

**HOUSING AUTHORITY OF THE
TOWN OF GUTTENBERG**

**ADMISSIONS AND CONTINUED
OCCUPANCY POLICY**

DATE OF ADOPTION

RESOLUTION NUMBER

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I. INTRODUCTION

1. Mission Statement

The mission of the Housing Authority of the Town of Guttenberg (“Housing Authority”) is to provide adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination and an atmosphere that promotes educational growth and family stability. In the course of carrying out its Mission, the Housing Authority strives to:

- Provide an environment of hope and opportunity to its family residents in their quest to self- actualize.
- Efficiently manage and maintain its public housing and other subsidized housing, as well as administer its subsidy programs.
- Provide services to the elderly and disabled that allows them to remain in their independent living environment for as long as humanly possible.
- Ensure that all residents reside in a safe and secure environment.

2. Purpose of Policy

The purpose of the Admissions and Continued Occupancy Policy is to establish guidelines for the Housing Authority staff to follow in determining eligibility for admission to and continued occupancy of Public Housing. The basic guidelines for this policy are governed by requirements of the United States Department of Housing and Urban Development (“HUD”), with latitude for local policies and procedures. The policies and procedures governing Admissions and Continued Occupancy are outlined in this policy and these requirements are binding upon applicants, residents and this Housing Authority alike. Notwithstanding the above, changes in applicable federal law or regulations shall supersede provisions in conflict with this policy.

3. Objectives

The objectives of this policy are to:

- Promote the overall goal of drug free, decent, safe and sanitary housing by:
 - Insuring a social and economic mix of residents within each public housing neighborhood in order to foster social stability and upward mobility.
 - Insuring the fiscal stability of the Housing Authority.
 - Lawfully denying admission or continued occupancy to applicants or tenants whose presence in a public housing neighborhood are likely to adversely affect the health, safety, comfort or welfare of other residents or the physical environment of the neighborhood or create a danger to Housing Authority employees.

- Insuring that elderly families can live in public housing as long as they are able to live independently and/or have someone to help them live independently as in the case of a live-in aid.
- Facilitate the efficient management of the Housing Authority and compliance with Federal Regulations by establishing policies for the efficient and effective management of the Housing Authority inventory and staff.
- Comply in letter and spirit with Title VI of the Civil Rights Act of 1964, and all other applicable Federal laws and regulations to ensure that admission to and continued occupancy in public housing are conducted without regard to race, color, religion, creed, sex, national origin, handicap, or familial status.

4. **Outreach**

The Housing Authority will disseminate information about Public Housing through local media. For those who call the Housing Authority, the staff may be available to convey essential information.

- The Housing Authority may hold meetings with local social community agencies.
- The Housing Authority may sponsor "Open House" programs to attract potential tenants.
- The Housing Authority may make known to the public, through publications in a newspaper of general circulation as well as through other suitable means, the availability and nature of housing assistance for lower-income families. The notice shall inform such families where they may apply for Public Housing.
- The Housing Authority shall take affirmative actions to provide opportunities to participate in the program to persons who, because of such factors as race, ethnicity, sex of household head, age, or source of income, are less likely to apply for Public Housing.

5. **Privacy Rights**

Applicants will be required to sign the Federal Privacy Act Statement that states under what conditions HUD will release tenant information.

Requests for information by other parties must be accompanied by a signed release request in order for the Housing Authority to release any information involving an applicant or participant, unless disclosure is authorized under Federal or State law or regulations. (Reference HUD Form 9886)

II. DEFINITIONS

1. Adjusted Income: annual income of the members of the family residing or intending to reside in the dwelling unit, after making the following deductions:
 - a. \$480.00 for each dependent.
 - b. \$400.00 for any elderly family or disabled family.
 - c. The sum of the following, to the extent the sum exceeds three percent of annual income:
 - i. Unreimbursed medical expenses of any elderly family or disabled family; and
 - ii. Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus.
 - d. Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.
2. Adult: an individual who is at least eighteen (18) years of age or who is emancipated by court action to act on his/her own behalf, including the ability to execute a contract or lease.
3. Annual Income: the anticipated total income of an eligible family from all sources for the twelve-month period following the date of determination of income, computed in accordance with HUD regulations.
4. Applicant: a person or a family that has applied for housing assistance.
5. Child: a member of the family, other than the head of household or spouse, who is under eighteen (18) years of age.
6. Child Care Expenses: amounts anticipated to be paid by the family for the care of children under thirteen (13) years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

7. Citizen: a citizen or national of the United States of America.
8. Dependent: a member of the family (except foster children and foster adults) other than the family head or spouse, who is under eighteen (18) years of age, or is a person with a disability, or is a full-time student.
9. Disability assistance expenses: reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.
10. Disabled Family: a family whose head, spouse, or sole member is a person with a disability. It may include two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides.
11. Displaced Family: a family in which each member, or whose sole member, is a person displaced by governmental action, or a person 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.
12. Elderly Family: a family whose head, spouse, or sole member is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.
13. Elderly Person: an individual who is at least 62 years of age.
14. Extremely Low-Income Family: a very low-income family whose annual income does not exceed the higher of:
 - a. The poverty guidelines established by the Department of Health and Human Services applicable to the family of the size involved (except in the case of families living in Puerto Rico or any other territory or possession of the United States); or
 - b. Thirty (30) percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the area median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.
15. Fair Market Rent: the rent, including the cost of utilities (except telephone), as established by HUD for units of varying sizes (by number of bedrooms), that must be paid in the housing market area to rent privately owned, existing, decent, safe, and sanitary rental housing of modest (non-luxury) nature with suitable amenities.

16. Family: includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:
- a. a single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or
 - b. a group of persons residing together, and such group includes, but is not limited to:
 - i. a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
 - ii. an elderly family;
 - iii. a near-elderly family;
 - iv. a disabled family;
 - v. a displaced family; and
 - vi. the remaining member of a tenant family.
17. Flat Rent: rent based on the market rent charged for comparable units in the unassisted rental market, set at no less than 80 percent of the applicable Fair Market Rent (FMR), and adjusted by the amount of the utility allowance, if any.
18. Full-Time Student: a person who is attending school or vocational training on a full-time basis.
19. Head of Household: the adult member of the family who is the head of the household for purposes of determining income eligibility and rent.
20. Household: the family and Housing Authority-approved live-in aide.
21. Housing Authority: the Housing Authority of the Town of Guttenberg
22. HUD: the United States Department of Housing and Urban Development.
23. Live-In Aide: a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:
- a. is determined to be essential to the care and well-being of the persons;
 - b. is not obligated for the support of the persons; and

- c. would not be living in the unit except to provide the necessary supportive services.
24. Low-Income Family: a family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of the median income for the area on the basis of HUD's findings that such variations are necessary because of unusually high or low family incomes.
25. Medical Expense: medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance.
26. Minimum Rent: the minimum amount payable monthly by the family as rent to the Housing Authority. The Housing Authority may establish an amount of up to \$50.00.
27. Minor: a member of the family, other than the head of household or spouse, who is under eighteen (18) years of age.
28. Mixed Family: a family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.
29. Monthly Adjusted Income: one twelfth of adjusted income.
30. Monthly Income: one twelfth of annual income.
31. National: a person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.
32. Near Elderly: a person who is 50-61 years of age.
33. Net Family Assets:
 - a. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
 - b. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
 - c. In determining net family assets, public housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by

an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms.

34. Noncitizen: a person who is neither a citizen nor national of the United States.

35. Person with Disabilities:

- a. *For the purposes of program eligibility*: a person who has a disability as defined under the Social Security Act or Developmental Disabilities Care Act, or a person who has a physical or mental impairment expected to be of long and indefinite duration and whose ability to live independently is substantially impeded by that impairment but could be improved by more suitable housing conditions. This includes persons with AIDS or conditions arising from AIDS but excludes persons whose disability is based solely on drug or alcohol dependence.
- b. *For the purposes of reasonable accommodation*: a person with a physical or mental impairment that substantially limits one or more major life activities, a person regarded as having such an impairment, or a person with a record of such an impairment.

36. Recertification/Reexamination: the process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported.

37. Spouse: the marriage partner or the head of household

38. Tenant Rent: the amount payable monthly by the family as rent to the Housing Authority.

39. Total Tenant Payment: the highest of the following amounts, rounded to the nearest dollar:

- a. 30 percent of the family's monthly adjusted income;
- b. 10 percent of the family's monthly income;
- c. If the family is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of those payments which is so designated; or
- d. The minimum rent.

40. Utilities: water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection, and sewage services. Telephone service is not included.
41. Utility Allowance: if the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by the Housing Authority or HUD of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.
42. Utility Reimbursement: the amount, if any, by which the utility allowance for a unit, if applicable, exceeds the total tenant payment for the family occupying the unit.
43. Very Low-Income Family: a family whose annual income does not exceed 50 percent of the median family income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 50 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.
44. Veteran Family: a family whose head, spouse, or sole member is a person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.
45. Welfare Assistance: welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments (including assistance provided under the Temporary Assistance for Needy Families program).
46. Working Family: family whose head of household, spouse, or sole member is employed or family whose head of household and spouse, or sole member, is age sixty two (62) or older or is a person with disabilities.

III. NON-DISCRIMINATION

1. General

It is the policy of the Housing Authority to comply fully with all Federal, State, and local laws, regulations, and rules governing fair housing and equal opportunity in housing and employment.

The Housing Authority shall not, on the basis of race, color, religion, creed, sex, national origin, age, familial status, disability, sexual orientation, gender identity, marital status, or other protected class or characteristic:

- Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to participate in the public housing program;
- Provide housing that is different from that provided to others;
- Subject anyone to segregation or disparate treatment;
- Restrict anyone's access to any benefit enjoyed by others in connection with the housing program;
- Treat a person differently in determining eligibility or other requirements for admission;
- Steer an applicant or tenant toward or away from a particular area based on any of these factors;
- Deny anyone access to the same level of services;
- Deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program; or
- Discriminate against someone because they are related to or associated with a member of a protected class.

Applicants or tenants who believe that they have been subject to discrimination should notify the Housing Authority in writing. The Housing Authority will promptly investigate any complaints of discrimination and notify the complainant of the investigation's findings. The Housing Authority will keep a record of all complaints, investigations, notices, and corrective actions.

2. Reasonable Accommodations

The Housing Authority will ask applicants and residents if they require any type of reasonable accommodations, in writing, on the intake application, reexamination documents, and notices of adverse action by the Housing Authority, by including the following language:

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.

