

# CHAPTER 1

## **STATEMENT OF POLICIES AND OBJECTIVES**

### **INTRODUCTION:**

The U. S. Housing Act of 1937 authorized local Public Housing Agencies (or Public Housing Authorities (NBHA) to be established by individual states. The current Housing Choice Voucher Program evolved from various acts, amendments and rules. The most recent changes are the Quality Housing and Work Responsibility Act of 1998 (QHWRA) and the 1999 Housing and Urban Development (HUD) rule that provided for the merger of the certificate and voucher programs into one housing choice voucher program. This administrative plan clarifies NBHA policies to facilitate the implementation of the Housing Choice Voucher Program.

### A. **MISSION STATEMENT:**

The mission of the NBHA is to promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.

### B. **LOCAL OBJECTIVES:**

The Housing Choice Voucher Program is designed to achieve these major objectives:

- To provide access to decent, safe, and sanitary housing for very low-income families while maintaining their rent payments at a fair and affordable level.
- To promote fair housing and the opportunity for all ethnic backgrounds to have access to the widest possible choice of housing to meet their housing needs;
- To encourage self-sufficiency of participant families and assist in the identification of opportunities which address educational and socio-economic needs;
- To ensure that all units meet Housing Quality Standards (HQS)- NG, UPCS - LANDLORDS;
- To administer an efficient, high-performing agency through continuous improvement of the NBHA's support systems and commitment to our employees, their development, and the maintenance of high standards and professionalism;
- To administer a housing program which provides an incentive to private property owners to rent to very low-income families;
- To create positive public awareness and expand the level of family, owner, and community support in accomplishing the NBHA's mission;
- To ensure compliance with Title VI of the Civil Rights Act of 1964 and all other applicable Federal laws and regulations so that the admissions and continued

- occupancy are conducted without regard to race, color, religion, creed, sex, national origin, handicap or familial status;
- To promote a safe environment by denying initial or continued assistance to applicants who have demonstrated a history of violent criminal or drug related activity.

C. **PURPOSE OF THE PLAN:** [24 CFR 982.54]

The purpose of this Administrative Plan is to establish guidelines for Public Housing Agency staff to follow in determining eligibility for Continued Assistance. These policies are governed by the requirements of the Department of Housing and Urban Development with latitude for local policies and procedures. These policies and procedures are binding upon applicants, participants, and the NBHA.

The NBHA is responsible for complying with all changes in HUD regulations pertaining to these programs. If any changes conflict with this Plan, HUD regulations will have precedence.

This Administrative Plan is set forth to define the NBHA’s local policies for operation of the Housing Choice Programs in the context of federal laws and regulations. All issues related to the Housing Choice Voucher Program, which are not addressed in this document, are governed by such federal regulations, HUD memos, notices and policies, or other applicable law.

The NBHA Board of Commissioners will approve any significant amendment to this Administrative Plan.

This Administrative Plan is a supporting document to the NBHA Agency Plan, and is available for public review as required by 24 CFR 903.

D. **FAIR HOUSING POLICY:**

It is the policy of the NBHA to comply fully with all federal, state and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

The NBHA shall not deny any family or individual the opportunity to apply for or receive assistance under the Housing Choice Voucher Programs on the basis of race, color, sex, religion, creed, national, or ethnic origin, age, familial or marital status, disability or actual or perceived sexual orientation, or gender identity.

- Families who are otherwise eligible for HUD programs may not be excluded because one or more members of the family may be LGBT or perceived to be LGBT.
- Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, the following:

1. A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or

2. A group of persons residing together, and such group includes, but is not limited to:
  - a. 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);
  - b. An elderly family;
  - c. A near-elderly family;
  - d. A disabled family;
  - e. A displaced family; and
  - f. The remaining member of a tenant family

To further its commitment to full compliance with applicable civil rights laws, the NBHA will provide federal, state and local information to voucher holders regarding “discrimination” and any recourse available to them should they be victims of discrimination. Such information will be made available during the family briefing session and placed to their briefing packet.

Except as otherwise provided in 24 CFR 8.21© C (1), 8.24 and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the NBHA’s facilities are inaccessible to or unusable by persons with disabilities.

Posters and housing information are displayed in locations throughout the NBHA’s offices in such a manner as to be easily readable from a wheelchair.

The office of the NBHA is accessible to persons with disabilities. Accessibility for the hearing impaired is provided by a TTD/TDY telephone service provider. NBHA will provide and review information regarding Fair Housing Rights and responsibilities during family briefing sessions.

#### **E. REASONABLE ACCOMMODATIONS POLICY [24 CFR PART 8]**

As set forth in the NBHA’s Reasonable Accommodations Policy and Procedures, the NBHA is committed to ensuring that its policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of NBHA’s housing services or programs, solely on the basis of such disabilities. Therefore, if an individual with a disability requires an accommodation, such as a modification to the NBHA policy, the NBHA will provide such accommodation, unless doing so would result in a fundamental alteration in the nature of the program or an undue financial or administrative burden. In such case, the NBHA will make another accommodation that would not result in a financial or administrative burden.

