I-360, I-130, or Form 797. “Satisfactory immigration status” means an immigration status which does not make the individual ineligible for financial assistance.</i></p> <p><i>The PHA will verify such immigration status in the Department of Homeland Security Systematic Alien Verification for Entitlements (SAVE) System. The SAVE system will provide one of two confirmations: (1) the VAWA self-petition is verified (petitioner is eligible and no additional documentation of abuse may be requested); or (2) the I-130 is verified and the petitioner must provide the PHA evidence of “battery or extreme cruelty.”</i></p> <p><i>Upon final determination of immigration status the determination is to deny the petition, the PHA must alert the petitioner and take appropriate action to terminate assistance.</i></p>
<p>17-II.B. OWNER PROPOSAL SELECTION PROCEDURES PHA</p> <p>Notice of Owner Selection</p>	<p style="text-align: center;">Chapter 17: Project-Based Vouchers</p> <p>Within 10 business days of the PHA making the selection, the PHA will notify the selected owner in writing of the owner’s selection for the PBV program. The PHA 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. <i>Selected owners will be approved at a public meeting of the Board of Commissioners.</i></p> <p>In addition, the PHA will publish its notice for selection of PBV proposals for two consecutive days in the same newspapers and trade journals the PHA used to solicit the proposals. The announcement will include the name of the owner that was selected for the PBV program. The PHA will also post the notice of owner selection on its electronic web site.</p> <p>The PHA will make available to any interested party its rating and ranking sheets and documents that identify the PHA basis for selecting the proposal. These documents will be available for review by the public and other interested parties for one month after <i>Board approval</i> publication of the notice of owner selection. The PHA will not make available sensitive owner information that is privileged, such as financial statements and similar information about the owner.</p> <p>The PHA will make these documents available for review at the PHA during normal business hours. The cost for reproduction of allowable documents will be \$.25 per page.</p>
<p>17-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT</p> <p>Exceptions to 25 Percent per Project Cap</p>	<p><i>The PHA will develop housing for occupancy by disabled families in need of services. The families must receive the services, and successfully complete the service program, to be eligible for continued occupancy. Families that do not continue to receive the services or complete the required service program will be terminated in accordance with the PHA policies in Section 12-II.F.</i></p> <p><i>The following types of services will be provided depending on the needs of the family:</i></p> <ul style="list-style-type: none"> <i>Transportation for activities such as grocery shopping, attending medical and dental appointments;</i> <i>Supervised taking of medications;</i> <i>Treatment for drug rehabilitation in the case of current abusers;</i> <i>Treatment for alcohol addiction in the case of current abusers;</i> <i>Training in housekeeping and homemaking activities;</i> <i>Family budgeting;</i> <i>Child care;</i> <i>Parenting skills;</i>

	<p><i>Computer labs; and</i> <i>Work skills development and job training.</i></p> <p>On a quarterly basis, the PHA will monitor all families that are receiving services to determine if such families will be allowed to continue receiving PBV assistance. The PHA will require families receiving services to provide written evidence from each service provider that the family has received all of the required services stated in the statement of family obligations or FSS contract of family participation. Alternatively, each service provider will submit a report to the PHA identifying the services received by each family, and the PHA will check to see if all services required in the statement of family obligation or FSS contract of participation were received.</p> <p>The PHA will provide PBV assistance for excepted units.</p>
<p>Promoting Partially-Assisted Projects</p>	<p><i>The PHA will impose a 50 percent cap on excepted units in multifamily projects. This cap may be lifted to 100 percent for projects with fewer than 25 units.</i></p> <p>The PHA will not provide assistance for excepted units. Beyond that, the PHA will not impose any further cap on the number of PBV units assisted per project.</p>
<p>17-II.G. SITE SELECTION STANDARDS Compliance with PBV Goals, Civil Rights Requirements, and HQS Site Standards</p>	<p>It is the PHA goal to select sites for PBV housing that provide for deconcentrating poverty and expanding housing and economic opportunities. In complying with this goal the PHA will limit approval of sites for PBV housing in census tracts that have poverty concentrations of 20 percent or less.</p> <p>However, the PHA will grant exceptions to the 20 percent standard where the PHA determines that the PBV assistance will <i>improve housing options</i> and complement other local redevelopment activities/<i>goals</i> designed to deconcentrate poverty and expand housing and economic opportunities in census tracts with poverty concentrations greater than 20 percent, such as sites in:</p> <ul style="list-style-type: none"> A census tract in which the proposed PBV development will be located in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community; A census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition and HOPE VI redevelopment; A census tract in which the proposed PBV development will be located is undergoing significant revitalization as a result of state, local, or federal dollars invested in the area; A census tract where new market rate units are being developed where such market rate units will positively impact the poverty rate in the area; A census tract where there has been an overall decline in the poverty rate within the past five years; or A census tract where there are meaningful opportunities for educational and economic advancement.
<p>17-III.D. INSPECTING UNITS <i>Annual/Biennial Inspections</i></p>	<p>At least <i>once every 24 months annually</i> during the term of the HAP contract, the PHA must inspect a random sample consisting of at least 20 percent of the contract units in each building to determine if the contract units and the premises are maintained in accordance with HQS. Turnover inspections are not counted toward meeting this inspection requirement.</p> <p><u><i>PHA Policy</i></u></p> <p><i>The PHA will inspect on a biennial basis a random sample consisting of at least 20 percent of the contract units in each building to determine if the contract units and the premises are maintained in accordance with HQS and local building codes.</i></p>

17-VI.C. ORGANIZATION OF THE WAITING LIST	<p>The PHA will establish and manage separate waiting lists for individual projects or buildings that are receiving PBV assistance. The PHA currently has waiting lists for the following PBV projects:</p> <p style="text-align: center;">Fulton Place Harrison Lofts</p>
17-VI.D. SELECTION FROM THE WAITING LIST Preferences	<p>The PHA will provide a selection preference when required by the regulation (e.g., eligible in-place families, qualifying families for “excepted units,” mobility impaired persons for accessible units). The PHA will not offer any additional preferences for the PBV program or for particular PBV projects or units. <i>With the exception of “excepted units” all PBV programs will utilize the same preferences adopted for the tenant-based voucher program as identified in Chapter 4.</i></p>
17-VI.F. OWNER SELECTION OF TENANTS Filling Vacancies	<p>The owner must notify the PHA in writing (mail, fax, or e-mail) within 5 business days of learning about any vacancy or expected vacancy.</p> <p>The PHA will make every reasonable effort to refer families to the owner within 30 calendar <i>calendar 10 business</i> days of receiving such notice from the owner.</p>
17-VII.B. LEASE <i>Continuation of Housing Assistance Payments</i>	<p><i>Housing assistance payments shall continue until the tenant rent equals the rent to owner. The cessation of housing assistance payments at such point will not affect the family's other rights under its lease, nor will such cessation preclude the resumption of payments as a result of later changes in income, rents, or other relevant circumstances if such changes occur within 180 days following the date of the last housing assistance payment by the PHA. After the 180-day period, the unit shall be removed from the HAP contract pursuant to 24 CFR 983.211.</i></p> <p style="text-align: center;"><u><i>PHA Policy</i></u></p> <p><i>If a participating family receiving zero assistance experiences a change in circumstances that would result in a HAP payment to the owner, the family must notify the PHA of the change and request an interim reexamination before the expiration of the 180-day period.</i></p>
17-VII.D. EXCEPTIONS TO THE OCCUPANCY CAP	<p><i>The PHA will allow families who initially qualified to live in an excepted unit to remain when circumstances change due to circumstances beyond the remaining family members' control.</i></p> <p><i>In all other cases, when the PHA determines that a family no longer meets the criteria for a “qualifying family” in connection with the 25 percent per project cap exception, the PHA will provide written notice to the family and owner within 10 business days of making the determination. The family will be given 30 days from the date of the notice to move out of the PBV unit. If the family does not move out within this 30-day time frame, the PHA will terminate the housing assistance payments at the expiration of this 30-day period.</i></p> <p><i>The PHA may make exceptions to this 30-day period if needed for reasons beyond the family's control such as death, serious illness, or other medical emergency of a family member.</i></p> <p><i>The PHA may refer other eligible families to the excepted units. However, if there are no eligible families on the waiting list and the owner does not refer eligible families to the PHA, the PHA will amend the HAP contract to reduce the total number of units under contract.</i></p> <p>The PHA will not provide PBV assistance for accepted units.</p>

Summary of Revisions to the MMHA Public Housing Admissions and Continued Occupancy Policy

Policy	Proposal
	Chapter 1: OVERVIEW OF THE PROGRAM AND PLAN
1-I.A. Overview	<p><i>The Muscatine Municipal Housing Agency is the HUD sanctioned Housing Authority for the County of Muscatine. The Agency is administered by the City's Housing department with City Council acting as the Agency Board of Commissioners with the input of the Public Housing Resident Advisory Board. The Housing Department is responsible for managing City public housing, tenant and project based rental assistance, the home ownership program, family self-sufficiency and programming to support academic achievement for children residing in public housing.</i></p> <p>This part describes the PHA's creation and authorization, the general structure of the organization, and the relationship between the PHA Board and staff.</p> <p>The Muscatine Municipal Housing Agency is the HUD sanctioned Housing Authority for the County of Muscatine. The Agency is administered by the City's Housing department with City Council acting as the Agency Board of Commissioners with the advice of the Public Housing Resident Advisory Board. The Housing department is responsible for managing City and not for profit public housing, rental assisted privately owned housing, the home ownership program, and assisting with the Housing Rehabilitation and Housing Code Enforcement Programs.</p> <p>Goal Statement: To formulate, implement and administer nondiscriminatory programs that strive to provide low/moderate income households who reside or expect to reside in Muscatine County the opportunity to choose a healthy, safe dwelling and neighborhood, free of major harmful environmental influences, convenient to social, cultural, educational, commercial, recreational, and economic opportunities, within a reasonable expense to income ratio.</p> <div style="text-align: center;"> <p>Agency Flow Chart</p> <pre> graph TD HA[Housing Administrator 1 (reports to City Administrator & City Council)] AHA[Assistant Housing Administrator] HC[Housing Coordinator] HM[Housing Manager 2 FT] HMS[Housing Maintenance Supervisor/Inspector 1] OCO[Office Coordinator 1 PT] MR[Maintenance Repairperson 1] C[Custodian 3] HA --- AHA HA --- HC HA --- HM HA --- HMS AHA --- OCO HMS --- MR HMS --- C </pre> </div>
1-I.C. PHA MISSION	<p>The PHA's mission is to promote personal, economic and social upward mobility for very low-income families through the provision of affordable, safe, decent and sanitary housing and appropriate services. for very low income families and to manage resources efficiently. The PHA is to promote personal, economic and social upward mobility to provide families the opportunity to make the transition from subsidized to non-subsidized housing.</p>

