

**NOTICE OF PUBLIC HEARING FOR  
THE ELM CITY COMMUNITIES, HOUSING AUTHORITY OF NEWHAVEN (ECC/HANH)  
PROPOSED AMENDMENT TO THE LIPH ADMISSION AND CONTINUED OCCUPANCY PLAN  
(ACOP) AND HCV ADMINISTRATIVE PLAN (ADMIN PLAN)**

Elm City Communities, the Housing Authority of the City of New Haven (ECC/HANH) is proposing to amend sections of its Low-Income Public Housing Admissions and Continued Occupancy Policy (ACOP) and the Housing Choice Voucher (HCV) Administrative Plan (Admin Plan).

Copies of the amendment to the ACOP and the Administrative Plan will be made available on Monday, November 1, 2021 on the agency website [www.elmcitycommunities.org](http://www.elmcitycommunities.org) or via Twitter, [www.twitter.com/ECCCommunities](https://www.twitter.com/ECCCommunities) or via Facebook [www.facebook.com/ElmCityCommunities](https://www.facebook.com/ElmCityCommunities).

You are invited to provide written comments addressed to: ECC/HANH, ACOP & Admin Plan Revisions; Attn: Evelise Ribeiro, 360 Orange Street, New Haven, CT 06511 or via email to: [eribeiro@elmcitycommunities.org](mailto:eribeiro@elmcitycommunities.org).

A public hearing where public comments will be accepted and recorded is scheduled for Tuesday, November 30, 2021 at 3:00pm via RingCentral: <https://meetings.ringcentral.com/j/5274955065>. Or dial:(773) 231-9226, Meeting ID: 527 495 5065.

Any individual requiring a Reasonable Accommodation to participate in the hearing may call the Reasonable Accommodation Manager (203) 498-8800, ext. 1507 or at the TDD Number (203) 497-8434.

**AVISO DE AUDIENCIA PÚBLICA PARA LAS COMUNIDADES DE ELM CITY, AUTORIDAD DE  
VIVIENDA DE NEWHAVEN (ECC / HANH) PROPUESTA DE ENMIENDA AL PLAN DE  
ADMISIÓN Y OCUPACIÓN CONTINUADA (ACOP) DE LA LIPH  
Y AL PLAN ADMINISTRATIVO DE AVC (PLAN ADMIN)**

Elm City Communities, la Autoridad de Vivienda de la Ciudad de New Haven (ECC / HANH) está proponiendo revisar secciones de su Política de Admisiones de Vivienda Pública de Bajos Ingresos y Ocupación Continuada (ACOP) y el Plan Administrativo de Vales de Elección de Vivienda (HCV) (Admin. Plan).

Las copias de la enmienda al ACOP y el Plan Administrativo estarán disponibles el lunes 1 de Noviembre de 2021 en el sitio web de la agencia [www.elmcitycommunities.org](http://www.elmcitycommunities.org) o vía Twitter, [www.twitter.com/ECCCommunities](https://www.twitter.com/ECCCommunities) o vía Facebook [www.facebook.com /ElmCityCommunities](https://www.facebook.com/ElmCityCommunities).

Se le invita a proporcionar comentarios por escrito dirigidos a: ECC / HANH, ACOP & Admin Plan Revisions; Attn: Evelise Ribeiro, 360 Orange Street, New Haven, CT 06511 o por correo electrónico a: [eribeiro@elmcitycommunities.org](mailto:eribeiro@elmcitycommunities.org).

Una audiencia pública en la que se aceptarán y grabarán los comentarios públicos está programada para el martes 30 de Noviembre de 2021 a las 3:00 p.m., 3:00 p.m. a través de RingCentral: <https://meetings.ringcentral.com/j/5274955065> <https://meetings.ringcentral.com/j/5274955065>. O marque: (773) 231-9226 (773) 231-9226, ID de reunión: 527495 5065.  
5065.

Cualquier individuo que requiera una Adaptación Razonable para participar en la audiencia puede llamar al Gerente de Adaptación Razonable (203) 498-8800, ext. 1507 o al número TDD (203) 497-8434.

## 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.**

## Chapter 4

### APPLICATIONS, WAITING LIST AND TENANT SELECTION

#### INTRODUCTION

When a family wishes to reside in public housing, the family must submit an application that provides ECC/HANH with the information needed to determine the family's eligibility. HUD requires ECC/HANH to place all eligible families that apply for public housing on a waiting list. When a unit becomes available, ECC/HANH must select families from the waiting list in accordance with HUD requirements and ECC/HANH policies as stated in its Admissions and Continued Occupancy Policy (ACOP) and the Annual Plan.

ECC/HANH is required to adopt clear policies and procedures for accepting applications, placing families on the waiting list, and selecting families from the waiting list, and must follow these policies and procedures consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or ECC/HANH that justify their selection. Examples of this are the selection of families for income targeting and the selection of families that qualify for targeted funding.

HUD regulations require that ECC/HANH comply with all equal opportunity requirements and it must affirmatively further fair housing goals in the administration of the program [24 CFR 960.103, PH Occ GB p. 13] (see chapter 2).

This chapter describes ECC/HANH policies for accepting applications, managing the waiting list and selecting families from the waiting list. Policies for assigning unit size and making unit offers are contained in Chapter 5. Together, Chapters 4 and 5 of the ACOP comprise ECC/HANH's Tenant Selection and Assignment Plan (TSAP).

The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process and discusses how applicants can obtain and submit applications. It also specifies how ECC/HANH will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how ECC/HANH's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for public housing. It also discusses the process ECC/HANH will use to keep the waiting list current.

Part III: Tenant Selection. This part describes the policies that guide ECC/HANH in selecting families from the waiting list as units become available. It also specifies how ~~in-~~ ~~person~~ interviews will be used to ensure that ECC/HANH has the information needed to make a final eligibility determination.

## PART I: THE APPLICATION PROCESS

### 4-I.A. OVERVIEW

This part contains policies guiding ECC/HANH's efforts to distribute and accept applications, and to make preliminary determinations of applicant family eligibility that affect placement on the waiting list. Included is ECC/HANH's obligation to ensure accessibility of the application process.

### 4-I.B. APPLYING FOR ASSISTANCE

Any family that wishes to reside in public housing must apply for admission to the program when the waiting list for the specific ~~site-based~~ site-based development is open.

HUD permits ECC/HANH to determine the format and content of LIPH applications, as well how such applications will be made available to interested families and how applications will be accepted by ECC/HANH. ECC/HANH must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of ECC/HANH's application.

#### ECC/HANH Policy

When opening the waiting list, ECC/HANH will publicly announce the accepting of applications (see Section 4-II-C).

~~Because it is expected that a family will not be selected from the waiting list for at least 60 days from the date of application, ECC/HANH initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be asked to complete a pre-application. The family will be required to complete a full application and provide all of the information necessary to establish family eligibility and the amount of rent the family will pay when selected from the waiting list.~~

~~Families may apply for the wait list through the ECC/HANH Applicant portal at <https://ecc.myhousing.com>. If the applicant needs a reasonable accommodation to complete the pre-application, the applicant may contact the 203-498-8800 x1507. To obtain application forms from ECC/HANH website at [www.elmcitycommunities.org](http://www.elmcitycommunities.org).~~

~~Only one pre-application will be accepted per family; duplicates will be discarded.~~

~~Families may apply to all open qualifying wait lists for up to three site-based waiting lists when applying~~

~~Pre-applications received after the published deadline date will be rejected.~~

~~Currently all LIPH site-based waiting lists are open during any time period when the application period is closed will be rejected.~~

~~Pre-applications must be filled out completely in order to be accepted by ECC/HANH for processing.~~

If a pre-application is incomplete, ECC/HANH will notify the family that the pre-application is rejected, and it is the family's obligation to submit a completed pre-application, provided the waiting list is open.

Families may apply for the wait list through the ECC/HANH Applicant portal at <https://ecc.myhousing.com>. If the applicant needs a reasonable accommodation to complete the pre-application, the applicant may contact the Reasonable Accommodation Manager at 203-498-8800 x1507. ~~Obtain a~~ Application forms can also be obtained at ~~from the~~ ECC/HANH website at [www.elmcitycommunities.org/en/](http://www.elmcitycommunities.org/en/) or United Way's 211 Info line at <http://www.cthevp.org>.

A family may request to pick up an application form at the agency offices or to have the application mailed to them as a reasonable accommodation.

All applications received via mail will be date and time stamped. Mailed applications will be added to the waitlist based on the date and time that they are stamped as received.

Only one application will be accepted per family; duplicate applications will be discarded.

Applications received after the published deadline date will be rejected.

Completed applications must be submitted via the Wait List portal. Applications must be complete in order to be accepted by the ECC/HANH for processing.

The Applicant Portal does not allow incomplete applications to be submitted through the portal. If a pre-application submitted in any way other than the portal is incomplete, the ECC/HANH will not accept the application but will instead notify the applicant by mail or email, if applicable, that the application is incomplete and has been denied.

An applicant whose application has been denied for not meeting the published application criteria will be provided with the opportunity to appeal ECC/HANH's decision that the application did not meet the published application criteria within 10 business days of the notice of application denial.

If a pre-application is incomplete, ECC/HANH will notify the family that the pre-application is rejected, and it is the family's obligation to submit a completed pre-application, provided the waiting list is open.

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

ECC/HANH must take a variety of steps to ensure that the pre-application process is accessible to those people who might have difficulty complying with the standard ECC/HANH pre-application process.

##### **Disabled Populations [24 CFR 8; PH Occ GB, p. 68]**

ECC/HANH must provide reasonable accommodation as needed for persons with disabilities to make the pre-application process fully accessible. The facility where pre-applications are accepted and the pre-application process must be fully accessible, or ECC/HANH must provide an alternate approach that provides equal access to the program (see chapter 2).

## Limited English Proficiency

ECC/HANH is required to take reasonable steps to ensure meaningful access to our programs and activities by persons with limited English proficiency [24 CFR 1] (see chapter 2).

### **4-I.D. PLACEMENT ON THE WAITING LIST**

~~ECC/HANH must review each completed pre-application received and make a preliminary assessment of the family's eligibility. Applicants for whom the waiting list is open must be placed on the waiting list unless ECC/HANH determines the family to be ineligible. Where the family is determined to be ineligible, ECC/HANH must notify the family in writing [24 CFR 960.208(a); PH-Oee-GB, p. 41].~~

~~No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.~~

#### **Ineligible for Placement on the Waiting List**

##### ECC/HANH Policy

~~If ECC/HANH determines from the information provided that a family is ineligible, the family will not be placed on the waiting list. When a family is determined to be ineligible, ECC/HANH will send written notification of the ineligibility determination within 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 (see Chapter 14).~~

#### **Ineligible for Placement on the Waiting List**

##### ECC/HANH Policy

The Applicant Portal does not allow incomplete applications to be submitted. If an application is incomplete, the applicant will not be able to submit the application until the application is completed with all required information. If a pre-application submitted in any way other than the portal is incomplete, ECC/HANH will not accept the application but will instead notify the applicant by mail or email, if applicable, that the application is incomplete and give an opportunity to complete the application.