Reasonable accommodation requests shall be supported by a signed note from a licensed health care provider verifying the requester's disability status and explaining the need for the requested accommodation.

The Housing Authority will consider reasonable accommodation requests on a case by case basis.

IV. DECONCENTRATION

The Housing Authority will not concentrate very low-income families in any public housing development or in any single building within a development. For this purpose, very low-income families also include other families with extremely low incomes.

The Housing Authority will annually review its waiting lists and the census tracts in which it has public housing units in order to determine if they reveal an unacceptable concentration of impoverished families. If such a concentration is determined, the Housing Authority will take steps consistent with the policy stated below to remedy that inequity.

Where an inequity has been discovered in the distribution of impoverished families within its jurisdiction or on its waiting list, the Housing Authority will take steps to remove that concentration of poverty by bringing higher income families into its lower income developments and lower income families into its higher income developments.

Among the strategies the Housing Authority may consider in attempting to remedy any discovered inequity are the following:

- It may skip certain income families on its waiting list to reach other families with a lower or higher income, as may be required to achieve better income distribution balance in its developments. The Housing Authority will apply such skipping uniformly and fairly.
- It may make concerted efforts to aid lower-income families to increase their income through offering incentives. These incentives may include but are not required to be or limited to the following:
 - Providing self-sufficiency activities to improve resident employability;
 - Providing permissive deductions from annual income and other permissive deductions to public housing resident as allowed by law. If offered, these options will be spelled out in detail as an amendment to this policy;
 - Providing individual savings accounts to families who select income-based rents;
 - Establishing a rent structure that encourages deconcentration of poverty;
 - Providing certain admissions preferences, such as those for working families;
 - Providing additional applicant consultation and information; and
 - Providing additional supportive services or amenities.

In pursuing this policy of deconcentration of poverty where a family receiving TANF assistance is concerned, the Housing Authority will pursue every reasonable recourse to coordinate its efforts to provide incentives to families that are consistent with programs administered by the office administering TANF responsibilities in its jurisdiction.

Specifically, the Housing Authority will employ skipping on its waiting lists to reach appropriate income families to balance the income mix at its developments.

The Housing Authority will pursue this policy of deconcentration of poverty in a way that affirmatively furthers fair housing, and that ensures for both our applicants and our residents an equitable treatment devoid of discrimination.

V. ELIGIBILITY

1. Applicants must meet the definition of a family.
2. Applicants must have a head of household who is at least eighteen (18) years of age or who is emancipated by court action.
3. Applicants must demonstrate they are capable of independent living or that a member of their household is capable of caring for them.
4. At the time of admission, applicant families must have an annual income which is within HUD's published low-income limit.
 - a. Income received by all family members must be counted unless specifically excluded by HUD regulations.
 - b. At least forty (40) percent of the families admitted from the Housing Authority waiting list to the public housing program during the Housing Authority fiscal year must be extremely low-income families.
 - c. If admissions of extremely low-income families to the Housing Authority's housing choice voucher program during the Housing Authority fiscal year exceed the seventy-five (75) percent minimum targeting requirement for that program, such excess shall be credited against the Housing Authority's public housing program basic targeting requirement for the same fiscal year.
 - d. The fiscal year credit for housing choice voucher program admissions that exceed the minimum voucher program targeting requirement must not exceed the lower of:
 - i. Ten percent of public housing waiting list admissions during the Housing Authority fiscal year.
 - ii. Ten percent of waiting list admission to the Housing Authority's housing choice voucher program during the Housing Authority fiscal year.
 - iii. The number of qualifying low-income families who commence occupancy during the fiscal year of public housing units located in census tracts with a poverty rate of 30 percent or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.
5. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for the public housing program.
 - a. Applicants must submit evidence of citizenship status when they apply to the Housing Authority's public housing program.

- b. In general, citizens and nationals are required to submit only a signed declaration that claims their status. Family members who declare citizenship or national status will not be required to provide additional documentation unless the Housing Authority receives information indicating that an individual's declaration may not be accurate.
 - c. Those declaring eligible noncitizen status must sign a verification consent form and cooperate with Housing Authority efforts to verify their immigration status. The documentation required for establishing eligible noncitizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, the person's age, and the date on which the family began receiving HUD-funded assistance.
 - d. Families that include eligible and ineligible individuals are considered mixed families. Such families will be given notice that their assistance will be prorated, and that they may request a hearing if they contest this determination.
 - e. When the Housing Authority determines that an applicant family does not include any citizens, nationals, or eligible noncitizens, it will send the family a written notice within ten (10) business days of the determination.
 - i. The notice will explain the reasons for the denial of assistance and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services ("USCIS"), or to request a hearing with the Housing Authority.
 - ii. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the hearing process.
 - iii. The hearing with the Housing Authority may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process.
6. The applicant and all members of the applicant's household must accurately disclose their social security numbers ("SSN") to the Housing Authority.
- a. This disclosure requirement does not apply to noncitizens who do not contend eligible immigration status.
 - b. If a child under age six (6) has been added to an applicant family within the six (6) months prior to program admission, an otherwise eligible family may be admitted to the program and must disclose and document the child's SSN within ninety (90) days of admission.
 - c. Each participant who has not previously disclosed a SSN, has previously disclosed a SSN that HUD or the SSA determined was invalid, or has been issued

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

- d. The Housing Authority will deny assistance to an applicant family if they do not meet the SSN disclosure and documentation requirements of 24 CFR 5.216.
7. Each adult family member, and the head of household, spouse, or cohead, regardless of age, must sign form HUD-9886, Authorization for the Release of Information Privacy Act Notice, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance. Housing Authority will deny admission to the program if any member of the applicant family fails to sign and submit consent forms which allow the Housing Authority to obtain information necessary to the administration of the public housing program.
 8. Applicants must be found suitable for tenancy after completing the Housing Authority's screening procedures.
 - a. The Housing Authority will perform criminal background checks on all adult household members.
 - b. The Housing Authority will use the Dru Sjodin National Sex Offender database to screen all household members.
 - c. The Housing Authority will consider the family's history with respect to the following factors:
 - i. Payment of rent and utilities.
 - ii. Caring for a unit and premises.
 - iii. Respecting the rights of other residents to the peaceful enjoyment of their housing.
 - iv. Criminal activity that is a threat to the health, safety, or property of others.
 - v. Behavior of all household members as related to the grounds for denial of admission.
 - vi. Compliance with any other essential conditions of tenancy.
 - d. In order to determine the suitability of applicants, the Housing Authority will examine applicant history for the past five years. Such background checks will include:

- i. Public housing authority 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 public housing authority/landlord ever began or completed lease termination for non-payment, and whether utilities were ever disconnected in the unit. Public housing authorities and landlords will be asked if they would rent to the applicant family again.
- ii. 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.)
- iii. If an applicant has no rental payment history, the Housing Authority 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.
- iv. Applicants with no rental payment history will also be asked to provide the Housing Authority 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 also be required to complete a checklist documenting their ability to meet financial obligations.
- v. If previous landlords or the utility company do not respond to requests from the Housing Authority, the applicant may provide other documentation that demonstrates their ability to meet financial obligations (e.g. rent receipts, cancelled checks, etc.).
- vi. Public housing authority 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.
- vii. 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) will not be used as the basis for the denial or proof that the applicant engaged in disqualifying activity.

- viii. 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 also be required to complete a checklist documenting their ability to care for the unit and to avoid disturbing neighbors.
 - ix. Home visits may be used to determine the applicant's ability to care for the unit.
9. An applicant family that does not meet the eligibility criteria described herein will be denied admission.

VI. APPLICATION PROCESS

1. How to Apply

Any family that wishes to reside in public housing must apply for admission to the program. Families may obtain application forms from the Housing Authority's office during normal business hours. Families may also request – by telephone or by mail – that an application form be sent to the family via first class mail.

Completed applications must be dated, time-stamped, and returned to the Housing Authority by mail, facsimile, or submitted in person during normal business hours. Applications must be filled out completely in order to be accepted by the Housing Authority for processing. If an application is incomplete, the Housing Authority will notify the family of the additional information required.

The Housing Authority will provide reasonable accommodation as needed for persons with disabilities to make the application process fully accessible.

2. Opening/Closing the Waiting List

The Housing Authority will announce the opening of the waiting list at least ten (10) business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice. The notice will specify where, when, and how applications are to be received. The Housing Authority will give public notice through publication in a newspaper of general circulation and other suitable means.

The Housing Authority will close the waiting list when the estimated waiting period for housing applicants on the list reaches twenty four (24) months for the most current applicants. Where the Housing Authority has particular preferences or other criteria that require a specific category of family, the Housing Authority may elect to continue to accept applications from these applicants while closing the waiting list to others. The Housing Authority will give public notice through publication in a newspaper of general circulation and other suitable means.

3. Ineligibility

If the Housing Authority determines from the information provided that an applicant is ineligible, the applicant will not be placed on the waiting list. When an applicant is determined to be ineligible, the Housing Authority will send written notification of the ineligibility determination within ten (10) business days of receipt of the completed application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing and explain the process for doing so.

4. Waiting List Placement

The Housing Authority will review each completed application received and make a preliminary assessment of the applicant's eligibility. Applicants who submitted a completed application

during an open waiting list period will be placed on the waiting list unless the Housing Authority determines the applicant to be ineligible.

The Housing Authority will send written notification of the preliminary eligibility determination within ten (10) business days of receiving a completed application. If applicable, the notice will also indicate the waiting list preference(s) for which the applicant appears to qualify.

Applicants will be placed on the waiting list according to Housing Authority preference(s) and the date and time their complete application is received by the Housing Authority.

The Housing Authority will assign applicants on the waiting list according to the bedroom size for which the applicant qualifies as established in its occupancy standards. Applicants may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines as long as the unit is not overcrowded according to Housing Authority standards and local codes. However, in these cases, the family must agree not to request a transfer for two years after admission, unless they have a change in family size or composition.

Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. When the family is selected from the waiting list, the Housing Authority will verify any preference(s) claimed and determine eligibility and suitability for admission to the program.

5. Waiting List Organization

The Housing Authority will maintain one waiting list for all of its developments. Within the waiting list, the Housing Authority will designate subparts to easily identify who should be offered the next available unit (i.e. mixed populations, general occupancy, unit size, and accessible units).

The waiting list will contain the following information for each applicant listed:

- a. Name and social security number of head of household
- b. Unit size required (number of family members)
- c. Amount and source of annual income
- d. Accessibility requirement, if any
- e. Date and time of application or application number
- f. Household type (family, elderly, disabled)
- g. Admission preference, if any
- h. Race and ethnicity of the head of household

The Housing Authority will not merge the public housing waiting list with the waiting list for any other program the Housing Authority operates.

