

Chapter 1

OVERVIEW OF THE PROGRAM AND PLAN

INTRODUCTION

The Public Housing Agency (PHA) ECC/HANH, receives its operating subsidy for the public housing program from the Department of Housing and Urban Development. The PHA is not a federal department or agency. A public housing agency (PHA) is a governmental or public body, created and authorized by state law to develop and operate housing and housing programs for low-income families. The PHA enters into an Annual Contributions Contract with HUD to administer the public housing program. The PHA must ensure compliance with federal laws, regulations and notices and must establish policies and procedures to clarify federal requirements and to ensure consistency in program operation.

This chapter contains information about the PHA – Elm City Communities/Housing Authority of the City of New Haven (ECC/HANH) and its programs with emphasis on the public housing program. It also contains information about the purpose, intent and use of the ACOP and guide.

There are three parts to this chapter:

Part I: The Public Housing Agency (PHA). This part includes a description of ECC/HANH, its jurisdiction, its programs, and its mission and intent.

Part II: The Public Housing Program. This part contains information about public housing operation, roles and responsibilities, and partnerships.

Part III: The Admissions and Continued Occupancy (ACOP). This part discusses the purpose and organization of the ACOP and its revision requirements.

PART I: THE PHA – ELM CITY COMMUNITIES/HOUSING AUTHORITY OF THE CITY OF NEW HAVEN (ECC/HANH)

1-I.A. OVERVIEW

This part describes the ECC/HANH's creation and authorization, the general structure of the organization, and the relationship between ECC/HANH's Board and staff.

1-I.B. ORGANIZATION AND STRUCTURE OF THE ECC/HANH

Public housing is funded by the federal government and administered by the Elm City Communities/Housing Authority of New Haven (ECC/HANH) for the jurisdiction of the City of New Haven, Connecticut.

ECC/HANH is governed by a board of officials that are generally called “Commissioners.” Although some PHAs may use a different title for their officials, this document will hitherto refer to the “Board of Commissioners” or the “Board” when discussing the board of governing officials.

Commissioners are appointed in accordance with state housing law and generally serve in the same capacity as the directors of a corporation. The Board of Commissioners establishes policies under which ECC/HANH conducts business and ensures that those policies are followed by ECC/HANH staff. The board is responsible for preserving and expanding the agency’s resources and assuring the agency’s continued viability and success.

Formal actions of ECC/HANH are taken through written resolutions, adopted by the Board and entered into the official records of ECC/HANH.

The principal staff member of ECC/HANH is the President/Executive Director (ED), who is selected and hired by the board. The ED oversees the day to day operations of ECC/HANH and is directly responsible for carrying out the policies established by the Commissioners. The ED’s duties include hiring, training, and supervising ECC/HANH’s staff, as well as budgeting and financial planning for the agency. Additionally, the ED is charged with ensuring compliance with federal and state laws, and program mandates.

1-I.C. ECC/HANH MISSION

The purpose of a mission statement is to communicate the purpose of the agency to people inside and outside of the agency. It provides the basis for strategy development, identification of critical success factors, resource allocation decisions, as well as ensuring client and stakeholder satisfaction.

ECC/HANH Mission

To make a positive difference in the lives of residents of the City of New Haven through the development and operation of affordable communities of choice and by providing opportunities for greater self-sufficiency.

ECC/HANH Vision

We envision a New Haven where every resident has a safe and decent home that they can afford and opportunities to fulfill their goals.

1-I.D. ECC/HANH's COMMITMENT TO ETHICS AND SERVICE

As a public service agency, ECC/HANH is committed to providing excellent service to all public housing applicants, residents, and the public. In order to provide superior service, ECC/HANH resolves to:

- Administer applicable federal and state laws and regulations to achieve high ratings in compliance measurement indicators while maintaining efficiency in program operation to ensure fair and consistent treatment of clients served.
- Provide decent, safe, and sanitary housing in good repair – in compliance with program uniform physical condition standards – for very low- and low-income families.
- Achieve a healthy mix of incomes in its public housing developments by attracting and retaining higher income families and by working toward deconcentration of poverty goals.
- Encourage self-sufficiency of participant families and assist in the expansion of family opportunities which address educational, socio-economic, recreational and other human services needs.
- Promote fair housing and the opportunity for very low- and low-income families of all races, ethnicities, national origins, religions, ethnic backgrounds, and with all types of disabilities, to participate in the public housing program and its services.
- Create positive public awareness and expand the level of family and community support in accomplishing ECC/HANH's mission.
- Attain and maintain a high level of standards and professionalism in day-to-day management of all program components.
- Administer an efficient, high-performing agency through continuous improvement of ECC/HANH's support systems and commitment to our employees and their development.