Applicants will not be screened for ineligibility at the pre-application stage. Screening for ineligibility will occur at the time of tenant selection at the full application stage.

#### **Eligible for Placement on the Waiting List**

##### ECC/HANH Policy

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

ECC/HANH will assign families on the waiting list according to the bedroom size for which a family qualifies as established in its occupancy standards (see Chapter 5). Families 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 ECC/HANH standards and local codes). However, in these cases, the family must agree not to request a transfer for one year 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, ECC/HANH will verify any preference(s) claimed and determine eligibility and suitability for admission to the program.

## PART II: MANAGING THE WAITING LIST

### 4-II.A. OVERVIEW

ECC/HANH must have policies regarding the type of waiting list it will utilize as well as how the waiting list will be organized and managed.

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

ECC/HANH's public housing waiting list must be organized in such a manner to allow ECC/HANH to accurately identify and select families in the proper order, according to its admissions policies.

#### ECC/HANH Policy

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

- Entity ID number
- Name and social security number of head of household
- Date of Birth
- Unit size required (number of family members)
- Amount and source of annual income
- Accessibility requirement, if any
- Household type (family, elderly, disabled)
- Admission preference, if any
- Race and ethnicity of the head of household
- Gender
- The specific site(s) selected

#### Date and time of application or application

ECC/HANH may adopt one community-wide waiting list or site-based waiting lists. Site-based waiting lists allow families to select the development where they wish to reside and must be consistent with all applicable civil rights and fair housing laws and regulations [24 CFR 903.7(b)(2)].

#### ECC/HANH Policy

ECC/HANH has adopted a system of site-based waiting lists.

HUD requires that public housing applicants must be offered the opportunity to be placed on the waiting list for any tenant-based or project-based voucher or moderate rehabilitation program that the ECC/HANH operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs [24 CFR 982.205(a)(2)(i)].

ECC/HANH must manage its site-based waiting list in a manner that is consistent with the ECC/HANH's activities to affirmatively further fair housing, such as marketing to groups least likely to apply for public housing

ECC/HANH must have a system for regular review of the results of its site-based waiting list operation to examine any changes in the racial and ethnic makeup of each site through steps described below.

- Each year, as part of its Annual Plan preparation, ECC/HANH must assess any changes in the racial and ethnic make-up of sites with site-based waiting lists, based on data that has been determined to be accurate by ECC/HANH's Independent Public Accountant.
- At least every three years ECC/HANH must use independent testers, or some other method approved by HUD to ensure that applicants are not treated differently based upon their race or ethnicity, and that no patterns or practices of discrimination exist; and
- ECC/HANH must make changes in its site-based waiting list system, as needed, based on the data and methods above to affirmatively further fair housing.

#### **4-III.C. OPENING AND CLOSING THE WAITING LIST**

##### **Closing the Waiting List**

ECC/HANH is permitted to close the waiting list, in whole or in part, if it has an adequate pool of families to fully lease units in all of its developments. ECC/HANH may close the waiting list completely, or restrict intake by preference, type of project, or by size and type of dwelling unit. [PH Occ GB, p. 31].

##### ECC/HANH Policy

ECC/HANH may close the waiting list when the estimated waiting period for housing applicants on the list reaches 48 months for the most current applicants. Where ECC/HANH has particular preferences or other criteria that require a specific category of family, ECC/HANH may elect to continue to accept applications from these applicants while closing the waiting list to others.

~~ECC/HANH typically keeps the following waiting lists open continuously:~~

~~Site-based waiting lists for elderly/disabled sites~~

~~Site-based waiting lists for four-bedroom and five-bedroom units~~

~~Scattered sites—ECC/HANH's self-sufficiency sites~~

~~Accessible units.~~

##### **Reopening the Waiting List**

If the waiting list has been closed, it may be reopened at any time.

##### ECC/HANH Policy

ECC/HANH will announce the reopening of the waiting list at least 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.

ECC/HANH will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

New Haven Register, Inner City, La Voz, The City of New Haven's Office on Disabilities, Facebook, Twitter, other social media, and the State of Connecticut website

#### **4-II.D. FAMILY OUTREACH [24 CFR 903.2(d); 24 CFR 903.7(a) and (b)]**

ECC/HANH should conduct outreach as necessary to ensure that ECC/HANH has a sufficient number of applicants on the waiting list to fill anticipated vacancies and to assure that ECC/HANH is affirmatively furthering fair housing and complying with the Fair Housing Act.

ECC/HANH outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

ECC/HANH outreach efforts must be designed to inform qualified families about the availability of units under the program.

##### ECC/HANH Policy

ECC/HANH will monitor the characteristics of the population being served and the characteristics of the population as a whole in ECC/HANH's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

#### **4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES**

##### ECC/HANH Policy

While the family is on the waiting list, the family must inform ECC/HANH 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.

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

HUD requires ECC/HANH to establish policies that describe the circumstances under which applicants will be removed from the waiting list [24 CFR 960.202(a)(2)(iv)].

##### **Purging the Waiting List**

The decision to remove an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation (see Chapter 2).

##### ECC/HANH Policy

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

ECC/HANH will consider the following factors when deciding to purge/update the waiting list and may decide to purge individual site-based Waiting List at a given time.

To ~~purge~~update the waiting list, ECC/HANH will send a purge letter~~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 LIPH program.

This ~~update request~~purge letter will be sent to the last address that ECC/HANH has on record for the family. The ~~update request~~ purge letter 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.

Applicants must complete a new preliminary application providing all the information needed for placement on the waiting list, such as address, phone number, household composition, income, and email address if applicable.

If no response is received by the deadline, the applicant is removed from the Waiting List and a copy of the original letter shall be maintained in the file with a note indicating the date and reason for removing the applicant from the Waiting List.

The family's response must be in writing and may be delivered in person or by mail. Responses should be postmarked or received by ECC/HANH not later than 15 business days from the date of ECC/HANH's letter.

If the family fails to respond within 15 business days, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office marked undeliverable or 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 re-sent to the address indicated. The address will be updated accordingly. The family will have 15 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~~purge process for failure to respond, no informal hearing will be offered. Such failures to act on the part of the applicant prevent ECC/HANH from making an eligibility determination; ~~therefore~~therefore, no informal hearing is required.

If a family is removed from the waiting list for failure to respond, ECC/HANH may reinstate the family if the lack of response was due to ECC/HANH error, or to circumstances beyond the family's control, to include but limited to, hospilization, delayed mail delivery, or other reasonable accommodation circumstances.

### **Removal from the Waiting List**

#### ECC/HANH Policy

ECC/HANH will remove an applicant from the waiting list upon request by the applicant family. In such cases no informal hearing is required. Such requests must be submitted in writing.

If ECC/HANH determines that the family is not eligible for admission (see Chapter 3) 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 ECC/HANH 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 ECC/HANH's decision (see Chapter 14) [24 CFR 960.208(a)].

## PART III: TENANT SELECTION

### 4-III.A. OVERVIEW

ECC/HNH must establish tenant selection policies for families being admitted to public housing [24 CFR 960.201(a)]. ECC/HANH must not require any specific income or racial quotas for any developments [24 CFR 903.2(d)]. ECC/HANH must not assign persons to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin for purposes of segregating populations [24 CFR 1.4(b)(1)(iii) and 24 CFR 903.2(d)(1)].

The order in which families will be selected from the waiting list depends on the selection method chosen by ECC/HANH and is impacted in part by any selection preferences that the family qualifies for. The availability of units also may affect the order in which families are selected from the waiting list.

ECC/HANH must maintain a clear record of all information required to verify that the family is selected from the waiting list according to ECC/HANH's selection policies [24 CFR 960.206(e)(2)]. ECC/HANH's policies must be posted any place where the ECC/HANH receives applications. ECC/HANH must provide a copy of its tenant selection policies upon request to any applicant or tenant. ECC/HANH may charge the family for providing a copy of its tenant selection policies [24 CFR 960.202(c)(2)].

#### ECC/HANH Policy

ECC/HANH will provide copies of tenant selection policies free of charge, upon request.

### 4-III.B. SELECTION METHOD

#### **Local Preferences [24 CFR 960.206]**

ECC/HANH is permitted to establish local preferences and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits ECC/HANH to establish other local preferences, at its discretion. Any local preferences established must be consistent with the ECC/HANH plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources [24 CFR 960.206(a)].

#### ECC/HANH Policy

ECC/HANH will use the following local ranking preference system for admission into the LIPH program:

1) Persons displaced by government action, or a person whose dwelling has ~~been extensively~~~~been extensively~~ damaged or destroyed as a result of a disaster declared or formally recognized pursuant to Federal disaster relief laws. 24 CFR 5.403(b). This preference will be prioritized in the following Tiers:

a) **Tier I: Displaced by Government Action, In-house redevelopment**

a. **Displacement as the result of ECC/HANH planned development/demolition/disposition activity, including from buildings condemned**

for health and safety reasons, and including from ECC/HANH public housing units undergoing demolition/disposition, if such action is under a Uniform Relocation Act (URA)

**Tierb) Tier II:** Displaced by Government Action, I.e. Local Natural Disaster or Building condemnation

b. Displacement as the result of a local natural disaster and/or condemnation of a property or dwelling for health and safety reasons.

c) **Tier III:** Displaced by Government Action, As defined by US Department of Housing

c. Displacement as defined by US Department of Housing and Urban Development as the result of a natural disaster or event defined Emergency event resulting in the displacement of persons needing housing assistance.

2) Documented victims of domestic violence, sexual assault, dating violence or stalking. Violence Against Women Act (VAWA) for applicants who are victims of domestic violence, dating violence, sexual assault or stalking including LIPH resident and applicant families claiming protections under the Violence Against Women Act (VAWA). See the VAWA preference policy for more information.

To qualify for the VAWA preference, the incident must have taken place no more than 90 calendar days prior to date of ECC/HANH's receipt of the VAWA application.

3) Local Preference based on Income Targeting 24 CFR 960.202. Applicants will be grouped as follows

a) **Tier I:** Families with incomes between 0% and 30% of area median income (this group **must** constitute at least 40% of all admissions in any year). This preference is required by Federal ~~law~~ law.

b) **Tier II:** Families with incomes from 31% to 50% of area median income (the target for this group is 30% of all admissions in any year).

c) **Tier III:** Families with incomes from 51% to 80% of area median income (the target for this group is 30% of all admissions in any year).

