

ATTACHMENT 17: PROPOSED CHANGES TO HCV ADMINISTRATIVE PLAN AND PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY PLAN (ACOP)

Administrative Plan

General Administrative Plan Policy Updates

NHA is updating its Administrative Plan. Meaningful changes to policy are as follows:

1. Applying for Assistance

Updated policy language to reflect the ability for families to apply online.

Current PHA Policy

Depending upon the length of time that applicants may need to wait to receive assistance, NHA may use a one-or two-step application process.

A one-step process will be used for family unification and homeownership, when it is expected that a family will be issued a NHC 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.

A two-step process will be used for all other applications. Under the two-step application process, the PHA initially will require families to provide only the information needed for 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.

Families may obtain preliminary application forms from the NHA's office during normal business hours or access on website electronically. Families may also request – by telephone or by mail – that a form be sent to the family via first class mail.

Completed applications may be returned to NHA in person or electronically during designated business hours within 10 business days form request and a receipt will be given. (Exceptions may be made as a reasonable accommodation for the disabled). Applications must be complete in order to be accepted by the PHA. If an application is incomplete, NHA will notify the family of the additional information required

Proposed Policy

Families may apply online through a PHA-designated website when the waiting list is open.

Families requiring assistance with the application process may contact the PHA via telephone at a designed telephone number. PHA staff will then complete the online application with information as provided by the family.

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 and level of assistance when the family is selected from the waiting list.

Applications must be complete in order to be accepted by the PHA for processing. If an application is incomplete, the online system will notify the family of the additional information required.

At time of application, families are notified that placement on the PHA's waiting list is determined by random lottery, and that post-lottery waiting list placement can be determined through accessing a published call-in number.

Families determined to be chronically homeless may be referred to the PHA for waiting list placement by the Coordinated Access Network (CAN).

2. *Waiting List Selection Method*

Added language to policy to clarify selection of CAN families:

"Families are then selected by waiting list position. However, one of every four families selected from the waiting list will be those families determined as chronically homeless or referred by the CAN. In the event that no qualifying families remain on the waitlist, the NHA will reopen the section 8 waitlist for the limited purpose of adding families who are referred by the CAN."

3. *Completing the Application Process*

Added language to policy to clarify actions taken for CAN-referred families selected from the waiting list who fail to qualify for criteria that affected the order of selection.

"For families currently on the waitlist, if a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list (e.g. targeted funding, extremely low-income, chronically homeless at time of selection), the family will be returned to its original position on the waiting list, or, in the case of CAN referrals who fail to qualify as homeless, they will be removed from the waiting list."

4. *Clarification of HUD HQS Requirements*

Window Screens – Requirement added as follows:

"Unless air conditioning is present, windows must have window screens on all operating windows. Where present, window screens must be in good condition."

5. *Streamlined Annual Reexaminations*

Policy updated to clarify that the PHA will always fully verify all income sources:

PHA Policy

Third-party verification of all income will be obtained annually regardless of the percentage of family income received from fixed sources.

6. *Change policy for adding adults to household:*

Current Policy:

Only allows adults to be added to household if they are spouse or cohead

Proposed policy:

The PHA will not add a new adult to the family if doing so will result in an increase in family unit size (voucher size). This restriction does not apply for minor children, including the minor children of a newly added adult family member.

Exceptions will be made on a case-by-case basis:

- For purposes of reasonable accommodation;
- In cases of families adding disabled adults requiring guardianship, conservatorship, or other family care;
- For a minor child who moved out returning home should this not involve court-awarded custody;
- For adult children under 24 years of age who left only to attend school;
- For family members previously removed from the assisted household due to military service;
- For adult children returning to the home;
- For adult family members who formerly resided in the household; and
- For adult children with split custody who decide to live with the parent in adulthood.

7. *Departure of a family member:*

Current Policy:

If a household member ceases to reside in the unit, the family must inform NHA within ten (10) business days. This requirement also applies to a family member who has been considered temporarily absent at the point that the family concludes the individual is permanently absent.

Before removing someone from the family composition, NHA must receive, from the family, the following items:

Photo ID with address such as Driver's License or State ID card. (copy of both sides)

Plus 2 of the following documents:

Previous year's income tax returns

Personal property tax bill on vehicle

Multiple current paystubs

SS or SSI check with address

Utility bill with address

Vehicle registration

For persons age 16 or older, a current police background check.