ECC/HANH will make every effort to keep residents informed of program rules and regulations, and to advise participants of how the program rules affect them.

PART II: THE PUBLIC HOUSING PROGRAM

1-II.A. OVERVIEW AND HISTORY OF THE PROGRAM

The United States Housing Act of 1937 (the “Act”) is responsible for the birth of federal housing program initiatives, known as public housing. The Act was intended to provide financial assistance to states and cities for public works projects, slum clearance and the development of affordable housing for low-income residents. There have been many changes to the program since its inception in 1937.

The ACOP is required by HUD. The purpose of the ACOP is to establish policies for carrying out the LIPH programs in a manner consistent with HUD requirements and local goals and objectives contained in ECC/HANH Moving to Work (MTW) agency plan. This ACOP is a supporting document to the (MTW) agency plan and is available for public review as required by CFR 24 Part 903.

This ACOP is set forth to define ECC/HANH’s local policies for operation of the housing programs in accordance with federal laws and regulations. All issues related to the LIPH program not addressed in this document are governed by such federal regulations, HUD handbooks and guidebooks, notices, and other applicable law. The policies in this ACOP have been designed to ensure compliance with the consolidated ACC and all HUD-approved applications for program funding. The policies in the ACOP apply to all ACC units and LIPH residents, including those in third party LIHTC properties.

Administration of the LIPH program and the functions and responsibilities of ECC/HANH staff shall be in compliance with the ECC/HANH’s personnel policy and HUD regulations as well as all federal, state and local fair housing laws and regulations.

1-II.B. PUBLIC HOUSING PROGRAM BASICS

HUD writes and publishes regulations in order to implement public housing laws enacted by Congress. HUD contracts with the PHA (ECC/HANH) to administer programs in accordance with HUD regulations and provides an operating subsidy to the PHA. The PHA must create written policies that are consistent with HUD regulations. Among these policies is the PHA’s Admissions and Continued Occupancy Policy (ACOP). The ACOP must be approved by the Board of Commissioners of the PHA.

The job of the PHA pursuant to HUD regulations is to provide decent, safe, and sanitary housing, in good repair, to low-income families at an affordable rent. The PHA screens applicants for public housing and, if they are determined to be eligible for the program, the PHA makes an offer of a housing unit. If the applicant accepts the offer, the PHA and the applicant will enter into a written lease agreement. At this point, the applicant becomes a tenant in the public housing program.

The terms “tenant” and “resident” are used interchangeably in this policy. Additionally, this policy uses the term “family” or “families” for residents or applicants, depending on context.

Since the PHA owns the public housing development, the PHA is the landlord. The PHA must comply with all of the legal and management responsibilities of a landlord in addition to administering the program in accordance with HUD regulations and PHA policy.

1-II.C. PUBLIC HOUSING PARTNERSHIPS

To administer the public housing program, ECC/HANH must enter into an Annual Contributions Contract (ACC) with HUD. ECC/HANH also enters into a contractual relationship with the tenant through the public housing lease. These contracts define and describe the roles and responsibilities of each party.

In addition to the ACC, ECC/HANH and family must also comply with federal regulations and other HUD publications and directives. For the program to work and be successful, all parties involved – HUD, ECC/HANH, and the tenant – play an important role.

The chart on the following page illustrates key aspects of these relationships.

What does HUD do?

Federal law is the source of HUD responsibilities. HUD has the following major responsibilities:

- Develop regulations, requirements, handbooks, notices and other guidance to implement housing legislation passed by Congress
- Allocate operating subsidies to ECC/HANH
- Allocate capital funding to ECC/HANH
- Provide technical assistance to ECC/HANH on interpreting and applying program requirements
- Monitor ECC/HANH compliance with program requirements and ECC/HANH performance in program administration.