Chapter 2: FAIR HOUSING AND EQUAL OPPORTUNITY	
2-I.A. OVERVIEW	<i>Iowa Code Chapter 216 also prohibits discrimination based on creed, age of visitors (may not prohibit visitors with children), or another person in any of the rights protected against discrimination by this chapter because such person has lawfully opposed any practice forbidden under this chapter, obeys the provisions of this chapter, or has filed a complaint, testified, or assisted in any proceeding under this Chapter. No state or local nondiscrimination laws or ordinances apply.</i>
Discrimination Complaints	<p>[Preamble] <i>In all cases, the PHA may advise the family to file a fair housing complaint if the family feels they have been discriminated against under the Fair Housing Act.</i></p> <p><i>Upon receipt of a housing discrimination complaint, the PHA is required to:</i></p> <ul style="list-style-type: none"> • <i>Provide written notice of the complaint to those alleged and inform the complainant that such notice was made</i> • <i>Investigate the allegations and provide the complainant and those alleged with findings and either a proposed corrective action or an explanation of why corrective action is not warranted</i> • <i>Keep records of all complaints, investigations, notices, and corrective actions [Notice PIH 2014-20]</i>
PHA Policy	<p>Applicants or participants who believe that they have been subject to unlawful discrimination may notify the PHA either orally or in writing.</p> <p><i>Within 10 business days of receiving the complaint, the PHA will provide a written notice to those alleged to have violated the rule. The PHA will send a written notice to the complainant informing them that notice was sent to those alleged to have violated the rule, as well as provide a copy of a discrimination form to the complainant and provide them with information on how to complete and submit the form to HUD's Office of Fair Housing and Equal Opportunity (FHEO).</i></p> <p><i>The PHA will attempt to remedy discrimination complaints made against the PHA and will conduct an investigation into all allegations of discrimination.</i></p> <p><i>Within 10 business days following the conclusion of the PHA's investigation, the PHA will provide the complainant and those alleged to have violated the rule with findings and either a proposed corrective action plan or an explanation of why corrective action is not warranted.</i></p> <p><i>The PHA will keep a record of all complaints, investigations, notices, and corrective actions. (See Chapter 16.)</i></p>
2-II.A. OVERVIEW	<p>The PHA will ask all applicants and resident families if they require any type of accommodations, in writing, on the intake application, reexamination documents, and notices of adverse action by the PHA, by including the following language:</p> <p><i>"If you or anyone in your family is a person with disabilities, and you require a specific accommodation in order to fully utilize our programs and services, please contact the housing authority."</i></p> <p>A specific position and phone number will be provided as the contact person for requests for accommodation for persons with disabilities.</p>
2-III.D. IMPLEMENTATION PLAN Limited English Proficiency	<p>If it is determined that the PHA serves very few LEP persons, and the PHA has very limited resources, the PHA will not develop a written LEP plan, but will consider alternative ways to articulate in a reasonable manner a plan for providing meaningful access. Entities having significant contact with LEP persons, such as schools, grassroots and faith-based organizations, community groups, and groups working with new immigrants will be contacted for input into the process.</p> <p>If the PHA determines it is appropriate to develop a written LEP plan, The following five steps will be taken in developing an appropriate LEP: (1) Identifying LEP individuals</p>

	who need language assistance; (2) identifying language assistance measures; (3) training staff; (4) providing notice to LEP persons; and (5) monitoring and updating the LEP plan.
	Chapter 3: ELIGIBILITY
3-I.J. GUESTS	<p>A resident family must notify the PHA when overnight guests will be staying in the unit for more than 3 days. A guest can remain in the unit no longer than 14 consecutive days or a total of 30 cumulative calendar days during any 12 month period.</p> <p>A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last <i>at least 14 -20</i> consecutive days <i>but not more than 90</i>). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.</p> <p>Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the public housing unit more than 50 percent of the time, are not subject to the time limitations of guests as described above.</p> <p>Former residents who have been evicted are not permitted as overnight guests.</p> <p>Guests who represent the public housing unit address as their residence address or address of record for receipt of benefits or any other purposes will be considered unauthorized occupants. In addition, guests who remain in the unit beyond the allowable time limit will be considered to be unauthorized occupants, and their presence constitutes violation of the lease.</p>
3-II.B. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS U.S. Citizens and Nationals	<p>Family members who declare citizenship or national status will not be required to provide additional documentation unless the PHA receives information indicating that an individual's declaration may not be accurate.</p> <p><i>Family members who claim to be eligible noncitizens must provide a valid permanent residency card or other documentation illustrating eligibility. Eligibility will be established using the SAVES system or whichever system is recommended or required by the Federal government for this purpose.</i></p>
3-III.B. REQUIRED DENIAL OF ADMISSION	<p>In determining reasonable cause, the PHA will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A conviction will be given more weight than an arrest. <i>A record of arrest(s) alone will not be used as the basis for the denial or proof that the applicant engaged in disqualifying criminal activity.</i> The PHA will also consider evidence from treatment providers or community-based organizations providing services to household members.</p>
Previous Behavior	<p>The PHA will deny admission to an applicant family if the PHA determines that the family:</p> <ul style="list-style-type: none"> Has a pattern of unsuitable past performance in meeting financial obligations, including rent within the past five years Has a pattern of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences within the past five years which may adversely affect the health, safety, or welfare of other tenants Has a pattern of eviction from housing or termination from residential programs within the past <i>five 7</i> years (considering relevant circumstances) Owes rent or other amounts to this or any other PHA or owner in connection with any assisted housing program (Iowa State Law statute of limitations will supersede this denial(10years)) Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition

	<p>or rent</p> <p>Has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program</p> <p>Has engaged in or threatened violent or abusive behavior toward PHA personnel</p> <p><i>Abusive or violent behavior towards PHA personnel</i> 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.</p> <p><i>Threatening</i> refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence. <i>Including spoken or written words tending to intimidate or menace other involved, or suggested without being directly or explicitly stated. A declaration of intention or determination to inflict punishment or injury, in retaliation for, or conditionally upon, some action or course. Sending threatening or harassing emails, instant messages, or website entries. Repeated attempts to target a specific PHA staff member by directly contacting them, or indirectly using or disseminating their personal information, causing them distress, fear, or anger.</i></p>
<p>3-III.D. SCREENING</p> <p>Screening for Eligibility</p>	<p>The PHA will perform a criminal background check for every adult household member <i>using state and local records. If the applicant reports or the PHA has reason to believe any adult household members have resided or spent significant time in locations outside of the state of Iowa a national criminal background check will be conducted through a third-party service.</i></p> <p><i>If the results of the criminal background check indicate that there may be past criminal activity, but the results are inconclusive, the PHA may will request a fingerprint card and will request information from the National Crime Information center (NCIC).</i></p>
<p>Screening for Suitability as a Tenant</p>	<p>The PHA will use the Dru Sjodin National Sex Offender database to screen applicants for admission. <i>This screening may be conducted by a third-party service.</i></p> <p>The PHA will consider the family's history with respect to the following factors:</p> <ul style="list-style-type: none"> Payment of rent and utilities Caring for a unit and premises Respecting the rights of other residents to the peaceful enjoyment of their housing Criminal activity that is a threat to the health, safety, or property of others Behavior of all household members as related to the grounds for denial as detailed in Sections 3-III. B and C Compliance with any other essential conditions of tenancy <p><i>If it appears an applicant will be denied for any of the reasons above, the PHA reserves the right to deny or admit the family on a case-by-case basis for mitigating circumstances.</i></p>
<p>Resources Used to Check Applicant Suitability</p>	<p>In order to determine the suitability of applicants the PHA will examine applicant history for the past five years. Such background checks will include:</p> <p><i>Past Performance in Meeting Financial Obligations, Especially Rent</i></p> <p>PHA and landlord references for the past five years, gathering information about past performance meeting rental obligations such as rent payment record, late payment record, whether the PHA/landlord ever began or completed lease termination for non-payment, and whether utilities were ever disconnected in the unit. PHAs and landlords will be asked if they would rent to the applicant family again.</p>

Utility company references covering the monthly amount of utilities, late payment, disconnection, return of a utility deposit and whether the applicant can get utilities turned on in his/her name. (Use of this inquiry will be reserved for applicants applying for units where there are tenant-paid utilities.) *If tenant cannot have utilities turned on in his/her name the PHA must be notified and request permission to have utilities in another person's name. The PHA may request verification of this person's legal residence prior to occupancy.*

If an applicant has no rental payment history the PHA will check court records of eviction actions and other financial judgments, and credit reports. ~~A lack of credit history will not disqualify someone from becoming a public housing resident, but a poor credit rating may.~~

Applicants with no rental payment history will also be asked to provide the PHA with personal references. The references will be requested to complete a verification of the applicant's ability to pay rent if no other documentation of ability to meet financial obligations is available. The applicant ~~will~~ *may* also be required to complete a ~~checklist~~ *budget* documenting their ability to meet financial obligations.

If previous landlords or the utility company do not respond to requests from the PHA, the applicant may provide other documentation that demonstrates their ability to meet financial obligations (e.g. rent receipts, cancelled checks, etc.)

Disturbances of Neighbors, Destruction of Property or Living or Housekeeping Habits at Prior Residences that May Adversely Affect Health, Safety, or Welfare of Other Tenants, or Cause Damage to the Unit or the Development

PHA and landlord references for the past five years, gathering information on whether the applicant kept a unit clean, safe and sanitary; whether they violated health or safety codes; whether any damage was done by the applicant to a current or previous unit or the development, and, if so, how much the repair of the damage cost; whether the applicant's housekeeping caused insect or rodent infestation; and whether the neighbors complained about the applicant or whether the police were ever called because of disturbances.

Police and court records within the past five years will be used to check for any evidence of disturbance of neighbors or destruction of property that might have resulted in arrest or conviction. *A record of arrest(s) alone will not be used as the basis for the denial or proof that the applicant engaged in disqualifying activity.*

A personal reference will be requested to complete a verification of the applicant's ability to care for the unit and avoid disturbing neighbors if no other documentation is available. In these cases, the applicant ~~will~~ *may* also be required to complete a ~~checklist~~ *documentation of ing* their ability to care for the unit and to avoid disturbing neighbors.

Home visits may be used to determine the applicant's ability to care for the unit.

3-III.E. CRITERIA FOR DECIDING TO DENY ADMISSION

Consideration of Circumstances

The PHA will consider the following factors *and circumstances* prior to making its decision:

The seriousness of the case, especially with respect to how it would affect other residents' safety or property

The effects that denial of admission may have on other members of the family who were not involved in the action or failure *to act*

The extent of participation or culpability of individual family members, including

	<p>whether the culpable family member is a minor or a person with disabilities, or (as discussed further in section 3-III.F) a victim of domestic violence, dating violence, sexual assault, or stalking</p> <p>The length of time since the violation occurred, <i>including the age of the individual at the time of the conduct, as well as</i> the family's recent history and the likelihood of favorable conduct in the future</p> <p><i>While a record of arrest(s) alone will not be used as the basis for denial, an arrest may, however, trigger an investigation to determine whether the applicant actually engaged in disqualifying criminal activity. As part of its investigation, the PHA may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. The PHA may also consider:</i></p> <p><i>Any statements made by witnesses or the applicant not included in the police report</i></p> <p><i>Whether criminal charges were filed</i></p> <p><i>Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal</i></p> <p><i>Any other evidence relevant to determining whether or not the applicant engaged in disqualifying activity</i></p> <p><i>Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property</i></p> <p>Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs</p> <p>In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully</p> <p>The PHA will require the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.</p>
<p>Removal of a Family Member's Name from the Application</p>	<p>As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the public housing unit.</p> <p>After admission to the program, <i>Prior to occupancy</i> the family must present evidence of the former family member's current address upon PHA request.</p>
<p>4-I.B. APPLYING FOR ASSISTANCE</p>	<p>Chapter 4: APPLICATIONS, WAITING LIST AND TENANT SELECTION</p> <p>Depending upon the length of time between the date of application and the availability of housing, the PHA may use a one- or two-step application process.</p> <p>A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and the amount of rent the family will pay.</p> <p>A two-step process will be used when it is expected that a family will not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, the PHA initially will require families to provide only the information needed to make an initial assessment of the family's 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 <i>and the amount of</i></p>

