



CITY OF TUCSON
HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT
ADMINISTRATION DIVISION

SUMMARY OF CHANGES
PUBLIC HOUSING PROGRAM
ADMISSIONS AND CONTINUED OCCUPANCY POLICY
FISCAL YEAR 2016
July 1, 2015

Incentive at Move Out

The agency will offer a \$25 incentive, added as a credit to the client's account, for those families who are voluntarily leaving the program. The incentive will apply when a family returns the unit keys to management between the 2nd and the 5th of the month. The source used for this incentive will consist of de-federalized funds. This incentive does not apply to families who are under termination or non-renewal of the lease based on non-compliance of program rules.

Repayment Agreements

Repayment agreements will not be considered late unless the payment is received after the 5th of the month at 5:00 p.m.

The debt must be at least \$100 in order to enter a repayment agreement.

Repayment agreement amounts between \$100 and \$500 must be paid within six (6) months.

Once a Repayment Agreement is complete, the family may not enter into another for a period of six (6) months.

The Agency will require documentation of a "good cause" for entering into an agreement.

- Death of immediate family member, i.e., mother, father, son, daughter, husband, wife, sibling, grandparent, grandchild or household member.
- A knowledgeable medical professional verifies a temporary hospitalization or recovery from an illness of a household member leading to a loss of income.
- Repairs needed to a vehicle which is used for a household member to retain or seek employment.



- Loss of benefits (i.e. Social Security, SSI, VA, etc.) with the exception of State Welfare benefits due to fraud or non-compliance with self-sufficiency requirements.
- Lack of a repayment agreement for a security deposit would prevent the family from obtaining housing assistance.
- Maintenance damages
 - Insurance: Resident acknowledges that the PHA insurance does not cover personal property damage caused by fire, theft, rain, acts of God, acts of others, and/or any other causes, nor shall the PHA be liable for such losses. The Resident is hereby advised to obtain their own insurance policy to cover and personal losses.
 - Furthermore, it is recommended that you purchase personal liability insurance to cover losses sustained by the PHA caused by you or any member of your household, guest or invitee caused damages to the premise. It's advisable to indemnify and reimburse the PHA for the amount of damages.
- Other exceptional need as approved by the Administrator of the PHA by written request.

Annual Reexaminations

The PHA will allow for optional streamlined annual examinations for elderly/disabled families on fixed income in accordance with the temporary compliance provisions issued in PIH Notice 2013-03. This will not apply to families that live in units with Low Income Housing Tax Credits, HOME, or HTF. Third party is a compliance requirement of these funding sources.

Clarification of Income Limits for Eligibility

PHA Policy:

Regulatory compliance requires agencies to use the very low income limits (50% AMI) when admitting applicants to projects that reach DOFA on or after October 1, 1981. These income limits only apply at admission.

Waiting List Preferences

Expansion of definition for Displaced By Government Action preference to include condemning of an existing residence by any regulatory agency for building code enforcement.



Transfers

When a family is required to transfer to another public housing unit due to a change in composition that necessitates a larger or smaller unit, the following will apply:

- The family will be added to all wait lists that have the needed unit size in the portfolio.
- The family will be offered a unit once they reach the top of a waiting list. If the unit is refused, the family will remain on the waiting list. The family will then be offered the next available unit which may be from the same waiting list or a different one. This will continue to occur so that the family receives three offers. If all are declined, the family will be considered ineligible for further assistance and will be required to move out of the program.
- Families that are currently on the waiting lists for transfers will not be exempt from the new policy. The records will be updated to add the family to all waiting lists in the program with the appropriate bedroom size. The offers will begin when the family reaches the top of a list.

The time frame for families to transfer from one unit to another is changing from fifteen (15) days to one day per every 300 square feet of the current unit or a portion of.

Example: A one bedroom apartment with 650 square feet would be afforded three days. A single family home with 1,800 square feet would be afforded six days.