What does the ECC/HANH do?

ECC/HANH'S responsibilities originate in federal regulations and the ACC. ECC/HANH owns and manages public housing developments, administers the program under contract with HUD and has the following major responsibilities:

- Ensure compliance with all non-discrimination, equal opportunity, and fair housing laws, and ensure that the program is accessible to persons with disabilities
- Establish local policies and procedures for operating the program
- Accept applications from interested applicant families and determine whether they are income eligible for the program
- Maintain waiting list and select families for admission
- Screen applicant families for suitability as renters
- Maintain housing units by making any necessary repairs in a timely manner
- Make unit offers to families (minimize vacancies without overcrowding)
- Maintain properties to the standard of decent, safe, sanitary, and in good repair (including assuring compliance with uniform physical conditions standards)
- Make sure ECC/HANH has adequate financial resources to maintain its housing stock
- Perform regular reexaminations of family income and composition in accordance with HUD requirements
- Collect rent due from the assisted family and comply with and enforce provisions of the lease
- Ensure that families comply with program rules
- Provide families with prompt and professional service

- Comply with HUD regulations and requirements, the Annual Contributions Contract, HUD-approved applications for funding, ECC/HANH ACOP, and other applicable federal, state and local laws.

What does the tenant do?

The tenant's responsibilities are articulated in the public housing lease. The tenant has the following broad responsibilities:

- Comply with the terms of the lease and ECC/HANH house rules, as applicable
- Provide ECC/HANH with complete and accurate information, determined by ECC/HANH to be necessary for administration of the program
- Cooperate in attending all appointments scheduled by ECC/HANH
- Allow ECC/HANH to inspect the unit at reasonable times and after reasonable notice
- Take responsibility for care of the housing unit, including any violations of uniform physical condition standards caused by the family
- Not engage in drug-related or violent criminal activity
- Notify ECC/HANH before moving or termination of the lease
- Use the assisted unit only for residence and as the sole residence of the family. Not sublet the unit or assign the lease
- Promptly notify ECC/HANH of any changes in family composition
- Not commit fraud, bribery, or any other corrupt or criminal act in connection with any housing programs
- Take care of the housing unit and report maintenance problems to ECC/HANH promptly

If all parties fulfill their obligations in a professional and timely manner, the program responsibilities will be fulfilled in an effective manner.

1-II.D. APPLICABLE REGULATIONS

Applicable regulations include:

- 24 CFR Part 5: General Program Requirements
- 24 CFR Part 8: Nondiscrimination
- 24 CFR Part 35: Lead-Based Paint
- 24 CFR Part 902: Public Housing Assessment System
- 24 CFR Part 903: Public Housing Agency Plans
- 24 CFR Part 945: Designated Housing
- 24 CFR Part 960: Admission and Occupancy Policies
- 24 CFR Part 965: PHA-Owned or Leased Projects – General Provisions
- 24 CFR Part 966: Lease and Grievance Procedures

PART III: THE ADMISSIONS AND CONTINUED OCCUPANCY POLICIES

1-III.A. OVERVIEW AND PURPOSE OF THE POLICY

The ACOP is ECC/HANH'S written statement of policies used to carry out the housing program in accordance with federal law and regulations, and HUD requirements. The ACOP is required by HUD and it must be available for public review [CFR 24 Part 903]. The ACOP also contains policies that support the objectives contained in ECC/HANH'S Agency Plan.

All issues related to public housing not addressed in this ACOP are governed by federal regulations, HUD handbooks and guidebooks, notices and applicable state and local laws. The policies in this ACOP have been designed to ensure compliance with the consolidated ACC and all HUD-approved applications for program funding. ECC/HANH is responsible for complying with all changes in HUD regulations pertaining to public housing. If such changes conflict with this plan, HUD regulations will have precedence.