	<p><i>rent the family will pay when selected from the waiting list.</i></p> <p>Families may obtain application forms from the <i>management or PHA's</i> offices during normal business hours. Families may also request – by telephone, <i>e-mail</i> or by mail – that an application form be sent to the family via first class mail.</p> <p>Completed applications must be returned to the PHA by mail, by fax, <i>e-mail</i>, or submitted in person during normal business hours. Applications must be filled out to completely in order to be accepted by the PHA for <i>placement on the waiting list</i>processing. If an application is incomplete, the PHA will notify the family of the additional information required.</p>
<p>4-I.D. PLACEMENT ON THE WAITING LIST</p> <p>Eligible for Placement on the Waiting List</p>	<p>The PHA will send written notification of the preliminary eligibility determination within 10 business 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.</p> <p>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.</p>
<p>4-II.B. ORGANIZATION OF THE WAITING LIST</p>	<p>The waiting list will contain the following information for each applicant listed:</p> <ul style="list-style-type: none"> <i>Name and social security number of head of household</i> Unit size required (number of family members) Amount and source of annual income Accessibility requirement, if any Date and time of application Household type (family, elderly, disabled) Admission preference, if any Race and ethnicity of the head of household The specific site(s) selected
<p>4-II.C. OPENING AND CLOSING THE WAITING LIST</p>	<p>The PHA may will close the waiting list when the estimated waiting period for housing applicants on the list reaches 24 months for the most current applicants. Where the PHA has particular preferences or other criteria that require a specific category of family, the PHA may elect to continue to accept applications from these applicants while closing the waiting list to others.</p>
<p>4-II.F. UPDATING THE WAITING LIST</p> <p>Purging the Waiting List</p>	<p>The waiting list will be updated as needed to ensure that all applicant information is current and timely.</p> <p>To update the waiting list, the PHA 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 the PHA 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.</p> <p>The family's response must be in writing and may be delivered in person, by mail, <i>e-mail</i>, or by fax. Responses should be postmarked or received by the PHA not later than 105 business days from the date of the PHA letter.</p> <p>If the family fails to respond within 105 business days, the family will be removed from the waiting list without further notice.</p> <p>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.</p> <p>If the notice is returned by the post office with a forwarding address, the notice will be re-</p>

	<p>sent to the address indicated. The family will have 105- business days to respond from the date the letter was re-sent. If the family fails to respond within this time frame, the family will be removed from the waiting list without further notice.</p> <p>When a family is removed from the waiting list during the update process for failure to respond, no informal hearing will be offered. Such failures to act on the part of the applicant prevent the PHA from making an eligibility determination; therefore no informal hearing is required.</p> <p>If a family is removed from the waiting list for failure to respond, the PHA may reinstate the family if the lack of response was due to PHA error, or to circumstances beyond the family's control.</p>
<p>4-III.B. SELECTION METHOD Local Preferences</p>	<p>The PHA will use the following local preference:</p> <p><i>In order to bring higher income families into public housing, the PHA will establish a preference for "working" families, where the head, spouse, co-head, or sole member is employed at least 20 hours per week. As required by HUD, families where the head and spouse, or sole member is a person age 62 or older, or is a person with disabilities, will also be given the benefit of the working preference [24 CFR 960.206(b)(2)]. Work must be located within a reasonable distance from the property to make it likely that employment will continue upon residency.</i></p> <p><i>Applicants having completed an approved rental class will be given a preference over families with the same preference who have not.</i></p>
<p>Order of Selection</p>	<p><i>Families will be selected from the waiting list based on preference. Among applicants with the same preference, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by the PHA.</i></p> <p><i>When selecting applicants from the waiting list, the PHA will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. The PHA will offer the unit to the highest ranking applicant who qualifies for that unit size or type, or that requires the accessibility features.</i></p> <p><i>By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application or higher preference status.</i></p> <p>Families will be selected from the waiting list based on time and date of application in accordance with appropriate bedroom size.</p>
<p>4-III.C. NOTIFICATION OF SELECTION</p>	<p>The PHA will notify the family by first class mail when it is selected from the waiting list.</p> <p>The notice will inform the family of the following:</p> <ul style="list-style-type: none"> Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview Who is required to attend the interview Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation Documents that must be provided at the interview to document eligibility for a preference <i>and determine household income</i>, if applicable Other documents and information that should be brought to the interview <p>If a notification letter is returned to the PHA with no forwarding address, the family will be removed from the waiting list without further notice. Such failure to act on the part of the applicant prevents the PHA from making an eligibility determination; therefore no</p>

	informal hearing will be offered.
	Chapter 5: OCCUPANCY STANDARDS AND UNIT OFFERS
5-I.B. DETERMINING UNIT SIZE	<p>The PHA will use the same occupancy standards for each of its developments.</p> <p>The PHA's occupancy standards are as follows:</p> <p>The PHA will assign one bedroom for each two persons within the household, except in the following circumstances:</p> <p style="padding-left: 40px;">Persons of the opposite sex (other than spouses, <i>co-heads</i>, and <i>other co-habiting adults and children under age 5</i>) will not be required to share a bedroom.</p> <p style="padding-left: 40px;">Persons of different generations will not be required to share a bedroom.</p> <p style="padding-left: 40px;">Live-in aides will be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family.</p> <p style="padding-left: 40px;">Single person families will be allocated a zero or one bedroom.</p> <p style="padding-left: 40px;">Foster children will be included in determining unit size.</p> <p><i>Persons other than authorized members of the assisted family must not use the assisted address for any purpose. An exception may be authorized by the PHA in cases where the PHA has approved utilities being placed in the name of a nonhousehold member.</i></p>
5-I.C. EXCEPTIONS TO OCCUPANCY STANDARDS Processing of Exceptions	<p>All requests for exceptions to the occupancy standards must be submitted in writing.</p> <p>In the case of a request for exception as a reasonable accommodation, the PHA will encourage the resident to make the request in writing using a reasonable accommodation request form. However, the PHA will consider the exception request any time the resident indicates that an accommodation is needed whether or not a formal written request is submitted.</p> <p>Requests for a larger size unit must explain the need or justification for the larger size unit, and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source, unless the disability and the disability-related request for accommodation is readily apparent or otherwise known.</p> <p>The PHA will notify the family of its decision within 10 business days of receiving the family's request <i>with all required documentation.</i></p>
	Chapter 6: INCOME AND RENT DETERMINATIONS
6-I.E. EARNED INCOME DISALLOWANCE Calculation of Disallowance Preamble	<p>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."</p> <p style="text-align: center;"><u>PHA Policy</u></p> <p>The PHA defines <i>prior income</i>, or <i>prequalifying income</i>, as the family member's last certified income prior to qualifying for the EID.</p> <p>The family member's prior, or prequalifying, income remains constant (and as a baseline) throughout the period that he or she is participating in the EID.</p> <p><i>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 "baseline income." The family member's baseline income is his or her income immediately prior to qualifying for the EID. The family member's baseline income remains constant throughout the period that he or she is participating in the EID.</i></p> <p><i>While qualification for the disallowance is the same for all families, calculation of the disallowance will differ depending on when the family member qualified for the EID. Residents qualifying prior to May 9, 2016 will have the disallowance calculated under the "Original Calculation Method" described below, which requires a maximum lifetime</i></p>

	<p>disallowance period of up to 48 consecutive months. Residents qualifying on or after May 9, 2016 will be subject to the "Revised Calculation Method," which shortens the lifetime disallowance period to 24 consecutive months.</p> <p>Under both the original and new methods, the EID eligibility criteria, the benefit amount, the single lifetime eligibility requirement and the ability of the applicable family member to stop and restart employment during the eligibility period are the same.</p>
<p><i>Revised Calculation Method</i></p>	<p>Initial 12-Month Exclusion</p> <p>During the initial exclusion period of 12 consecutive months, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded.</p> <p><u>PHA Policy</u></p> <p>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.</p> <p>Second 12-Month Exclusion</p> <p>During the second exclusion period of 12 consecutive months, the PHA must exclude at least 50 percent of any increase in income attributable to employment or increased earnings.</p> <p><u>PHA Policy</u></p> <p>During the second 12-month exclusion period, the PHA will exclude 50 percent of any increase in income attributable to new employment or increased earnings.</p> <p>Lifetime Limitation</p> <p>The EID has a two-year (24-month) lifetime maximum. The two-year eligibility period begins at the same time that the initial exclusion period begins and ends 24 months later. During the 24-month period, an individual remains eligible for EID even if they receive assistance from a different housing agency, move between public housing and Section 8 assistance, or have breaks in assistance.</p>
<p>6-III.A. OVERVIEW OF INCOME-BASED RENT CALCULATIONS Utility Reimbursement</p>	<p>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.</p> <p><u>PHA Policy</u></p> <p>The PHA will make utility reimbursements to the utility company.</p> <p>The PHA may make all utility reimbursement payments to qualifying families on a monthly basis or may make quarterly payments when the monthly reimbursement amount is \$15.00 or less. Reimbursements must be made once per calendar-year quarter, either prospectively or retroactively, and must be prorated if the family leaves the program in advance of its next quarterly reimbursement. The PHA must also adopt hardship policies for families for whom receiving quarterly reimbursement would create a financial hardship. The PHA must issue reimbursements that exceed \$15.00 per month on a monthly basis.</p> <p><u>PHA Policy</u></p> <p>The PHA will issue all utility reimbursements monthly.</p>
<p>6-III.E. FLAT RENTS AND FAMILY CHOICE IN RENTS Phasing In Flat Rents</p>	<p>When new flat rents requirements were implemented in 2014, HUD limited the increase for existing residents paying flat rent at that time to no more than 35 percent of the current tenant rent per year. In some cases, this meant that some residents had or will have their flat rents phased-in at the time of their annual recertification. To do this, PHAs conduct a flat rent impact analysis to determine whether a phase-in is or was necessary. For families whose flat</p>

rent is being phased-in, 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. Families who have subsequently been admitted to the program or have subsequently selected flat rent will not experience a phase-in.

Notice PIH 2015-13 requires that flat rents must be phased in at the full 35 percent per year. PHAs do not have the option of phasing in flat rent increases at less than 35 percent per year.

For current residents whose rent would increase as a result of new flat rent requirements, the PHA must restrict the increases to no more than 35 percent of the current tenant rent per year. This would necessitate a phase-in of the rent increase.

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.

PHA Policy

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

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.

Under the EID original calculation method, a family currently paying flat rent that previously qualified for the EID while paying income-based rent and is currently within their exclusion period would have the exclusion period continue while paying flat rent as long as the employment that is the subject of the exclusion continues. A family paying flat rent could therefore see a family member's exclusion period expire while the family is paying flat rent.

Under the EID revised calculation method, a family currently paying flat rent that previously qualified for the EID while paying income-based rent and is currently within their exclusion period would have the exclusion period continue while paying flat rent regardless whether the employment that is the subject of the exclusion continues. A family paying flat rent could therefore see a family member's exclusion period expire while the family is paying flat rent.

A family currently paying flat rent that previously qualified for the EID while paying income based rent and is currently within their 48-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-month lifetime limit would continue uninterrupted. A family paying flat rent could therefore see a family member's 48-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.