For school-aged children, proof child is registered in new school, must be attached.

Leases or landlord verifications are not acceptable forms of verification.

All documents must have the same address and be dated prior to the request for documentation or initiation of legal action. If a live-in aide, foster child, or foster adult ceases to reside in the unit, the family must inform NHA within ten (10) business days.

Proposed Policy:

If a household member ceases to reside in the unit, the family must inform the PHA within 10 business days. This requirement also applies to a family member who has been considered temporarily absent at the point that the family concludes the individual is permanently absent.

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 longer a member of the family.

Evidence consists of at least two of the following documents:

- Photo identification with address, such as Driver's License or State ID card
- Current paystubs or benefit award letter
- Utility bill with address
- USPS change of address
- Vehicle registration or insurance

The above requirements may be waived at the PHA's sole discretion on a case-by-case basis for circumstances where the family may be unable to attain required documents, such as a perpetrator of domestic abuse is the departing family member.

8. *Changes in when increased income is counted toward rent*

Current Policy

Families are required to report all changes in income, including new employment within ten (10) business days of the date the change takes effect.

NHA will 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. NHA will conduct an interim reexamination to recalculate the new family share of rent and the new subsidy amount, if there is a new source of income

Proposed Policy:

Families are required to report all increases in income, including new employment, within 10 business days of the date the change takes effect.

NHA will conduct an interim reexamination if a family member is receiving a new source of income, including returning to work for a previous employer, or the resumption of previously suspended or terminated benefits.

Other than the above, the NHA will conduct interim reexaminations for families that qualify for the earned income disallowance (EID), if the EID family's share of rent will change as a result of the increase.

In all other cases, the NHA will note the information in the tenant file, but will not conduct an interim reexamination. If the income is properly reported and the NHA does not conduct an interim as outlined in this plan, rent increases based on increased income will be effective from the date of the next annual reexamination.

Families are not required to report any other changes in income or expenses.

9. *Special Purpose Vouchers*

Replaced Chapters 19 (VASH), 20 (Mainstream Vouchers), and 21 (Family Unification Program Vouchers), with a new Chapter 19 'Special Purpose Vouchers.' This chapter addresses each of the aforementioned special purpose vouchers, plus the Foster Youth to Independence (FYI) program.

10. *Homeownership:*

Added clarifying language

The PHA may pay the homeownership assistance payments directly to the family, or at the PHA's discretion, to a lender on behalf of the family. If the assistance payment exceeds the amount due to the lender, the PHA must pay the excess directly to the family.

PHA Policy

The PHA's housing assistance payment will be paid directly to the family. It will be the family's responsibility to make the entire payment to the lender. The family is required to provide proof of payment to the PHA each month, by month's end.

The PHA may make an exception if the family requests the payment to go directly to the lender, and this arrangement is acceptable to the mortgage company. If the assistance payment exceeds the amount due to the lender, the PHA must pay the excess directly to the family.

ACOP

NHA is updating its ACOP as follows:

1. *Final eligibility Determination*

Added clarifying language regarding treatment of a family failing to qualify for criteria that affected waiting list selection:

“ If a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list (e.g. claimed preferences), the family will be returned to the correct position on the waiting list. The PHA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.”

2. *Late Fees and Non-Payment*

Added clarifying language regarding PHA actions (in support of existing lease language):

“PHA Policy

If the family fails to pay their rent by the tenth day of the month, and the PHA has not agreed to accept payment at a later date, a 30-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 tenth day of the month, a late fee of \$20.00 will be charged. 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.

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 of \$25.00 will be charged to the family. The fee will be due and payable 14 days after billing.”

3. *Increased Income*

Current Policy:

Families are required to report any increase of \$2,400 or more in annual earned income, including new employment, within 15 days of the date the change takes effect.

The NHA will only conduct interim re-examinations for families which 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 NHA will note the information in the tenant file, but will not conduct an interim re-examination unless the increase in income would result in a TTP greater than \$60/month for income based rent tenants only. Flat rent based tenants are exempt from any re-examination.

Proposed Policy:

Families are required to report all increases in income, including new employment, within 10 business days of the date the change takes effect.

NHA will conduct an interim reexamination if a family member is receiving a new source of income, including returning to work for a previous employer, or the resumption of previously suspended or terminated benefits.