1-III.B. CONTENTS OF THE POLICY

Unlike the housing choice voucher program, HUD regulations for public housing do not contain a list of what must be included in the ACOP. However, individual regulations contain requirements of inclusion in ECC/HANH'S written policy. At a minimum, the ACOP plan should cover ECC/HANH policies on these subjects:

- The organization of the waiting list and how families are selected and offered available units, including any ECC/HANH admission preferences, procedures for removing applicant names from the waiting list, and procedures for closing and reopening the ECC/HANH waiting list (Chapters 4 and 5)
- Transfer policies and the circumstances under which a transfer would take precedence over an admission (Chapter 12)
- Standards for determining eligibility, suitability for tenancy, and the size and type of the unit needed (Chapters 3 and 5)
- Procedures for verifying the information the family has provided (Chapter 7)
- The method for achieving deconcentration of poverty and income-mixing of public housing developments (Chapter 4)
- Grievance procedures (Chapter 14)
- Policies concerning rent payment by a family to ECC/HANH of amounts the family owes ECC/HANH (Chapter 15 and 16)
- Interim redeterminations of family income and composition (Chapter 9)
- Policies regarding community service requirements; (Chapter 11)
- Policies and rules about safety and ownership of pets in public housing (Chapter 10).

New Approach to Policy Development

HUD has developed an approach to monitoring ECC/HANH that emphasizes the importance of consistency in operation and decision-making. The ACOP supports that goal by clearly setting forth ECC/HANH'S operating policies.

A primary focus of HUD's Rental Integrity Monitoring (RIM) program has been consistency in how ECC/HANH conduct its business and in how HUD monitors ECC/HANH activities. Referring to and following the ACOP is essential to maintaining consistency in applying ECC/HANH policy.

HUD makes a distinction between mandatory policies and non-mandatory policies:

- Mandatory policies: those driven by legislation, regulations, current handbooks, current PIH notices, and legal opinions from the Office of General Counsel
- Optional, non-binding guidance: includes guidebooks, FAQs, PIH notices that have expired, and recommendations from individual HUD staff.

HUD expects ECC/HANH to develop policies and procedures that are consistent with mandatory policies and to make clear the optional policies ECC/HANH has adopted. The ACOP is comprised of mandatory policies and optional ECC/HANH policy. HUD's new direction emphasizes the need for a clearly written and comprehensive ACOP to guide staff in the clear and consistent application of policy.

HUD suggestions, recommendations, written issuances, and guidance are consistent with mandatory federal policy. Therefore, using HUD guidance in the preparation of ECC/HANH policy, even though it is not mandatory, provides ECC/HANH with a "safe harbor." If ECC/HANH adopts its own optional policy, it must make its own determination that such policy is consistent with legislation, regulations, and other mandatory requirements. There may be very good reasons for adopting a policy or procedure that is different than that suggested by HUD, but ECC/HANH should carefully think through those decisions and be able to articulate how their policy is consistent with federal laws, regulations and mandatory policy.

1-III.C. UPDATING AND REVISING THE POLICY

ECC/HANH will revise this ACOP as needed to comply with changes in HUD regulations. The original policy and any changes must be approved by the Board of Commissioners of ECC/HANH, the pertinent sections included in the Agency Plan, and a copy provided to HUD.

ECC/HANH Policy

ECC/HANH will review and update the ACOP as needed to reflect changes in regulations, ECC/HANH operations, or when needed to ensure staff consistency in operation.

1-III.D. ECC/HANH NO SMOKING POLICY

STATEMENT OF PURPOSE

Elm City Communities, Housing Authority of New Haven (ECC/HANH) recognizes the importance of providing a smoke-free environment for all its employees, Commissioners, residents, guests and service personnel. The purpose is to mitigate the irritation and known health effects of secondhand smoke. To minimize maintenance, cleaning, and redecorating costs associated with smoking. To decrease the risk of smoking related fires to property and personal safety and also to reduce costs of fire insurance for a non-smoking-free building(s). To allow staff the opportunity to perform their job duties in an environment that is non-smoking.

APPLICABILITY

This Policy applies to all ECC/HANH employees, Board of Commissioners, residents, guests and service personnel. Nothing in this Policy is intended to conflict with or supersede any applicable state or federal law or Policy concerning smoking bans by Public Housing Authorities. Any potential conflict with the foregoing must be brought to the attention of the President, or his or her designee. In this policy, the use of the term “employee” is defined as all individuals applicable under this policy.

POLICY

Due to the increased risk of fire, and the known health effects of second-hand smoke, smoking is prohibited in any area of the property, site or premises, both private and common, indoors of the building(s) including entryways, balconies and patios.