Chapter 7: VERIFICATION	
<p>7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION Value of Assets and Asset Income</p>	<p><i>For families with net assets totaling \$5,000 or less, the PHA may accept the family's declaration of asset value and anticipated asset income. However, the PHA is required to obtain third-party verification of all assets regardless of the amount during the intake process, whenever a family member is added, and at least every three years thereafter.</i></p> <p><u>PHA Policy</u> <i>For families with net assets totaling \$5,000 or less, the PHA will accept the family's self-certification of the value of family assets and anticipated asset income when applicable. The family's declaration must show each asset and the amount of income expected from that asset. All family members 18 years of age and older must sign the family's declaration.</i> <i>The PHA will use third-party documentation for assets as part of the intake process, whenever a family member is added to verify the individual's assets, and every three years thereafter.</i></p>
<p>7-I.E. SELF-CERTIFICATION Preamble</p>	<p>When HUD requires third-party verification, self-certification, or "tenant declaration," is used as a last resort when the PHA is unable to obtain third-party verification. Self-certification, however, is an acceptable form of verification when:</p> <ul style="list-style-type: none"> • A source of income is fully excluded • Net family assets total \$5,000 or less and the PHA has adopted a policy to accept self certification at annual recertification, when applicable • The PHA has adopted a policy to implement streamlined annual recertifications for fixed sources of income (See Chapter 9) <p>When the PHA 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.</p> <p>Self certification, or "tenant declaration," is used as a last resort when the PHA is unable to obtain third party verification.</p> <p>When the PHA 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.</p>
<p>7-II.B. SOCIAL SECURITY NUMBERS</p>	<p>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.</p> <p>The PHA must accept the following documentation as acceptable evidence of the social security number:</p> <ul style="list-style-type: none"> • 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 <p>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, is illegible, or if the document appears to be forged.</p> <p><u>PHA Policy</u> The PHA will explain to the applicant or resident the reasons the document is not acceptable and request that the individual obtain and submit acceptable</p>

	<p>documentation of the SSN to the PHA within 90 days.</p> <p><i>If an applicant family includes a child under 6 years of age who joined the household within the 6 months prior to the date of program admission, an otherwise eligible family may be admitted and must provide documentation of the child's SSN within 90 days. 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.</i></p> <p><u>PHA Policy</u></p> <p>The PHA will grant one additional 90-day extension if needed for reasons beyond the applicant's control, such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency.</p> <p>When a 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.</p> <p>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.</p> <p><u>PHA Policy</u></p> <p>The PHA 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.</p>
<p>7-III.A. EARNED INCOME</p> <p style="text-align: right;">Wages</p>	<p>For wages other than tips, the family must provide originals of the <i>most recent 60 days two most current</i>, consecutive pay stubs.</p>
<p>7-III.I. ZERO ANNUAL INCOME STATUS</p>	<p>The PHA will check UIV sources and/or request information from third-party sources to verify that certain forms of income such as unemployment benefits, TANF, SS, SSI, and earnings are not being received by families claiming to have zero annual income.</p> <p><i>Households claiming zero annual income will be required to submit certification indicating they do not receive income of any type, including in-kind and payments-in-lieu of cash.</i></p>
<p>Chapter 8: LEASING AND INSPECTIONS</p>	
<p>8-I.E. SECURITY DEPOSITS</p>	<p>Tenant Responsibilities: Tenant agrees to pay an amount as posted at the time of initial occupancy of the rental unit. The amounts of security deposits shall be posted by bedroom size on July 1 each year. The dollar amount of the security deposit is noted on Part II of this Residential Lease. [966.4 (b)(5)]</p> <p>Residents must pay a security deposit to the PHA at the time of admission admission unless it is a hardship on the family then the deposit can be made in two payments one half a time of signing lease and the balance within 30 days. The amount of the security deposit is provided below under <i>Schedule of Security Deposits</i> will be equal to the family's total tenant payment at the time of move in, and must be paid in full prior to occupancy.</p> <p>The PHA will hold the security deposit for the period the family occupies the unit. The PHA will not use the security deposit for rent or other charges while the resident is living in the unit.</p>

	<p>Within 30 days of move-out, the PHA will refund to the resident the amount of the security deposit (including interest earned on the security deposit), less any amount needed to pay the cost of unpaid rent, damages listed on the move-out inspection report that exceed normal wear and tear, and other charges due under the lease.</p> <p><i>The PHA will provide the resident with a written list of any charges against the security deposit within 30 business days of the move-out inspection. If the resident disagrees with the amount charged, the PHA will provide a meeting to discuss the charges.</i></p> <p>If the resident transfers to another unit, the PHA will transfer the security deposit to the new unit. The tenant will be billed for any maintenance or other charges due for the "old" unit.</p>
<p>8-I.F. PAYMENTS UNDER THE LEASE Rent Payments</p>	<p><i>The tenant rent is due and payable at the PHA-designated location on the first of every month. If the first falls on a weekend or holiday, the rent is due and payable on the first business day thereafter.</i></p> <p><i>If a family's tenant rent changes, the PHA will notify the family of the new amount and the effective date by sending a "Notice of Rent Adjustment" which will become an attachment to the lease.</i></p>
<p>Late Fees and Nonpayment</p>	<p><i>At the option of the PHA, the lease may provide for payment of penalties when the family is late in paying tenant rent [24 CFR 966.4(b)(3)].</i></p> <p><i>The lease must provide that late payment fees are not due and collectible until two weeks after the PHA gives written notice of the charges. The written notice is considered an adverse action, and must meet the requirements governing a notice of adverse action [24 CFR 966.4(b)(4)].</i></p> <p><i>The notice of proposed adverse action must identify the specific grounds for the action and inform the family of their right for a hearing under the PHA grievance procedures. The PHA must not take the proposed action until the time for the tenant to request a grievance hearing has expired, or (if a hearing was requested within the required timeframe,) the grievance process has been completed [24 CFR 966.4(e)(8)].</i></p> <p><u>PHA Policy</u></p> <p>Late Charges— Rent is due and payable in advance on the first calendar day of the month and late after the sixth day of the month. Rent paid on the 7th through the 10th calendar day of the month will be subject to a \$10/day late rent charge. Rent that is paid in full and mailed and postmarked by the 6th calendar day of the month will not be subject to late rent charges. Dishonored checks, money orders, and etc. are considered non payment unless the tenant provides verification by the bank that it was</p> <p><i>Notices of late fees will be in accordance with requirements regarding notices of adverse action. Charges are due and payable 14 calendar days after billing. If the family requests a grievance hearing within the required timeframe, the PHA may not take action for nonpayment of the fee until the conclusion of the grievance process. If the resident can document financial hardship, the late fee may be waived on a case-by-case basis.</i></p> <p><i>When a check is returned for insufficient funds or is written on a closed account, the rent will be considered unpaid and a returned check fee equal to that charged by the financial institution will be charged to the family. The fee will be due and payable 14 days after billing.</i></p> <p>The PHA shall provide written notice of the amount of any charge in addition to Tenant Rent and when the charge is due. Charges in addition to rent are due no sooner than two weeks after Tenant receives the PHA's written notice of the charge. [966.4 (b) (4)]. At no time can the late fee exceed a tenants total monthly adjusted</p>

~~rent payment, it is however a lease violation and is subject repayment agreement and or termination.~~

~~If the family fails to pay their rent by the fifth day of the month, and the PHA has not agreed to accept payment at a later date, a 14 day Notice to Vacate will be issued to the resident for failure to pay rent, demanding payment in full or the surrender of the premises.~~

~~In addition, if the resident fails to make payment by the end of office hours on the fifth day of the month, a late fee of \$25.00 will be charged.~~

Three Day Notice to Pay or Quit

All tenants who failed to make the rent payment for that month, by the 10⁵th of each month will be given a three day notice to pay or quite will be sent to the tenant.

Minimum owed \$100.00 (Standard Notice)

Late Rent Payment Agreements

If tenants and manager work out a late rent payment agreement within the three day notice period a copy will be sent to the Housing Administrator and forwarded to the Finance Department. ~~(Standard Notice)~~ No further action needed.

End of Three Day Notice Period

At the end of three-day period tenants who have not contacted the housing manager, entered into a rent payment agreement, or paid the past due rent, will be sent a 14 day Notice to Vacate. ~~(Standard Notice)~~

Official 14 Day Notice to Vacate

The 14-day notices will be mailed via first class mail *and certified mail* with a copy taped on the resident's door. The notice will indicate that all amounts are due by the end of the notice period and only the total amount will be accepted by the Finance Department. ~~(Standard Notice)~~

Late Rent Payment Agreements during 14-day Period.

If the tenant contacts the manager during this 14-day period, a late rent payment agreement may be entered into only with the Housing Administrators prior approval. A copy will be forwarded to the Finance Department by the Administrator. No further action needed.

Forcible Entry and Detainer Filed

If all collection attempts fail, the Housing Manager ~~Manager~~ will file a request for forcible entry with the County Clerk and receive a court date.

Court Day

The sheriff will serve the tenant with papers and court date information. The Housing Manager ~~Manager~~ will attend court and defend *the PHA*~~our~~ case. The PHA will follow court ruling.

Procession of Unit

If the tenant fails to move out of the apartment as ruled the Housing Manager ~~Manager~~ will contact the sheriff's office as required and move all belongings in the unit to the nearest curb from the unit. After 48 hours the maintenance staff will dispose of all belongs from the curb. (See Sheriff's Eviction Procedures)

8-II.B. TYPES OF INSPECTIONS

Annual Inspections

The PHA will inspect all occupied units annually using HUD's Uniform Physical Condition Standards (UPCS). In addition, a housekeeping inspection will be conducted as part of the annual recertification process.

8-II.D. INSPECTION RESULTS

Housekeeping

Residents whose housekeeping habits pose a non-emergency health or safety risk, encourage insect or rodent infestation, or cause damage to the unit are in violation of the lease. In these instances, the PHA will provide proper notice of a lease violation.

A reinspection will be conducted within 30 days to confirm that the resident has complied

	<p>with the requirement to abate the problem. Failure to abate the problem or allow for a reinspection is considered a violation of the lease and may result in termination of tenancy in accordance with Chapter 13.</p> <p>Notices of lease violation will also be issued to residents who purposely disengage the unit's smoke detector. <i>Only one warning will be given. A second incidence may result in lease termination.</i></p>
	Chapter 9: REEXAMINATIONS
9-I.B STREAMLINED ANNUAL REEXAMINATIONS	<p><i>HUD permits PHAs to streamline the income determination process for family members with fixed sources of income. While third-party verification of all income sources must be obtained during the intake process and every three years thereafter, in the intervening years the PHA may determine income from fixed sources by applying a verified cost of living adjustment (COLA) or rate of interest. The PHA may, however, obtain third-party verification of all income, regardless of the source. Further, upon request of the family, the PHA must perform third-party verification of all income sources.</i></p> <p><i>Fixed sources of income include Social Security and SSI benefits, pensions, annuities, disability or death benefits, and other sources of income subject to a COLA or rate of interest. The determination of fixed income may be streamlined even if the family also receives income from other non-fixed sources.</i></p> <p><u><i>PHA Policy</i></u> <i>The PHA will streamline the annual reexamination process by applying the verified COLA or interest rate to fixed-income sources. The PHA will document in the file how the determination that a source of income was fixed was made.</i></p> <p><i>If a family member with a fixed source of income is added, the PHA will use third-party verification of all income amounts for that family member.</i></p> <p><i>If verification of the COLA or rate of interest is not available, the PHA will obtain third-party verification of income amounts.</i></p> <p><i>Third-party verification of fixed sources of income will be obtained during the intake process and at least once every three years thereafter.</i></p>
9-I.D. CONDUCTING ANNUAL REEXAMINATIONS Criminal Background Checks	<p><i>Additionally, HUD recommends that at annual reexaminations PHAs ask whether the tenant, or any member of the tenant's household, is subject to a lifetime sex offender registration requirement in any state [Notice PIH 2012-28].</i></p> <p><u><i>PHA Policy</i></u> <i>At the annual reexamination, the PHA will ask whether the tenant, or any member of the tenant's household, is subject to a sex offender registration requirement in any state. The PHA will use the Dru Sjodin National Sex Offender database to verify the information provided by the tenant.</i></p> <p><i>If the PHA proposes to terminate assistance based on sex offender registration information, the PHA must notify the household of the proposed action and must provide the subject of the record and the tenant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to termination. [24 CFR 5.903(f) and 5.905(d)]. (See Chapter 13.)</i></p>
9-II.C. REEXAMINATION OF FAMILY COMPOSITION Criminal Background Checks	<p><i>Each household member age 18 and over will be required to execute a consent form for criminal background check as part of the annual update process. Criminal background checks of residents will be conducted in accordance with the policy in Section 13-IV.B.</i></p>
9-III.C. CHANGES AFFECTING INCOME OR EXPENSES PHA-initiated Interim	<p>The PHA will conduct interim reexaminations in each of the following instances:</p> <p>For families receiving the Earned Income Disallowance (EID), the PHA will conduct an interim reexamination at the start, to adjust the exclusion with any changes in</p>

