

**ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents**

Chapter 1

OVERVIEW OF THE PROGRAM AND PLAN

INTRODUCTION / ORGANIZATION AND STRUCTURE OF THE NBHA.....1.1

PART 1: THE NBHA

1.A. ORGANIZATION & STRUCTURE OF THE NBHA 1.1
1.B NBHA MISSION STATEMENT1-1
1.C NBHA’S COMMITMENT TO ETHICS AND SERVICES..... 1.2

PART II: PUBLIC HOUSING PROGRAM

11.A OVERVIEW & HISTORY OF THE PROGRAM..... 1-2
11.B PUBLIC HOUSING PROGRAM BASICS 1-3
11.C PUBLIC HOUSING PARTNERSHIPS 1-3
 PUBLIC HOUSING RELATIONSHIPS 1-4
 WHAT DOES HUD DO / WHAT DOES THE NBHA DO..... 1-5
 WHAT DOES THE TENANT DO 1.6
11.D APPLICABLE REGULATIONS 1-6

PART III: THE ADMISSIONS & CONTINUED OCCUPANCY POLICIES

111.A OVERVIEW & PURPOSE OF THE POLICY 1.7
111.B CONTENT OF THE POLICY 1.7
111.C UPDATING & REVISING THE POLICY 1.8

Chapter 2

FAIR HOUSING AND EQUAL OPPORTUNITY

PART 1: NONDISCRIMINATION

2.1 A. OVERVIEW 2-1
2.1 B. NON-DISCRIMINATION 2-1
 Discrimination Complaints 2-2

**ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents**

PART II: POLICIES RELATED TO PERSONS WITH DISABILITIES

2.II.A	OVERVIEW	2-3
2.II.B	DEFINITION OF REASONABLE ACCOMMODATION	2-3
	Types of Reasonable Accommodations	2-3
2.II.C	REQUEST FOR AN ACCOMMODATION	2-4
2.II.D	VERIFICATION OF DISABILITY	2-4
2.II.E	APPROVAL/DENIAL OF REQUESTED ACCOMMODATION	2-5
2.II.F	PROGRAM ACCESSIBILITY FOR PERSONS WITH HEARING OR VISION IMPAIRMENTS	2-6
2.II.G	PHYSICAL ACCESSIBILITY	2-7
2.II.H	DENIAL OR TERMINATION OF ASSISTANCE	2.7

**PART III: IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED
ENGLISH PROFICIENCY (LEP)**

2.III.A	OVERVIEW	2-7
2.III B	ORAL TRANSLATION	2-8
2.III.C	WRITTEN TRANSLATION	2-8
2.III.D	IMPLEMENTATION PLAN	2-8

**EXHIBIT 2-1: DEFINITION OF A PERSON WITH A DISABILITY UNDER FEDERAL
CIVIL RIGHTS LAWS** 2.9

Chapter 3

ELIGIBILITY

INTRODUCTION	3-1	
<u>PART 1: DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS</u>	3-1	
3.I.A	OVERVIEW	3-1
3.I.B	FAMILY & HOUSEHOLD	3-1
	Family	3-1
	Household	3-2

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

3.I.C FAMILY BREAK-UP & REMAINING MEMBER OF TENANT FAMILY 3-2
 Family break-up 3-2
 Remaining Member of a Tenant Family 3-2

3.I.D. HEAD OF HOUSEHOLD 3-3

3.I.E SPOUSE, COHEAD AND OTHER ADULT 3-3

3.I.F DEPENDENT 3-3

3.I.G FULL-TIME STUDENT 3-4

3.I.H ELDERLY & NEAR-ELDERLY PERSONS, & ELDERLY FAMILY 3-4
 Elderly Persons
 Near-Elderly Persons
 Elderly Family

3.I.I PERSONS WITH DISABILITIES & DISABLED FAMILY 3-4
 Persons with Disabilities
 Disabled Family

3.I.J GUESTS 3-5

3.I.K FOSTER CHILDREN & FOSTER ADULTS 3-5

3.I.L ABSENT FAMILY MEMBERS 3-6
 Definitions of Temporarily & Permanently Absent
 Absent Students
 Absences Due to Placement in Foster Care
 Absent Head, Spouse or Cohead
 Individuals Confined for Medical Reasons
 Return of Permanently Absent Family Members 3-6

3.I.M LIVE-IN-AIDES 3-7

PART II: BASIC ELIGIBILITY CRITERIA:

3.II.A INCOME ELIGIBILITY & TARGETING 3-8
 Income Limits
 Types of Low-Income Families
 Using Income Limits for Eligibility
 Using Income Limits for Targeting

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

3.II.B CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS 3-9
 Declaration
 U.S. Citizens and Nationals
 Eligible Noncitizens
 Ineligible Noncitizens 3-10
 Mixed Families
 Ineligible Families
 Timeframe for Determination of Citizenship Status 3-10

3.II.C SOCIAL SECURITY NUMBERS 3-11

3.II.D FAMILY CONSENT TO RELEASE OF INFORMATION 3-11

PART III: DENIAL OF ADMISSIONS:

3.III.A OVERVIEW 3-12

3.III.B REQUIRED DENIAL OF ADMISSION 3-12

3.III.C OTHER PERMITTED REASONS FOR DENIAL OF ADMISSION 3-13
 Criminal Activity
 Previous Behavior 3-14

3.III.D SCREENING 3-15
 Screening for Eligibility
 Obtaining Information from Drug Treatment Facilities
 Drug Abuse Treatment Facility
 Screening for Suitability as a Tenant 3-17
 Resources Used to check Applicant Suitability 3-17

3.III.E CRITERIA FOR DECIDING TO DENY ADMISSION 3-18
 Evidence
 Consideration of Circumstances
 Removal of a Family Member’s Name from the Application 3-19
 Reasonable Accommodation

3.III.F PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC
VIOLENCE, DATING VIOLENCE, AND STALKING [24 CFR PART 5, SUBPART L 3-20
 Definitions as used in VAWA 3-20
 Notification
 Documentations 3-21
 Victim Documentation
 Perpetrator Documentation
 Time Frame for Submitting Documentation 3-22

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

NBHA Confidentiality Requirements [24 CFR 5.2007(a)(1)(5)]..... 3-22

3.111.G. NOTICE OF ELIGIBILITY OR DENIAL..... 3-23

EXHIBIT 3-1: DETAILED DEFINITIONS RELATED TO DISABILITIES 3-24

 Person with Disabilities 3.24

 Individual with Handicap..... 3-24

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION 4-1

PART I: THE APPLICATION PROCESS:

4.I. A OVERVIEW 4-1

4.I.B APPLYING FOR ASSISTANCE 4-1

4.I.C ACCESSIBILITY OF THE APPLICATION PROCESS 4-2

4.I.D PLACEMENT ON THE WAITING LIST 4-2

 Ineligible for Placement on the Waiting List

 Eligible for Placement on the Waiting List

PART II: MANAGING THE WAITING LIST:

4.II.A OVERVIEW 4-3

4.II.B ORGANIZATION OF THE WAITING LIST 4-3

4.II.C OPENING AND CLOSING THE WAITING LIST 4-4

 Closing the Waiting List

 Reopening the Waiting List

4.II.D FAMILY OUTREACH 4-4

4.II.E REPORTING CHANGES IN FAMILY CIRCUMSTANCES 4-5

4.II.F UPDATING THE WAITING LIST 4-5

 Purging the Waiting List

 Removal from the Waiting List

PART III: TENANT SELECTION:

**ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents**

4.III.A	OVERVIEW	4-6
4.III.B	SELECTION METHOD	4-7
	Local Preferences	
	Income Targeting Requirement	4-7
	Mixed Population Developments	
	Units Designated for Elderly or disabled Families	
	Deconcentration of Poverty & Income-Mixing	4-8
	Deconcentration & Income Mixing Goals	
	Development Designation Methodology	
	Income Limit Method	
	NBHA Incentives for Higher and Lower Income Families	4-9
	Order of Selection	4-10
4.III.C	NOTIFICATION OF SELECTION	4-10
4.III.D	THE APPLICATION INTERVIEW	4-11
4.III.E	FINAL ELIGIBILITY DETERMINATION	4-12

Chapter 5

OCCUPANCY STANDARDS AND UNIT OFFERS

INTRODUCTION	5-1
--------------------	-----

PART I: OCCUPANCY STANDARDS:

5.I.A	DETERMING UNIT SIZE.....	5-1
5.I.B	EXCEPTIONS TO OCCUPANCY6 STANDARD.....	5-2
	Types of Exceptions	
	Processing of Exceptions	

PART II: UNIT OFFERS:

5.II.A	INTRODUCTION	5-3
5.II.B	NUMBER OF OFFERS	5-3
5.II.C	TIME LIMIT FOR UNIT OFFER ACCEPTANCE OR REFUSAL	5-4
5.II.D	REFUSALS OF UNIT OFFERS.....	5-4
	Unit Refusal	
	Two offers	

**ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents**

5.II.E ACCESSIBLE UNITS..... 5-4
5.II.F DESIGNATED HOUSING 5-5

Chapter 6

INCOME AND RENT DETERMINATIONS

INTRODUCTION 6-1

PART I: ANNUAL INCOME: 6-1

6.I.A OVERVIEW 6-1

6.I.B HOUSEHOLD COMPOSITION AND INCOME..... 6-2

 Summary of Income Included & Excluded by Persons 6-2

 Temporarily absent Family Members

 Absent Students

 Absences Due to Placement in foster Care..... 6-2

 Absent Head, Spouse or Cohead 6-3

 Individuals Confined for Medical Reasons

 Joint Custody of Children

 Caretakers for a Child

6.I.C ANTICIPATING ANNUAL INCOME 6-4

 Basis of Annual Income Projection

 Known Changes in Income

 Using Up-Front Income Verification (UIV) to Project Income

 No Substantial Difference 6-5

 Substantial Difference

6.I.D EARNED INCOME 6-5

 Type of Earned Income Included in Annual Income

 Wages and Related Compensation

 Some types of Military Pay

 Types of Earned Income not Counted in Annual Income..... 6-6

 Children’s Earnings

 Certain Earned Income of Full-time Students

 Income of a Live-in Aide

 Income Earned under Certain Federal Programs

 Resident Service Stipend 6-7

 State and Local Employment Training Program

 HUD-Funded Training Programs

 Earned Income Tax Credit 6.8

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

6.I.E. EARNED INCOME DISALLOWANCE	6-8
Eligibility	
Calculation of the Disallowance	6-9
Initial 12-Month Exclusion	
Second 12-Month Exclusion and Phase-In.....	6-9
Lifetime Limitation	
Individual Savings Accounts	
6.I.F. BUSINESS INCOME	6-9
Business Expenses	6-10
Business Expansion	
Capital Indebtedness.....	6-10
Negative Business Income	
Withdrawal of Cash or Assets from a Business	
Co-owned Business	
6.I.G. ASSETS.....	6-11
Overview	
Income from Assets	
Valuing Assets	6-11
Lump-Sum Receipts	
Imputing Income from Assets	6-12
Determining Actual Anticipated Income from Assets	
Withdrawal of Cash or Liquidation of Investments.....	6-12
Joint Owned Assets	
Asset Disposed of for less than Fair Market Value	
Minimum Threshold	
Separation or Divorce	6-13
Foreclosure or Bankruptcy.....	6-13
Family Declaration	
Types of Assets	
Checking and Savings Accounts	
Investment Accounts such as Stocks, Bonds, Saving Certificates, and Money	
Market Funds	6-14
Equity in Real Property or Other Capital Investments	6-14
Trusts	6-15
Revocable Trust	
Non-revocable Trust	
Retirement Accounts.....	6-15
Personal Property	
Life Insurance	

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

6.I.H PERIODIC PAYMENTS 6-16
 Periodic Payments included in Annual Income
 Lump-sum Payments for the delayed start of a Periodic Payment
 Periodic Payments excluded from Annual Income

6.I.I PAYMENTS IN LIEU OF EARNINGS 6-17

6.I.J WELFARE ASSISTANCE 6-17
 Overview
 Sanctions Resulting in the Reduction of Welfare Benefits
 Covered Families 6-18
 Imputed Income
 Offsets

6.I.K PERIODIC AND DETERMINABLE ALLOWANCES 6-18
 Alimony and Child Support
 Regular Contributions or Gifts 6-19

6.I.L ADDITIONAL EXCLUSIONS FROM ANNUAL INCOME 6-18

PART II: ADJUSTED INCOME:

INTRODUCTION 6-22

6.II.A OVERVIEW 6-22
 Anticipating Expenses

6.II.B DEPENDENT DEDUCTION 6-22

6.II.C ELDERLY OR DISABLED FAMILY DEDUCTION 6-22

6.II.D MEDICAL EXPENSES DEDUCTION 6-23
 Definition of Medical Expenses
 Summary of Allowable medical Expenses from IRA Publication 502 6-23
 Families that Qualify for both Medical and Disability Assistance Expenses 6-24

6.II.E DISABILITY ASSISTANCE EXPENSES DEDUCTION 6-24
 Earned Income Limit on the Disability Assistance Expense Deduction
 Eligible Disability Expenses
 Eligible Auxiliary Apparatus 6-25
 Eligible Attendant Care

**ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents**

Payments to Family Members
Necessary and reasonable Expenses
Families that Qualify for both Medical and Disability Assistance Expenses 6-26

6.II.F CHILD CARE EXPENSE DEDUCTION 6-26
 Qualifying for the deduction
 Determining who is enabled to pursue an Eligible Activity
 Seeking Work
 Furthering Education
 Being Gainfully Employed 6-27
 Earned Income Limit on Child Care Expense Deduction
 Eligible Child Care Expenses
 Allowable Child Care Activities
 Necessary and Reasonable Costs..... 6-28

6.II.G PERMISSIVE DEDUCTIONS 6-28

PART III. CALCULATING RENT:

6.III.A OVERVIEW OF INCOME-BASED RENT CALCULATIONS 6-29
 TTP Formula
 Welfare Rent..... 6-30
 Minimum Rent
 Optional Changes to Income-Based Rents
 Ceiling Rents
 Utility Reimbursement..... 6-29

6.III.B FINANCIAL HARDSHIPS AFFECTING MINIMUM RENT..... 6-29
 Overview..... 6-29
 HUD-Defined Financial Hardship
 Implementation of Hardship /exemption 6-30
 Determination of Hardship
 No Financial Hardship
 Temporary Hardship 6-31
 Long-Term Hardship
 Flat Rent Hardship..... 6-31

6.III.C UTILITY ALLOWANCES 6-32
 Overview
 Reasonable Accommodation

**ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents**

Utility Allowance Revision

6.III.D PRORATED RENT FOR MIXED FAMILIES	6-33
6.III.E FLAT RENTS AND FAMILY CHOICE IN RENTS	6-33
Flat Rents	
Family Choice in Rents	6-34
Switching from Flat Rent to Income-Based Rent Due to Hardship Change in Flat Rents	
Flat Rents and Earned Income Disallowance	6-35
Flat Rents and Mixed Families	
<u>EXHIBIT 6-1: ANNUAL INCOME INCLUSIONS</u>	6-36
<u>EXHIBIT 6-2: ANNUAL INCOME EXCLUSIONS</u>	6-38
<u>EXHIBIT 6-3: TREATMENT OF FAMILY ASSETS</u>	6-42
<u>EXHIBIT 6-4: EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES</u>	6-43
<u>EXHIBIT 6-5: THE EFFECT OF WELFARE BENEFIT REDUCTION</u>	6-45

Chapter 7

VERIFICATION PROCEDURES

INTRODUCTION	7-1
<u>PART I: FAMILY CONSENT:</u>	
7.1.A FAMILY CONSENT TO RELEASE OF INFORMATION	7-1
Consent Forms	
Penalties for Failing to Consent.....	7-2
7.1.B OVERVIEW OF VERIFICATION REQUIREMENTS	7-2
HUD 's Verification Hierarchy	
Requirement for Acceptable Documents	
File Documentation	

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

7.1.C UP-FRONT INCOME VERIFICATION (UIV).....	7-4
Income Reports	
Income Discrepancy Reports (IDRs)	
EIV Identity Verification	
Definition of Substantial Difference.....	7-5
When No Substantial Difference Exists	
When a Substantial Difference Exists [24 CFR 5.236(b)]	
7.1.D THIRD-PARTY WRITTEN AND ORAL VERIFICATION.....	7-5
Reasonable Effort and Timing	
When Third-Party Information is Late	7-6
When Third-Party Verification is Not Required	
Primary Document	
Certain Assets and Expenses	
Certain Income, Asset and Expense Sources.....	7-7
7.1.E REVIEW OF DOCUMENTS	7-7
Using Review of Documents as Verification	
7.1.F SELF-CERTIFICATION.....	7-7
 <u>PART II: VERIFYING FAMILY INFORMATION:</u>	
7.11.A VERIFICATION OF LEGAL IDENTITY	7-8
7.11.B SOCIAL SECURITY NUMBERS	7-8
7.11.C DOCUMENTATION OF AGE.....	7-9
7.11.D FAMILY RELATIONSHIPS	7-9
Marriage	
Separation or Divorce	7-10
Absence of Adult Member	
Foster Children and Foster Adults	
7.11.E VERIFICATION OF STUDENT STATUS	7-10
7.11.F DOCUMENTATION OF DISABILITY	7-10
Family Members Receiving SSA Disability Benefits	7-11
Family Members Not Receiving SSA Disability Benefits	