- Smoke-free Environment includes any and all property and grounds owned and operated by ECC/HANH (which shall include all conventional developments, Scattered Sites, management offices and other administrative facilities, and ECC/HANH owned vehicles).
Smoking means inhaling, exhaling, breathing, burning of any lighted cigar, cigarette, including electronic nicotine delivery systems (ENDS), e-cigarettes, pipe, other tobacco products, marijuana, or illegal substance of any similar lighted product in any manner.
- The premises to be occupied by Tenant and members of Tenant's household have been designated as a smoke-free living environment. Tenants, members of Tenant's household and their guests shall not smoke anywhere in the interior or exterior space rented by Tenant. This includes, but is not limited to, bedrooms, hallways, kitchens, bathrooms, living rooms, patios, balconies and unit entryway areas. This shall also include the common areas, community rooms or adjoining grounds of such building.
- ECC/HANH shall post no-smoking signs at entrances and exits to their properties and all buildings, common areas, hallways and management offices owned and operated by ECC/HANH.

GUARANTOR

The adoption of a smoke-free living environment and the efforts to designate the rental complex as smoke-free, do not make ECC/HANH or any of its managing agents the guarantor of Tenant's health or of the smoke-free condition of the tenant's unit and the common areas. However, ECC/HANH shall take reasonable steps to enforce the smoke-free terms of its leases and to make the complex/development smoke-free.

VIOLATION OF POLICY

- The first violation of the smoke free policy will result in a verbal warning by Property Manager.
- The second violation of the smoke free policy will result in a written warning by the Property Manager, which shall include documentation on the cessation of smoking and a referral to the Resident Service Coordinator.
- The third violation of the smoke free policy will result in a \$25.00 fine applied to the tenant's account, along with documentation on the cessation of smoking.
- The fourth violation of the smoke free policy will result in a \$50.00 fine applied to the tenant's account, along with documentation on the cessation of smoking.
- The fifth violation of the smoke free policy will result in a \$75.00 fine applied to the tenant's account and notification of lease violation and could result in an eviction proceeding against the household.

This ACOP was last revised and approved by the ECC/HANH Board of Commissioners on February 16, 2021, Resolution #02-07/21-R.

ECC/HANH ADMISSION AND OCCUPANCY PLAN (ACOP) ADDENDUM 2
HUD COVID-19 WAIVERS

OVERVIEW

Due to the COVID-19 pandemic, HUD issued Notice PIH 2020-05 on April 10, 2020, “COVID-19 Statutory and Regulatory Waivers for the Public Housing, Housing Choice Voucher, Indian Housing Block Grant and Indian Community Development Block Grant programs, Suspension of Public Housing Assessment System and Section Eight Management Assessment Program.

In accordance with the Notice, ECC/HANH has made the following changes to the operating policies and procedures in the Admissions and Occupancy Policy.

On July 2, 2020 HUD issued Notice PIH 2020-13 (HA), Rev 1 which supersedes Notice PIH 2020-05 and essentially extends the period of availability for certain waivers to December 31, 2020 and offers additional waiver not included in Notice PIH 2020-05.

On November 30, 2020, HUD issued PIH Notice 2020-33(HA), Rev 2 which supersedes Notices PIH 2020-05, PIH 2020-13 and extended the period of availability to June 30, 2021.

On May 4, 2021 HUD issued PIH Notice 2021-14, Rev 3 (HA) which supersedes Notices PIH 2020-33, PIH 2020-13 and PIH 2020-05 and essentially extends the period of availability for certain waivers and offers additional waiver not included in Notice PIH 2020-33.

PUBLIC HOUSING PROGRAM WAIVERS

PH-4: ACOP: Adoption of Tenant Selection Policies
Regulatory Authority: 24 CFR § 960.202(c)(1)

The regulation requires that the PHA policies in the ACOP must be duly adopted and implemented. HUD is waiving this requirement to permit PHAs to adopt and implement changes to the ACOP on an expedited basis, without formal board approval, through September 30, 2021. Any informally adopted revisions under this waiver authority must be formally adopted no later than December 31, 2021.

Extended Period of Availability: The period of availability to informally adopt changes to the ECC/HANH ACOP ends on September 30, 2021; ECC/HANH must formally adopt such revisions no later than December 31, 2021.