Within income Tiers, applications are sorted by wait list position number (date and time of application).

### **Designated Housing**

- a. Elderly/Disabled (Mixed Population) - Projects designated for Elderly and Disabled families:<sup>1</sup> Elderly families and disabled families receive equal preference. Applicants must apply to a site-based waiting list.
- b. ECC/HANH's Self-Sufficiency Scattered Sites – Sites consisting of small developments and scattered single family homes are designated self-sufficiency housing, with eligibility targeted to Tier III applicants and transfers. These sites are designated for families between 51% to 80% AMI.
- c. Accessible Housing – ECC/HANH maintains a percentage of units in its portfolio that are UFAS-compliant (i.e., wheelchair accessible, mobility-impaired accessible units, hearing-impaired accessibility, sight-impaired accessible units, etc.). Priority for these units shall be given to families with one or more members who require such features. Applicants may apply to the Accessible Housing waiting list as well as to the general waiting list.
- d. Supportive Housing Matching Program - ECC/HANH is authorized under its Moving to Work status to develop and adopt a voluntary program for its properties that matches housing with health, social services and/or economic development programs tailored to each resident's opportunity to become ~~self sufficient~~self-sufficient. In carrying out this program, a certain number of sites are designated a specific number of units for applicants, and a certain number of sites are designated a specific number of units for residents. Priority of units designated under this program will be given to eligible ECC/HANH residents and eligible applicants referred by supportive service agencies pursuant to an agreement with ECC/HANH to provide such supportive services. Applicants must apply to the site-based Supportive Housing waiting list for these designated sites.
- e. Community Re-entry & Community Reunification Program – ECC/HANH was authorized under its Moving to Work Annual Plan to develop and implement a program to increase housing choice and support family self-sufficiency. Under the Community Reentry program, ECC/HANH serves individuals who have reentered society after completing a prison sentence through ~~Project Longevity and~~ Project Fresh Start, as well as individuals looking to be added to a current ECC/HANH household under the Family Reunification program.  
~~Under the Community Reentry program, ECC/HANH serves individuals who have reentered society after completing a prison sentence through Project Fresh Start, as well as individuals looking to be added to a current ECC/HANH household under the Family Reunification program.~~ Ten percent (10%) of the new admissions each year will be allocated to ~~participants~~applicants on Reentry waitlist. Residents under the family reunification

<sup>1</sup> Buildings or portions of buildings designated for elderly persons and persons with disabilities. The definition of an elderly family is one in which the head, spouse or cohead is 62 or older. The definition of a disabled family is one in which the head, spouse or cohead is a person with disabilities.

program do not count toward the number of units allocated to reentry each year as they are individuals being added to existing LIPH households. Additionally, under family reunification, all new admissions to households under the family reunification program will be referred to the team at the partner agency Project Fresh Start. A preference does not guarantee admission to the program. Preferences are used to establish eligibility for placement on the Community Re-Entry housing waiting list. Every applicant must meet the ECC/HANH's eligibility and Selection Criteria as defined in this policy.

#### **Income Targeting Requirement [24 CFR 960.202(b)]**

HUD requires that extremely low-income (ELI) families make up at least 40 percent of the families admitted to public housing during ECC/HANH's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30 percent of the area median income, whichever number is higher [*Federal Register* notice 6/25/14]. To ensure this requirement is met, ECC/HANH may skip non-ELI families on the waiting list in order to select an ELI family.

##### ECC/HANH Policy

ECC/HANH's Tiered preference system described in this Section, above, ensures compliance with HUD's income targeting requirement.

#### **Organization of ECC/HANH's Site-Based Waiting Lists**

ECC/HANH maintains a system of site-based waiting lists. ~~Applicants may choose up to three (3) site-based waiting lists on which they wish to be placed.~~ Applications are accepted via the Wait List Application web portal, at ECC/HANH's central office at 360 Orange Street and at each site. Every reasonable action will be taken by ECC/HANH to assure that applicants can make informed choices regarding the developments in which they wish to reside. ECC/HANH will disclose information to applicants regarding the location of available sites, housing type, number, and size of units, including accessible units. ECC/HANH will also include basic information relative to amenities such as day care, security, transportation, training programs, and an estimate of the period of time the applicant will likely have to wait to be admitted to units of different types.

ECC/HANH maintains separate site-based waiting lists for applicants for the following:

##### **Site Based (Family) Developments**

~~McConaughy~~ ~~McConaughy~~ Terrace

Westville Manor

Essex Townhouses

Valley Townhouses

## Scattered Sites

### **Elderly/Disabled Developments [24 CFR 960.407]**

Robert T. Wolfe  
George Crawford Manor

An elderly/disabled development is a public housing development or portion of a development that was reserved for elderly families and disabled families at its inception (and has retained that character) or ECC/HANH at some point after its inception obtained HUD approval to give preference in tenant selection for all units in the development (or portion of a development) to elderly and disabled families [24 CFR 960.102].

Elderly family means a family whose head, spouse, cohead, or sole member is a person who is at least 62 years of age.

Disabled family means a family whose head, spouse, cohead, or sole member is a person with disabilities [24 CFR 5.403].

ECC/HANH must give elderly and disabled families equal preference in selecting these families for admission to mixed population developments. ECC/HANH may not establish a limit on the number of elderly or disabled families that may occupy a mixed population development. In selecting elderly and disabled families to fill these units, ECC/HANH must first offer the units that have accessibility features for families that include a person with a disability and require the accessibility features of such units. ECC/HANH may not discriminate against elderly or disabled families that include children (Fair Housing Amendments Act of 1988).

### **Scattered Site Developments (General Occupancy) (For Tier III Transfers and Applicants)**

Scattered sites are ECC/HANH designated self-sufficiency units and are available for Tier III transfer ~~families~~ residents and applicants, e.g., families at 51% to 80% of AMI. Scattered sites are located throughout the jurisdiction ECC/HANH serves.

Transfer policy for scattered sites residents is found in Chapter 12, Transfers.

### **Supportive Services for Persons and Families Approved for Such Services by ECC/HANH Designated Supportive Services Agencies (for ~~Applicants and Residents~~)**

Robert T. Wolfe  
George Crawford Manor  
~~Matthew Ruoppolo Manor~~

The site-based supportive housing waiting lists are open to applicants who have indicated a preference for and who qualify for the supportive services associated with that waiting list. Applicants may demonstrate their eligibility by providing a standard form,

“Preference Form for ECC/HANH-Assisted Supportive Housing Programs,” signed by both the applicant and the service provider or its authorized representative. A preference does not guarantee admission to the program. Preferences are used to establish eligibility for placement on a supportive housing waiting list. Every applicant must meet ECC/HANH's eligibility and Selection Criteria as defined in this policy.

**~~Supportive Services for Persons and Families Approved for Such Services by ECC/HANH Designated Supportive Services Agencies (for Residents Only)~~**

~~George Crawford Manor~~

All applicants must be able to meet any property-specific admissions requirements at the time of admission.

**Deconcentration of Poverty and Income-Mixing [24 CFR 903.1 and 903.2]**

ECC/HANH's admission policy must be designed to provide for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects. A statement of ECC/HANH's deconcentration policies must be included in its annual plan [24 CFR 903.7(b)].

ECC/HANH's deconcentration policy must comply with its obligation to meet the income targeting requirement [24 CFR 903.2(c)(5)].

Developments subject to the deconcentration requirement are referred to as ‘covered developments’ and include general occupancy (family) public housing developments. The following developments are not subject to deconcentration and income mixing requirements:

- developments operated by a PHA with fewer than 100 public housing units;
- mixed population or developments designated specifically for elderly or disabled families;
- developments operated by a PHA with only one general occupancy ~~development;development.~~
- developments approved for demolition or for conversion to tenant-based public housing;
- developments approved for a mixed-finance plan using HOPE VI or public housing funds [24 CFR 903.2(b)].

***Steps for Implementation [24 CFR 903.2(c)(1)]***

To implement the statutory requirement to deconcentrate poverty and provide for income mixing in covered developments, ECC/HANH must comply with the following steps:

Step 1. ECC/HANH must determine the average income of all families residing in all ECC/HANH's covered developments. ECC/HANH may use the median income, instead of average income, provided that ECC/HANH includes a written explanation in its annual plan justifying the use of median income.

ECC/HANH Policy

ECC/HANH will determine the average income of all families in all general occupancy (family) developments on a periodic basis.

Step 2. ECC/HANH must determine the average income (or median income, if median income was used in Step 1) of all families residing in each covered development. In determining average income for each development, ECC/HANH has the option of adjusting its income analysis for unit size in accordance with procedures prescribed by HUD.

ECC/HANH Policy

ECC/HANH will determine the average income of all families residing in each general occupancy (family) development (not adjusting for unit size) on a periodic basis.

Step 3. ECC/HANH must then determine whether each of its covered developments falls above, within, or below the established income range (EIR), which is from 85% to 115% of the average family income determined in Step 1. However, the upper limit must never be less than the income at which a family would be defined as an extremely low-income family (federal poverty level or 30 percent of median income, whichever number is higher).

Step 4. ECC/HANH with covered developments having average incomes outside the EIR must then determine whether or not these developments are consistent with its local goals and annual plan.

Step 5. Where the income profile for a covered development is not explained or justified in the annual plan submission, ECC/HANH must include in its admission policy its specific policy to provide for deconcentration of poverty and income mixing.

ECC/HANH's deconcentration policy may include, but is not limited to the following:

- Providing incentives to encourage families to accept units in developments where their income level is needed, including rent incentives, affirmative marketing plans, or added amenities
- Targeting investment and capital improvements toward developments with an average income below the EIR to encourage families with incomes above the EIR to accept units in those developments
- Establishing a preference for admission of working families in developments below the EIR
- Skipping a family on the waiting list to reach another family in an effort to further the goals of deconcentration
- Providing other strategies permitted by statute and determined by ECC/HANH in consultation with the residents and the community through the annual plan process to be responsive to local needs and ECC/HANH strategic objectives

A family has the sole discretion whether to accept an offer of a unit made under ECC/HANH's deconcentration policy. ECC/HANH must not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under ECC/HANH's deconcentration policy [24 CFR 903.2(c)(4)].

If, at annual review, the average incomes at all general occupancy developments are within the EIR, ECC/HANH will be considered to be in compliance with the deconcentration requirement and no further action is required.

#### ECC/HANH Policy

If, at annual review, there are found to be development(s) with average income above or below the EIR, and where the income profile for a site based family development above or below the EIR is not explained or justified in the ECC/HANH MTW Plan, ECC/HANH shall list these covered developments in the ECC/HANH Annual Plan and shall develop a policy for deconcentration of poverty and income mixing in applicable developments. ECC/HANH's policies for implementing deconcentration may include:

Targeting investment and capital improvements toward covered developments below the EIR to encourage applicant families whose income is above the EIR to accept units in those developments.