Written information regarding the policies and the procedures for making a request for a reasonable accommodation is available at the NBHA. Reasonable accommodations will be made for persons with a disability who require an advocate or accessible offices.

A designee will be allowed to provide information on behalf of the person with the disability, but only with the permission of the person with the disability. Permission is required by the NBHA in the form of a notarized statement, or through a Power of

Attorney verifying permission of the person with a disability. It is at the discretion of NBHA to authorize a designee to provide information on behalf of the person with a disability by way of oral verification when other means of obtaining verification prove an unnecessary burden to the disabled person. The definitions of the terms “individual with a disability,” as defined by Section 504, and “person with disabilities,” as defined by the ADA, are set forth in the glossary to this Administrative Plan. It is at the NBHA’s discretion to verify the Reasonable Accommodation with the requestor’s doctor or medical professional when the identifiable relationship or nexus between the requested accommodation and the individual’s disability is not readily apparent.

### **Verification of Disability**

NBHA may verify a requestor’s disability only to the extent necessary to ensure that the requestor is qualified for the housing for which he or she had applied, is qualified for deductions used in determining adjusted income, is entitled to preferences that have been claimed, and that the requested accommodation is needed to address, or because of, a disability. NBHA will not require persons requesting a reasonable accommodation to provide access to confidential medical records in order to verify a disability and will not require specific details about the disability.

#### **F. PROGRAM COST:**

Upon request the Authority will provide copies of documents at a fee as posted by the NBHA.

#### **G. TRANSLATION OF DOCUMENTS (See Section M)**

In determining whether or not it is reasonable to translate documents into other languages, the NBHA will consider the following factors:

- Number of applicants and participants in the jurisdiction of the City of New Britain who do not speak English and speak another language.
- Evaluation of the need for translation by the bi-lingual staff, and by agencies that work with the non-English speaking participants.
- The availability of local organizations to provide translation services to non-English speaking families.
- Estimated cost to NBHA per client of English written document translated into another language.

#### **H. FAMILY OUTREACH:**

The NBHA will publicize and disseminate information to make known the availability of housing assistance and related services for low-income families on a regular basis when appropriate. When the NBHA’s waiting list is opened, the NBHA will publicize the availability and nature of housing assistance for low-income families in newspapers of general circulation, minority media, and by other suitable means.

To reach persons, who cannot read, the NBHA will distribute fact sheets to the 211 Info Line and initiate personal contacts with members of the news media and community service personnel. The NBHA may also utilize public service announcements.

The NBHA will communicate the status of housing availability to other service providers in the community and advise them of housing eligibility factors/guidelines in order that they can make proper referrals for housing assistance.

#### **I. PRIVACY RIGHTS:**

Applicants and participants, including all adults in their households, are required to sign the HUD form 9886, Authorization for Release of Information. This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD/NBHA will release family information.

The NBHA's policy regarding release of information is in accordance with state and local laws that may restrict the release of family information.

The NBHA will maintain all records in a confidential manner under federal privacy laws. The NBHA is required to keep confidential regarding any personal information about an applicant or tenant, obtained in a confidential manner or from a confidential source.

The NBHA's adheres to the following practices and procedures that are designed to safeguard the privacy of applicants and program participants:

- All applicant and participant files will be stored in a secure location, which is only accessible by authorized staff.
- NBHA staff will not discuss family information contained in files unless there is a business reason to do so. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action;
- Staff persons will be required to disclose whether they have relatives living in NBHA housing or receiving assistance from NBHA housing programs.

#### **J. ADMINISTRATIVE FEE RESERVE:**

All expenditures from the administrative fee reserve will be made in accordance with the approved budget and approved by the NBHA Board of Commissioners.

#### **K. OWNER OUTREACH:**

The NBHA encourages owners of decent, safe and sanitary housing units to lease to housing choice voucher families. The NBHA maintains lists of units available, by bedroom size, and updates the lists at least every two weeks. New listings received from owners will be compiled according to bedroom size.

The NBHA will maintain lists of available housing submitted by owners in all neighborhoods within the NBHA's jurisdiction to ensure greater mobility and housing choice to very low-income households. The lists of units will be provided at the front desk or mailed on request.

The staff of the NBHA responds to and initiates personal contact with private property owners and managers by conducting formal and informal discussions and meetings.

Printed material is offered to acquaint owners and managers with the opportunities available under the program upon request.

The NBHA may actively participate in a community-based organization(s) comprised of owners and managers of single family and multi-family rental units.

The NBHA encourages program participation by owners of units located outside areas of poverty, or minority concentration. The NBHA may periodically evaluate the demographic distribution of assisted families to identify these areas. The purpose of these activities is to provide more choice and better housing opportunities to families. Voucher holders are informed of the full range of areas where they may lease units inside the NBHA's jurisdiction and given a list of landlords or other parties who are willing to lease units or help families who desire to live outside areas of poverty or minority concentration.