Reexaminations	<p>income, and at the conclusion of the 24-month eligibility period. For families receiving the Earned Income Disallowance (EID), the PHA will conduct an interim reexamination at the start, to adjust the exclusion with any changes in income, and at the conclusion of the second 12-month exclusion period (50 percent phase-in period).</p> <p>If the family has reported zero income, the PHA will conduct an interim reexamination every 3 months as long as the family continues to report that they have no <i>earned</i> income.</p> <p>If at the time of the annual reexamination, it is not feasible to anticipate a level of income for the next 12 months (e.g. seasonal or cyclic income), the PHA will schedule an interim reexamination to coincide with the end of the period for which it is feasible to project income.</p> <p>If at the time of the annual reexamination, tenant declarations were used on a provisional basis due to the lack of third-party verification, and third-party verification becomes available, the PHA will conduct an interim reexamination.</p> <p>The PHA 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.</p>
Optional Reporting	<p><i>If a family reports a change that it was not required to report and that would result in an increase in the tenant rent, the PHA will note the information in the tenant file, but will not conduct an interim reexamination.</i></p> <p><i>If a family reports a change that it was not required to report and that would result in a decrease in the tenant rent, the PHA will conduct an interim reexamination. See Section 9-III.D. for effective dates.</i></p> <p>Families may report changes in income or expenses at any time.</p>
9-III.D. PROCESSING THE INTERIM REEXAMINATION	<p>The family <i>must</i> notify the PHA of changes in writing within 10 business days of the change. may notify the PHA of changes either orally or in writing. If the family provides oral notice, the PHA may also require the family to submit the changes in writing. Generally, the family will not be required to attend an interview for an interim reexamination. However, if the PHA determines that an interview is warranted, the family may be required to attend.</p> <p>Based on the type of change reported, the PHA will determine the documentation the family will be required to submit. The family must submit any required information or documents within 10 business days of receiving a request from the PHA. This time frame may be extended for good cause with PHA approval. The PHA will accept required documentation by mail, <i>e-mail</i>, by fax, or in person.</p>
Chapter 10: PETS	
10-I.B. APPROVAL OF SERVICE ANIMALS AND ASSISTANCE ANIMALS	<p>For an animal to be excluded from the pet policy and be considered a service animal, it must be a dog-trained by certified trainer dog, and there must be a person with disabilities in the household who requires the dog's services.</p> <p>For an animal to be excluded from the pet policy and be considered an assistance animal, there must be a person with disabilities in the household, and the family must request and the PHA <i>must</i> approve a reasonable accommodation in accordance with the policies contained in Chapter 2.</p>
10-I.C. CARE AND HANDLING	<p>Residents must care for service animals and assistance animals in a manner that complies with state and local laws, including anti-cruelty laws.</p> <p>Residents must ensure that service animals and assistance animals do not pose a direct threat to the health or safety of others, or cause substantial physical damage to the development, dwelling unit, or property of other residents.</p> <p>When a resident's care or handling of a service animal or assistance animal violates these policies, the PHA will consider whether the violation could be reduced or eliminated by a</p>

	<p>reasonable accommodation. If the PHA determines that no such accommodation can be made, the PHA may withdraw the approval of a particular service or assistance animal.</p> <p><i>Resident must comply with all other pet policies.</i></p>
<p>10-II.B. MANAGEMENT APPROVAL OF PETS Registration of Pets</p>	<p>Pets must be registered with the PHA before they are brought onto the premises.</p> <p><i>Pets must have the appropriate City license, if applicable.</i></p> <p>Registration includes documentation signed by a licensed veterinarian or state/local authority that the pet has received all inoculations required by state or local law, and that has no communicable disease(s) and is pest-free. This registration must be renewed annually and will be coordinated with the annual reexamination date.</p> <p>Pets will not be approved to reside in a unit until completion of the registration requirements.</p>
<p>10-III.B. PET DEPOSITS & 10-IV.B. PET DEPOSITS Refund of Deposit</p>	<p>The PHA will refund the pet deposit to the resident, less the costs of any damages caused by the pet to the dwelling unit, within 30 days of move-out or removal of the pet from the unit.</p> <p>The resident will be billed for any amount that exceeds the pet deposit.</p> <p>The PHA will provide the resident with a written list of any charges against the pet deposit within 430 business days of the move-out inspection. If the resident disagrees with the amount charged to the pet deposit, the PHA will provide a meeting to discuss the charges.</p>
Chapter 11: COMMUNITY SERVICE	
<p>11-I.B. REQUIREMENTS</p>	<p>Each adult resident of the PHA, who is not exempt, must [24 CFR 960.603(a)]:</p> <ul style="list-style-type: none"> • Contribute 8 hours per month of community service; or • Participate in an economic self-sufficiency program (as defined in the regulations) for 8 hours per month; or • Perform 8 hours per month of combined activities (community service and economic self-sufficiency programs). • <i>The required community service or self-sufficiency activity may be completed 8 hours each month or may be aggregated across a year. Any blocking of hours is acceptable as long as 96 hours is completed by each annual certification of compliance [Notice PIH 2015-12].</i> <p><u>PHA Policy</u></p> <p>An individual may not skip a month and then double up the following month, unless special circumstances warrant it. The PHA will make the determination of whether to permit a deviation from the schedule.</p> <p>Individuals who have special circumstances which they believe will prevent them from completing the required community service hours for a given month, must notify the PHA in writing within 5 business days of the circumstances becoming known. The PHA will review the request and notify the individual, in writing, of its determination within 10 business days. The PHA may require those individuals to provide documentation to support their claim.</p>
<p>Exempt Individual</p>	<p>The PHA will consider 2045 hours per week as the minimum number of hours needed to qualify for a work activity exemption.</p>
<p>11-I.D. DOCUMENTATION AND VERIFICATION Documentation and</p>	<p>At each regularly scheduled reexamination, each nonexempt family member presents a signed standardized certification form developed by the PHA of community service and self-sufficiency activities performed over the last 12 months [Notice PIH 2015-12].</p> <p>If qualifying community service activities are administered by an organization other than</p>

<p>Verification of Compliance</p>	<p>the PHA, a family member who is required to fulfill a service requirement must provide documentation required by the PHA. The PHA may require a self-certification or certification from a third party [24 CFR 960.607].</p> <p><i>If the PHA accepts self-certification of compliance with the community service requirement, it must provide a form which includes a statement that the client performed the required hours, contact information for the community service provider, a description of activities performed, and dates of service.</i></p> <p><i>If the PHA accepts self-certification, it must validate a sample of certifications through third-party documentation. The PHA must notify families that self-certification forms are available and that a sample of self-certifications will be validated.</i></p> <p><i>HUD strongly encourages PHAs to investigate community service compliance when there are questions of accuracy.</i></p> <p>PHA Policy</p> <p>If anyone in the family is subject to the community service requirement, the PHA will provide the family with community service documentation forms at admission, at lease renewal, when a family member becomes subject to the community service requirement during the lease term, or upon request by the family.</p> <p>Each individual who is subject to the community service requirement will be required to record their community service or self-sufficiency 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.</p> <p>Families will be required to submit the documentation to the PHA, upon request by the PHA, at least annually.</p> <p>If the PHA has reasonable cause to believe that the certification provided by the family is false or fraudulent, the PHA has the right to require additional third-party verification.</p>
<p>11-I.E. NONCOMPLIANCE <i>Noncompliant Residents</i> Initial Noncompliance</p>	<p>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)].</p> <p><i>PHAs may not evict a family due to CSSR noncompliance. However, if PHA finds a tenant is noncompliant with CSSR, the PHA must provide written notification to the tenant of the noncompliance which must include:</i></p> <ul style="list-style-type: none"> • <i>A brief description of the finding of non-compliance with CSSR.</i> • <i>A statement that the PHA will not renew the lease at the end of the current 12-month lease term unless the tenant enters into a written work-out agreement with the PHA or the family provides written assurance that is satisfactory to the PHA explaining that the tenant or other noncompliant resident 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 CSSR requirement [24 CFR 960.607(c), Notice PIH 2015-12].</i> <p>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 agreement with the PHA. Under this agreement the tenant or noncompliant family member must agree to cure the noncompliance by completing the additional hours of</p>

~~community service or economic self sufficiency 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 currently complying with the service requirement or must no longer be residing in the unit [24 CFR 960.607(e), Notice PHH 2009-48].~~

~~Notice of Initial Noncompliance [24 CFR 960.607(b)]~~

~~If the PHA determines that there is a family member who is required to fulfill a service requirement, but who has failed to comply with this obligation (noncompliant resident), the PHA must notify the tenant of this determination.~~

~~The notice to the tenant must briefly describe the noncompliance. The notice must state that the PHA will not renew the lease at the end of the twelve month lease term unless the tenant, and any other noncompliant resident, enter into a written agreement with the PHA to cure the noncompliance, or the family provides written assurance satisfactory to the PHA that the tenant or other noncompliant resident no longer resides in the unit.~~

~~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.~~

PHA Policy

The notice of *initial* noncompliance will be sent at least 45 days prior to the end of the lease term.

The family will have 10 business days from the date of the notice of noncompliance to enter into a written work-out agreement to cure the noncompliance over the 12 month term of the new lease, provide documentation that the noncompliant resident no longer resides in the unit, or to request a grievance hearing.

If the family reports that a noncompliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before the PHA will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the family member that previously resided with them.

If the family does not request a grievance hearing, or does not take either corrective action required by the notice of noncompliance within the required 10 business day timeframe, the PHA will terminate tenancy in accordance with the policies in Section 13-IV.D.

**Continued
Noncompliance and
Enforcement
Documentation**

Should a family member refuse to sign a written work-out agreement, or fail to comply with the terms of the work-out agreement, PHAs are required to initiate termination of tenancy proceedings at the end of the current 12-month lease (see 24 CFR 966.53(c)) for failure to comply with lease requirements. When initiating termination of tenancy proceedings, the PHA will provide the following procedural safeguards:

- Adequate notice to the tenant of the grounds for terminating the tenancy and for non-renewal of the lease;
- Right of the tenant to be represented by counsel;
- Opportunity for the tenant to refute the evidence presented by the PHA, including the right to confront and cross-examine witnesses and present any affirmative legal or equitable defense which the tenant may have; and,
- A decision on the merits.

~~If, after the 12 month cure period, the family member is still not compliant, the PHA must terminate tenancy of the entire family, according to the PHA's lease, unless the family provides documentation that the noncompliant resident no longer resides in the unit.~~

PHA Policy

Notices of continued noncompliance will be sent at least 30 days prior to the end of the lease term and will also serve as the family's termination notice. The notice will meet the requirements for termination notices described in Section 13-IV.D, Form, Delivery, and Content of the Notice.

The family will have 10 business days from the date of the notice of non-compliance to provide documentation that the noncompliant resident no longer resides in the unit, or to request a grievance hearing.

If the family reports that a noncompliant family member is no longer residing in the unit, the family must provide documentation that the family member has actually vacated the unit before the PHA will agree to continued occupancy of the family. Documentation must consist of a certification signed by the head of household as well as evidence of the current address of the noncompliant family member that previously resided with them.

If the family does not request a grievance hearing, or provide such documentation within the required 10 business day timeframe, the family's lease and tenancy will automatically terminate at the end of the current lease term without further notice.

~~**Enforcement Documentation [Notice PIH 2009-48]**~~

~~PHAs are required to initiate due process (see 24 CFR 966.53(e)) against households failing to comply with lease requirements including the community service and self-sufficiency requirement.~~

~~When initiating due process, the PHA must take the following procedural safeguards:~~

- ~~• Adequate notice to the tenant of the grounds for terminating the tenancy and for eviction~~
- ~~• Right of the tenant to be represented by counsel~~
- ~~• Opportunity for the tenant to refute the evidence presented by the PHA, including the right to confront and cross-examine witnesses and present any affirmative legal or equitable defense which the tenant may have~~
- A decision on merits

Chapter 12: TRANSFER POLICY

12-III.B. TYPES OF RESIDENT REQUESTED TRANSFERS

The types of requests for transfers that the PHA will consider are limited to requests for transfers to alleviate a serious or life threatening medical condition, transfers due to a threat of physical harm or criminal activity, reasonable accommodation, transfers to a different unit size as long as the family qualifies for the unit according to the PHA's occupancy standards, and transfers to a location closer to employment. No other transfer requests will be considered by the PHA.