Other than the above, the NHA will conduct interim reexaminations for families that qualify for the earned income disallowance (EID), if the EID family's share of rent will change as a result of the increase.

In all other cases, the NHA will note the information in the tenant file, but will not conduct an interim reexamination. If the income is properly reported and the NHA does not conduct an interim as outlined in this plan, rent increases based on increased income will be effective from the date of the next annual reexamination.

Families are not required to report any other changes in income or expenses.

4. *New Family Members*

Current Policy:

NHA Policy Families must request NHA approval to add a new family member, live-in aide (as needed for reasonable accommodation of a disability), foster child, or foster adult. This includes any person not on the lease who is expected to stay in the unit for more than 15 consecutive days, or 30 cumulative days, within a twelve month period and therefore no longer qualifies as a "guest."

Requests must be made in writing and approved by the NHA prior to the individual moving in the unit.

The NHA will not approve the addition of a new family or household member unless the individual meets the NHA's eligibility criteria (see Chapter 3).

The NHA reserves the right to not approve the addition of a foster child or foster adult if it will cause a violation of its space standards and there is no other suitable unit which the family can be transferred to.

If the NHA determines an individual meets the NHA's eligibility criteria as defined in Chapter 3, the PHA will provide written approval to the family. If the approval of a new family member or live-in aide will cause overcrowding according to the NHA space standards, the approval letter will explain that the family will be required to move.

If the NHA determines that an individual does not meet the NHA's eligibility criteria as defined in Chapter 3, the NHA will notify the family in writing of its decision to deny approval of the new family or household member and the reasons for the denial. See Section 9.C.1 and 2.

The NHA will make its determination within 10 business days of receiving all information required to verify the individual's eligibility.

Proposed Policy:

Families must request PHA approval to add a new family member, live-in aide, foster child, or foster adult. This includes any person not on the lease who is expected to stay in the unit for more than 15 consecutive days or a total of 30 cumulative calendar days during any 12-month period and therefore no longer qualifies as a "guest." Requests must be made in writing and approved by the PHA prior to the individual moving into the unit.

If adding a person to a household (other than a child by birth, adoption, or court-awarded custody) will require a transfer to a larger size unit (under the transfer policy in Chapter 12), the PHA will approve the addition only if the family can demonstrate that there are medical needs or other extenuating circumstances, including reasonable accommodation, that should be considered by the PHA. Exceptions will be made on a case-by-case basis.

The PHA will not approve the addition of a new family or household member unless the individual meets the PHA's eligibility criteria (see Chapter 3) and documentation requirements (See Chapter 7, Part II).

The PHA will not add a new adult to the family if doing so will result in an increase in family unit size (voucher size). This restriction does not apply for minor children, including the minor children of a newly added adult family member.

Exceptions will be made on a case-by-case basis:

- For purposes of reasonable accommodation;
- In cases of families adding disabled adults requiring guardianship, conservatorship, or other family care;
- For a minor child who moved out returning home should this not involve court-awarded custody;
- For adult children under 24 years of age who left only to attend school;
- For family members previously removed from the assisted household due to military service;
- For adult children returning to the home;
- For adult family members who formerly resided in the household; and
- For adult children with split custody who decide to live with the parent in adulthood.

If the PHA determines that an individual does not meet the PHA's eligibility criteria or documentation requirements, the PHA will notify the family in writing of its decision to deny approval of the new family or household member and the reasons for the denial.

The PHA will make its determination within 10 business days of receiving all information required to verify the individual's eligibility.

5. *Departing Family Members:*

Current Policy:

If a household member ceases to reside in the unit, or the head of household changes due to marriage or divorce, the family must inform the NHA within 10 business days. This requirement also applies to a family member who has been considered temporarily absent at the point that the family concludes the individual is permanently absent.

If a live-in aide, foster child, or foster adult ceases to reside in the unit, the family must inform the NHA within 10 business days.

When the head of household changes, all documents signed by the original head of household must be re-signed by the new head of household. [Also see Section 7.I]

7.I: 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 longer a member of the family (e.g., documentation of another address at which the person resides such as a lease or utility bill). If no proof can be provided, NHA may accept a notarized statement from the family and may conduct home visits as needed to verify the absence of the adult as reported.