Offering incentives to families with incomes above the EIR willing to move into a development with average income below the EIR and/or to families with incomes below the EIR willing to move into a development with average income above the EIR. These incentives are described in the MTW Annual Plan.

#### **Deconcentration Compliance**

If, at annual review, the average incomes at all site-based family developments are within the Established Income Range, ECC/HANH will be considered to be in compliance with the deconcentration requirement.

#### **Promotion of Integration**

Beyond the basic requirement of nondiscrimination, ECC/HANH shall affirmatively further fair housing to reduce racial and national origin concentrations. ECC/HANH shall not require any specific income or racial quotas for any development or developments.

ECC/HANH shall not assign families to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin.

#### **Order of Selection [24 CFR 960.206(e)]**

ECC/HANH's system of preferences may select families either according to the date and time of application or by a random selection process.

#### ECC/HANH Policy

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 ECC/HANH.

When selecting applicants from the waiting list, ECC/HANH will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. ECC/HANH will offer the unit to the highest ranking applicant who qualifies for that unit size or type, or that requires the accessibility features.

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.

Factors such as deconcentration or income mixing and income targeting will also be considered in accordance with HUD requirements and ECC/HANH policy.

#### **4-III.C. NOTIFICATION OF SELECTION**

When the family has been selected from the waiting list, ECC/HANH must notify the family.

##### ECC/HANH Policy

ECC/HANH will notify the family by first class mail or email if applicable when it is selected from the waiting list.

The notice will inform the family of the following:

- Date, time, and location of the scheduled briefing interview, including any procedures for rescheduling the interview

- Who is required to attend the interview

- Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation

- Documents that must be provided at the interview to document eligibility for a preference, if applicable

- Other documents and information that should be brought to the interview

If a notification letter is returned to ECC/HANH with no forwarding address, the family will be removed from the waiting list without further notice.

If the family fails to attend the eligibility/briefing interview, ECC/HANH will make one additional attempt to schedule the family for an eligibility briefing interview. If the family is unable to attend a scheduled interview, the family should contact ECC/HANH in advance of the interview to schedule a new appointment, and the first eligibility/briefing interview will not count as a missed appointment.

In all circumstances, if a family does not attend a scheduled interview, ECC/HANH will send another notification letter with a new interview appointment time. Applicants who fail to attend two scheduled interviews without ECC/HANH approval will be removed from the waiting list based on the family's failure to supply information needed to determine eligibility, subject to reasonable accommodation for people with disabilities.

Such failure to act on the part of the applicant prevents ECC/HANH from making an eligibility determination; therefore, no informal hearing will be offered.

#### **4-III.D. THE APPLICATION INTERVIEW**

HUD recommends that ECC/HANH obtain the information and documentation needed to make an eligibility determination through a private interview. Being invited to attend an interview does not constitute admission to the program.

Assistance cannot be provided to the family until all SSN documentation requirements are met. However, if ECC/HANH determines that an applicant family is otherwise eligible to participate in the program, the family may retain its place on the waiting list for a period of time determined by ECC/HANH [Notice PIH 2012-10].

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability [24 CFR 8.4(a) and 24 CFR 100.204(a)].

#### ECC/HANH Policy

Families selected from the waiting list are required to participate in an eligibility briefing interview.

All adult family members are required to attend the interview. ECC/HANH may waive this requirement on a case-by-case basis for students attending school out of state and/or members for whom attendance would present a hardship. 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 ECC/HANH.

All adults who did not attend the original eligibility briefing, and requirement to attend has not been waived by ECC/HANH, will then be required to attend an interview within 10 business days of the originally-scheduled eligibility briefing to review all provided information and to certify as to the accuracy and completeness of the information.

The interview will be conducted only if the head of household or spouse/cohead provides appropriate documentation of legal identity (Chapter 7 provides a discussion of proper documentation of legal identity). If the family representative does not provide the required documentation within 10 business days, the appointment will be rescheduled when the proper documents have been obtained.

Pending disclosure and documentation of social security numbers, ECC/HANH will allow the family to retain its place on the waiting list for 90 days.

If not all household members have disclosed their SSNs at the next time a unit becomes available, ECC/HANH will offer a unit to the next eligible applicant family on the waiting list.

If the family is claiming a waiting list preference, the family must provide documentation to verify their eligibility for a preference (see Chapter 7). If the family is verified as eligible for the preference, ECC/HANH will proceed with the interview.

ECC/HANH typically keeps some waiting lists continuously open for certain specific categories, e.g., Displaced Persons, Victims of Domestic Violence, Elderly-Only sites, Elderly/Disabled sites, Accessible units, and/or four- and five-bedroom units. If ECC/HANH determines the family applying for a targeted waiting list is not eligible for the category, the interview will not proceed and the family will be denied. However, the

applicant will be invited to apply when the waiting list is open in any category for which the family appears to be eligible.

If ECC/HANH determines the family is not eligible for a preference claimed, but the family is still eligible to be on the waiting list, 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.

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, ECC/HANH will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. A 10-day extension will be granted if the family can demonstrate inability to receive documentation prior to the scheduled interview, or hardship. Further extensions may be granted on a case-by-case basis by ECC/HANH operations management. 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 (see Chapter 3).

Interviews will be conducted in English. ECC/HANH will provide competent oral interpretation, free of charge, upon request, to Limited English proficient (LEP) applicants.

When ECC/HANH denies eligibility due to failure to supply information needed to determine eligibility, a notice of denial will be issued in accordance with policies contained in Chapter 3, informing the applicant of the right to an informal hearing.

#### **4-III.E. FINAL ELIGIBILITY DETERMINATION [24 CFR 960.208]**

ECC/HANH must verify all information provided by the family (see Chapter 7). Based on verified information related to the eligibility requirements, including ECC/HANH suitability standards, ECC/HANH must make a final determination of eligibility (see Chapter 3).

When a determination is made that a family is eligible and satisfies all requirements for admission, including tenant selection criteria, the applicant must be notified of the approximate date of occupancy insofar as that date can be reasonably determined [24 CFR 960.208(b)].

##### ECC/HANH Policy

ECC/HANH will notify a family in writing of their final eligibility within 10 business days of the determination and will provide the approximate date of occupancy insofar as that date can be reasonably determined.

ECC/HANH must promptly notify any family determined to be ineligible for admission of the basis for such determination, and must provide the applicant upon request, within a reasonable time after the determination is made, with an opportunity for an informal hearing on such determination [24 CFR 960.208(a)].

ECC/HANH Policy

If ECC/HANH determines that the family is ineligible, ECC/HANH will send written notification of the ineligibility determination within 10 business days of the determination. The notice will specify the reason(s) for ~~ineligibility, and~~ ineligibility and will inform the family of its right to request an informal hearing (see Chapter 14).

If ECC/HANH uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, 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 ECC/HANH can move to deny the application. See Section 3-III.G.

## PART 4-IV

### VAWA APPLICANT WAITLIST AND TRANSFER WAITLIST PREFERENCE

#### 4-IV.A OVERVIEW INTRODUCTION

In support of The Violence Against Women Act, 42 U. S. C. 13701, ECC/HANH has implemented a waitlist preference for victims of domestic violence (VAWA). The preference applies to:

- all site based low income public housing waitlists for developments owned and/or managed by ECC/HANH. Including sites managed by a 3<sup>rd</sup> Party entity;
- ECC/HANH's in-house transfer waitlists
- ~~current applicants on the HCV waitlist.~~

#### Admissions and Screening

##### A. Non-Denial of Assistance.

ECC/HANH will not deny admission to public housing to any person because that person is or has been a victim of domestic violence, sexual assault, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

B. Admissions Preference. Applicants for housing assistance from ECC/HANH will receive a preference in admissions by virtue of their status as victims of domestic violence, sexual assault, dating violence, or stalking. This preference is particularly described as follows:

- Applicants holding a place on any ECC/HANH wait list will be repositioned as outlined in the Admission and Continued Occupancy Plan (ACOP)

C. Mitigation of Disqualifying Information. When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, ~~ECC/HANH may but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling.~~ If requested by an applicant to take such mitigating information into account, ECC/HANH shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. ECC/HANH will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

D. Mandatory Disqualify: Former Housing Choice Voucher Participants Residents of any Low-Income Public Housing program who were not in good standing at the time of exiting the program.

### Unit Assignments for New Applicants

In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, sexual assault, dating violence, or stalking, ECC/HANH will approve the first available unit in our low income public housing properties, RAD properties, or ECC owned property that is managed by a 3<sup>rd</sup> party entity managed unit of appropriate size as outlined by the Occupancy Standards found in ECC/HANH's ACOP. Since all approved families are added to several wait lists following the submission of a VAWA pre-application, applicants will receive one unit offer for each specific wait list. Failure to accept this offer for any reason other than good cause will result in the applicant being removed from the wait list that is associated with the particular wait list.

### Unit Assignments for New Applicants

In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, sexual assault, dating violence, or stalking, When an applicant family with a VAWA preference reaches the top of a site based wait list and is eligible to receive a unit offer, ECC/HANH will approve the first available and appropriate sized unit, as outlined in by the Occupancy Standards found in ECC/HANH'S ACOP.

The unit may be within either our low-income public housing properties, RAD & RAD/PBV properties, or ECC owned property that is managed by a 3<sup>rd</sup> party entity. When the applicant family reaches the top of a specific site based list, is extended a unit offer and rejects the unit offer for good cause that is related to the development, not the specific unit, the family will be withdrawn from that site based wait list only, thereby allowing the family to remain active on other site based wait lists.

If the unit family rejects the unit offer for reasons related to the suitability of the unit for the family, ECC/HANH will review the facts and make a determination as to whether the rejection warrants withdrawal of the family from that specific wait list.

Failure to accept this offer for any reason other than good cause will result in the applicant being removed from the wait list that is associated with the particular wait list.

offered a unit managed unit of appropriate size as outlined by the Occupancy Standards found in ECC/HANH's ACOP. Since all approved families are added to several wait lists following the submission of a VAWA pre application, applicants will receive one unit offer for each specific wait list.

### 4.IV-B. PREFERENCE QUALIFICATIONS

#### Preference Qualifications

To qualify for the VAWA preference an incident of domestic violence must have taken place no more than 90 calendar days prior to date of ECC/HANH's receipt of the VAWA application<sup>5</sup> ~~and the applicant must be currently homeless or at risk of being homeless as a result of domestic violence.~~

### **Supporting Documents**

The applicant must provide supporting documentation of incident(s) of domestic violence including certification from a federal, state, tribal, territorial or local police; or protective order; or a signed certification by a person who has assisted the victim in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical professional. Acceptable documentation also includes a record of an administrative agency, and documentation from a mental health professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incident(s) of abuse, ~~and that the applicant is homeless or at risk of becoming homeless as a result of the domestic violence.~~ The victim must also sign the documentation.