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

7.11.G CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS 7-11
 Overview
 U.S. Citizens and Nationals 7-12
 Eligible Immigrants
 Documents Required
 PHA Verification

7.11.H VERIFICATION OF PREFERENCE STATUS 7-12

PART III: VERIFYING INCOME AND ASSETS:

7.III.A EARNED INCOME 7-13

7.III.B BUSINESS AND SELF EMPLOYMENT INCOME 7-13

7.III.C PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS 7-13
 Social Security/SSI Benefits

7.III.D ALIMONY OR CHILD SUPPORT 7-14

7.III.E ASSETS AND INCOME FROM ASSETS 7-15

7.III.F NET INCOME FROM RENTAL PROPERTY 7-15

7.III.G RETIREMENT ACCOUNTS 7-15

7.III.H INCOME FROM EXCLUDED SOURCES 7-16

7.III.I ZERO ANNUAL INCOME STATUS 7-16

PART IV: VERIFYING MANDATORY DEDUCTIONS

7.IV.A DEPENDENT AND ELDERLY/DISABLED HOUSEHOLD DEDUCTIONS 7-16
 Dependent Deduction
 Elderly/Disabled Family Deduction 7-17

7.IV.B MEDICAL EXPENSE DEDUCTION 7-17
 Amount of Expenses
 Eligible Household 7-17
 Qualified Expenses

**ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents**

	Unreimbursed Expenses	7-17
	Expenses Incurred in Past Years	7-18
7.IV.C	DISABILITY ASSISTANCE EXPENSES	7-18
	Amount of Expense	
	Attendant Care	
	Auxiliary Apparatus	7-18
	Family Member is a Person with Disabilities	
	Family Member(s) Permitted to Work	
	Unreimbursed Expenses	
7.IV.D	CHILD CARE EXPENSES.....	7-19
	Eligible Child	
	Unreimbursed Expense	
	Pursuing an Eligible Activity	
	Allowable Type of Child Care	7-21
	Reasonableness of Expenses	
	EXHIBIT 7-1: EXCERPT FROM HUD VERIFICATION GUIDANCE NOTICE	7-22
	EXHIBIT 7-2: SUMMARY OF DOCUMENTATION REQUIREMENTS FOR NON- CITIZENS	7-26

Chapter 8

LEASING AND INSPECTION

[24 CFR 5, SUBPART G; 24 CFR 966, SUBPART A]

INTRODUCTION		8-1
<u>PART I: LEASING:</u>		
8.I.A	LEASE REQUIREMENTS	8-1
	Provision for Modification	
	Ability to Comply with Lease Terms	
8.I.B	LEASE ORIENTATION.....	8-2
8.I.C	EXECUTION OF LEASE.....	8-2
8.I.D	MODIFICATIONS TO THE LEASE.....	8-3

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

Modifications to the Lease Form.....	8-3
Other Modifications.....	8-4
8.I.E SECURITY DEPOSITS.....	8-4
8.I.F PAYMENTS UNDER THE LEASE.....	8-5
Rent Payment	
Late Fees and Nonpayment	
Excess Utility Charges & Maintenance and Damage Charges	8-6
Maintenance & Damage charges.....	8-6

PART II: INSPECTIONS

8.II.A OVERVIEW.....	8-6
8.II.B TYPES OF INSPECTIONS	8-6
Move-in Inspections	
Move-out Inspections	8-7
Annual Inspections	
Quality Control Inspections	
Special Inspections	8-9
Other Inspections	
8.II.C NOTICE AND SCHEDULING OF INSPECTIONS.....	8-8
Notice of Entry	
Non-emergency Entries	
Emergency Entries	
Scheduling of Inspections	
Attendance at Inspections	
8.II.D INSPECTION RESULTS	8-8
Emergency Repairs	
Non-emergency Repairs.....	8-9
Resident-Caused Damages	
Housekeeping	

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

Chapter 9

REEXAMINATIONS

INTRODUCTIONS 9-1

PART I: ANNUAL REEXAMINATIONS FOR FAMILIES PAYING INCOME BASED RENTS:

9.I.A OVERVIEW 9-1

9.I.B SCHEDULING ANNUAL REEXAMINATIONS 9-2
Notification of any Participation in the Annual Reexamination Process 9.2

9.I.C CONDUCTING ANNUAL REEXAMINATIONS 9-2
Change in Unit Size
Criminal Background Checks
Compliance wit Community Service

9.I.D EFFECTIVE DATES 9-3

PART II: REEXAMINATIONS FOR FAMILIES PAYING FLAT RENTS:

9.II.A OVERVIEW 9-4

9.II.B FULL REEXAMINATION OF FAMILY INCOME AND COMPOSITION 9-4
Frequency of Reexamination
Reexamination Policies

9.II.C REEXAMINATION OF FAMILY COMPOSITION (“ANNUAL UPDATE”) 9.5
Scheduling
Conducting Annual Updates 9-6
Change in Unit Size
Criminal Background Checks
Compliance with Community Service

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

<u>PART III: INTERIM REEXAMINATION</u>	9-6
9.III.A OVERVIEW	9-6
9.III.B CHANGES IN FAMILY AND HOUSEHOLD COMPOSITION	9-6
New Family Members not requiring approval	
New Family and Household Members Requiring Approval	
Departure of a Family or Household Member	
9.III.C CHANGE AFFECTING INCOME OR EXPENSES.....	9-7
PHA-initiated Interim Reexaminations	
Family-Initiated Interim Reexaminations	
Required Reporting	
Optional Reporting	
9.III.D PROCESSING THE INTERIM REEXAMINATION.....	9-9
Method of Reporting & Effective Dates	
<u>PART IV: RECALCULATING TENANT RENT:</u>	
9.IV.A OVERVIEW	9-9
9.IV.B CHANGES IN UTILITY ALLOWANCES	9-10
9.IV.C NOTIFICATION OF NEW TENANT RENT	9-10
9.IV.D DISCREPANCIES	9.10

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

Chapter 10

PET POLICY

INTRODUCTION:

PART I: ASSISTANCE ANIMALS

10.I.A OVERVIEW	10-1
10.I.B APPROVAL OF ASSISTANCE ANIMALS	10-1
10.1.C CARE AND HANDLING [24 CFR 5.303; 24 CFR 960.705]	10-2

PART II: PET OWNERSHIP PROCEDURE:

10.II.A. OVERVIEW.....	10-3
10.II.B MANAGEMENT APPROVAL OF PETS	10-3
Registration of Pets	
Refusal to Register Pets	
Pet Agreement.....	10-4
10.II.C STANDARDS FOR PETS [24 CFR 5.318; 960.707(b)	10-4
Definition of “Common Household Pet” [24 CFR 5.306(2)]	
Pet Restrictions	
Number of Pets	10-5
Other Requirements	
10.II.D PET RULES	10-5
Pet Area Restrictions	
Designated Pet/No-Pet Areas [24 CFR 5.318(g); PH OCC GB, p.182]	10-6
Cleanliness	
Alterations to Unit	
Noise	
Pet Care	

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

Responsible Parties	10-7
Pet Temporarily on the Premises	
Pet Rule Violations	
Notice for Pet Removal	
Pet Removal	10-8
Termination of Tenancy	
Emergencies	
10.111.A OVERVIEW	10-9
10.111.B PET DEPOSITS	10-9
Payment of Deposit [24 CFR 5.318(d)(1)]	10.9
Refund of Deposit [24 CFR 5.318(d)(1)]	
10.111.C OTHER CHARGES.....	10-10
Pet-Related Damages During Occupancy	
Pet Waste Removal Charge	

PART IV: PET DEPOSITS AND FEES IN GENERAL OCCUPANCY
DEVELOPMENTS

10.IV.A PET DEPOSIT.....	10-10
Payment of Deposit.....	10-10
Refund of Deposit.....	10-11
10.IV.B NON-REFUNDABLE NOMINAL PET FEE [24 CFR 960.707(b)(1)]	10-11
10.IV.C OTHER CHARGES	10-11
Pet-Related Damages During Occupancy	
Pet Waste Removal Charge	10-12

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

Chapter 11

COMMUNITY SERVICE

11.I.A INTRODUCTION	11-1
11.I.B PROGRAM REQUIREMENTS	11-2
<u>Definitions</u>	
Exempt Individual	
Community Service	11-3
Economic Self-Sufficiency Program	
Work Activities	
Notification Requirements	11-4
11.I.C DETERMINATION OF EXEMPTION STATUS AND COMPLIANCE.....	11-3
<u>Annual Determination</u>	
Determination of exemption Status	
Determination of Compliance	11-4
Change in Status between Annual Determinations	
11.I.D DOCUMENTATION AND VERIFICATION	11-4
Documentation and Verification of Exemption Status	
Documentation and Verification of Compliance	11-5
11.I.E NONCOMPLIANCE.....	11-5
Non-Compliance of Family Member	
<u>PART II: IMPLEMENTATION OF COMMUNITY SERVICE:</u>	
11.II.A PHA IMPLEMENTATION OF COMMUNITY SERVICE.....	11-6
PHA Program Design	
<u>EXHIBIT 11.1: COMMUNITY SERVICE AND SELF-SUFFICIENCY POLICY</u>	11-7
A. Background	
B. Definitions	
Community Service	
Self-Sufficiency Activities	