6. Reporting Requirements

While a family is on the waiting list, it must inform the Housing Authority, within ten (10) business days, of changes in family size or composition, preference status, or contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing. Changes in an applicant's circumstances while on the waiting list may affect the family's qualification for a particular bedroom size or entitlement to a preference. When an applicant reports a change that affects their placement on the waiting list, the waiting list will be updated accordingly.

7. Updating and Purging the Waiting List

The waiting list will be updated as needed to ensure that all applicant information is current and timely.

To update the waiting list, the Housing Authority 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 Housing Authority has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by the Housing Authority not later than ten (10) business days from the date of the Housing Authority letter. If the family fails to respond within ten (10) business days, the family will be removed from the waiting list without further notice. If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be resent to the address indicated. The family will have ten (10) 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.

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 Housing Authority from making an eligibility determination; therefore no informal hearing is required. If a family is removed from the waiting list for failure to respond, the Housing Authority may reinstate the family if the lack of response was due to Housing Authority error, or to circumstances beyond the family's control.

8. Removal from the Waiting List

The Housing Authority will remove an applicant from the waiting list upon request by the applicant family. In such cases no informal hearing is required.

If the Housing Authority determines that the family is not eligible for admission at any time while the family is on the waiting list, the family will be removed from the waiting list. If a family is removed from the waiting list because the Housing Authority has determined the family is not eligible for admission, a notice will be sent to the family's address of record as well as to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal hearing regarding the Housing Authority's decision.

VII. SELECTION PROCESS

1. General

- a. The Housing Authority will select tenants from its waiting list in accordance with the policies described below.
- b. The Housing Authority will provide a copy of these tenant selection policies to any applicant or tenant free of charge.

2. Preferences

- a. The Housing Authority has established the following local preferences:
 - i. Disabled Family
 - ii. Elderly Family
 - iii. Veteran Family
 - iv. WorkingFamily
 - v. Family Living or Working in Guttenberg, New Jersey
 - vi. Very Low Income Family
 - vii. Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking
- b. Residency preferences will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family.

3. Income Targeting

- a. HUD requires that extremely low-income families make up at least forty (40) percent of the families admitted to public housing during the Housing Authority's fiscal year.
- b. The Housing Authority will monitor progress in meeting HUD's extremely low-income family requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure that the income targeting requirement is met.

4. **Order of Selection**

- a. 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 Housing Authority.
- b. When selecting applicants from the waiting list, the Housing Authority will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. The Housing Authority will offer the unit to the highest ranking applicant who qualifies for that unit size or type, or that requires the accessibility features.
- c. 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.
- d. Factors such as deconcentration or income mixing and income targeting will also be considered in accordance with HUD requirements and Housing Authority policy.

5. **Notification of Selection**

- a. The Housing Authority will notify the family by first class mail when it is selected from the waiting list.
- b. The notice will inform the family of the following:
 - i. Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview
 - ii. Who is required to attend the interview
 - iii. Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation
 - iv. Documents that must be provided at the interview to document eligibility for a preference, if applicable
 - v. Other documents and information that should be brought to the interview
- c. If a notification letter is returned to the Housing Authority 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 Housing Authority from making an eligibility determination; therefore, no informal hearing will be offered.

6. **Application Interview**

- a. Families selected from the waiting list are required to participate in an eligibility interview.
- b. The head of household and the spouse will be strongly encouraged to attend the interview together. However, either the head of household or the spouse may attend the interview on behalf of the family. 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 Housing Authority.
- c. The interview will be conducted only if the head of household or spouse provides appropriate documentation of legal identity. If the family representative does not provide the required documentation, the appointment may be rescheduled when the proper documents have been obtained.
- d. Pending disclosure and documentation of social security numbers, the Housing Authority will allow the family to retain its place on the waiting list.
- e. If not all household members have disclosed their social security numbers at the next time a unit becomes available, the Housing Authority will offer a unit to the next eligible applicant family on the waiting list.
- f. If the family is claiming a waiting list preference, the family must provide documentation to verify their eligibility for a preference. If the family is verified as eligible for the preference, the Housing Authority will proceed with the interview. If the Housing Authority determines the family is not eligible for the preference, the interview will not proceed and the family will be placed back on the waiting list according to the date and time of their application.
- g. The family must provide the information necessary to establish the family's eligibility, including suitability, and to determine the appropriate amount of rent the family will pay. The family must also complete required forms, provide required signatures, and submit required documentation. If any materials are missing, the Housing Authority will provide the family with a written list of items that must be submitted.
- h. Any required documents or information that the family is unable to provide at the interview must be provided within ten (10) business days of the interview. 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.
- i. An advocate, interpreter, or other assistant may assist the family with the application and the interview process.

- j. Interviews will be conducted in English. For limited English proficient (LEP) applicants, the Housing Authority will provide interpretative services in accordance with its Language Access Plan.
- k. If the family is unable to attend a scheduled interview, the family should contact the Housing Authority in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, the Housing Authority will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without Housing Authority approval will have their applications made inactive based on the family's failure to supply information needed to determine eligibility. The second appointment letter will state that failure to appear for the appointment without a request to reschedule will be interpreted to mean that the family is no longer interested and their application will be made inactive. Such failure to act on the part of the applicant prevents the Housing Authority from making an eligibility determination; therefore, the Housing Authority will not offer an informal hearing.

7. Final Eligibility Determination

- a. The Housing Authority will verify all information provided by the family. Based on verified information related to the eligibility requirements, including Housing Authority suitability standards, the Housing Authority will make a final determination of eligibility.
- b. Families will be notified of the final eligibility determination in writing within ten (10) business days of the determination.
 - i. The notice shall be accompanied by a notice of occupancy rights under the Violence Against Women Act and HUD Form 5382.
 - ii. If the Housing Authority determines that the family is eligible, the notice will indicate the approximate date of occupancy insofar as that date can be reasonably determined.
 - iii. If the Housing Authority determines that the family is ineligible, the notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing.
- c. If the Housing Authority uses a criminal record or sex offender registration information as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before the Housing Authority can move to deny the application.

VIII. VERIFICATION PROCESS

1. Requirements for Acceptable Documents

- a. The Housing Authority may request any documentation needed to determine eligibility.
- b. Any documents used for verification must be the original (not photocopies) and generally must be dated within sixty (60) days of the date they are provided to the Housing Authority. The documents must not be damaged, altered or in any way illegible.
- c. Print-outs from web pages are considered original documents.
- d. The Housing Authority staff member who views the original document must make a photocopy, annotate the copy with the name of the person who provided the document and the date the original was viewed, and sign the copy.
- e. Any family self-certifications must be made in a format acceptable to the Housing Authority and must be signed in the presence of a Housing Authority representative or Housing Authority notary public.

2. File Documentation

- a. The Housing Authority will document in the family file how the figures used in income and rent calculations were determined.
- b. The Housing Authority will document the reported family annual income, value of assets, expenses related to deductions from annual income, and other factors influencing the adjusted income or income-based rent determination.
- c. When the Housing Authority is unable to obtain third-party verification, it will document in the family file the reason that third-party verification was not available.

3. Family Information

- a. The Housing Authority will require families to furnish verification of legal identity for each household member.

Verification of Legal Identity for Adults	Verification of Legal Identity for Children
Certificate of birth, naturalization papers	Certificate of birth
Church issued baptismal certificate	Adoption papers
Current, valid driver's license or Motor	Custody agreement

Vehicle Commission ID card	Health and Human Services ID
U.S. military discharge (DD 214)	Certified school records
Current U.S. Passport	
Current employer ID card	

- i. If a document submitted by a family is illegible for any reason or otherwise questionable, more than one of these documents may be required.
 - ii. If none of these documents can be provided and at the Housing Authority's discretion, a third party who knows the person may attest to the person's identity. The certification must be provided in a format acceptable to the Housing Authority and be signed in the presence of a Housing Authority representative or Housing Authority notary public.
 - iii. Legal identity will be verified for all applicants at the time of eligibility determination and in cases where the Housing Authority has reason to doubt the identity of a person representing him or herself to be a tenant or a member of a tenant family.
- b. 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 or existing residents who were at least sixty two (62) years of age as of January 31, 2010, and had not previously disclosed an SSN.
- i. The following constitute acceptable documentation: 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; or an original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual.
 - ii. If the Housing Authority determines that documentation is not acceptable, it will explain to the applicant or resident the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN within ninety (90) days.
 - iii. If an applicant family includes a child under six (6) years of age who joined the household within the six (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 ninety (90) days.
 1. A ninety (90) day extension will be granted if the Housing Authority determines that the resident's failure to comply was due

- to unforeseen circumstances and was outside of the resident's control.
2. The Housing Authority will grant one additional ninety (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.
- iv. When a resident requests to add a new household member who is at least six (6) years of age, or who is under the age of six (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 Housing Authority may not add the new household member until such documentation is provided.
 - v. 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 ninety (90) calendar days of the child being added to the household.
 1. A ninety (90) day extension will be granted if the Housing Authority 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 Housing Authority is awaiting documentation, the child will be counted as part of the assisted household.
 2. The Housing Authority will grant one additional ninety (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.
 - vi. Once an individual's status is classified as "verified" in HUD's EIV system, the Housing Authority may remove and destroy copies of documentation accepted as evidence of social security numbers.
- c. A birth certificate or other official record of birth is the preferred form of age verification for all family members.
 - i. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.
 - ii. If an official record of birth or evidence of social security retirement benefits cannot be provided, the Housing Authority will require the family to submit other documents that support the reported age of the family member (e.g., school records, driver's license if birth year is recorded) and to provide a self-certification.

- d. Family relationships are verified only to the extent necessary to determine a family's eligibility and level of assistance. Certification by the head of household normally is sufficient verification of family relationships. If the Housing Authority has reasonable doubts about a family relationship, it may request documentation.
 - i. If an adult 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).
 - ii. For foster children and foster adults, third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.
- e. The Housing Authority requires families to provide information about the student status of all students who are eighteen (18) years of age or older. This information will be verified only if the family claims full-time student status for an adult other than the head or spouse, or the family claims a child care deduction to enable a family member to further his or her education.
- f. The Housing Authority will verify the existence of a disability in order to allow certain income disallowances and deductions from income. The Housing Authority will not inquire about the nature or extent of a person's disability.
- g. Family members who claim U.S. citizenship or national status will not be required to provide additional documentation unless the Housing Authority receives information indicating that an individual's declaration may not be accurate.
- h. The Housing Authority must verify any preferences claimed by an applicant that determine his or her placement on the waiting list.