Tucson House Studio Incentive

Language will clarify that new residents housed in studios from the targeted homeless program are eligible for the incentive and may request to transfer to a one bedroom unit after two years if rent is paid on time and there are no lease violations.

Flat Rent Determinations

PIH Notice 2014-12 specifies that after the PHA determined flat rent amounts using HUD's rent reasonableness methodology, the PHA must then compare this amount to 80 percent of the FMR and must set the flat rent at no less than 80 percent of the FMR, subject to utility adjustments. PHA's are now required to apply a utility allowance to flat rents. Flat rents set at 80 percent of the FMR must be reduced by the amount of the unit's utility allowance, if any.

Income Exclusions

Update exclusions from annual income contained in 24 CFR 5.60(c) and updated FR Notice dated 5/20/14.



Update in Income Targeting Requirement

HUD requires that extremely low-income (ELI) families make up at least 40% of the families admitted to public housing during the PHA's fiscal year. The Federal Register notice from 6/25/14 defines ELI families whose annual income is at or below the federal poverty level or 30% of the area median income, whichever is higher. The PHA may skip non-ELI families on the waiting list in order to select an ELI family.

Update to Definition of "Family" in eligibility, selection and admission policies to include regulatory changes in relation to HUD's Equal Access Rule.

The term "family" includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status. Sexual orientation is defined as homosexuality, heterosexuality or bisexuality. Gender identity is defined as actual or perceived gender-related characteristics.

The eligibility, selection and admissions policies will be revised to reflect the requirement to provide equal access regardless of sexual orientation, gender identity or marital status.

Update VAWA references throughout the policy to include "sexual assault"

Remove the Immediate Family Member definition and add the Affiliated Individual definition

Update to Service Animal and Assistance Animal Definitions and Verification of Need

Notice FHEO 2013-01 was published on April 25, 2013. This notice explains the difference between service animals and assistance animals. While the ADA applies to the premises of public housing agencies and to "public accommodations", it does not apply to private market rental housing. Therefore, in public housing, the PHA must evaluate a request for a service animal under both the ADA and the Fair Housing Act/Section 504. Service animals are limited to trained dogs. Assistance animals perform many disability-related functions, but are not formally trained. Neither service animals nor assistance animals are pets, and are not subject to the PHA's pet policies.

Clarification of how payments will be applied to charges owed

The PHA will apply payments to charges in the following order: repayment agreements, maintenance charges/damages, NSF fees, late fees, legal fees, HOA violation fines, misc. tenant income, tenant screening, then rent.



Clarification of Waiting List Preferences

Three preferences are afforded to applicants on the waiting list. They include Residency, Working, and Displaced by Government Action. These are selected by the applicants and are verified once the family reaches the top of the wait list and the eligibility begins.

The homeless preference is only available to referral-based applicants on in accordance with PIH Notice 2013-15. These are administratively applied to the waiting list record.

Four preferences regarding transfers are available for residents who are already receiving assistance. These are administratively applied to the waiting list record.

Streamlining Administrative Regulations

The Federal Register dated January 6, 2015, HUD published a Notice for comment on streamlining administrative regulations. The agency has included language in the plan to implement the following should a final rule be published and it is advantageous to do so:

- Authorize applicant households to become program participants even if a child under the age of 6 years is added to the household within the 6-month period prior to the household's date of admission and that child has not yet been issued an SSN.
- Implement reimbursements of utility reimbursement checks quarterly for families whose reimbursement is less than \$20 per quarter.
- Limit EID to 24 consecutive months from the date the participant qualified for the EID.
- Mixed families: use the flat rent instead of the maximum rent when calculating pro-rated rents; use the TTP when it exceeds the flat rent.
- Allow for self-certification of compliance with the community service requirement. The agency will implement periodic quality assurance reviews to test for fraudulent certifications.
- Implement expedited grievance procedures and streamlined informal settlements.