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

- Exempt Adult
- C. Requirements of the Program
- D. Authority Obligation

EXHIBIT 11.2: DEFINITION OF A PERSON WITH A DISABILITY UNDER SOCIAL SECURITY ACTS – 216(i)(1) and Section 1416(excerpt) for PURPOSE OF EXEMPTION FROM COMMUNITY SERVICE..... 11-11

Social Security Act
Section 1416 (excerpt)

EXHIBIT 11.3: NBHA DETERMINATION OF EXEMPTION FOR COMMUNITY SERVICE..... 11-12

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

CHAPTER 12

TRANSFER POLICY

INTRODUCTION:

A.	GENERAL STATEMENT.....	1
B.	TRANSFER DELAY OR DENIAL.....	1
C.	PRIORITY OF TRANSFERS	2
	Emergency	
	Medical need for a larger unit	
	Mandatory transfers	
	Under-housed (Over-crowded)	
	Over-housed	
D.	SPECIAL CIRCUMSTANCES TRANSFER	3
E.	NON-MANDATORY TRANSFER.....	3
F.	MOVING COSTS	4
G.	SECURITY DEPOSITS:	4
H.	PROCESSING TRANSFERS	4
I.	TRANSFER REQUEST PROCEDURE	4
J.	RENT ADJUSTMENTS OF TRANSFERRED RESIDENTS	5
K.	RE-EXAMINATION DATE.....	5

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

Chapter 13

LEASE TERMINATIONS

INTRODUCTION 13-1

PART I: TERMINATION BY TENANTS:

13.I.A TENANT CHOOSES TO TERMINATE THE LEASE..... 13-1

PART II: TERMINATION BY NBHA – MANDATORY:

13.II.A OVERVIEW..... 13-1

13.II.B FAILURE TO PROVIDE CONSENT 13-1

13.II.C FAILURE TO DOCUMENT CITIZENSHIP..... 13-1

13.II.D FAILURE TO PROVIDE SOCIAL SECURITY DOCUMENTATION..... 13-2

13.II.E FAILURE TO ACCEPT THE NBHA’S OFFER OF A LEASE REVISION 13-2

13.II.F METHAMPHETAMINE CONVICTION 13-2

13.II.G NONCOMPLIANCE WITH COMMUNITY SERVICE REQUIREMENTS 13-2

PART III: TERMINATION BY NBHA-OTHER AUTHORIZED REASONS

13.III.A OVERVIEW 13.2

13.III.B VIOLENCE AGAINST WOMEN’S ACT 13.4

Domestic Violence

Dating Violence

Stalking 13-5

Immediate Family Members

Policy 13-5

Certification 13-6

Confidentiality 13-7

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)

Table of Contents

13.III.C	MANDATORY LEASE PROVISION.....	13-7
	Definitions	
	Drug Crime on or off the premises	13-8
	Illegal use of a drug	
	Threat to other residents	
	Alcohol abuse	13-9
	Furnishing false or misleading information concerning illegal drug use or Alcohol Abuse or Rehabilitation	13.9
13.III.D	OTHER AUTHORIZED REASONS FOR TERMINATION	13.9
	Family absence from unit.....	13-11
	Over-Income Families	
13.III.E	ALTERNATIVES TO TERMINATION OF TENANCY	13-11
	Exclusion of Culpable household member	
	Repayment of family debts	
13.III.F	CRITERIA FOR DECIDING TO TERMINATE TENANCY.....	13.11
	Evidence	
	Consideration of Circumstances	13-12
	Consideration of Rehabilitation	
	Reasonable Accommodation	13-13
	Non discrimination Limitation	

PART IV: NOTIFICATION REQUIREMENTS, EVICTION PROCEDURES & RECORD KEEPING:

13.IV.A	OVERVIEW	13-13
13.IV.B	CONDUCTING CRIMINAL RECOREDS CHECKS	13.13
13.IV.C	DISCLOSUE OF CRIMINAL RECORDS TO FAMILY	13-13
13.IV.D	LEASE TERMINATION NOTICE	13-14
	Form, Delivery and Content of the Notice	
	Timing of the Notice	
	Notice of Nonrenewal due to Community Service Non compliance	