4. **Income and Assets**

- a. For wages other than tips, the family must provide originals of the two most current, consecutive pay stubs. Unless tip income is included in a family member's W-2 by the employer, persons who work in industries where tips are standard will be required to sign a certified estimate of tips received for the prior year and tips anticipated to be received in the coming year.
- b. Business owners and self-employed persons will be required to provide:
 - i. An audited financial statement for the previous fiscal year if an audit was conducted. If an audit was not conducted, a statement of income and expenses must be submitted and the business owner or self-employed person must certify to its accuracy.

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

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

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

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

- c. To verify the Social Security/SSI benefits of applicants, the Housing Authority will request a current (dated within the last 60 days) SSA benefit verification letter from each family member who receives social security benefits.
- d. The methods the Housing Authority will use to verify alimony and child support payments differ depending on whether the family declares that it receives regular payments.
 - i. If the family declares that it receives regular payments, verification will be obtained in the following order of priority: copies of the receipts and/or payment stubs for the 60 days prior to Housing Authority request; third-party verification form from the state or local child support enforcement agency; third-party verification form from the person paying the support; family's self-certification of amount received.
 - ii. If the family declares that it receives irregular or no payments, in addition to the verification process listed above, the family must provide evidence that it has taken all reasonable efforts to collect amounts due. This may include a statement from any agency responsible for enforcing payment that shows the family has requested enforcement and is cooperating with all enforcement efforts and, if the family has made independent efforts at collection, a written statement from the attorney or other collection entity that has assisted the family in these efforts.

- e. The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years.
 - i. The Housing Authority will verify the value of assets disposed of only if the Housing Authority does not already have a reasonable estimation of its value from previously collected information, or the amount reported by the family in the certification appears obviously in error.
- f. For net income from rental properties, the family must provide a current executed lease for the property that shows the rental amount or certification from the current tenant and a self-certification from the family members engaged in the rental of property providing an estimate of expenses for the coming year and the most recent IRS Form 1040 with Schedule E (Rental Income).
 - i. If schedule E was not prepared, the Housing Authority will require the family members involved in the rental of property to provide a self-certification of income and expenses for the previous year and may request documentation to support the statement including: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.
- g. The Housing Authority will accept written third-party documents supplied by the family as evidence of the status of retirement accounts.
- h. The Housing Authority will accept the family's self-certification as verification of fully excluded income. The Housing Authority may request additional documentation if necessary to document the income source.
- i. The Housing Authority will check up-front income verification ("UIV") sources and/or request information from third-party sources to verify that certain forms of income such as unemployment benefits, TANF, SS, SSI, earned income, etc. are not being received by families claiming to have zero annual income.

5. **Mandatory Deductions**

- a. Medical Expenses will be verified through:
 - i. Written third-party documents provided by the family, such as pharmacy printouts or receipts.
 - ii. Written third-party verification forms, if the family is unable to provide acceptable documentation.
 - iii. If third-party or document review is not possible, written family certification as to costs anticipated to be incurred during the upcoming twelve (12) months.

The Housing Authority will make a best effort to determine what expenses from the past are likely to continue to occur in the future. The Housing Authority will also accept evidence of monthly payments or total payments that will be due for medical expenses during the upcoming twelve (12) months.

In addition, the Housing Authority will verify that: the household is eligible for the deduction; the costs to be deducted are qualified medical expenses; the expenses are not paid for or reimbursed by any other source; and costs incurred in past years are counted only once.

The family will be required to certify that the medical expenses are not paid or reimbursed to the family from any source. If expenses are verified through a third party, the third party must certify that the expenses are not paid or reimbursed from any other source.

b. Disability Assistance Expenses

i. Expenses for attendant care will be verified through:

1. Written third-party documents provided by the family, such as receipts or cancelled checks.
2. Third-party verification form signed by the provider, if family-provided documents are not available.
3. If third-party verification is not possible, written family certification as to costs anticipated to be incurred for the upcoming twelve (12) months.

ii. Expenses for auxiliary apparatus will be verified through:

1. Written third-party documents provided by the family, such as billing statements for purchase of auxiliary apparatus, or other evidence of monthly payments or total payments that will be due for the apparatus during the upcoming 12 months.
2. Third-party verification form signed by the provider, if family-provided documents are not available.
3. If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming twelve (12) months.

In addition, the Housing Authority will verify that: the family member for whom the expense is incurred is a person with disabilities; the expense

permits a family member, or members, to work; and the expense is not reimbursed from another source.

The family will be required to certify that attendant care or auxiliary apparatus expenses are not paid by or reimbursed to the family from any source.

c. Child Care Expenses

- i. The Housing Authority will verify that the child is eligible for care (12 or younger); the costs claimed are not reimbursed; the costs enable a family member to work, actively seek work, or further their education; the costs are for an allowable type of child care; and the costs are reasonable.
- ii. The family and the care provider will be required to certify that the child care expenses are not paid by or reimbursed to the family from any source.

IX. DENIAL OF ADMISSION

1. The Housing Authority may deny admission under any of the following circumstances:
 - a. The family does not meet the Housing Authority's eligibility criteria.
 - b. Any household member has been evicted from federally-assisted housing in the past three (3) years for drug-related criminal activity. The Housing Authority may waive this provision if any household members who were involved in the criminal activity have completed a supervised drug rehabilitation program or are no longer living in the household.
 - c. Any household member is currently engaged in the use of illegal drugs. The term "drugs" refers to any substance regulated by the U.S. Controlled Substances Act. The term "currently engaged" means during the previous six months.
 - d. 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.
 - e. 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.
 - f. Any household member is currently engaged in, or within the past five years has engaged in, any of the following criminal activities:
 - i. Drug-related criminal activity: 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.
 - ii. Violent criminal activity: 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.
 - iii. Criminal activity that may threaten the health, safety, or welfare of Housing Authority residents, staff, contractors, subcontractors, or agents.
 - iv. Criminal sexual conduct, including but not limited to sexual assault, incest, open and gross lewdness, or child abuse.

A record of arrest(s) will not be used as the basis for the denial or proof that the household member engaged in disqualifying criminal activity.

- g. Any household member is subject to a lifetime registration requirement under a state sex offender registration program.

- h. The family has a pattern of unsuitable past performance in meeting financial obligations, including rent, within the past five years.
 - i. The family 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
 - j. The family has a pattern of eviction from housing or termination from residential programs within the past five years (considering relevant circumstances).
 - k. The family owes rent or other amounts to this or any other public housing authority or owner in connection with any assisted housing program.
 - i. At the Housing Authority's discretion, the applicant may be declared eligible upon payment of debt, with the date and time of application being the time of payment and meeting other criteria.
 - l. The family has misrepresented or failed to provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent.
 - m. The family has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
 - n. The family has engaged in or threatened violent or abusive behavior toward Housing Authority personnel
 - i. Abusive or violent behavior towards Housing Authority personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.
 - ii. Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.
2. The Housing Authority will use the preponderance of the evidence as the standard for making all admission decisions.
- a. Preponderance of the evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which, as a whole, shows that the fact sought to be proved is more probable than not.
 - b. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

- c. The Housing Authority will consider all relevant circumstances (e.g. seriousness of offense, extent of participation of individual family members, effect of denial on uninvolved family members, length of time since offense, likelihood of favorable conduct in the future, etc.) when deciding whether to deny admission based on a family's past history, except in situations where denial is mandated by HUD.
3. As a condition of receiving assistance, an applicant may agree to remove a 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. After admission to the program, the applicant must present evidence of the former family member's current address upon Housing Authority request.
4. If the applicant indicates that the behavior of a family member with a disability is the reason for a proposed denial of admission, the Housing Authority will determine whether the behavior is related to the disability and, if so, whether alternative measures are appropriate as a reasonable accommodation. The Housing Authority will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of admission.
5. If an applicant appears to be ineligible based on a criminal record or sex offender registration record, the Housing Authority will notify the applicant in writing of the proposed denial and provide a copy of the record. The notice will specify that the applicant has ten (10) business days to dispute the accuracy of the record.
 - a. If the applicant does not contact the Housing Authority to dispute the information within that timeframe, the Housing Authority will proceed with issuing the notice of denial of admission.
 - b. An applicant that does not exercise their right to dispute the accuracy of the information prior to issuance of the official denial letter will still be given the opportunity to do so as part of the informal hearing process.
6. If an applicant is denied admission, the Housing Authority will notify the applicant in writing of its determination and inform the applicant that they have an opportunity for an informal meeting on such determination. The denial letter will allow the applicant ten (10) business days to request an informal meeting with the Housing Authority. If requested, the meeting will be conducted by a Housing Authority representative and a decision will be issued within ten (10) business days of the meeting.

X. OCCUPANCY GUIDELINES

1. General Standards

The Housing Authority will assign one bedroom for each two persons within the household, except in the following circumstances:

- a. Persons of the opposite sex (other than spouses, and children under age 5) will not be required to share a bedroom.
- b. Persons of different generations will not be required to share a bedroom.
- c. Live-in aides will be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family.
- d. Single person families will be allocated a zero or one bedroom.
- e. Foster children will be included in determining unit size.

The Housing Authority will reference the following standards in determining the appropriate unit bedroom size for a family:

Bedroom Size	Minimum Number of Persons	Maximum Number of Persons
0	1	1
1	1	2
2	2	4
3	3	6

2. Exceptions

Residents may request exceptions to the occupancy standards in writing. The Housing Authority may grant such requests if it determines that the exception is justified by the relationship, age, sex, health or disability of family members, or other personal circumstances.

For example, an exception may be granted if a larger bedroom size is needed for medical equipment due to its size and/or function, or as a reasonable accommodation for a person with disabilities. An exception may also be granted for a smaller bedroom size in cases where the number of household members exceeds the maximum number of persons allowed for the unit size in which the family resides and the family does not want to transfer to a larger size unit.

When evaluating exception requests, the Housing Authority will consider the size and configuration of the unit. In no case will the Housing Authority grant an exception that is in violation of local housing or occupancy codes, regulations or laws.

Requests from applicants to be placed on the waiting list for a unit size smaller than designated by the occupancy standards will be approved as long as the unit is not overcrowded according to local code, and the family agrees not to request a transfer for a period of two years from the date of admission, unless they have a subsequent change in family size or composition.