### **Request for Preference**

To begin the VAWA preference application process, the applicant may visit our office at 360 Orange Street, New Haven, CT 06511 to obtain a VAWA certification packet. If unable to visit the office, the applicant may contact ECC/HANH's Reasonable Accommodations Manager (RAM) at 498-8800, ~~extension 1507~~ and request the VAWA Certification Form be mailed.

Once the applicant has received, the VAWA certification form he/she must fill out the form in its entirety, sign and return along with required proof of domestic violence incident(s). All incomplete requests will be denied.

The completed certification packet and supporting documentation are to be mailed or hand delivered to:

**– Reasonable Accommodations Manager  
Elm City Communities/Housing Authority of the City of New Haven  
360 Orange Street  
New Haven, Connecticut 06511**

**If the applicant cannot mail or hand-deliver the completed form, please contact the Reasonable Accommodations Manager to discuss other methods of delivery.**

#### **Denial of Preference**

Notification of Rejection will be sent by ECC/HANH's RAM within 10 business days of receipt. The notice will inform the applicant of the basis for such determination and will offer an opportunity for an informal ~~hearing-review~~ (see ECC/HANH ACOP for Informal Hearing of Rejected Applicants).

#### **Approval of Preference**

When the VAWA preference is approved, the applicant will receive notification of approval as well as the pre-application. ~~for LIPH.~~ **Approved families will be added to every wait list for which the family qualifies for by ECC.** ~~Each family can select up to 3 development waitlists.~~ If an applicant is already on the ECC/HANH applicant waitlist as a result of having previously applied for LIPH, the preference will be applied, and the applicant will be repositioned on the applicant waitlist as outlined in the agency's LIPH Admission and Continued Occupancy Policy (ACOP), based on the date of the original ~~VAWA~~ approval date.

~~If the family opts to submit a new pre-application with 3 developments different from those originally requested, the waitlist position with the VAWA preference will be adjusted based on the receipt date of newly approved pre-application.~~

**An applicant who is not yet on the LIPH or HCV applicant waitlist will be added only to the LIPH applicant site-based waitlist as outlined in the ACOP. If a Public Housing unit of appropriate size is unavailable at any Public Housing development managed by ECC/HANH, the agency President may choose to provide the applicant with a Housing Choice Voucher.**

*New applicants will not be added to the HCV waitlist, however, once on the LIPH waitlist, families may potentially have a one-time opportunity to opt for vouchers if vouchers are available.*

#### **TRANSFERS FOR CURRENT ECC RESIDENTS APPROVED FOR VAWA PROTECTIONS TO ANOTHER ECC/HANH OWNED SITE**

**Current residents of properties owned and/or managed ~~and managed~~ by ECC who experience new incident(s) of domestic violence may request a unit transfer as a protection.**

The resident would submit a completed VAWA certification or Form 5383 for Emergency Transfer Request to ECC's Reasonable Accommodations Manager. The submission must also include supporting documentation of incident(s) of domestic violence including certification from a federal, state, tribal, territorial or local police; or protective order; or a signed certification by a person who has assisted the victim in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of such abuse.

Resident families approved for protections will be added to ECC's LIPH transfer list. The resident families will be offered units in LIPH and RAD properties, and ECC owned properties managed by a 3rd party entity properties.

#### HCV/LIPH Option LIPH Option

#### 4-IV.C LIPH/HCV OPTION FOR APPLICANTS ON LIPH SITE BASED WAITING LISTS WITH VAWA WAIT LIST PREFERENCE

~~Each month~~ ~~Bi-annually~~ Each Month, the Reasonable Accommodations Manager (RAM) or designee will determine how many families have been on a site based LIPH wait lists for a period of 90-18090 days. The ~~Manager~~ RAM will then contact the HCV Manager or designee to determine if vouchers are available for said families.

When vouchers are available, the Reasonable Accommodations Manager will contact families from the top of the wait list that have not previously been contacted for a Section 8 voucher (using date of receipt of pre-app, since family will have a different position number on each development list). These families will be invited to an informational session to discuss their choice of receiving a voucher or waiting for a LIPH unit. Families will then indicate their preference in writing within 10 business days of the informational session by using the election form provided at the session. The offer to opt for a Housing Choice Voucher will only occur once for each family.

The names of the Applicants choosing vouchers will be provided to the HCV department for inclusion on the HCV wait list with the VAWA preference. The HCV department will conduct briefings and voucher issuances for the families. Families that choose a voucher but later opts to stay on the LIPH waitlist, instead of using the voucher, will be able to do so. The family must provide written notification of such decision to ECC prior to the lease & Housing Assistance Contract signing with ECC/HANH's HCV staff.

Applicants who choose and utilize the voucher will remain on the LIPH wait lists without a preference unless the family requests, in writing, to be removed from the waitlist, or when other circumstances outlined in the ACOP warranting removal from the waitlist occur. Families who opt out of receiving a voucher and choose to remain on LIPH wait lists will do so with the VAWA preference.

#### TRANSFERS FOR CURRENT ECC RESIDENTS APPROVED FOR VAWA PROTECTIONS

Current residents of properties owned and managed by ECC who experience new incident(s) of domestic violence may request a unit transfer as a protection.

The resident would submit a completed VAWA certification or Form 5383 for Emergency Transfer Request to ECC's RAM. The submission must also include supporting documentation of incident(s) of domestic violence including certification from a federal, state, tribal, territorial or local police; or protective order; or a signed certification by a person who has assisted the victim in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of such abuse.

Resident families approved for protections will be added to ECC's transfer list.

### **HCV/LIPH LIPH to HCV OPTIONS FOR RESIDENTS Option**

ECC will offer two relocation options to resident families who experience new incidents of domestic violence and are approved for inclusion on the LIPH transfer list.

#### Option 1

Per Notice PIH 2021-15 (HA), issued May 5, 2021

The Emergency Housing Voucher (EHV) program is available through the **American Rescue Plan Act of 2021 (P.L. 117-2) (ARP)**.

The U.S. Department of Housing and Urban Development (HUD) has awarded 37 of Emergency Housing Vouchers (EHVs) to the ECC/HANH to be used to assist individuals and families who are:

(1) homeless;

(2) at risk of homelessness

(3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking; or

(4) recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability. NOTE: Recently homeless individuals and families must always be referred by the CoC or it's designee.

HUD has established an alternative requirement under which ECC/HANH must enter into a Memorandum of Understanding (MOU), to establish a partnership with the Continuum of Care (CoC) or other homeless or victim service providers, to assist qualifying families through a direct referral process for the administration of the EHVs. The specific services that the CoC will provide is outlined in the MOU.

HUD has allocated 37 emergency housing vouchers (EHV) to Elm City Communities-HANH. ECC partnered with Continuum of Care (CoC) as the agency that ECC will refer VAWA eligible families. The HCV Manager will request VAWA names from the Reasonable Accommodation Coordinator. The HCV Manager will forward the referral list to the CoC for review. The CoC will assess the families, make a determination of which families are eligible for the EHV. Based on available EHV the qualifying families will be submitted through the direct referral process to HCV.

The CoC will be responsible for:

- prioritizing individuals and families for EHV assistance.
- determining the homelessness eligibility.
- referring individuals and families through the CoC's coordinated entry (CE) system.
- supporting individuals and families in processing voucher applications.
- supporting the housing search process.
- planning for and coordinating the delivery of supportive services to support the housing stability of EHV participants.

After September 30, 2023, ECC/HANH may not reissue any previously leased EHV, regardless of when the assistance for the formerly assisted family ends or ended.

Those families who do not qualify for an EHV, will remain active on the LIPH transfer list and the HCV VAWA transfer list.

~~HUD has allocated approximately 70,000 emergency housing vouchers (EHV) to public housing agencies. The EHVs are for individuals and families experiencing homelessness; at risk of experiencing homelessness; fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; or were recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability. ECC partnered with Continuum of Care (CoC) as the agency that ECC will refer possible eligible families to. CoC will assess the families, make a determination of which families are most in need. CoC will be advised of how many EHV are available and assist qualifying families through a direct referral process established by ECC and CoC.~~

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~~Those families who do not qualify for a EHV, will remain active on the LIPH transfer list.~~

Option 2

Option 2

The Reasonable Accommodations Manager (RAM) or designee will determine on a month basis how many families have been on the LIPH Transfer wait list for more than 30 days. The

Manager will then contact the HCV Manager or designee to determine if non-EHV vouchers are available for said families.

When vouchers are available, the Reasonable Accommodations Manager will contact families from the LIPH transfer wait list who was on the list for more than 6 months, did not receive and accept a unit transfer offer and was not previously contacted for a housing voucher (using date of the approval for VAWA protections).

These families will be invited to an informational session to discuss their choice of receiving a voucher or remaining on the transfer list awaiting a unit transfer offer. Families will then indicate their preference in writing within 10 business days of the informational session by using the election form provided at the session. The offer to opt for a Housing Choice Voucher will only occur once for each family.

Those resident families choosing vouchers will be added to the HCV VAWA transfer list. Names will be provided to Service Center for briefing and voucher issuance. The family remains a LIPH family with no loss of rights until another unit is identified by the family, the unit is approved by ECC to lease and a HAP contract is executed by ECC and a property owner on behalf of the family. If a family chooses a voucher but later opts to stay on the LIPH transfer list instead of using the voucher, the family will be able to do so. The written notification by the family must occur prior to the lease signing with another property owner and execution of a Housing Assistance Contract by ECC/HANH HCV staff and property owner.

~~Bi-Annually, Each month~~ ~~Bi-annually Each Month~~, the Reasonable Accommodations Manager (RAM) or designee ~~on a monthly basis~~ will determine how many families have been on the LIPH wait lists for a period of 90 days ~~Transfer wait list for more than 90 30 days 6 months~~. The Manager will then contact the HCV Manager or designee to determine if non-EHV vouchers are available for said families.

When vouchers are available, the Reasonable Accommodations Manager will contact families from the top of the LIPH transfer wait list who was on the list for more than ~~90 30 days 6 months~~, did not receive and accept a unit transfer offer and was that have not previously been contacted for a Section 8 housing voucher (using date of the approval for VAWA protections receipt of pre-app, since family will have a different position number on each development list).