**L. HCV PROGRAM MANAGEMENT ASSESSMENT OBJECTIVES:**

NBHA operates its housing assistance program with efficiency and can demonstrate to auditors that the NBHA is using its resources in a manner that reflects its commitment to quality and service. HCV program performance shall be measured in terms of compliance with the policies and procedures identified in the Administrative Plan, consistent with the goals and objectives of HUD's Section 8 Manager Assessment Program (SEMAP). The following areas are among those to be monitored and measured:

1. Selection from the Waiting List
2. Reasonable Rent
3. Determination of Adjusted Income
4. Utility Allowance Schedule
5. HQS Quality Control Inspections
6. HQS Enforcement
7. Expanding Housing Opportunities
8. Payment Standards
9. Annual Re-examinations
10. Correct Tenant Rent Calculations
11. Pre-Contract HQS Inspections
12. Annual HQS Inspections
13. Lease-up
14. Family Self-Sufficiency Enrollment and Escrow Account Balances (as applicable for FSS)
15. Bonus Indication (Deconcentration)

An NBHA Supervisor or Quality Control Specialist, other than the person performing the work, will perform quality control reviews, as required by HUD. The following indicators will be reviewed:

- Selection from the Waiting List
- Rent Reasonableness
- Determination of Adjusted Income
- HQS Enforcement
- HQS Quality Control

The annual sample of files and records will be drawn in a random manner and provide a clear audit trail. The minimum sample size to be reviewed will directly relate to each indicator. The Supervisor or Quality Control Specialist will report directly to NBHA's Executive Office with results of an annual review to ensure that this process is being followed

M. **RECORDS FOR MONITORING NBHA PERFORMANCE:**

In order to demonstrate compliance with HUD and other pertinent regulations, the NBHA will maintain records, reports and other documentation for a time as in accordance with HUD requirements and in a manner that will allow an auditor, housing professional or other interested party to follow, monitor and or assess the NBHA's operational procedures objectively and with accuracy.

The NBHA acknowledges that its performance rating is important to sustaining its capacity to maintain flexibility and authority. The NBHA intends to diligently manage its current program operations and continuously make efforts to be in full compliance with Housing Choice Voucher Program guidelines.

The policies and procedures of this program are established so that the standards set forth by SEMAP are demonstrated and can be objectively reviewed by an audit whose purpose is to evaluate performance.

N. **LANGUAGE ASSISTANCE FOR LIMITED ENGLISH PROFICIENCY (LEP) PERSONS:**

It is the goal of the NBHA to be accessible to all residents of its jurisdiction, regardless of race, color, or national origin. Therefore, we will endeavor to provide all families the same high-quality customer service no matter what language they speak. In order to serve limited English proficiency (LEP) families, the Housing Authority is implementing the following activities:

1. The NBHA has identified staff who speaks Spanish. Translation of documents can be provided orally, if needed. For other languages, an interpreter will be called to assist the staff person in serving the family.
2. The NBHA will analyze the various kinds of contracts it has with the public, to access language needs and decide what reasonable steps should be taken.

3. “Reasonable Steps” may not be reasonable where the costs imposed substantially exceed the benefits.

O. **Conflicts of Interest:**

1. Neither the NBHA, its Directors, Employees nor any of its contractors, or subcontractors may enter into any contract, or arrangement in connection with the tenant-based programs in which any of the following classes of persons has any interest direct or indirect, during their tenure or contract period or for one-year thereafter.

“Covered individual” means a person or entity who is a member of any of the following classes:

- a. Any present or former member or officer of the NBHA (except an NBHA commissioner who is a participant in the program);
  - b. Any employee of the NBHA, or any contractor, sub-contractor or agent of the NBHA, who formulates policy or who influences decisions with respect to the program;
  - c. Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the program; or
  - d. Any member of the Congress of the United States.
2. A covered individual may not have any direct or indirect interest in the HAP contract or in any benefits or payments under the contract (including the interest of an immediate family member of such covered individual) while such person is a covered individual or during one year thereafter.
  3. “Immediate family member” means the spouse, parent (including a stepparent), child (including a stepchild), grandparent, grandchild, sister or brother (including a stepsister or stepbrother) of any covered individual.
  4. The owner certifies and is responsible for assuring that no person or entity has or will have a prohibited interest, at execution of the HAP contract, or at any time during the HAP contract term.
  5. If a prohibited interest occurs, the owner shall promptly and fully disclose such interest to the NBHA and HUD.
  6. The conflict of interest prohibition under this section may be waived by the HUD field office for good cause.
  7. No member of or delegate to the Congress of the United States or resident commissioner shall be admitted to any share or part of the HAP contract or to any benefits which may arise from it.