To prevent vacancies, the Housing Authority may provide an applicant family with a larger unit than the occupancy standards permit. However, in these cases the family must agree to move to a suitable, smaller unit when another family qualifies for the larger unit and there is an appropriate size unit available for the family to transfer to.

3. **Unit Offers**

- a. In filling an actual or expected vacancy, the Housing Authority will offer the dwelling unit to an applicant in the appropriate offer sequence.
- b. The Housing Authority will maintain a record of units offered, including location, data, and circumstances of each offer, each acceptance or rejection, including the reason for the rejection.
- c. If a suitable unit is available in two locations, the applicant will be offered a suitable unit in the location with the higher number of vacancies. If the offer is rejected, a final offer will be made at the other location. The offers will be made in sequence and the applicant must refuse the first offer before a second offer is made.
- d. If more than one unit of the appropriate type and size is available, the first unit to be offered will be the first unit that is ready for occupancy.
- e. Applicants must accept or refuse a unit offer within three (3) business days of the date of the unit offer. Offers made by telephone will be confirmed by letter.

4. **Accessible Units**

- a. Families requiring an accessible unit may be over-housed in such a unit if there are no resident or applicant families of the appropriate size who also require the accessible features of the unit.
- b. When there are no resident or applicant families requiring the accessible features of the unit, including families who would be over-housed, the Housing Authority will offer the unit to a nondisabled applicant.
- c. When offering an accessible unit to a non-disabled applicant, the Housing Authority will require the applicant to agree to move to an available non-

accessible unit within thirty (30) days when either a current resident or an applicant needs the features of the unit and there is another unit available for the non-disabled family. This requirement will be a provision of the lease agreement.

5. **Refusals of Unit Offers**

- a. Applicants may refuse to accept a unit offer for “good cause.”
- b. Good cause for unit refusals must be supported by appropriate documentation and demonstrated to the satisfaction of the Housing Authority. Examples of good cause for refusal of a unit offer include, but are not limited to, the following:
 - i. Accepting the unit offer will require an adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities.
 - ii. Accepting the offer will place a family member’s life, health, or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders, other court orders, risk assessments related to witness protection from a law enforcement agency, or documentation of domestic violence, dating violence, or stalking. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption.
 - iii. A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on final application) or live-in aide necessary to the care of the principal household member.
 - iv. The unit is inappropriate for the applicant’s disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move.
 - v. The unit has lead-based paint and the family includes children under the age of six.
- c. When an applicant rejects the final unit offer without good cause, the Housing Authority will remove the applicant’s name from the waiting list and send notice to the family of such removal. The notice will inform the family of their right to request an informal hearing and the process for doing so. The applicant may reapply for assistance if the waiting list is open. If the waiting list is not open, the applicant must wait to reapply until the Housing Authority opens the waiting list.

XI. DETERMINATION OF RENT

1. Annual Income

- a. A family's annual income is used to calculate the amount of the family's rent payment. Income received by all family members must be counted unless specifically excluded by HUD regulations.
- b. The income of family members approved to live in the unit will be counted, even if the family member is temporarily absent from the unit.
 - i. Generally, an individual who is or is expected to be absent from the assisted unit for one hundred eighty (180) consecutive days or less is considered temporarily absent and continues to be considered a family member.
 - ii. Generally, an individual who is or is expected to be absent from the assisted unit for more than one hundred eighty (180) consecutive days is considered permanently absent and no longer a family member.
- c. The Housing Authority is required to count all income anticipated to be received from a source outside the family during the twelve (12) month period following admission or annual reexamination effective date.
 - i. The Housing Authority generally will use current circumstances to determine anticipated income for the coming twelve (12) month period.
 - ii. The Housing Authority will use other than current circumstances to anticipate income when an imminent change in circumstances is expected; it is not feasible to anticipate a level of income over a twelve (12) month period (e.g., seasonal or cyclic income); or the Housing Authority believes that past income is the best available indicator of expected future income.

2. Total Tenant Payment

- a. The family's total tenant payment ("TTP") is the highest of the following amounts, rounded to the nearest dollar:
 - i. 30% of the family's monthly adjusted income;
 - ii. 10% of the family's monthly income;
 - iii. If the family is receiving payments for welfare assistance from a public agency and a part of those payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the portion of those payments which is so designated; or

- b. If any applicable utility allowance for tenant-paid utilities exceeds the TTP, the Housing Authority will make utility reimbursements to the family. Utility reimbursements will be issued monthly.

3. **Flat Rent**

- a. Once each year, the Housing Authority must offer families the choice between a flat rent and an income-based rent.
 - i. The family may not be offered this choice more than once a year.
 - ii. The Housing Authority will document that flat rents were offered to families under the methods used to determine flat rents for the Housing Authority.
 - iii. The annual Housing Authority offer to a family of the choice between flat and income-based rent will be conducted upon admission and upon each subsequent annual reexamination.
- b. The Housing Authority will require families to submit their choice of flat or income-based rent in writing and will maintain such requests in the tenant file as part of the admission or annual reexamination process.
- c. A family can opt to switch from flat rent to income-based rent at any time if they are unable to pay the flat rent due to financial hardship.
 - i. The Housing Authority considers payment of flat rent to be a financial hardship whenever the switch to income-based rent would be lower than the flat rent.
 - ii. Upon determination by the Housing Authority that a financial hardship exists, the Housing Authority will allow a family to switch from flat rent to income-based rent effective the first of the month following the family's request.
- d. The Housing Authority will review its flat rent structure annually and adjust the rents as needed. When a resident chooses flat rent, his/her rent shall be adjusted only at the next regular reexamination / recertification rather than at the point the flat rent may change.

4. **Mixed Families**

- a. The Housing Authority will prorate the assistance offered to a mixed family by determining TTP as if all family members were eligible and then prorating the rent based upon the number of family members that are actually eligible. The Housing Authority will use the following process:

- i. Subtract the TTP from the flat rent applicable to the unit. The result is the maximum subsidy for which the family could qualify if all members were eligible.
- ii. Divide the family maximum subsidy by the number of persons in the family to determine the maximum subsidy per each family member who is eligible (member maximum subsidy).
- iii. Multiply the member maximum subsidy by the number of eligible family members.
- iv. Subtract the subsidy calculated in the last step from the flat rent. This is the prorated TTP.
- v. Subtract the utility allowance for the unit from the prorated TTP. This is the prorated rent for the mixed family.
- vi. When the mixed family's TTP is greater than the applicable flat rent, use the TTP as the prorated TTP. The prorated TTP minus the utility allowance is the prorated rent for the mixed family.

XII. LEASING PROCESS

1. Orientation

After unit acceptance but prior to occupancy, a Housing Authority representative will conduct an orientation with the head of household or spouse.

- a. At the orientation, the head of household or spouse will be provided with copies of the Housing Authority's lease, grievance procedure, house rules, schedule of maintenance charges, Notice of Occupancy Rights under the Violence Against Women Act, and No-Smoking Policy. In addition, the head of household or spouse will receive a copy of HUD Form 1141-OIG ("Is Fraud Worth It") and PIH Notice 2010-19 ("What You Should Know About EIV").
- b. Topics to be discussed at the orientation include applicable deposits and other charges, review and explanation of lease provisions, unit maintenance requests and work orders, interim reporting requirements, review and explanation of occupancy forms, community service requirements, family choice of rent, VAWA protections, and no-smoking policy requirements.

2. Lease Execution

The head of household, spouse, and all other adult household members will be required to sign the public housing lease prior to occupation. An appointment will be scheduled for the parties to execute the lease.

- a. The head of household will be provided a copy of the executed lease and the Housing Authority will retain a copy in the resident's file.
- b. Files for households that include a live-in aide will contain documentation signed by the live-in aide indicating that the live-in aide is not a party to the lease and is not entitled to Housing Authority assistance. The live-in aide is only approved to live in the unit while serving as the care attendant for the family member who requires the care.

3. Lease Amendments

The Housing Authority may revise its lease from time to time. The family will have thirty (30) days to accept the revised lease. If the family does not accept the revised lease within that thirty (30) day timeframe, the family's tenancy will be terminated for other good cause.

The lease will be amended to reflect all changes in family composition. If, for any reason, any household member ceases to reside in the unit, the lease will be amended by drawing a line through the person's name. The head of household and Housing Authority will be required to initial and date the change. If a new household member is approved by the Housing Authority to reside in the unit, the person's name and birth date will be added to the lease. The head of

household and Housing Authority will be required to initial and date the change. If the new member of the household is an adult, s/he will also be required to sign and date the lease.

4. **Special Charges Amendments**

When the Housing Authority proposes to modify or revise schedules of special charges or rules and regulations, the Housing Authority will post a copy of the notice in the central office, and will mail a copy of the notice to each resident family. Documentation of proper notice will be included in each resident file.

5. **Security Deposits**

- a. A security deposit shall be made pursuant to the tenant's lease agreement. The amount of the security deposit will not exceed one month's rent (not including the pet deposit) at the time of move-in, and must be paid in full prior to occupancy.
- b. The security deposit is made to the Housing Authority as security that the Tenant will comply with all the terms of the Lease. Security deposits may be refunded as provided in the Lease and in this procedure.
- c. In collecting the security deposit, the Housing Authority will comply with the Rent Security Law (N.J.S.A. 46:8-19 et seq.). This includes investing the security deposit into an insured money market fund established by an investment company based in the State of New Jersey who is registered under the "Investment Company Act of 1940" and whose shares are registered under the "Securities Act of 1933", where the only investments of which fund are instruments maturing in one year or less OR depositing the security deposit in a state or federally chartered bank, savings bank or savings and loan association in the State of New Jersey insured by an agency of the federal government, in an account bearing a variable rate of interest, which will be established at least quarterly, which is similar to the average rate of interest on active interest-bearing money market transaction accounts paid by the bank or association, or equal to similar accounts of an investment company. The Housing Authority must notify, in writing, the Tenant of the placement of the deposit, including the name and address of the entity in which the money has been placed, along with the type of account the security was placed in, the current rate of interest for that account, and the amount of such deposit.
- d. Tenant's deposit will be placed in trust in an interest-bearing account located at a banking institution and account as designated by the Housing Authority. The balance of the interest or earnings will belong to the Tenant and will compound to the Tenant's benefit, or be credited toward the payment of rent due on the renewal or anniversary of the Tenant's Lease.
- e. The total security deposit, including the pet deposit, will not at any time exceed one and one half month's rent. The deposit may be utilized by the Housing Authority toward reimbursement for the cost of damages caused by the Tenant,

members of the Tenant's household or guests, beyond ordinary wear and tear. The Housing Authority may also use the deposit to insure full performance of the other obligations of the Tenant contained in this Lease, including the payment of rent and/or other charges. If this occurs prior to the Lease termination, the Housing Authority may demand that the Tenant replace the amount of the security deposit used by the Housing Authority. The Housing Authority will return the deposit, plus the Tenant's accrued interest, less any deductions made, within 30 days of the termination of this Lease. An itemized list of deductions will be given to the Tenant at the same time.