Proposed Policy:

If a household member ceases to reside in the unit, the family must inform the PHA within 10 business days. This requirement also applies to a family member who has been considered temporarily absent at the point that the family concludes the individual is permanently absent.

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 longer a member of the family.

Evidence consists of at least two of the following documents:

- Photo identification with address, such as Driver's License or State ID card
- Current paystubs or benefit award letter
- Utility bill with address
- USPS change of address
- Vehicle registration or insurance

The above requirements may be waived at the PHA's sole discretion on a case-by-case basis for circumstances where the family may be unable to attain required documents, such as a perpetrator of domestic abuse is the departing family member.

If the head of household wishes to remove any member of the household or a guest without that person's consent they must initiate eviction actions, whether or not that individual is on the lease.

When the head of household changes, all documents signed by the original head of household must be re-signed by the new head of household.

6. *Pet Policy*

Current Policy:

1. Head of Household contacts Occupancy Specialist in order to fill out Pet Application
2. If Pet Application is accepted, pay NHA a Pet Security Deposit and sign Lease Addendum. Such deposit will be \$100 and may be paid over a period of no more than 4 months.

Security Deposit must be paid in full prior to pet moving into unit.

The NHA public housing residents, in accordance with 24 CFR Part 960, may own one or more pets, as detailed below, in a public housing dwelling, if the resident maintains each pet:

1. Responsibly
2. In accordance with applicable State and local public health, animal control and animal cruelty laws and regulations; and
3. In accordance with the policies established in PHA Annual Plan for the agency as provided in section 903 of 24 CFR.
4. Pets must be kept inside unit
5. No visiting pets are allowed
6. Extermination services are required for pet owners
7. Reasonable accommodations will be made for animals that assist the handicapped
8. Precautions are taken to prevent pets from disturbing neighbors
9. Designate a person who will be responsible of the pet in case of emergency or illness The following are deemed allowable pets and must be approved by Occupancy Specialists:
 1. Cats that are spayed or neutered and have all veterinarian shots. Relative documentation must be provided at the time of admissions or recertification.

2. Fish that are kept in a tank no larger than 25 gallons.
3. Residents who already own a fish tank larger than 25 gallons may keep it provided that they register it with the Housing Authority. There will be a 60- day period for registering fish tanks larger than 25 gallons.
4. Birds that are no larger than 8 inches long as an adult
5. Because dogs were allowed at Washington Village, there will be one window of opportunity for existing dogs that meet the size requirements to stay. There will be one 60-day period for registering Appendix F Norwalk Housing Authority Pet Policy existing dogs. Dogs that are registered may not be replaced. There is a limit of one dog per household. The size limit for dogs to be registered is 40 pounds and no higher than 25 inches from the ground to the top of the head when standing. Dogs must not disturb others and must be fenced or leashed with an owner at all times. Owners must clean up after dogs immediately. All other pet rules and regulations must be followed.

There are to be no more than:

1. One cat per dwelling unit
2. One fish tank, not exceeding 25 gallons per dwelling unit
3. Two birds, kept in cage(s) per dwelling unit

NHA will issue a written notice for the pet removal if the pet owner violates a rule governing the owning or keeping of pets. The notice will give to the pet owner 10 calendar days for the pet removal. Failure to comply may result in initiation of procedures to terminate the pet owner's tenancy.

Proposed Policy:

Note: Assistance and support animals are not considered pets and are not subject to the pet policy. Policy around these animals can be found in Part I of this chapter

10-II.A. OVERVIEW

The purpose of a pet policy is to establish clear guidelines for ownership of pets and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets. This part contains pet policies that apply to all developments.

10-II.B. MANAGEMENT APPROVAL OF PETS

Registration of Pets

PHAs may require registration of the pet with the PHA [24 CFR 960.707(b)(5)].

PHA Policy

Pets must be registered with the PHA before they are brought onto the premises.

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 the pet has no communicable disease(s) and is pest-free. This registration must be renewed annually and will be coordinated with the annual reexamination date.

Pets will not be approved to reside in a unit until completion of the registration requirements.