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents

Notice of termination based on Citizenship Status 13-15

13.IV.E EVICTION..... 13-15

13.IV.F NOTIFICATION TO POST OFFICE..... 13-16

13.IV.G RECORD KEEPING 13.16

**ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents**

Chapter 14

GRIEVANCES AND APPEALS

INTRODUCTION 14-1

PART I: INFORMAL HEARINGS FOR PUBLIC HOUSING APPLICANTS:

14.I.A INFORMAL HEARING PROCESS 14-1

- Informal Review procedures for Applicants
- Preference Denials
- Assistance Denials
- Schedule an Informal Hearing
- Conducting of Informal Hearing
- Informal Hearing Decision
- Reasonable Accommodation for Person with Disabilities

PART II: INFORMAL HEARINGS WITH REGARD FOR NONCITIZENS:

14.II.A HEARING AND APPEAL PROVISIONS OR NONCITIZENS 14-3

- Notice of Denial or Termination of Assistance
- INS Determination of Ineligibility

PART III: GRIEVANCE PROCEDURES FOR PUBLIC HOUSING RESIDENTS:

INTRODUCTION: 14-5

14.III.A DEFINITIONS 14-5

- Grievance
- Complainant
- Elements of due process
- Hearing Officer
- Resident

14.III.B NOTICE OF PROPOSED ADVERSE ACTION 14.6

14.III.C SITUATIONS WHEN GRIEVANCE PROCEDURE IS NOT APPLICABLE 14.6

ADMISSIONS & CONTINUED OCCUPANCY (ACOP)

Table of Contents

14.III.D	INFORMAL SETTLEMENT	14-7
14.III.E	FORMAL GRIEVANCE HEARING	14.8
14.III.F	SELECTING THE HEARING OFFICER	14-8
14.III.G	ESCROW DEPOSITS	14.9
14.III.H	SCHEDULING HEARINGS.....	14.9
14.III.I	PROCEDURES GOVERNING THE HEARING	14.9
	Hearing Notice	
	Hearing conduct	
14.III.J	DECISION OF THE HEARING OFFICER.....	14-10
14.III.K	REASONABLE ACCOMMODATION IN THE GRIEVANCE PROCEDURE	14.11

Chapter 15

PROGRAM INTEGRITY

INTRODUCTION	15-1
--------------------	------

PART I: PREVENTING, DETECTING, AND INVESTIGATING ERRORS AND PROGRAM ABUSE:

15.I.A	PREVENTING ERRORS AND PROGRAM ABUSE.....	15-1
15.I.B	DETECTING ERRORS AND PROGRAM ABUSE	15-2
	Quality Control and Analysis of Data	
	Independent Audits and HUD Monitoring	
	Individual Reporting of Possible Errors and Program Abuse	
15.I.C	INVESTIGATING ERRORS AND PROGRAM ABUSE	15.2
	When the NBHA will investigate	
	Consent to Release of Information	15-2
	Analysis and Findings	
	Consideration of Remedies	

**ADMISSIONS & CONTINUED OCCUPANCY (ACOP)
Table of Contents**

Notice and Appeals

<u>PART II: CORRECTIVE MEASURES AND PENALTIES</u>	15.4
15.II.A UNDER OR OVERPAYMENT	15.4
Corrections	
Reimbursement	
15.II.B FAMILY-CAUSED ERRORS AND PROGRAM ABUSE.....	15-4
Family Reimbursement to NBHA	
NBHA Reimbursement to Family	
Prohibited Actions	
Penalties for Program Abuse	
15.II.C NBHA-CAUSED ERRORS OR PROGRAM ABUSE	15.6
Repayment to the NBHA	
NHA Reimbursement to Family	
Prohibited Activities	
15.II.D CRIMINAL PROSECUTION	15.7
15.II.E FRAUD AND PROGRAM ABUSE RECOVERIES	15.7

CHAPTER 16

GLOSSARY

I. TERMS USED IN DETERMINING RENT	16-1
II. GLOSSARY OF HOUSING TERMS.....	16-8
III. GLOSSARY OF TERMS USED IN THE NONCITIZENS RULE	16-23

CHAPTER 17

ATTACHMENTS

ATTACHMENT #1: VIOLENCE AGAINST WOMEN RE-AUTHORIZAATION ACT.....	17-1
ATTACHMENT #2: MAINTENACE CHARGES – PUBLIC HOUSING.....	17-2