- f. If the resident transfers to another unit, the Housing Authority 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.

6. **Rent Payments**

- a. Residents must pay monthly rent in the amount determined by the Housing Authority pursuant to HUD regulations.
- b. If a family's rent changes, the Housing Authority 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.
- c. Rent is due and payable at the Housing Authority-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.
- d. If a family fails to pay rent within five business days of the due date, and the Housing Authority has not agreed to accept payment at a later date, a fourteen (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.
 - i. In addition, a late fee of \$25.00 will be charged.
 - ii. 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.

7. **Utility Charges**

When applicable, families will be charged for excess utility usage according to the Housing Authority's current schedule. Notices of excess utility charges will be mailed monthly and will be in accordance with requirements regarding notices of adverse actions.

8. **Maintenance and Damage Charges**

When applicable, families will be charged for maintenance and/or damages according to the Housing Authority'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.

XIII. RE-EXAMINATIONS

1. Annual Reexaminations for Families Paying Income Based Rents

- a. The Housing Authority will streamline the annual reexamination process for family members with fixed sources of income by applying the verified Cost of Living Adjustment (“COLA”) or interest rate to fixed-income sources.
 - i. The Housing Authority will document in the file how the determination that a source of income was fixed was made.
 - ii. If a family member with a fixed source of income is added, the Housing Authority will use third-party verification of all income amounts for that family member.
 - iii. If verification of the COLA or rate of interest is not available, the Housing Authority will obtain thirdparty verification of income amounts.
 - iv. Third-party verification of fixed sources of income will be obtained during the intake process and at least once every three years thereafter.
- b. Generally, the Housing Authority will schedule annual reexaminations to coincide with the family's anniversary date. The Housing Authority will begin the annual reexamination process approximately one hundred twenty (120) days in advance of the scheduled effective date.
 - i. Anniversary date is defined as twelve (12) months from the effective date of the family’s last annual reexamination or, during a family’s first year in the program, from the effective date of the family’s initial examination (admission).
 - ii. If the family transfers to a new unit, the Housing Authority will perform a new annual reexamination, and the anniversary date will be changed.
 - iii. The Housing Authority may also schedule an annual reexamination for completion prior to the anniversary date for administrative purposes.
- c. Families generally are required to participate in an annual reexamination interview, which must be attended by the head of household or spouse.
 - i. If participation in an in-person interview poses a hardship because of a family member’s disability, the family should contact the Housing Authority to request a reasonable accommodation.
- d. Notification of annual reexamination interviews will be sent by first-class mail and will contain the date, time, and location of the interview. In addition, it will

inform the family of the information and documentation that must be brought to the interview.

- i. If the family is unable to attend a scheduled interview, the family should contact the Housing Authority in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend the scheduled interview the Housing Authority will send a second notification with a new interview appointment time.
 - ii. If a family fails to attend two scheduled interviews without Housing Authority approval, the family will be in violation of their lease.
 - iii. An advocate, interpreter, or other assistant may assist the family in the interview process.
- e. The required information for an annual reexamination will include a Housing Authority designated reexamination form, an Authorization for the Release of Information/Privacy Act Notice, as well as supporting documentation related to the family's income, expenses, and family composition.
 - i. Any required documents or information that the family is unable to provide at the time of the interview must be provided within ten (10) business days of the interview.
 - ii. If the family is unable to obtain the information or materials within the required time frame, the family may request an extension.
 - iii. If the family does not provide the required documents or information within the required time frame (plus any extensions), the family will be in violation of their lease.
- f. Unless the family reports a change, or the Housing Authority has reason to believe a change has occurred in information previously reported by the family, certain types of information that are verified at admission typically do not need to be re-verified on an annual basis. These include legal identity, age, social security numbers, disability status, and citizenship or immigration status.
- g. Changes in family or household composition may make it appropriate to consider transferring the family to comply with occupancy standards. The Housing Authority may use the results of the annual reexamination to require the family to move to an appropriate size unit.
- h. Each household member age 18 and over will be required to execute a consent form for a criminal background check as part of the annual reexamination process.

- i. At the annual reexamination, the Housing Authority will ask whether the tenant, or any member of the tenant's household, is subject to a lifetime sex offender registration requirement in any state.
 - i. The Housing Authority will use the Dru Sjodin National Sex Offender database to verify the information provided by the tenant.
- j. For families including nonexempt individuals, the Housing Authority will determine compliance with community service requirements as part of the annual reexamination.
- k. As part of the annual reexamination process, the Housing Authority will make appropriate adjustments in the rent after consultation with the family and upon verification of the information.
 - i. In general, an increase in the tenant rent that results from an annual reexamination will take effect on the family's anniversary date, and the family will be notified at least thirty (30) days in advance. If less than thirty (30) days remain before the scheduled effective date, the increase will take effect on the first of the month following the end of the thirty (30) day notice period.
 1. If the Housing Authority chooses to schedule an annual reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date will be determined by the Housing Authority, but will always allow for the thirty (30) day notice period.
 2. If the family causes a delay in processing the annual reexamination, increases in the tenant rent will be applied retroactively, to the scheduled effective date of the annual reexamination.
 - ii. In general, a decrease in the tenant rent that results from an annual reexamination will take effect on the family's anniversary date.
 1. If the Housing Authority chooses to schedule an annual reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date will be determined by the Housing Authority.
 2. If the family causes a delay in processing the annual reexamination, decreases in the tenant rent will be applied prospectively, from the first day of the month following completion of the reexamination processing.

- iii. Delays in reexamination processing are considered to be caused by the family if the family fails to provide information requested by the Housing Authority by the date specified, and this delay prevents the Housing Authority from completing the reexamination as scheduled.

2. **Reexaminations for Families Paying Flat Rents**

- a. For families paying flat rents, the Housing Authority will conduct a full reexamination of family composition and income at least once every three (3) years.
 - i. In conducting full reexaminations for families paying flat rents, the Housing Authority will follow the policies used for the annual reexamination of families paying income-based rent as set forth above.
- b. In the years between full reexaminations, the Housing Authority will conduct a reexamination of family composition (“annual update”).
 - i. In scheduling the annual update, the Housing Authority will follow the policy used for scheduling the annual reexamination of families paying income-based rent.
 - ii. Generally, the family will not be required to attend an interview for an annual update. However, if the Housing Authority determines that an interview is warranted, the family may be required to attend.
 - iii. Notification of the annual update will be sent by first-class mail and will inform the family of the information and documentation that must be provided to the Housing Authority. The family will have ten (10) business days to submit the required information to the Housing Authority. If the family is unable to obtain the information or documents within the required time frame, the family may request an extension. The Housing Authority will accept required documentation by mail, by fax, or in person.
 - iv. If the family’s submission is incomplete, or the family does not submit the information in the required time frame, the Housing Authority will send a second written notice to the family. The family will have ten (10) business days from the date of the second notice to provide the missing information or documentation to the Housing Authority.
 - v. If the family does not provide the required documents or information within the required time frame (plus any extensions), the family will be in violation of their lease.
- c. Changes in family or household composition may make it appropriate to consider transferring the family to comply with occupancy standards. The Housing

Authority may use the results of the annual update to require the family to move to an appropriate size unit.

- d. Each household member age eighteen (18) and over will be required to execute a consent form for criminal background check as part of the annual update process.
- e. For families including nonexempt individuals, the Housing Authority will determine compliance with community service requirements as part of the annual update process.

3. **Interim Reexaminations**

- a. All families must report any changes in family and household composition that occur between annual reexaminations (or annual updates). The Housing Authority will conduct interim reexaminations to account for any changes in household composition that occur between annual reexaminations.
- b. The addition of a family member as a result of birth, adoption, or court-awarded custody does not require Housing Authority approval. The family must inform the Housing Authority of the birth, adoption, or court-awarded custody of a child within ten (10) business days.
- c. Families must request Housing Authority 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 thirty (30) consecutive days or a total of thirty (30) cumulative calendar days during any twelve (12) month period and therefore no longer qualifies as a “guest.” Requests must be made in writing and approved by the Housing Authority prior to the individual moving into the unit.
 - i. 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, the Housing Authority 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 Housing Authority. Exceptions will be made on a case-by-case basis.
 - ii. The Housing Authority will not approve the addition of a new family or household member unless the individual meets the Housing Authority’s eligibility criteria and documentation requirements.
 - 1. If the Housing Authority determines that an individual does not meet the eligibility criteria or documentation requirements, the Housing Authority 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.

2. The Housing Authority will make its determination within ten (10) business days of receiving all information required to verify the individual's eligibility.
- d. If a family member ceases to reside in the unit, the family must inform the Housing Authority within ten (10) business days. This requirement also applies to family members who had been considered temporarily absent, who are now permanently absent. If a live-in aide, foster child, or foster adult ceases to reside in the unit, the family must inform the Housing Authority within ten (10) business days.
 - e. The Housing Authority will conduct interim reexaminations in each of the following instances:
 - i. If the family has reported a change in income and does not qualify for the Earned Income Disallowance (EID).
 - ii. For families receiving the Earned Income Disallowance (EID), the Housing Authority will conduct an interim reexamination at the start, to adjust the exclusion with any changes in income, and at the conclusion of the twenty four (24) month eligibility period.
 - iii. For families receiving the Earned Income Disallowance (EID), the Housing Authority will conduct an interim reexamination if a family member who does not qualify for the EID has reported a change in income.
 - iv. If the family has reported zero income, the Housing Authority will conduct an interim reexamination every three (3) months as long as the family continues to report that they have no income.
 - v. If at the time of the annual reexamination, it is not feasible to anticipate a level of income for the next twelve (12) months (e.g. seasonal or cyclic income), the Housing Authority will schedule an interim reexamination to coincide with the end of the period for which it is feasible to project income.
 - vi. 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 Housing Authority will conduct an interim reexamination.
 - vii. The Housing Authority 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.