~~These families will be invited to an informational session to discuss their choice of receiving a voucher or remaining on the transfer list awaiting for a LIPH unit transfer offer. Families will then indicate their preference in writing within 10 business days of the informational session by using the election form provided at the session. The offer to opt for a Housing Choice Voucher will only occur once for each family.~~

~~Those resident families~~ Applicants choosing vouchers will be added to the HCV VAWA transfer wait list with the VAWA preference. Names will be provided to Service Center for briefing and voucher issuance. The family remains a LIPH family with no loss of rights until another unit is identified by the family, the unit is approved by ECC to lease and a HAP contract is executed by ECC and a property owner on behalf of the family. If a family chooses a voucher but and later opts to stay on the LIPH transfer waitlist instead of using the voucher, the family will be able to do so. The however, written notification by the family must occur prior to the lease signing with another property owner and execution of & a Housing Assistance Contract signing with by ECC/HANH's HCV staff and property owner.

### SPECIAL VAWA TRANSFERS

~~ECC understand that our residents may be victims of domestic violence under the Violence Against Women ACT (VAWA) and acknowledge that these residents may request a transfer to another dwelling unit in order to avoid the abuser further incidents of violence. Due to the nature of nature of domestic violence, it is sometimes difficult to relocate residents to another ECC owned and managed property that will provide the family safety from continued incidents of violence. If ECC is unable to relocate the family to another ECC owned property or no vouchers are available, it may become necessary to consider other housing options for the family.~~

~~To aid in the facilitation of utilizing other housing options, ECC has executed an interagency agreement with another public housing agency. To protect the affected families, the cooperating PHA will not be identified in this policy. The agreement outlines that ECC and cooperating agency agrees to cooperatively provide relocation transfers to their residents affected by domestic violence under the VAWA. The cooperating agencies will make public housing units available to residents affected by domestic violence of the other PHA affected by domestic violence as a preference on its site based wait list or transfer list. Any admission of such affected resident shall be made in the accordance of the policies and procedures and admission criteria of ECC. ECC will allow up to 3 such special admissions, per fiscal year, to residents of the other PHA.~~

~~If ECC has made all attempts to safely relocate the family and is unsuccessful, the other PHA may provide the option for the resident and any dependents residing in the household with the victim, to transfer to another housing authority which is not located in New Haven. (This housing authority shall not be named in this document as a protective measure). The resident will end participation at ECC and will become a new admission at the new housing authority PHA through a VAWA preference. The other PHA and ECC will coordinate the EOP and New Admission into PIC in a timely manner. The other PHA will offer no more than five (5) such transfers per fiscal year to ECC residents affected by domestic violence.~~

Applicants who choose and utilize the voucher will remain on the LIPH wait lists without a preference unless the family requests, in writing, to be removed from the waitlist, or when other circumstances outlined in the ACOP warranting removal from the waitlist occur. Families who opt out of receiving a voucher and choose to remain on LIPH wait lists will do so with the VAWA preference.

#### Admissions and Screening

##### Non-Denial of Assistance:

ECC/HANH will not deny admission to public housing to any person because that person is or has been a victim of domestic violence, sexual assault, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

B. Admissions Preference. Applicants for housing assistance from ECC/HANH will receive a preference in admissions by virtue of their status as victims of domestic violence, sexual assault, dating violence, or stalking. This preference is particularly described as follows:

Applicants holding a place on any ECC/HANH wait list will be repositioned as outlined in the Admission and Continued Occupancy Plan (ACOP)

Mitigation of Disqualifying Information. When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, ECC/HANH, may but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. If requested by an applicant to take such mitigating information into account, ECC/HANH shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. ECC/HANH will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

Mandatory Disqualify: Former Residents of any Low Income Public Housing program who

were not in good standing at the time of exiting the program.

#### Unit Assignments for New Applicants

In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, sexual assault, dating violence, or stalking, ECC/HANH will approve the first available public housing unit of appropriate size as outlined by the Occupancy Standards found in ECC/HANH's ACOP. Applicants will receive one unit offer. Failure to accept this offer for any reason other than good cause will result in the applicant being removed from the wait list.

If a Public Housing unit of appropriate size is unavailable at any Public Housing development managed by ECC/HANH, the Executive Director may choose to provide the Applicant with a Housing Choice Voucher.

*Note: VAWA requirements and PHA policies including definitions, notification, documentation, and confidentiality can be found in chapter 16. Specific VAWA requirements and PHA policies are located in Chapter 3, "Eligibility" (sections 3-I.C and 3-III.F); Chapter 5, "Occupancy Standards and Unit Offers" (section 5-II.D); Chapter 8, "Leasing and Inspections" (section 8-I.B); Chapter 12, "Transfer Policy" (sections 12-III.C, 12-III.F, and 12-IV.D); and Chapter 13, "Lease Terminations" (sections 13-III.F and 13-IV.D).*

## Chapter 7

### VERIFICATION

[24 CFR 960.259, 24 CFR 5.230, Notice PIH 2010-19]

#### INTRODUCTION

ECC/HANH must verify all information that is used to establish the family's eligibility and level of assistance and is required to obtain written authorization from the family in order to collect the information. Applicants and program participants must cooperate with the verification process as a condition of receiving assistance. ECC/HANH must not pass on the cost of verification to the family.

ECC/HANH will follow the verification guidance provided by HUD in Notice PIH 2010-19 and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary ECC/HANH policies.

Part I describes the general verification process. Part II provides more detailed requirements related to family information. Part III provides information on income and assets, and Part IV covers mandatory deductions.

Verification policies, rules and procedures will be modified as needed to accommodate persons with disabilities. All information obtained through the verification process will be handled in accordance with the records management policies established by ECC/HANH.

#### PART I: GENERAL VERIFICATION REQUIREMENTS

##### 7-I.A. FAMILY CONSENT TO RELEASE OF INFORMATION

[24 CFR 960.259, 24 CFR 5.230]

The family must supply any information that ECC/HANH or HUD determines is necessary to the administration of the program and must consent to ECC/HANH verification of that information [24 CFR 960.259(a)(1)].

##### Consent Forms

It is required that all adult applicants and tenants sign form HUD-9886, Authorization for Release of Information. The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and ECC/HANH may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA). Adult family members must sign other consent forms as needed to collect information relevant to the family's eligibility and level of assistance.

## **Penalties for Failing to Consent [24 CFR 5.232]**

If any family member who is required to sign a consent form fails to do so, ECC/HANH will deny admission to applicants and terminate the lease of tenants. The family may request a hearing in accordance with ECC/HANH's grievance procedures.

## **7-I.B. OVERVIEW OF VERIFICATION REQUIREMENTS**

### **HUD's Verification Hierarchy [Notice PIH 2010-19]**

HUD mandates the use of the EIV system and offers administrative guidance on the use of other methods to verify family information and specifies the circumstances in which each method will be used. In general, HUD requires ECC/HANH to use the most reliable form of verification that is available and to document the reasons when ECC/HANH uses a lesser form of verification.

#### ECC/HANH Policy

In order of priority, the forms of verification that ECC/HANH will use are:

Up-front Income Verification (UIV) using HUD's Enterprise Income Verification (EIV) system

Up-front Income Verification (UIV) using a non-HUD system

Written Third Party Verification (may be provided by applicant or resident) (see page 7-5 for expanded definitions and examples)

Written Third-party Verification Form (verification form sent to a third-party) (see page 7-6 for additional information)

Oral Third-party Verification

Self-Certification

Each of the verification methods is discussed in subsequent sections below.

### **Requirements for Acceptable Documents**

#### ECC/HANH Policy

Any documents (for earned income) used for verification must be the original (not photocopies) and generally must be dated within 60 days of the date they are provided to ECC/HANH. The documents must not be damaged, altered or in any way illegible.

Print-outs from web pages are considered original documents.

The ECC/HANH 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.

Any family self-certifications must be made in a format acceptable to ECC/HANH and must be signed in the presence of an ECC/HANH representative or ECC/HANH notary public.

## **Verification of Family Income \$5,000 or less**

### ECC/HANH Policy

Under its MTW Plan, for families with income of \$5,000 or less, ECC/HANH will accept a self-certification.

### **File Documentation**

ECC/HANH must document in the file how the figures used in income and rent calculations were determined. All verification attempts, information obtained, and decisions reached during the verification process will be recorded in the family's file in sufficient detail to demonstrate that ECC/HANH has followed all of the verification policies set forth in this ACOP. The record should be sufficient to enable a staff member or HUD reviewer to understand the process followed and conclusions reached.

### ECC/HANH Policy

ECC/HANH will document, in the family file, the following:

- Reported family annual income
- Value of assets
- Expenses related to deductions from annual income
- Other factors influencing exceptional expenses

When ECC/HANH is unable to obtain third-party verification, ECC/HANH will document in the family file the reason that third-party verification was not available [24 CFR 960.259(c)(1); Notice PIH 2010-19].

## **7-I.C. UP-FRONT INCOME VERIFICATION (UIV)**

Up-front income verification (UIV) refers to ECC/HANH's use of the verification tools available from independent sources that maintain computerized information about earnings and benefits. UIV will be used to the extent that these systems are available to ECC/HANH.

There may be legitimate differences between the information provided by the family and UIV-generated information. If the family disputes the accuracy of UIV data, no adverse action can be taken until ECC/HANH has independently verified the UIV information and the family has been granted the opportunity to contest any adverse findings through ECC/HANH's informal review/hearing processes. (For more on UIV and income projection, see section 6-I.C.)

### **Upfront Income Verification Using HUD's Enterprise Income Verification (EIV) System (Mandatory)**

ECC/HANH must use HUD's EIV system in its entirety as a third-party source to verify tenant employment and income information during mandatory reexaminations or recertifications of family composition and income in accordance with 24 CFR 5.236 and administrative guidance issued by HUD. HUD's EIV system contains data showing earned income, unemployment benefits, social security benefits, and SSI benefits for participant families. The following policies apply to the use of HUD's EIV system.

### ***EIV Income Reports***

The data shown on income reports is updated quarterly. Data may be between three and six months old at the time reports are generated.

#### ECC/HANH Policy

ECC/HANH will obtain income reports for bi/triennial reexaminations on a monthly basis. Reports will be generated as part of the regular reexamination process.

Income reports will be compared to family-provided information as part of the bi/triennial reexamination process. Income reports may be used in the calculation of annual income, as described in Chapter 6.I.C. Income reports may also be used to meet the regulatory requirement for third party verification, as described above. Policies for resolving discrepancies between income reports and family-provided information will be resolved as described in Chapter 6.I.C. and in this chapter.

Income reports will be used in interim reexaminations to identify any discrepancies between reported income and income shown in the EIV system, and as necessary to verify and calculate earned income, unemployment benefits, Social Security and/or SSI benefits. EIV will also be used to verify that families claiming zero income are not receiving income from any of these sources.

Income reports will be retained in resident files with the applicable bi/triennial or interim reexamination documents.

When ECC/HANH determines through income reports and third-party verification that a family has concealed or under-reported income, corrective action will be taken pursuant to the policies in Chapter 15, Program Integrity.

### ***EIV Identity Verification***

The EIV system verifies resident identities against Social Security Administration (SSA) records. These records are compared to Public and Indian Housing Information Center (PIC) data for a match on social security number, name, and date of birth.