PH-5: Community Service and Self-Sufficiency Requirements (CSSR)
Statutory Authority: Section 12(c) of the USHA of 1937
Regulatory Authority: 24 CFR 960.603 (a) and 960.603 (b)

ECC/HANH will suspend the community service and self sufficiency requirement. Families will not be subject to the requirement at the next annual re-examination and will be listed on the HUD 50058 as exempt or pending.

This waiver is no longer applicable and is superseded by item 12.e.: Community Service and Self-Sufficiency Requirement (CSSR) Suspension.

Please refer to item 12.e. for a description of HUD’s non-discretionary immediate suspension of the CSSR applicable to all PHAs operating a public housing program

12.e.: Community Service and Self-Sufficiency Requirement (CSSR) Suspension waives the requirement that each non-exempt adult resident of public housing 3 contribute 8 hours per month of community service and/or participation in an economic self-sufficiency program. This non-discretionary waiver also suspends enforcement of the requirement by all PHAs operating a public housing program

Due to the ongoing impact of the COVID-19 pandemic, shelter in place orders and many organizations having limited operations or volunteer opportunities, HUD is waiving this requirement and suspending enforcement of the CSSR in an effort to help prevent further spread of COVID-19. **This suspension is effective for all adult residents of public housing and is not discretionary for ECC/HANH.**

HUD initially established a discretionary waiver of the CSSR in Notice PIH 2020-05 (PH-5: Community Service and Self-Sufficiency Requirement). This waiver supersedes PH-5 and is applicable regardless of whether a PHA previously adopted PH-5.

For PHAs that previously adopted PH-5, this waiver does not affect a PHA’s prior implementation of PH-5. This waiver will continue the suspension for families for whom the CSSR was suspended under PH-5 in addition to suspending the requirement for all adult residents of public housing.

Period of Availability: This waiver is effective for all annual reexaminations completed between the publication date of the notice through April 30, 2022.

PH-9: Review and Revision of Utility Allowances
Regulatory Authority: 24 CFR § 965.507

ECC/HANH will delay the review and revision to the utility allowances schedule for the various housing types and utility sources.

The revised Utility Allowances were effective January 1, 2021. If the effective dates changes beyond January 1, 2021, any retroactive payments to January 1, 2021 will be provided to the residents.

Extended Period of Availability: Any review and update of utility allowances that were due at some point in time in CY 2020 must be completed by **December 31, 2021**.

PH-10: Tenant Notifications for Changes to Project Rules and Regulations

Regulatory Authority: 24 CFR § 966.5

ECC/HANH is required by this regulation to provide 30-day notice to impacted families for changes to policies, rules and special charges. ECC/HANH is waiving the requirement to provide such advance notice, except advance notice must be provided for any changes related to tenant charges.

ECC/HANH must still provide adequate notification to impacted families within 30 days of making such changes. HUD encourages ECC/HANH to give advance notice to the extent feasible.

Extended Period of Availability: The period of availability ends on December 31, 2021.

PHA Reporting Requirements on HUD Form 50058.

Regulatory Authority: 24 CFR Part 908, § 982.158

Sub-regulatory Guidance: PIH Notice 2011-65

ECC/HANH must submit form HUD-50058 no later than 60 calendar days from the effective date of any action recorded on line 2b of the form HUD-50058 or form HUD-50058 MTW. HUD is waiving the 60-day deadline and providing that ECC/HANH must submit form HUD-50058 or HUD-50058 MTW for transactions impacted by implemented waivers and alternative requirements within 90 days of the effective date of action.

Period of Availability: The period of availability ended on December 31, 2020.

WAIVERS APPLICABLE TO BOTH PUBLIC HOUSING AND HCV PROGRAMS

PH: Family Income and Composition: Annual Examination Income Verification requirements

Regulatory Authority: 24 CFR 5.233(a)(2)

Regulatory Authority: 24 CFR 960.259(c)

Sub-regulatory Guidance: PIH Notice 2018-18

For annual reexaminations, ECC/HANH will waive the income verification hierarchy, including third party verifications and use of the Enterprise Income Verification (EIV) system and will accept self-certifications for income verification as the highest form of income verification. This may be accepted via telephone (but documented by ECC staff in written form), through email or postal mail or other electronic communications. ECC/HANH will address any material

discrepancies at a later date and any incorrect reporting may result in corrections and adjustments.