- f. Families are required to report all changes in income, including new employment, within ten (10) business days of the date the change takes effect.
- g. 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 Housing Authority will note the information in the tenant file, but will not conduct an interim reexamination.
- h. 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 Housing Authority will conduct an interim reexamination.
- i. Generally, the family will not be required to attend an interview for an interim reexamination. However, if the Housing Authority determines that an interview is warranted, the family may be required to attend.
 - i. Based on the type of change reported, the Housing Authority will determine the documentation the family will be required to submit.
 - ii. The family must submit any required information or documents within ten (10) business days of receiving a request from the Housing Authority. This time frame may be extended for good cause with Housing Authority approval.
 - iii. The Housing Authority will accept required documentation by mail, by fax, or in person.
- j. If the tenant rent is to increase based on the results of an interim reexamination, the increase generally will be effective on the first of the month following thirty (30) days' notice to the family.
 - i. If a family fails to report a change within the required time frames, or fails to provide all required information within the required time frames, the increase will be applied retroactively, to the date it would have been effective had the information been provided on a timely basis.
- k. If the tenant rent is to decrease based on the results of an interim reexamination, the decrease will be effective on the first day of the month following the month in which the change was reported. In cases where the change cannot be verified until after the date the change would have become effective, the change will be made retroactively.

4. **Recalculating Tenant Rent**

- a. For those families paying income-based rent, the Housing Authority will recalculate the rent amount based on the income information received during the reexamination process and notify the family of the changes.

- b. Unless the Housing Authority is required to revise utility allowances retroactively, revised utility allowances will be applied to a family's rent calculations at the first annual reexamination after the allowance is adopted.
- c. When the Housing Authority redetermines the amount of rent payable by the tenant, or determines that the tenant must transfer to another unit based on family composition, the Housing Authority will notify the tenant that the tenant may ask for an explanation stating the specific grounds of the determination, and that if the tenant does not agree with the determination, the tenant shall have the right to request a hearing under the Housing Authority's grievance procedure. The notice to the family will include the annual and adjusted income amounts that were used to calculate the tenant rent.
- d. During an annual or interim reexamination, the Housing Authority may discover that information previously reported by the family was in error, or that the family intentionally misrepresented information. In addition, the Housing Authority may discover errors made by the Housing Authority. When errors resulting in the overpayment or underpayment of rent are discovered, corrections will be made in accordance with HUD requirements.

5. **Community Service Requirements**

- a. Each adult public housing resident who is not exempt must contribute eight (8) hours each month in community service, economic self-sufficiency, or combined activities. The required community service or self-sufficiency activity may be completed eight (8) hours each month or may aggregate across a year. Any blocking of hours is acceptable as long as ninety six (96) hours is completed by each annual certification of compliance.
- b. An adult is exempt if from community service requirements if they are:
 - i. Sixty-two (62) years of age or older;
 - ii. Unable to participate due to blindness or disability;
 - iii. Serve as the primary caretaker to an individual who is blind or disabled;
 - iv. Engaged in work activities for thirty (30) hours per week;
 - v. Meet the requirements for being exempted from having to engage in a work activity under a State program funded under part A of title IV of the Social Security or under any other welfare program of the State of New Jersey, including a State-administered welfare-to-work program; or
 - vi. Are a member of a family receiving assistance, benefits or services under a State program funded under part A of title IV of the Social Security Act or under any other welfare program of the State of New Jersey, including a

State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such a program.

- c. Community service is the performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self responsibility in the community. Community service is not employment and may not include political activities.
 - i. Community services at profit-motivated entities, volunteer work performed at homes or offices of general private citizens, and court-ordered or probation-based work will not be considered eligible community service activities.
- d. An economic self-sufficiency program is any program designed to encourage, assist, train, or facilitate economic independence of assisted families or to provide work for such families. Eligible self-sufficiency activities include:
 - i. Job readiness or job training
 - ii. Training programs through local one-stop career centers, workforce investment boards (local entities administered through the U.S. Department of Labor), or other training providers
 - iii. Employment counseling, work placement, or basic skills training
 - iv. Education, including higher education (junior college or college), GED classes, or reading, financial, or computer literacy classes
 - v. Apprenticeships (formal or informal)
 - vi. English proficiency or English as a second language classes
 - vii. Budgeting and credit counseling
 - viii. Any other program necessary to ready a participant to work (such as substance abuse or mental health counseling)
- e. The Housing Authority will give each family a written description of the community service requirement, the process for claiming status as an exempt person, and the process for Housing Authority verification of exempt status. The Housing Authority will also notify the family of its determination identifying the family members who are subject to the service requirement, and the family members who are exempt. In addition, the family must sign a certification that they have received and read the community service requirement and understand that if they are not exempt, failure to comply with the requirement will result in

nonrenewal of their lease. The family must also sign a certification at annual reexamination, certifying that they understand the requirement.

- f. At least sixty (60) days prior to lease renewal, the Housing Authority will review and verify the exemption status of all adult family members. This verification will only be done on an annual basis unless the family reports a change or the Housing Authority has reason to believe that an individual's exemption status has changed. For individuals who are exempt because they are sixty two (62) years of age and older, verification of exemption status will be done only at the initial examination. Upon completion of the verification process, the Housing Authority will notify the family of its determination.
- g. Approximately sixty (60) days prior to the end of the lease term, the Housing Authority will provide written notice requiring the family to submit documentation that all subject family members have complied with the service requirement. The family will have ten (10) business days to submit the required documentation.
 - i. If the family fails to submit the required documentation within the required timeframe, or Housing Authority approved extension, the subject family members will be considered noncompliant with community service requirements, and notices of noncompliance will be issued.
- h. If an exempt individual becomes nonexempt during the twelve (12) month lease term, it is the family's responsibility to report this change to the Housing Authority within ten (10) business days.
 - i. Within ten (10) business days of a family reporting such a change, or the Housing Authority determining such a change is necessary, the Housing Authority will provide written notice of the effective date of the requirement and a form on which the family member may record the activities performed and number of hours contributed.
 - ii. The effective date of the community service requirement will be the first of the month following thirty (30) day notice.
 - iii. When an adult family member becomes subject to community service, he or she must perform eight (8) hours of community service for the months he or she is subject to the requirement before the end of the lease term (anniversary date).
- i. If a nonexempt person becomes exempt during the twelve (12) month lease term, it is the family's responsibility to report this change to the Housing Authority within ten (10) business days. Any claim of exemption will be verified by the Housing Authority.

- i. Within ten (10) business days of a family reporting such a change, or the Housing Authority determining such a change is necessary, the Housing Authority will provide the family written notice that the family member is no longer subject to the community service requirement, if the Housing Authority is able to verify the exemption.
 - ii. The exemption will be effective immediately.
 - j. 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.
 - i. Families will be required to submit the documentation to the Housing Authority, upon request by the Housing Authority, at least annually.
 - ii. If the Housing Authority has reasonable cause to believe that the certification provided by the family is false or fraudulent, the Housing Authority has the right to require additional third-party verification.
 - k. If the Housing Authority finds a tenant is noncompliant with community service requirements, it must provide written notification to the tenant which includes:
 - i. A brief description of the finding of non-compliance.
 - ii. A statement that the Housing Authority will not renew the lease at the end of the current twelve (12) month lease term unless the tenant enters into a written work-out agreement with the Housing Authority or the family provides written assurance that is satisfactory to the Housing Authority 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.
 - iii. A statement that the tenant may request a grievance hearing on the Housing Authority's determination, in accordance with the Housing Authority's Grievance Procedure, and that the tenant may exercise any available judicial remedy to seek timely redress for the Housing Authority's nonrenewal of the lease because of the Housing Authority's determination.
 - l. The notice of noncompliance will be sent at least forty five (45) days prior to the end of the lease term. The family will have ten (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 twelve (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.

- i. 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 Housing Authority 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.
- ii. 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 ten (10) business day timeframe, the Housing Authority will terminate tenancy.

6. **Over-Income Limits**

- a. The Housing Authority will comply with HUD's limitations on tenancy for over-income families.
- b. The Housing Authority will document any instance where a family's income for a year is determined to exceed the applicable income limitation as defined by HUD.
- c. If, one year after this initial determination, the family's income continues to exceed HUD's income limitation, the Housing Authority will provide written notification to the family that their income has exceeded the over-income limit for one year, and that if the family's income continues to exceed the over-income limit for the next twelve (12) consecutive months, the family will be subject to either a higher rent or termination of tenancy.
- d. If, one year after the written notification, the family's income continues to exceed HUD's income limitation, the Housing Authority will: (a) charge such family the applicable fair market rental for a dwelling unit in the same market area of the same size or the amount of the monthly subsidy provided for the dwelling unit (which shall include any amounts from the Operating Fund and Capital Fund used for the unit), whichever is greater; or (2) to the extent permitted by State law, terminate the tenancy of such family.
- e. If, however, the Housing Authority discovers through an annual or interim reexamination that a previously over-income family has income that is now below the over-income limit, the family is no longer subject to these provisions. The family is entitled to a new two (2) year grace period if the family's income once again exceeds the over-income limit.

XIV. INSPECTIONS

1. Types of Inspections

- a. **Move-In Inspections:** the lease requires the Housing Authority and the family to inspect the dwelling unit prior to occupancy in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the Housing Authority and the tenant, must be provided to the tenant and retained in the resident file. Any adult family member may attend the initial inspection and sign the inspection form for the head of household.
- b. **Move-Out Inspections:** unless the tenant vacates without notice, the Housing Authority must inspect the unit at the time the resident vacates and must allow the resident to participate in the inspection if he or she wishes. The Housing Authority must provide to the tenant a statement of any charges to be made for maintenance and damage beyond normal wear and tear. The difference between the condition of the unit at move-in and move-out establishes the basis for any charges against the security deposit so long as the work needed exceeds that for normal wear and tear. When applicable, the Housing Authority will provide the tenant with a statement of charges within ten (10) business days of conducting the move-out inspection.
- c. **Annual Inspections:** the Housing Authority will inspect all occupied units annually using HUD's Uniform Physical Condition Standards (UPCS).
- d. **Special Inspections:** the Housing Authority may conduct a special inspection for any of the following reasons: housekeeping; unit condition; suspected lease violation; preventative maintenance; routine maintenance; pest control; or reasonable cause to believe an emergency exists.

2. Notice

For emergency inspections and resident-requested repairs, the Housing Authority will not provide advance written notice. If no adult household member is present at the time of an emergency entry, the Housing Authority will leave a written statement showing the date, time and purpose of the entry prior to leaving the dwelling unit.

For annual inspections, the Housing Authority will provide ten business days written notice to allow the resident to prepare their unit for inspection. For other non-emergency inspections, the Housing Authority will provide forty eight (48) hours written notice.