ECC/HANH is required to use EIV's *Identity Verification Report* on a monthly basis to improve the availability of income information in EIV [Notice PIH 2012-10].

#### ECC/HANH Policy

ECC/HANH will identify residents whose identity verification has failed by reviewing EIV's *Identity Verification Report* on a monthly basis. ECC/HANH will attempt to resolve PIC/SSA discrepancies by obtaining appropriate documentation from the tenant.

When ECC/HANH determines that discrepancies exist as a result of ECC/HANH errors, such as spelling errors or incorrect birth dates, it will correct the errors promptly.

## **Upfront Income Verification Using Non-HUD Systems (Optional)**

HUD encourages ECC/HANH to utilize other upfront verification sources.

### ECC/HANH Policy

ECC/HANH will inform all applicants and residents of its use of the following UIV resources during the admission and reexamination process:

HUD's EIV system

The Work Number

Department of Social Services (DSS)

Department of Labor (DOL) (provides access to State Wage Information Collection Agency (SWICA) data)

Child Support Enforcement Database

## **7-I.D. THIRD-PARTY WRITTEN AND ORAL VERIFICATION**

HUD's current verification hierarchy defines two types of written third-party verification. The more preferable form, "written third-party verification," consists of an original document generated by a third-party source, which may be received directly from a third-party source or provided to ECC/HANH by the family. If written third-party verification is not available, ECC/HANH must attempt to obtain a "written third-party verification form." This is a standardized form used to collect information from a third party.

### **Written Third-Party Verification [Notice PIH 2010-19]**

Written third-party verification documents must be original and authentic and may be supplied by the family or received from a third-party source.

Examples of acceptable tenant-provided documents include, but are not limited to: pay stubs, payroll summary reports, employer notice or letters of hire and termination, SSA benefit verification letters, bank statements, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices.

ECC/HANH may reject documentation provided by the family if the document is not an original, if the document appears to be forged, or if the document is altered, mutilated, or illegible.

### ECC/HANH Policy

Third-party documents provided by the family must be dated within 60 days of the request date. When a request for documentation is mailed, including notice of an initial eligibility or bi/triennial interview, the date of request is the date of the mailed letter.

If ECC/HANH determines that third-party documents provided by the family are not acceptable, ECC/HANH will explain the reason to the family and request additional documentation.

As verification of earned income, ECC/HANH will require the family to provide the four most current, consecutive pay stubs. The family must provide the four most current

consecutive paystubs if the family member is paid weekly and the most current consecutive paystubs if the family is paid bi-monthly or bi-weekly. Verification of unearned income from DSS, SSA benefits are to from current year.

### **Written Third-Party Verification Form**

When upfront verification is not available and the family is unable to provide written third-party documents, ECC/HANH must request a written third-party verification form.

#### ECC/HANH Policy

ECC/HANH will send third-party verification forms directly to the third party.

Third-party verification forms will be sent when third-party verification documents are unavailable or are rejected by ECC/HANH.

### **Oral Third-Party Verification [Notice PIH 2010-19]**

Oral third-party verification is mandatory if neither form of written third-party verification is available. ECC/HANH should document in the file the date and time of the telephone call or visit, the name of the person contacted, the telephone number, as well as the information confirmed.

#### ECC/HANH Policy

In collecting third-party oral verification, ECC/HANH staff will record in the family's file the name and title of the person contacted, the date and time of the conversation (or attempt), the telephone number used, and the facts provided.

When any source responds verbally to the initial written request for verification ECC/HANH will accept the verbal response as oral verification but will also request that the source complete and return any verification forms that were provided.

### **When Third-Party Verification is Not Required [Notice PIH 2010-19]**

Third-party verification may not be available in all situations.

#### ECC/HANH Policy

If the family cannot provide original documents, ECC/HANH will pay the service charge required to obtain third-party verification, unless it is not cost effective in which case a self-certification will be acceptable as the only means of verification. The cost of verification will not be passed on to the family.

The cost of postage and envelopes to obtain third-party verification of income, assets, and expenses is not an unreasonable cost [VG, p. 18].

### ***Primary Documents***

Third-party verification is not required when legal documents are the primary source, such as a birth certificate or other legal documentation of birth.

### ***Imputed Assets***

ECC/HANH may accept a self-certification from the family as verification of assets disposed of for less than fair market value [HCV GB, p. 5-28].

#### ECC/HANH Policy

ECC/HANH will accept a self-certification from a family as verification of assets disposed of for less than fair market value [HCV GB, p. 5-28].

### **7-I.E. SELF-CERTIFICATION**

Self-certification, or “tenant declaration,” is used as a last resort when ECC/HANH is unable to obtain third-party verification.

When ECC/HANH relies on a tenant declaration for verification of income, assets, or expenses, the family’s file must be documented to explain why third-party verification was not available.

#### ECC/HANH Policy

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to ECC/HANH.

ECC/HANH may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to ECC/HANH and must be signed by the family member whose information or status is being verified. All self-certifications must be signed in the presence of a ECC/HANH representative or ECC/HANH notary public.

**PART II: VERIFYING FAMILY INFORMATION**

**7-II.A. VERIFICATION OF LEGAL IDENTITY**

ECC/HANH Policy

ECC/HANH will require families to furnish verification of legal identity for each household member.

<b>Verification of Legal Identity for Adults</b>	<b>Verification of Legal Identity for Children</b>
Certificate of birth, naturalization papers Church issued baptismal certificate Current, valid driver's license or DMV identification card U.S. military discharge (DD 214) Current U.S. passport Current employer identification card Voter's registration Official Student Identification card	Certificate of birth (long form) Adoption papers Custody agreement Health and Human Services ID Certified school records

If a document submitted by a family is illegible for any reason or otherwise questionable, more than one of these documents may be required.

If none of these documents can be provided and at ECC/HANH'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 ECC/HANH and be signed in the presence of a ECC/HANH representative or ECC/HANH notary public.

Legal identity will be verified for all applicants at the time of eligibility determination and in cases where ECC/HANH has reason to doubt the identity of a person representing him or herself to be a tenant or a member of a tenant family.

**Verification to reflect gender change and name change**

Families that want to change a sex designator on a household member in the family composition can do so by submitting supporting documentation.

ECC/HANH Policy

If a household member wishes to change their name or sex designator the following documents must be submitted

- a certified copy of a court order granting your legal name change/ Sex designator or amend the sex designation on the birth certificate
- an updated Social Security Card that reflects name change

## **7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and Notice PIH 2012-10]**

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. Exemptions also include, existing residents who were at least 62 years of age as of January 31, 2010, and had not previously disclosed an SSN.

ECC/HANH must accept the following documentation as acceptable evidence of the SSN:

- 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

- An original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual

ECC/HANH may only reject documentation of an SSN provided by an applicant or resident if the document is not an original document, if the original document has been altered, mutilated, is illegible, or if the document appears to be forged.

### ECC/HANH Policy

ECC/HANH 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 to ECC/HANH within 90 days.

When a resident requests to add a new household member who is at least 6 years of age, or who is under the age of 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. ECC/HANH may not add the new household member until such documentation is provided.

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 90 calendar days of the child being added to the household. A 90-day extension will be granted if ECC/HANH determines that the resident's failure to comply was due to unforeseen circumstances and was outside of the resident's control. During the period ECC/HANH is awaiting documentation of the SSN, the child will be counted as part of the assisted household.

### ECC/HANH Policy

ECC/HANH will grant one additional 90-day extension if needed for reasons beyond the resident's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency.

Social security numbers must be verified only once during continuously-assisted occupancy.

### ECC/HANH Policy

ECC/HANH will verify each disclosed SSN by:

- Obtaining documentation from applicants and residents that is acceptable as evidence of social security numbers

Making a copy of the original documentation submitted, returning it to the individual, and retaining a copy in the file folder

Once an individual's status is classified as "verified" in HUD's EIV system, ECC/HANH will not remove and destroy copies of documentation accepted as evidence of social security numbers.

### **7-II.C. DOCUMENTATION OF AGE**

A birth certificate or other official record of birth is the preferred form of age verification for all family members. For elderly family members an original document that provides evidence of the receipt of social security retirement benefits is acceptable.

#### ECC/HANH Policy

If an official record of birth or evidence of social security retirement benefits cannot be provided, ECC/HANH 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.

Age must be verified only once during continuously-assisted occupancy.

### **7-II.D. FAMILY RELATIONSHIPS**

Applicants and tenants are required to identify the relationship of each household member to the head of household. Definitions of the primary household relationships are provided in the Eligibility chapter.

#### ECC/HANH Policy

Families are required to verify relationships as detailed below. Exceptions may be made by ECC/HANH's Supervisors and Management on a case-by-case basis.

#### **Marriage**

##### ECC/HANH Policy

A marriage certificate generally is required to verify that a couple is married.

In the case of a common law marriage, the couple must demonstrate that they hold themselves to be married (e.g., by telling the community they are married, calling each other husband and wife, using the same last name, filing joint income tax returns).

#### **Separation or Divorce**

ECC/HANH Policy

ECC/HANH will require the family to provide documentation of the divorce or separation.

A copy of a divorce decree signed by a court officer; is required to document that a couple is divorced.

If no court document is available, documentation from a community-based agency will be accepted.

## **Absence of Adult Member**

### ECC/HANH Policy

If an adult member 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).

The ECC/HANH will consider any of the following as verification if the document shows another address:

- Court documents demonstrating that a husband or wife has instituted divorce action or legal separation.

- An order of protection/restraining order obtained by one family member against another.

- Proof of another home address, such as utility bills, canceled checks for rent payments, drivers' license, or lease or rental agreement, if available.

- Department of Labor records, or records of another public agency, obtained through third-party verification that indicates the new address of the family member.

If no other proof can be provided, the ECC/HANH will accept a Notarized Statement from the family and may conduct home visits if necessary to verify the absence of an adult as reported.

If the adult family member is incarcerated, a document from the Court or prison should be obtained.

The ECC/HANH may also verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

## **Foster Children and Foster Adults**

### ECC/HANH Policy

Third-party verification from the state or local government agency responsible for the placement of the individual with the family is required.

## **Guardianship or Custody of Minor Children**

### ECC/HANH Policy

Self-certification by tenant of guardianship or custody.

Documentation that an adult family member has guardianship or custody of minor child(ren), which could include, but is not limited to, two of any of the following:

- Verification from DSS, DCF, Social Security Administration proof of payee, or other governmental agency, documentation of legal custody or guardianship, notarized certification signed by the absent parent or in loco parentis, school

records, or other official document listing minor child(ren) under the tenant's guardianship or custody.