Extended Period of availability: Extended to December 31, 2021

PH: Family Income and Composition: Interim Examinations

Statutory Authority: Section 3(a)(1) of the USHA of 1937

Regulatory Authority: 24 CFR 5.233(a)(2) – HCV

Regulatory Authority: 24 CFR 982.51 (c)(2) – HCV

Sub Regulatory Guidance: PIH Notice 2018-18

For interim reexaminations, ECC/HANH will waive the income verification hierarchy, including third party verifications and use of the Enterprise Income Verification (EIV) system and will accept self-certifications for income verification as the highest form of income verification. This may be accepted via telephone (but documented by ECC staff in written form), through email or postal mail or other electronic communications. ECC/HANH will address any material discrepancies at a later date and any incorrect reporting may result in corrections and adjustments.

The effective date of the interim rent decrease will be the first day of the month after the event which caused the loss of income. Such a change would be consistent with the requirements for multifamily housing set forth in HUD-Handbook 4350.3 at Chapter 7 c. 7-13.c.2. which specifically cites first of the month after the loss of a job as an example of the effective date (first of the month after the event causing the loss of income. A resident may request a grievance hearing for a potential rent calculation error, if they believe the effective date of the interim is incorrect.

Extended Period of availability: Extended to December 31, 2021

PH: Enterprise Income Verification (EIV) Monitoring

Regulatory Authority: 24 CFR 5.233

Sub-regulatory Guidance: PIH Notice 2018-18

The mandatory monitoring of the following EIV reports have been waived.

- Deceased Tenants Report
- Identity Verification Report
- Immigration Report
- IVT Report
- Multiple Subsidy Report
- New Hires Report

Extended Period of availability: Extended to December 31, 2021

PH: Family Self Sufficiency (FSS) Contract of Participation Contract Extension
Regulatory Authority: 24 CFR 984.303(d)

ECC/HANH will extend the term of a family’s contract of participation beyond the two (2) years for “good cause” during this period.

Extended Period of Availability: The period of availability during which the ECC/HANH may extend the family’s contract of participation using COVID-19 as the “good cause” ends on December 31, 2021.

PH-12: Public Housing Agency Annual Self-Inspections
Statutory Authority: Section 6(f)(3) of the USHA of 1937
Regulatory Authority: 24 CFR § 902.20(d)

The statute requires PHAs which own or operate public housing to make an annual inspection of each public housing project to determine whether units in the project are maintained to applicable standards and remain safe for residents. HUD is waiving the requirement that the PHA must inspect each project during CY 2020. Additionally, it is recommended that PHAs continue to conduct exterior/site inspections or maintenance evaluations in compliance with social distancing requirements outlined by the CDC.

Period of Availability: The period of availability ended on December 31, 2020.

NEW

PH and HCV-9: Eligibility Determination: Social Security Number and Citizenship Verification

Statutory Authority: 42 USC 1436a(d)(2) – HCV and Public Housing

Regulatory Authority: 24 CFR §§ 5.216(b)(2), (g), (h), 5.218, 5.508(b)(2)(ii), (b)(3)(ii), (g) – HCV and Public Housing

Sub-regulatory Guidance: Notice PIH 2012-10

As a result of the COVID-19 pandemic, HUD understands that documentation may be difficult to obtain, particularly for individuals and families experiencing homelessness, and remains aware that PHAs are also facing challenges accessing and verifying some information necessary for eligibility determinations. Accepting self-certifications and delaying the receipt of documentation and/or third-party verification may allow PHAs to serve families more quickly, including individuals experiencing homelessness. To address these challenges, HUD is waiving the requirement to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting applicants to the HCV and Public Housing programs. PHAs may adopt policies to admit applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 90 days of admission to be eligible for continued assistance, pending verification. If a family member appeals secondary verification of immigration documents, PHAs are reminded that assistance may not be delayed, denied,

reduced or terminated on the basis of immigration status pending the completion of the appeal as described in 24 CFR § 5.514(e). Additionally, PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

Period of Availability: The period of availability ends on December 31, 2021.

Adopted by the Board of Commissioners XXXXX.

Resolution #XXXX