Refusal to Register Pets

PHA Policy

The PHA will refuse to register a pet if:

The pet is not *a common household pet* as defined in Section 10-II.C. below

Keeping the pet would violate any pet restrictions listed in this policy

The pet owner fails to provide complete pet registration information, or fails to update the registration annually

The applicant has previously been charged with animal cruelty under state or local law; or has been evicted, had to relinquish a pet or been prohibited from future pet ownership due to pet rule violations or a court order

The PHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

If the PHA refuses to register a pet, a written notification will be sent to the pet owner within 10 business days of the PHA's decision. The notice will state the reason for refusing to register the pet and will inform the family of their right to appeal the decision in accordance with the PHA's grievance procedures.

Pet Agreement

PHA Policy

Residents who have been approved to have a pet must enter into a pet agreement with the PHA, or the approval of the pet will be withdrawn.

The pet agreement is the resident's certification that they have received a copy of the PHA's pet policy and applicable house rules, that they have read the policies and/or rules, understand them, and agree to comply with them.

The resident further certifies by signing the pet agreement that they understand that noncompliance with the PHA's pet policy and applicable house rules may result in the withdrawal of PHA approval of the pet or termination of tenancy.

10-II.C. STANDARDS FOR PETS [24 CFR 5.318; 960.707(b)]

PHAs may establish reasonable requirements related to pet ownership including, but not limited to:

- Limitations on the number of animals in a unit, based on unit size

- Prohibitions on types of animals that the PHA classifies as dangerous, provided that such classifications are consistent with applicable state and local law
- Prohibitions on individual animals, based on certain factors, including the size and weight of the animal
- Requiring pet owners to have their pets spayed or neutered

Cat declawing is not a requirement or condition of pet ownership in public housing and HUD encourages PHAs to refrain from engaging in this practice [New PH OCC GB, *Pet Ownership*, p. 9].

PHAs may not require pet owners to have any pet's vocal cords removed.

PHAs may not require pet owners to obtain or carry liability insurance.

Definition of "Common Household Pet"

There is no regulatory definition of common household pet for public housing programs, although the regulations for pet ownership in both elderly/disabled and general occupancy developments use the term. The regulations for pet ownership in elderly/disabled developments expressly authorize PHAs to define the term [24 CFR 5.306(2)].

PHA Policy

Common household pet means a domesticated animal, such as a cat, bird, or fish that is traditionally recognized as a companion animal and is kept in the home for pleasure rather than commercial purposes.

Dogs are not allowed, other than those that were grandfathered in under previous policies.

The following animals are not considered common household pets:

Reptiles

Rodents

Insects

Arachnids

Wild animals or feral animals

Farmyard animals

Animals used for commercial breeding or raised as food

Pet Restrictions

PHA Policy

The following animals are not permitted:

Any animal whose adult weight will exceed 25 pounds

Ferrets or other animals whose natural protective mechanisms pose a risk to small children of serious bites or lacerations

Any animal not permitted under state or local law or code

Birds larger than 8 inches long as an adult

Number of Pets

PHA Policy

Residents may own a maximum of 2 pets.

In the case of fish, residents may keep no more than can be maintained in a safe and healthy manner in a tank holding up to 25 gallons (unless grandfathered in under previous policy). Such a tank or aquarium will be counted as 1 pet.

Other Requirements

PHA Policy

Cats must be spayed or neutered at the time of registration or, in the case of underage animals, within 30 days of the pet reaching 6 months of age. Exceptions may be made upon veterinary certification that subjecting this particular pet to the procedure would be temporarily or permanently medically unsafe or unnecessary.

Pets must be licensed in accordance with state or local law. Residents must provide proof of licensing at the time of registration and annually, in conjunction with the resident’s annual reexamination.

7. Maintenance and Damage Charges

Added clarifying language regarding PHA actions and family required actions (in support of existing lease language):

“When applicable, families will be charged for maintenance and/or damages according to the PHA’s current schedule. Work that is not covered in the schedule will be charged based on the actual cost of labor and materials to make needed repairs (including overtime, if applicable).

Notices of maintenance and damage charges will be mailed monthly and will be in accordance with requirements regarding notices of adverse actions. 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 charges until the conclusion of the grievance process.

Nonpayment of maintenance and damage charges is a violation of the lease and is grounds for eviction.”

Over-Income Limit	141,480	161,640	181,800	201,960	218,160	234,360	250,440	266,640
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For families larger than 8 persons, the over-income limit will be calculated by multiplying the applicable very-low income limit by 2.4.