The PHA will consider the following as high priority transfer requests:

When a transfer is needed to alleviate verified medical problems of a serious or life-threatening nature

When there has been a verified threat of physical harm or criminal activity. Such circumstances may, at the PHA's discretion, include an assessment by law enforcement indicating that a family member is the actual or potential victim of a criminal attack, retaliation for testimony, a hate crime, or domestic violence, dating

	<p>violence, sexual assault, or stalking. <i>For instances of domestic violence, dating violence, sexual assault, or stalking, the threat may also be established through documentation outlined in section 16-VII.D, or by any proof accepted by the PHA.</i></p> <p>When a family requests a transfer as a reasonable accommodation. Examples of a reasonable accommodation transfer include, but are not limited to, a transfer to a first floor unit for a person with mobility impairment, or a transfer to a unit with accessible features</p> <p>The PHA will consider the following as regular priority transfer requests:</p> <p>When a family requests a larger bedroom size unit even though the family does not meet the PHA's definition of overcrowded, as long as the family meets the PHA's occupancy standards for the requested size unit</p> <p>When the head of household or spouse is employed 25 miles or more from the public housing unit, has no reliable transportation, and public transportation is not adequate</p> <p>Transfers requested by the tenant are considered optional for the tenant.</p> <p>If a tenant resides in a unit 12 or more years a transfer can be considered if</p> <ol style="list-style-type: none"> 1. There is a need for unit upgrading 2. If a unit of appropriate size is open
<p>12-IV.E. DECONCENTRATION</p>	<p><i>The PHA is not subject to deconcentration requirements.</i></p> <p>If subject to deconcentration requirements, the PHA will consider its deconcentration goals when transfer units are offered. When feasible, families above the Established Income Range will be offered a unit in a development that is below the Established Income Range, and vice versa, to achieve the PHA's deconcentration goals. A deconcentration offer will be considered a "bonus" offer; that is, if a resident refuses a deconcentration offer, the resident will receive one additional transfer offer.</p>
<p>Chapter 13: LEASE TERMINATIONS</p>	
<p>13-III.B. MANDATORY LEASE PROVISIONS Drug Crime On or Off the Premises</p>	<p>The PHA will terminate the lease for drug-related criminal activity engaged in on or off the premises by any tenant, member of the tenant's household or guest, and any such activity engaged in on the premises by any other person under the tenant's control.</p> <p>The PHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of covered persons related to the drug-related criminal activity.</p> <p><i>A record of arrest(s) alone will not be used as the basis for the termination or proof that the participant engaged in disqualifying criminal activity.</i></p> <p>In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors as described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate the lease.</p>
<p>Illegal Use of a Drug</p>	<p>The PHA will terminate the lease when the PHA determines that a household member is illegally using a drug or the PHA determines 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.</p> <p>A pattern of illegal drug use means more than one incident of any use of illegal drugs during the previous six months.</p> <p>The PHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of household members related to the use of illegal drugs.</p> <p><i>A record of arrest(s) alone will not be used as the basis for the termination or proof that the participant engaged in disqualifying criminal activity.</i></p>

	<p>In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors as described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate the lease.</p>
Threat to Other Residents	<p>The PHA will terminate the lease when a covered person engages in any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents (including PHA management staff residing on the premises) or by persons residing in the immediate vicinity of the premises.</p> <p><i>Immediate vicinity</i> means within a three-block radius of the premises.</p> <p>The PHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of covered persons related to the criminal activity.</p> <p><i>A record of arrest(s) alone will not be used as the basis for the termination or proof that the participant engaged in disqualifying criminal activity.</i></p> <p>In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors as described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate the lease.</p>
Alcohol Abuse	<p>The PHA will terminate the lease if the PHA determines that a household member has engaged in abuse or a pattern of abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.</p> <p>A pattern of such alcohol abuse means more than one incident of any such abuse of alcohol during the previous six months.</p> <p>The PHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of household members related to the abuse of alcohol.</p> <p><i>A record of arrest(s) alone will not be used as the basis for the termination or proof that the participant engaged in disqualifying criminal activity.</i></p> <p>In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors as described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate the lease.</p>
Other Serious or Repeated Violations of Material Terms of the Lease – Mandatory Lease Provisions	<p>The PHA will terminate the lease for the following violations of tenant obligations under the lease:</p> <ul style="list-style-type: none"> Failure to make payments due under the lease, including nonpayment of rent (see Chapter 8 for details pertaining to lease requirements for payments due); Repeated late payment of rent or other charges. Four late payments within a 12 month period shall constitute a repeated late payment. Failure to fulfill the following household obligations: <ul style="list-style-type: none"> Not to assign the lease or to sublease the dwelling unit. Subleasing includes receiving payment to cover rent and utility costs by a person living in the unit who is not listed as a family member. Not to provide accommodations for boarders or lodgers To use the dwelling unit solely as a private dwelling for the tenant and the tenant's household as identified in the lease, and not to use or permit its use for any other purpose To abide by necessary and reasonable regulations promulgated by the PHA for the benefit and well-being of the housing project and the tenants which shall be posted in

	<p>the project office and incorporated by reference in the lease</p> <p>To comply with all obligations imposed upon tenants by applicable provisions of building and housing codes materially affecting health and safety</p> <p>To keep the dwelling unit and such other areas as may be assigned to the tenant for the tenant's exclusive use in a clean and safe condition</p> <p>To dispose of all ashes, garbage, rubbish, and other waste from the dwelling unit in a sanitary and safe manner</p> <p>To use only in a reasonable manner all electrical, plumbing, sanitary, heating, ventilating, air-conditioning and other facilities and appurtenances including elevators</p> <p>To refrain from, and to cause the household and guests to refrain from destroying, defacing, damaging, or removing any part of the dwelling unit or project</p> <p>To pay reasonable charges (other than for normal wear and tear) for the repair of damages to the dwelling unit, or to the project (including damages to project buildings, facilities or common areas) caused by the tenant, a member of the household or a guest</p> <p>To act, and cause household members or guests to act, in a manner which will not disturb other residents' peaceful enjoyment of their accommodations and will be conducive to maintaining the project in a decent, safe and sanitary condition</p> <p><i>To refrain from the use of tobacco products, including cigarettes, cigars, pipes, water pipes (also known as hookahs), and electronic nicotine delivery systems, such as e-cigarettes, vaporizers, etc., in the assigned unit, common spaces, within 25-feet of the building, or elsewhere on the property other than designated smoking areas (effective August 1, 2017).</i></p>
<p>13-III.C. OTHER AUTHORIZED REASONS FOR TERMINATION Other Good Cause</p>	<p>The PHA will terminate the lease for the following reasons.</p> <p><i>Fugitive Felon or Parole Violator.</i> If a 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; or violating a condition of probation or parole imposed under federal or state law.</p> <p><i>Persons subject to sex offender registration requirement.</i> If any member of the household has, during their current public housing tenancy, become subject to a registration requirement under a state sex offender registration program.</p> <p>Discovery of facts after admission to the program that would have made the tenant ineligible</p> <p>Discovery of material false statements or fraud by the tenant in connection with an application for assistance or with a reexamination of income</p> <p>Failure to furnish such information and certifications regarding family composition and income as may be necessary for the PHA to make determinations with respect to rent, eligibility, and the appropriateness of the dwelling unit size</p> <p>Failure to transfer to an appropriate size dwelling unit based on family composition, upon appropriate notice by the PHA that such a dwelling unit is available</p> <p>Failure to permit access to the unit by the PHA after proper advance notification for the purpose of performing routine inspections and maintenance, for making improvements or repairs, or to show the dwelling unit for re-leasing, or without advance notice if there is reasonable cause to believe that an emergency exists</p> <p>Failure to promptly inform the PHA of the birth, adoption or court-awarded custody of a child. In such a case, promptly means within 10 business days of the event.</p>

	<p>Failure to abide by the provisions of the PHA pet policy</p> <p>If the family has breached the terms of a repayment agreement entered into with the PHA</p> <p>If a family member has violated federal, state, or local law that imposes obligations in connection with the occupancy or use of the premises.</p> <p>If a household member has engaged in or threatened violent or abusive behavior toward PHA personnel.</p> <p><i>Abusive or violent behavior towards PHA personnel</i> 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.</p> <p><i>Threatening</i> refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence. <i>Including spoken or written words tending to intimidate or menace other involved, or suggested without being directly or explicitly stated. A declaration of intention or determination to inflict punishment or injury, in retaliation for, or conditionally upon, some action or course. Sending threatening or harassing emails, instant messages, or website entries. Repeated attempts to target a specific PHA staff member by directly contacting them, or indirectly using or disseminating their personal information, causing them distress, fear, or anger.</i></p>
<p>13-III.E. CRITERIA FOR DECIDING TO TERMINATE TENANCY</p> <p>Consideration of Circumstances</p>	<p>The PHA will consider the following facts and circumstances before deciding whether to terminate the lease for any of the HUD required lease provisions or for any other reasons:</p> <ul style="list-style-type: none"> The seriousness of the offending action, especially with respect to how it would affect other residents' The extent of participation or culpability of the leaseholder, or other household members, in the offending action, including whether the culpable member is a minor, a person with disabilities, or (as discussed further in section 13-III.F) a victim of domestic violence, dating violence, sexual assault, or stalking The effects that the eviction will have on other family members who were not involved in the action or failure to act The effect on the community of the termination, or of the PHA's failure to terminate the tenancy The effect of the PHA's decision on the integrity of the public housing program The demand for housing by eligible families who will adhere to lease responsibilities The extent to which the leaseholder has shown personal responsibility and whether they have taken all reasonable steps to prevent or mitigate the offending action The length of time since the violation occurred, <i>including the age of the individual at the time of the conduct</i>, as well as the family's recent history, and the likelihood of favorable conduct in the future <p><i>While a record of arrest(s) alone will not be used as the basis for termination, an arrest may, however, trigger an investigation to determine whether the participant actually engaged in disqualifying criminal activity. As part of its investigation, the PHA may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. The PHA may also consider:</i></p> <ul style="list-style-type: none"> <i>Any statements made by witnesses or the participant not included in the police report</i> <i>Whether criminal charges were filed</i> <i>Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal</i>

	<p><i>Any other evidence relevant to determining whether or not the participant engaged in disqualifying activity</i></p> <p><i>Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property</i></p> <p>In the case of program abuse, the dollar amount of the underpaid rent and whether or not a false certification was signed by the family.</p>
<p>13-III.F. TERMINATIONS RELATED TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING</p> <p>Limits on VAWA Protections</p>	<p>While VAWA prohibits a PHA from using domestic violence, dating violence, sexual assault, or stalking as the cause for a termination or eviction action against a public housing tenant who is the victim of the abuse, the protections it provides are not absolute. Specifically:</p> <ul style="list-style-type: none"> • VAWA does not limit a PHA’s otherwise available authority to terminate assistance to or evict a victim for lease violations not premised on an act of domestic violence, dating violence, sexual assault, or stalking providing that the PHA does not subject the victim to a more demanding standard than the standard to which it holds other tenants. • VAWA does not limit a PHA’s authority to terminate the tenancy of any public housing tenant if the PHA can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant’s tenancy is not terminated. <p>HUD regulations define <i>actual and imminent threat</i> to mean words, gestures, actions, or other indicators of a physical threat that (a) is real, (b) would occur within an immediate time frame, and (c) could result in death or serious bodily harm [24 CFR 5.2005(d)(2) and (e)]. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include:</p> <ul style="list-style-type: none"> • The duration of the risk • The nature and severity of the potential harm • The likelihood that the potential harm will occur • The length of time before the potential harm would occur [24 CFR 5.2005(e)] <p>Even when a victim poses an actual and imminent threat, however, HUD regulations authorize a PHA to terminate the victim’s assistance “only when there are no other actions that could be taken to reduce or eliminate the threat, <i>including but not limited to transferring the victim to a different unit, barring the perpetrator from the property, contacting law enforcement to increase police presence or develop other plans to keep the property safe, or seeking other legal remedies to prevent the perpetrator from acting on a threat</i>” [24 CFR 5.2005(d)(3)]. <i>Additionally, HUD regulations state that restrictions “predicated on public safety cannot be based on stereotypes, but must be tailored to particularized concerns about individual residents” [24 CFR 5.2005(d)(3)].</i></p> <p><u>PHA Policy</u></p> <p>In determining whether a public housing tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking is an actual and imminent threat to other tenants or those employed at or providing service to a property, the PHA will consider the following, and any other relevant, factors:</p> <p style="padding-left: 40px;">Whether the threat is toward an employee or tenant other than the victim of domestic violence, dating violence, sexual assault, or stalking</p> <p style="padding-left: 40px;">Whether the threat is a physical danger beyond a speculative threat</p> <p style="padding-left: 40px;">Whether the threat is likely to happen within a short period of time</p>