3. Scheduling of Inspections

Inspections will be conducted during business hours. If a family needs to reschedule an inspection, they must notify the Housing Authority at least twenty four (24) hours prior to the

scheduled inspection. The Housing Authority will reschedule the inspection no more than once unless the resident has a verifiable good cause to delay the inspection.

4. Attendance of Inspections

Except for the move-inspection, which is mandatory, residents may choose to attend or not attend any given inspection. If no one is home, the inspector will enter the unit, conduct the inspection and leave a copy of the inspection report in the unit.

5. Repairs

Residents must allow the Housing Authority access to their unit to make all required repairs.

When conditions in the unit are hazardous to life, health, or safety, the Housing Authority will make repairs or otherwise abate the situation within twenty-four (24) hours.

For all other conditions, the Housing Authority will make repairs or otherwise abate the situation within ten (10) business days of the inspection date. If the Housing Authority is unable to do so due to circumstances beyond its control (e.g. required parts or services are not available, weather conditions, etc.), the Housing Authority will notify the family of an estimated date of completion.

6. Resident-Caused Damages

Damages to the unit beyond wear and tear will be billed to the tenant. Repeated or excessive damages to the unit beyond normal wear and tear will be considered a serious or repeated violation of the lease. The Housing Authority may take lease enforcement action against the family.

7. 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 Housing Authority will provide proper notice of a lease violation. A reinspection will be conducted to confirm that the resident has complied 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.

Notices of lease violation will also be issued to residents who purposely disengage the unit's smoke detector. Only one warning will be given. A second incident will result in lease termination.

XV. HOUSE RULES

Residents must abide by the Housing Authority's House Rules. The House Rules are attached to the Tenant Lease and are incorporated into the Lease. The House Rules also constitute rules and regulations of the Housing Authority, which must be followed. Tenants may be evicted for failing to abide by the House Rules.

XVI. PET RULES

Residents must abide by the Housing Authority's Pet Rules. The Pet Rules are attached to the Tenant Lease and are incorporated into the Lease. The Pet Rules also constitute rules and regulations of the Housing Authority, which must be followed. Tenants may be evicted for failing to abide by the Pet Rules.

XVII. NO SMOKING POLICY

Residents must abide by the Housing Authority's No-Smoking Policy. The No-Smoking Policy is attached to the Tenant Lease and is incorporated into the Lease. The No-Smoking Policy also constitutes rules and regulations of the Housing Authority, which must be followed. Tenants may be evicted for failing to abide by the No-Smoking Policy.

XVIII. VIOLENCE AGAINST WOMEN ACT

The Violence Against Women Act (“VAWA”) protects applicants and residents who have been victimized by domestic violence, dating violence, sexual assault, and/or stalking, regardless of sex, gender identity, or sexual orientation.

The Housing Authority shall provide each of its applicants and residents with a Notice of Occupancy Rights under VAWA and a certification form to be completed by the victim to document an incident of domestic violence, dating violence, sexual assault or stalking.

Victims of domestic violence, dating violence, sexual assault or stalking may be required to provide documentation of victim status. Victims of domestic violence may optionally certify their victim status (utilizing HUD form 5382), which includes naming their abusers, if known, to qualify for these protections.

Current residents who are victims of domestic violence, dating violence, sexual assault or stalking may request an emergency transfer to another unit. The Housing Authority has an Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking. Victims may fill out the Emergency Transfer Request form for the Housing Authority when making the request for the transfer (utilizing HUD form-5383).

XIX. TRANSFERS

1. Transfer Requests

All requests to transfer from one dwelling unit to another must be in writing, on the form prescribed by the Housing Authority, and must stipulate the basis for making the request. Requests to transfer will be considered in the order in which they are received. Transfers will take precedence over waiting list admissions.

Transfers shall be approved or denied by the Executive Director or his/her designee. For all approved transfers, a transfer agreement must be executed by the resident. All expenses associated with transferring apartments will be the tenant's responsibility, except as indicated in Section 2 below. When a resident transfers to a new unit, the Housing Authority will also transfer their security deposit to the new unit. The resident will be billed for any maintenance or other charges due for the "old" unit.

2. Types of Transfers

- a. **Emergency Transfer:** this type of transfer may be granted if maintenance conditions in the resident's dwelling unit pose an immediate threat to health and/or safety or if the resident is a victim of domestic violence, dating violence, sexual assault or stalking and qualifies for protection under the Emergency Transfer Plan.
 - i. If a transfer is necessary because of maintenance conditions and an appropriate unit is not immediately available, the Housing Authority will arrange for temporary lodging at a hotel or similar location.
 - ii. If the conditions that required the transfer cannot be repaired, or the condition cannot be repaired in a reasonable amount of time, the Housing Authority will transfer the resident to the first available and appropriate unit after the temporary relocation.
 - iii. Emergency transfers that arise due to maintenance conditions are mandatory for the resident.
 - iv. To the extent allowable by HUD, the Housing Authority will cover all reasonable transfer expenses incurred due to maintenance conditions.
- b. **Health-Based Transfers:** this type of transfer may be granted to alleviate serious or life-threatening verified medical problems, to accommodate verified disabilities, or when a resident faces a verified threat of physical harm or criminal activity.
 - i. Residents may be required to provide documentation establishing the basis for the transfer.

- ii. Transfers for reasons of health are optional for the resident.
 - iii. To the extent allowable by HUD, the Housing Authority will cover all reasonable transfer expenses incurred for a reasonable accommodation.
- c. **Housing Authority Initiated Transfers:** this type of transfer may be required in order to make an accessible unit available for a disabled individual or to enable demolition, disposition, revitalization or rehabilitation of the dwelling unit or other reasons permitted by law.
- i. Housing Authority initiated transfers are mandatory for the resident.
 - ii. To the extent allowable by HUD, the Housing Authority will cover all reasonable transfer expenses incurred due to a Housing Authority initiated transfer.
- d. **Occupancy Standards Based Transfers:** this type of transfer may be initiated by the Housing Authority or requested by the resident when the resident's family size has changed and is now too large (over-crowded) or too small (over-housed) for the unit occupied.
- i. Determination of the correct sized apartment shall be in accordance with the Housing Authority's occupancy guidelines.
 - ii. The Housing Authority may elect not to transfer an over-housed family in order to prevent vacancies.
 - iii. The resident may be required to pay for transfer expenses.
- e. **Convenience Transfers:** this type of transfer may be requested if the tenant is in good standing with the Housing Authority and does not have a pattern of late payments or a history of housekeeping violations or property damage.
- i. Convenience transfers are at the discretion of the Housing Authority.
 - ii. The resident will be required to pay for transfer expenses.

3. Prioritization of Transfers

Transfers will be prioritized in the following order: (1) emergency transfers; (2) health-based transfers; (3) Housing Authority initiated transfers; (4) transfers for residents over-crowded by two or more bedrooms; (5) transfers for residents over-housed by two or more bedrooms; (6) transfers for residents who are over-crowded by one bedroom; (7) transfers for residents who are over-housed by one bedroom; and (8) convenience transfers.

Within each priority type, transfers will be ranked by the date that the basis for the request is verified by the Housing Authority. The Housing Authority reserves the right to immediately transfer any resident who has misrepresented family circumstances or composition, and the resident will be charged for the expenses associated with convenience transfers.

4. **Splitting Up Households**

If a family determines to split and/or live separately, such as in the case of a divorce, children becoming adults, or family members otherwise desiring to live on their own unit, the situation shall not be treated as a transfer unless the family would be over-crowded in the largest bedroom size unit existing in the project. If the family would be over-crowded in even the largest bedroom size unit existing at the Housing Authority, then the adult household member seeking removal from the household will be treated as a transfer due to an existing violation of the ACOP and potential violation of the local housing, fire, and health codes.

Otherwise, the family member desiring to live in his/her own Housing Authority unit must submit an application for housing, if the waiting list is open. Upon approval of the application, the tenant/applicant will be added to the waiting list. The tenant/applicant will be offered a unit when one becomes available, based on his/her placement on the waiting list. If the family is not over-crowded as per the largest bedroom size unit existing at the Housing Authority, and the waiting list is not open, then the family member can either stay in their current unit or move out of the Housing Authority and into non-Housing Authority housing.

5. **Transfer Procedures**

- a. Residents will receive one offer of a transfer. When the transfer is required by the Housing Authority, the refusal of that offer without good cause will result in lease termination. When the transfer has been requested by the resident, the refusal of that offer without good cause will result in the removal of the family from the transfer list. In such cases, the family must wait six months to reapply for another transfer.
- b. Good cause for unit refusals must be supported by appropriate documentation and demonstrated to the satisfaction of the Housing Authority. Examples of good cause for refusal of a unit offer include, but are not limited to, the following:
 - i. Accepting the unit offer will require an adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities.
 - ii. Accepting the offer will place a family member's life, health, or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders, other court orders, risk assessments related to witness protection from a law enforcement agency, or documentation of domestic violence, dating violence, or stalking. Reasons offered must be

specific to the family. Refusals due to location alone do not qualify for this good cause exemption.

- iii. A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on final application) or live-in aide necessary to the care of the principal household member.
 - iv. The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move.
 - v. The unit has lead-based paint and the family includes children under the age of six.
- c. When a family transfers to another dwelling unit, the existing lease will be cancelled and a new lease will be executed for the new unit.
 - d. The reexamination date will be changed to the first of the month in which the transfer took place.

6. **Rights**

The provisions listed above are to be used as a guide to ensure fair and impartial means of assigning units for transfers. It is not intended that this policy shall create a property right or any other type of right for a tenant to transfer or refuse transfer.

XX. GRIEVANCE PROCEDURE

Resident complaints and requests for hearings will be handled in accordance with the Housing Authority's Grievance Procedure, which is attached to the dwelling lease.

XXI. LEASE TERMINATION AND EVICTIONS

All Lease terminations and evictions will be processed in accordance with the Housing Authority's current Dwelling Lease and Grievance Procedure.

The dwelling lease may not cover every specific situation that warrants a lease termination; therefore, for good cause the Housing Authority may terminate a lease for reasons that are not specifically listed in the dwelling lease.

XXII. CLOSING AND PURGING FILES

The Housing Authority shall purge inactive files in accordance with the State of New Jersey Records Retention Schedule for Municipal Housing and Development.

XXIII. ADDITIONAL POLICIES AND CHARGES

Additional policies and charges are attached to the end of this document and are incorporated as if fully set out herein. These policies and charges may be changed or amended from time to time, and such changes or amendments shall be substituted in this document to keep this policy current.