	<p>Whether the threat to other tenants or employees can be eliminated in some other way, such as by helping the victim relocate to a confidential location, transferring the victim to another unit, or seeking a legal remedy to prevent the perpetrator from acting on the threat</p> <p>If the tenant wishes to contest the PHA's determination that he or she is an actual and imminent threat to other tenants or employees, the tenant may do so as part of the grievance hearing or in a court proceeding.</p>
<p>Terminating or Evicting a Perpetrator of Domestic Violence</p>	<p>The PHA will bifurcate a family's lease and terminate the tenancy of a family member if the PHA determines that the family member has committed criminal acts of physical violence against other family members or others. This action will not affect the tenancy or program assistance of the remaining, nonculpable family members.</p> <p>In making its decision, the PHA will consider all credible evidence, including, but not limited to, a signed certification (form HUD-50066) or other documentation of abuse submitted to the PHA by the victim in accordance with this section and section 16-VII.D. The PHA will also consider the factors in section 13.III.E. Upon such consideration, the PHA may, on a case-by-case basis, choose not to bifurcate the lease and terminate the tenancy of the culpable family member.</p> <p>If the PHA does bifurcate the lease and terminate the tenancy of the culpable family member, it will do so in accordance with the lease, applicable law, and the policies in this ACOP. If necessary, the PHA will also take steps to ensure that the remaining family members have a safe place to live during the termination process. For example, the PHA may offer the remaining family members another public housing unit, if available; it may help them relocate to a confidential location; or it may refer them to a victim service provider or other agency with shelter facilities.</p> <p><i>If the person removed from the lease was the only tenant eligible to receive assistance, the PHA must provide any remaining tenant a chance to establish eligibility for the unit. If the remaining tenant cannot do so, the PHA must provide the tenant reasonable time to find new housing or to establish eligibility for another housing program covered by VAWA 2013.</i></p>
<p>13-V. 'ONE STRIKE AND YOU'RE OUT' POLICY</p>	<p>13-V.A. GOAL The goal of the 'One Strike and You're Out' Policy is to ensure the safety and well being of families and individuals who live in public housing. The 'One Strike' policy applies to residents of the Muscatine Municipal Housing Agency. Individuals who engage in illegal drug use and/or other criminal activity shall be evicted from their dwelling unit after one (1) such offense. Muscatine Municipal Housing Agency (MMHA) is committed to the provisions of this policy and it shall be strictly enforced. By aggressively removing criminals from MMHA's public housing developments, the 'One Strike' policy shall:</p> <ul style="list-style-type: none"> • free public housing residents from daily threats to their personal and family safety; • build public housing communities that are safer and drug free; • support parents in their efforts to instill positive values in their families; • create a positive environment for residents of all ages, where people can live, learn and grow to be productive and responsible citizens; <p>13-V.B. GUIDING PRINCIPLES OF THE 'ONE STRIKE' POLICY MMHA's 'One Strike' policy was developed based on the following principles: <u>All individuals have the right to live in peace and be free from fear, intimidation, and abuse. MMHA is committed to providing safe housing for all residents of MMHA.</u></p>

~~Public and assisted housing should be awards to responsible individuals. MMHA shall give no preference to applicant families with a history of drug related behavior and/or criminal activity.~~

~~Applicants and current residents of public housing must be protected from discrimination and violation of their right to privacy. MMHA shall comply with all civil rights, fair housing, and privacy laws, at both the screening and eviction stages. MMHA shall not discriminate against any applicant or resident based on race, color, nationality, religion, sex, familial status, disability or membership in other groups or categories protected under such laws.~~

~~Active community and governmental involvement in designing and implementing a 'One Strike' policy is fundamental to its success. MMHA shall work cooperatively with local government, law enforcement, residents, and the courts in enforcing the 'One Strike' policy.~~

~~13 V.C. — SCREENING AND ADMISSIONS POLICY~~

~~The 'One Strike' policy ensures that individuals engaging in illegal drug use or other criminal activities endangering the well being of residents are prohibited from becoming residents of MMHA. MMHA has adopted the following screening procedure to ensure the goals of this policy.~~

~~1. — Comprehensive background checks: MMHA shall conduct comprehensive background checks, including criminal activity, on all household applicants eighteen (18) years and older. Screening procedure shall include, but not be limited to:~~

~~Reviewing police and court records;~~

~~Landlord references and credit references;~~

~~Background check with probation officers, parole officers, local social service providers, and other available means.~~

~~2. — Coordination with courts and local, state, and federal law enforcement agencies:~~

~~MMHA shall coordinate with courts and local, state, and federal law enforcement agencies to gain access to criminal records through the Extension Act. The Extension Act makes criminal conviction records available to MMHA for the purposes of screening, lease enforcement, and eviction. MMHA shall maintain a records management system to ensure records received are maintained confidentially, not misused or improperly disseminated, and destroyed once action is taken.~~

~~3. — Criteria for acceptance of application for residence: MMHA shall consider applications for residence on a case by case basis; denial of acceptance shall be based on the existence of concrete evidence of the seriousness, extent, and recentness of criminal activity. The following applicants shall be denied residence:~~

~~Applicants who have been evicted from public housing within the past three (3) years due to drug related criminal activity, unless the applicant can show evidence of rehabilitation;~~

~~Persons illegally using controlled substances (means the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use a controlled substance as defined in section 102 of the Controlled Substance Act, 21 U.S.C. 802);~~

~~Persons who have exhibited a pattern of illegal use of controlled substances;~~

~~Any other criminal and/or drug related activity that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.~~

~~4. — Protect applicant's due process rights: MMHA's Admissions and Continued Occupancy Plan (ACOP) shall be made available upon request and posted in the central office where applications are received.—~~

~~In accordance with MMHA's ACOP, applicants determined to be ineligible for admission shall be promptly notified of the basis for the decision.~~

~~Per the Extension Act, should denial of occupancy be based on a criminal record, MMHA shall provide applicant with a copy of the criminal record and the opportunity to dispute the accuracy and relevance of that record.~~

~~5. Compliance with state and local laws: MMHA is committed to protecting the rights of all applicants and residents. All policies and procedures, and revisions of policies and procedures, shall be reviewed for compliance with local state landlord-resident law and any other applicable law by attorneys with experience in such law.~~

~~13-V.D. ENFORCEMENT BY EVICTION~~

~~In accordance with the current law and the Extension Act, MMHA's dwelling lease stipulates that:~~

~~Any criminal activity is grounds for eviction if it threatens the health, safety, or right to peaceful enjoyment of the premises by other residents;~~

~~All drug-related criminal activity (illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance as defined in Section 102 of the Controlled Substance Act, 21 U.S.C. 802) occurring on or off the premises is cause for eviction.~~

~~Under these required lease terms, tenancy shall be terminated and the household evicted when the resident, any member of the resident's household, or guest, engages in the prohibited criminal activity.~~

~~The above, stated terms for termination of tenancy and household eviction shall be enforced through the following actions:~~

~~Lease: MMHA's dwelling lease stipulates that:~~

- ~~• residents, nor any household member or guest, or other person under their control, shall not engage in the prohibited drug-related or other criminal activities; failure to abide by this lease term is grounds for eviction and any drug-related or criminal activity in violation of this term shall be treated as a "serious violation of the material terms of the lease";~~
- ~~• under the Extension Act, alcohol abuse that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents, shall be grounds for eviction;~~

~~MMHA shall not tolerate violations of the least terms regarding criminal activity; one such offense shall be grounds for eviction;~~

- ~~• criminal activity is cause for eviction even in the absence of conviction or arrest.~~
- ~~• The same lease shall be used for all residents of MMHA.~~

~~Briefing on Terms of the Lease: All residents shall be briefed on the terms of the lease at the time of annual re-examination. New residents shall be briefed on the terms of the lease at the time of signing the initial lease.~~

~~Due Process Rights: MMHA shall protect the resident's due process rights to the greatest extent possible:~~

- ~~• Eviction procedure shall be processed through the Iowa State court system after being handled through the expedited grievance procedure process. Residents shall be protected by state and local laws governing eviction procedure, barring preemption by federal law.~~

~~13-V.E. NON-RESIDENT CRIMINAL ACTIVITY~~

~~MMHA is committed to protecting against criminal activities committed by non-residents and has adopted the following policy:~~

~~MMHA shall post warnings in all MMHA developments that violators shall be prosecuted to the fullest extent under the law.~~

~~In accordance with the lease, residents shall be held responsible for guests', non-residents, criminal behavior. Disruptive and/or criminal behavior of resident guests may be grounds for eviction of the entire household.~~

~~In cases where MMHA and households settle an eviction case on the condition that the disruptive household member moves away from the MMHA properties, the~~

	<p>MMHA/resident agreement shall provide that;</p> <ul style="list-style-type: none"> • the individual thereafter shall be a trespasser on the MMHA properties, and • the household shall be subject to eviction if the individual returns to the MMHA properties.
	Chapter 14: GRIEVANCES AND APPEALS
14-III.C. APPLICABILITY	The PHA is not located in a <i>HUD-declared</i> due process state therefore the PHA must grant opportunity for grievance hearings for all lease terminations, regardless of cause.
14-III.F. SELECTION OF HEARING OFFICER/PANEL	<p>PHA grievance hearings will be conducted by a single hearing officer and not a panel.</p> <p>The Human Resources Director of the City of Muscatine will serve as the Hearing Officer for MMHA. If the Human Resources Director is unavailable for an extended period of time that would not allow the hearing to be held within a required or reasonable timeframe, another department director may serve as the Hearing Officer.</p> <p>[List here positions/organizations that have been designated to serve as hearing officers] [Stephanie Romagnoli Human Resource Director City of Muscatine]</p> <p>The PHA must determine the methodology for appointment of the hearing officer and it must be stated in the grievance procedure.</p> <p><u>PHA Policy</u> The PHA will appoint a person who has been selected in the manner required under the grievance procedure. Efforts will be made to assure that the person selected is neither a friend nor enemy of the complainant, that they do not have a personal stake in the matter under dispute, and will otherwise not appear to lack impartiality.</p> <p>The PHA must consult with resident organizations before a person is appointed as a hearing officer or hearing panel member. Comments from the resident organizations must be considered before making the appointment.</p> <p>PHAs must describe their policies for selection of a hearing officer in their lease forms. Changes to the public housing lease are subject to a 30-day comment period (24 CFR 966.4)</p>
Limited English Proficiency	<i>The PHA must comply with HUD's LEP Final Rule in providing language services throughout the grievance process.</i>
	Chapter 15: PROGRAM INTEGRITY
	No changes
	Chapter 16: PROGRAM ADMINISTRATION
16-II.B. FLAT RENTS Review of Flat Rents	<p>If the FMR rent is lower than the previous year, the PHA will reduce flat rents to <i>not less than</i> 80 percent of the current FMR.</p> <p>PHAs that determine that reasonable rents would be less than 60 percent of the applicable FMR may choose to complete a rent reasonableness study once every three years, rather than annually [Notice PIH 2014 12].</p> <p><u>PHA Policy</u> If the PHA determines that reasonable rents would be less than 60 percent of the applicable FMR, the PHA will conduct a rent reasonableness study once every three years.</p>
16-II.C. PUBLIC HOUSING MAXIMUM RENTS	<p>Establishing Public Housing Maximum Rents</p> <p>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.</p> <p>The public housing maximum rent is based on value of the 95th percentile of the total tenant payment (TTP) for each tenant within the PHA. PHAs may calculate a maximum</p>

	<p>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.</p> <p>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.</p> <p>Review of Public Housing Maximum Rents <u>PHA Policy</u> The PHA will recalculate the public housing maximum rents on an annual basis.</p> <p>Posting of Public Housing Maximum Rents <u>PHA Policy</u> The PHA will publicly post the schedule of public housing maximum rents in a conspicuous manner in the applicable PHA or project office.</p> <p>Documentation of Public Housing Maximum Rents <u>PHA Policy</u> The PHA will maintain records that document how the PHA determined the 95th percentile of TTP, whether the maximum rent was determined PHA wide, project wide, or with groupings of projects, and the methodology used to determine maximum rents for each unit size.</p>
<p>16-III.B. REPAYMENT POLICY General Repayment Agreement Guidelines <i>Down Payment Requirement</i></p>	<p>The PHA does not require a down payment prior to entering into a repayment agreement. Before executing a repayment agreement with a family, the PHA will generally require a down payment of 10 percent of the total amount owed. If the family can provide evidence satisfactory to the PHA that a down payment of 10 percent would impose an undue hardship, the PHA may, in its sole discretion, require a lesser percentage or waive the requirement.</p>
<p>16-V.B. RECORD RETENTION</p>	<p>During the term of each public housing tenancy, and for at least <i>three</i> four years thereafter, the PHA will keep all documents related to a family’s eligibility, tenancy, and termination.</p> <p>In addition, the PHA will keep the following records for at least <i>three</i> four years:</p> <ul style="list-style-type: none"> An application from each ineligible family and notice that the applicant is not eligible Lead-based paint records as required by 24 CFR 35, Subpart B Documentation supporting the establishment of flat rents and the public housing maximum rent Documentation supporting the establishment of utility allowances and surcharges Documentation related to PHAS Accounts and other records supporting PHA budget and financial statements for the program <i>Complaints, investigations, notices, and corrective actions related to violations of the Fair Housing Act or the equal access final rule</i> Other records as determined by the PHA or as required by HUD <p>If a hearing to establish a family’s citizenship status is held, longer retention requirements apply for some types of documents. For specific requirements, see Section 14-II.A.</p>
<p>16-VII.E. NON-CITIZEN VICTIMS (VAWA)</p>	<p><i>A non-citizen applicant or resident/tenant is eligible for protection under VAWA is the victim of a U.S. Citizen or Lawful Permanent Resident.</i></p> <p><u>PHA Policy</u></p>

A victim of crimes covered under VAWA may self-petition that they are in "satisfactory immigration status" and eligible to receive financial assistance when applying for assistance or continued assistance by submitting INS Form I-360, I-130, or Form 797. "Satisfactory immigration status" means an immigration status which does not make the individual ineligible for financial assistance.

The PHA will verify such immigration status in the Department of Homeland Security Systematic Alien Verification for Entitlements (SAVE) System. The SAVE system will provide one of two confirmations: (1) the VAWA self-petition is verified (petitioner is eligible and no additional documentation of abuse may be requested); or (2) the I-130 is verified and the petitioner must provide the PHA evidence of "battery or extreme cruelty."

Upon final determination of immigration status the determination is to deny the petition, the PHA must alert the petitioner and take appropriate action to terminate assistance.

MMHA Resident Advisory Board**April 3, 2017****Minutes**

Call to Order: The meeting was called to order at 3:01 p.m. Members present included Robert Alloway, Lisa Bunn, Kirk Ladehoff, and Joan Wetzel. Staff present included Karla Escobar and Jodi Royal-Goodwin. One non-member client, Don Fread, and Corporal Fowler of the Muscatine Police Department were in attendance.

Housing Choice Voucher Administrative Plan: Staff reviewed the proposed changes to the Administrative Plan. It was explained that many requirements were for compliance with regulatory changes, and the focus of the discussion was on the areas MMHA made discretionary changes. Members recommended the guest policy be changed to have a maximum length of time for exceptions authorizing individuals to stay in the unit for more than 14 days. There was general support for the change to the preferences, including allocating 10 vouchers to serve homeless individuals. Robert Alloway moved to approve the Administrative Plan with the recommended change. With a second by Lisa Bunn the motion passed unanimously.

Public Housing Admissions and Continued Occupancy Policy: Again staff reviewed the proposed changes to the ACOP focusing on areas of discretionary changes. Members recommended the same change made to the guest policy in the Admin Plan be included in the ACOP. Members were supportive of the working preference and the policy allowing smoking in designated areas only. On a motion by Robert Alloway and seconded by Lisa Bunn, the proposed changes were approved unanimously.

2017-2018 Annual Plan: Staff explained there were no changes to operations from last year and reviewed progress on the stated goals. The members were informed the summary of changes to the Admin Plan and the ACOP would be included and the required certifications were identified. Kirk Ladehoff moved to approve the Annual Plan, Joan Wetzel seconded, and the motion carried unanimously.

2017-2018 Capital Fund Program: The proposed allocation of resources was approved with the caveat that staff does not know what the actual funding award will be and that the actual submittal is now required to be completed electronically. On a motion by Robert Alloway and seconded by Lisa Bunn, the proposed CFP was approved unanimously.

Lease: Staff reviewed the revised lease. There were no concerns.

Limited English Proficiency Plan: The draft LEP Plan was reviewed, and staff explained the Federal requirements. There were no comments.

Proposed Meeting Schedule: A schedule for quarterly meetings was presented and a discussion was held regarding time and location. The members elected to continue to meet at 3:00 p.m. at the Clark House.

Staff invited the members and public present to participate in the Public Hearing Thursday evening or to provide further comment during the remainder of the public comment period with any additional concerns.

Annual Statement/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
 Office of Public and Indian Housing
 OMB No. 2577-0226
 Expires 06/30/2017

Part I: Summary					
PHA Name: Muscatine Municipal Housing Agency (City of Muscatine, Iowa)		Grant Type and Number Capital Fund Program Grant No: IA05P04950117 Replacement Housing Factor Grant No: Date of CFFP:		FFY of Grant: 2017 FFY of Grant Approval: 2017	
Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations (may not exceed 20% of line 21) ³	97,119			
3	1408 Management Improvements				
4	1410 Administration (may not exceed 10% of line 21)				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures	50,000			
11	1465.1 Dwelling Equipment—Nonexpendable	10,000			
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495.1 Relocation Costs				
17	1499 Development Activities ⁴				

¹ To be completed for the Performance and Evaluation Report.

² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.

³ PHAs with under 250 units in management may use 100% of CFP Grants for operations.

⁴ RHF funds shall be included here.

Annual Statement/Performance and Evaluation Report
 Capital Fund Program, Capital Fund Program Replacement Housing Factor and
 Capital Fund Financing Program

U.S. Department of Housing and Urban Development
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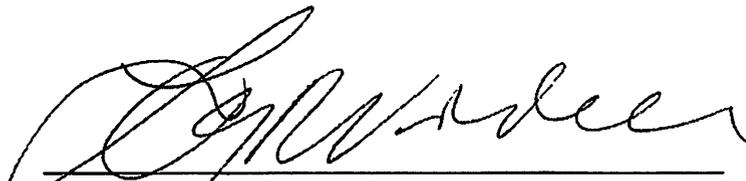
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Type of Grant <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:) <input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost ¹	
		Original	Revised ²	Obligated	Expended
18a	1501 Collateralization or Debt Service paid by the PHA				
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency (may not exceed 8% of line 20)				
20	Amount of Annual Grant:: (sum of lines 2 - 19)	157,119			
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 Activities				
23	Amount of line 20 Related to Security - Soft Costs				
24	Amount of line 20 Related to Security - Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures				
Signature of Executive Director			Signature of Public Housing Director		
Date			Date		

¹ To be completed for the Performance and Evaluation Report.
² To be completed for the Performance and Evaluation Report or a Revised Annual Statement.
³ PHAs with under 250 units in management may use 100% of CFP Grants for operations.
⁴ RHF funds shall be included here.

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing OMB# 2577-0226 Expires 08/30/2011
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**Certification by State or Local Official of PHA Plans Consistency with the
Consolidated Plan**

I, Tim Waddell the Division Administrator certify that the Five Year and
Annual PHA Plan of the Muscatine Municipal Housing Agency is consistent with the Consolidated Plan of
the State of Iowa prepared pursuant to 24 CFR Part 91.



Signed / Dated by Appropriate State or Local Official

Attachment 7



MUSCATINE MUNICIPAL HOUSING AGENCY

City Hall, 215 Sycamore Street
Muscatine, IA 52761-3840
(563) 264-1554
(563) 264-1550 Voice/TT
Fax (563) 263-3064

CERTIFICATION OF PUBLIC HEARING
(Qualified PHA Less Than 250 Units)

I, Jodi Royal-Goodwin, Housing Administrator for the Muscatine Municipal Housing Agency do hereby certify that the PHA conducted a public hearing in compliance with 24 CFR Part 905, as it relates to FFY 2018 Capital Fund Program.

Printed: Jodi Royal-Goodwin

Signed: _____

Date: _____

"I remember Muscatine for its sunsets. I have never seen any on either side of the ocean that equaled them"- Mark Twain

Certification of Payments to Influence Federal Transactions

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

Attachment 7
OMB Approval No. 2577-0157 (Exp. 01/31/2017)

Applicant Name

Muscatine Municipal Housing Agency, City of Muscatine

Program/Activity Receiving Federal Grant Funding

Capital Fund Program/Public Housing Operations/Housing Choice Voucher Program

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

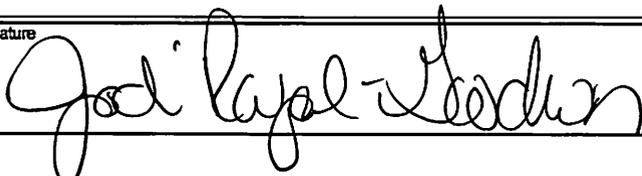
Name of Authorized Official

Jodi Royal-Goodwin

Title

Housing Administrator

Signature



Date (mm/dd/yyyy)

4-4-17

Previous edition is obsolete

form HUD 50071 (01/14)
ref. Handbooks 7417.1, 7475.13, 7485.1, & 7485.3

Certification for a Drug-Free Workplace

U.S. Department of Housing and Urban Development

AHachmew 8

Applicant Name

Muscatine Municipal Housing Agency, City of Muscatine

Program/Activity Receiving Federal Grant Funding

Capital Fund Program/Public Housing Operations/Housing Choice Voucher Program

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. Sites for Work Performance. The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

City Hall, 215 Sycamore St, Muscatine, IA 524761- HCV Program Operations & Public Housing Administration

Sunset Park, 2806 Bloomington Lane, Muscatine, Iowa 52761 - Public Housing Complex

Clark House, 117 W 3rd St, Muscatine, Iowa 52761 - Public Housing Complex

Check here if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.

(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

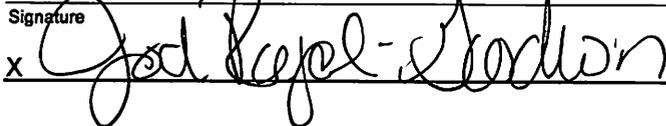
Name of Authorized Official

Jodi Royal-Goodwin

Title

Housing Administrator

Signature

x 

Date

4-4-17