## **7-II.E. VERIFICATION OF STUDENT STATUS**

### ECC/HANH Policy

ECC/HANH requires families to provide information about the student status of all students who are 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, spouse, or cohead, or

The family claims a child care deduction to enable a family member to further his or her education.

## **7-II.F. DOCUMENTATION OF DISABILITY**

ECC/HANH must verify the existence of a disability in order to allow certain income disallowances and deductions from income. ECC/HANH is not permitted to inquire about the nature or extent of a person's disability [24 CFR 100.202(c)]. ECC/HANH may not inquire about a person's diagnosis or details of treatment for a disability or medical condition. If ECC/HANH receives a verification document that provides such information, ECC/HANH will not place this information in the tenant file. Under no circumstances will ECC/HANH request a resident's medical record(s). For more information on health care privacy laws, see the Department of Health and Human Services' Web site at [www.os.dhhs.gov](http://www.os.dhhs.gov).

ECC/HANH may make the following inquiries, provided it makes them of all applicants, whether or not they are persons with disabilities [VG, p. 24]:

- Inquiry into an applicant's ability to meet the requirements of ownership or tenancy
- Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability
- Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with disabilities or to persons with a particular type of disability
- Inquiry about whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance
- Inquiry about whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance

### **Family Members Receiving SSA Disability Benefits**

Verification of receipt of disability benefits from the Social Security Administration (SSA) is sufficient for verification of disability for the purpose of qualification for waiting list preferences or certain income disallowances and deductions [VG, p. 23].

### ECC/HANH Policy

For family members claiming disability who receive disability payments from the SSA, ECC/HANH will attempt to obtain information about disability benefits through HUD's Enterprise Income Verification (EIV) system. If documentation is not available through HUD's EIV system, ECC/HANH will request a current year SSA benefit verification letter from each family member claiming disability status. If a family member is unable to provide the document, ECC/HANH will ask the family to obtain a benefit verification letter either by calling SSA at 1-800-772-1213 or by requesting one from [www.ssa.gov](http://www.ssa.gov). Once the family receives the benefit verification letter, it will be required to provide the letter to ECC/HANH.

### **Family Members Not Receiving SSA Disability Benefits**

Receipt of veteran's disability benefits, worker's compensation, or other non-SSA benefits based on the individual's claimed disability are not sufficient verification that the individual meets HUD's definition of disability in 24 CFR 5.403, necessary to qualify for waiting list preferences or certain income disallowances and deductions.

### ECC/HANH Policy

For family members claiming disability who do not receive SSI or other disability payments from the SSA, a knowledgeable professional must provide third-party verification that the family member meets the HUD definition of disability. See the Eligibility chapter for the HUD definition of disability. The knowledgeable professional will verify whether the family member does or does not meet the HUD definition.

## **7-II.G. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5.508]**

### **Overview**

Housing assistance is not available to persons who are not citizens, nationals, or eligible immigrants. Prorated assistance is provided for "mixed families" containing both eligible and ineligible persons. See the Eligibility chapter for detailed discussion of eligibility requirements. This chapter (7) discusses HUD and ECC/HANH verification requirements related to citizenship status.

The family must provide a certification that identifies each family member as a U.S. citizen, a U.S. national, an eligible noncitizen or an ineligible noncitizen and submit the documents discussed below for each family member. Once eligibility to receive assistance has been verified for an individual it need not be collected or verified again during continuously-assisted occupancy [24 CFR 5.508(g)(5)]

### **U.S. Citizens and Nationals**

HUD requires a declaration for each family member who claims to be a U.S. citizen or national. The declaration must be signed personally by any family member 18 or older and by a guardian for minors.

ECC/HANH may request verification of the declaration by requiring presentation of a birth certificate, United States passport or other appropriate documentation.

#### ECC/HANH Policy

Family members who claim U.S. citizenship or national status will not be required to provide additional documentation unless ECC/HANH receives information indicating that an individual's declaration may not be accurate.

### **Eligible Immigrants**

#### ***Documents Required***

All family members claiming eligible immigration status must declare their status in the same manner as U.S. citizens and nationals.

The documentation required for eligible noncitizens varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, age, and the date on which the family began receiving HUD-funded assistance. Exhibit 7-1 at the end of this chapter summarizes documents family members must provide.

#### ***ECC/HANH Verification*** [HCV GB, pp 5-3 and 5-7]

For family members age 62 or older who claim to be eligible immigrants, proof of age is required in the manner described in 7-II.C. of this ACOP. No further verification of eligible immigration status is required.

For family members under the age of 62 who claim to be eligible immigrants, ECC/HANH must verify immigration status with the U.S. Citizenship and Immigration Services (USCIS).

ECC/HANH will follow all USCIS protocols for verification of eligible immigration status.

### **7-II.H. VERIFICATION OF PREFERENCE STATUS**

ECC/HANH must verify any preferences claimed by an applicant that determined his or her placement on the waiting list.

#### ECC/HANH Policy

Displaced by Government Action (including from buildings condemned for health and safety reasons, and public housing residents residing in ECC/HANH projects scheduled for demolition or disposition if under the Uniform Relocation Act).

ECC/HANH will verify this preference through review of original documents reflecting the government displacement action, including ECC/HANH documents.

Documented victims of domestic violence, dating violence or stalking.

ECC/HANH will verify this preference in accordance with VAWA documentation requirement described in Chapter 16-IX.D Documentation.

To qualify for the VAWA preference, the incident must have taken place no more than 90 calendar days prior to date of ECC/HANH's receipt of the VAWA application.

In the case of a public housing tenant being provided this preference for a transfer, ECC/HANH will also verify that no suitable housing is available in public housing through review of internal records.

## **PART III: VERIFYING INCOME AND ASSETS**

Chapter 6, Part I of this ACOP describes in detail the types of income that are included and excluded and how assets and income from assets are handled. Any assets and income reported by the family must be verified.

This part provides ECC/HANH policies that supplement the general verification procedures specified in Part I of this chapter.

### **7-III.A. EARNED INCOME**

#### **Tips**

##### ECC/HANH Policy

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.

#### **Wages**

##### ECC/HANH Policy

To reduce the administrative burden associated with the verification of income, ECC/HANH shall accept the following verification methods:

1. For earnings from wages and salaries where Annual Income for the prior period is \$5,000.00 or less, self certification from family is all that shall be required as verification of said income.
2. For earnings from salaries, other than tips, in excess of \$5,000.00 the family must provide originals of the four most current, consecutive pay stubs if the family member is paid weekly, and originals of the two most current, consecutive pay stubs if the family member is paid bi-weekly. If the required number of paystubs are not available, the W-2 or 1099 within 180 days of the anniversary date may also be required in addition to the self-certification, but only to the extent that verification of Annual Income is not available from a third party source or Upfront Income Verification.
3. Self-certification of all sources of Annual Income shall be required in all cases.

### **7-III.B. BUSINESS AND SELF EMPLOYMENT INCOME**

##### ECC/HANH Policy

Business owners and self-employed persons will be required to provide:

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.

All schedules completed for filing federal and local taxes in the preceding year.

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.

ECC/HANH 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 ECC/HANH may request documents that support submitted financial statements such as manifests, appointment books, cash books, or bank statements.

### **7-III.C. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS**

#### **Social Security/SSI Benefits**

##### ECC/HANH Policy

To verify the SS/SSI benefits of applicants, ECC/HANH will request a current (dated within the last 60 days) SSA benefit verification letter from each family member who receives social security benefits. If a family member is unable to provide the document, ECC/HANH will help the applicant request a benefit verification letter from SSA's Web site at [www.socialsecurity.gov](http://www.socialsecurity.gov) or ask the family to request one by calling SSA at 1-800-772-1213. Once the family has received the original benefit verification letter, it will be required to provide the letter to ECC/HANH.

To verify the SS/SSI benefits of residents, ECC/HANH will obtain information about social security/SSI benefits through HUD's EIV system, and confirm with the resident(s) that the current listed benefit amount is correct. If the resident disputes the EIV-reported benefit amount, or if benefit information is not available in HUD systems, ECC/HANH will request a current SSA benefit verification letter from each family member that receives social security benefits. If a family member is unable to provide the document, ECC/HANH will help the resident request a benefit verification letter from SSA's Web site at [www.socialsecurity.gov](http://www.socialsecurity.gov) or ask the family to request one by calling SSA at 1-800-772-1213. Once the family has received the benefit verification letter, it will be required to provide the letter to ECC/HANH.

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

#### ECC/HANH Policy

The methods ECC/HANH will use to verify alimony and child support payments differ depending on whether the family declares that it receives regular payments.

If the family declares that it *receives regular payments*, verification will be obtained in the following order of priority:

Child Support database

Copies of the receipts and/or payment stubs for the 60 days prior to ECC/HANH 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

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

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

**Note:** Families are not required to undertake independent enforcement action.

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

#### ECC/HANH Policy

Assets valued at less than \$50,000:

For families with a total market value of assets less than \$50,000, only a self-certification of assets shall be required.

Assets valued at \$50,000 or more:

The family must provide family-provided documents to verify all assets when total market value of asset exceeds \$50,000.00.

### **Assets Disposed of for Less than Fair Market Value**

The family must certify whether any assets have been disposed of for less than fair market value in the preceding two years.

#### ECC/HANH Policy

*Assets Valued at Less than \$50,000 Disposed of for Less Than Fair Market Value.*

ECC/HANH will accept a self-certification from the family as verification of assets valued at less than \$50,000 disposed of for less than fair market value.

### **7-III.F. NET INCOME FROM RENTAL PROPERTY**

#### ECC/HANH Policy

The family must provide:

A current executed lease for the property that shows the rental amount or certification from the current tenant

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). If schedule E was not prepared, ECC/HANH 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.

### **7-III.G. RETIREMENT ACCOUNTS**

#### ECC/HANH Policy

ECC/HANH will accept written third-party documents supplied by the family as evidence of the status of retirement accounts.

The type of original document that will be accepted depends upon the family member's retirement status.

*Before* retirement, ECC/HANH will accept an original document from the entity holding the account with a date that shows it is the most recent statement for the account.

*Upon* retirement, ECC/HANH will accept an original document from the entity holding the account that reflects any distributions of the account balance, any lump sums taken and any regular payments.

*After* retirement, ECC/HANH will accept an original document from the entity holding the account dated no earlier than 12 months before that reflects any distributions of the account balance, any lump sums taken and any regular payments.

### **7-III.H. INCOME FROM EXCLUDED SOURCES**

A detailed discussion of excluded income is provided in Chapter 6B, Part I.

HUD guidance on verification of excluded income draws a distinction between income which is fully excluded and income which is only partially excluded.

For fully excluded income, ECC/HANH is **not** required to follow the verification hierarchy, document why third-party verification is not available, or report the income on the 50058. Fully excluded income is defined as income that is entirely excluded from the annual income determination (for example, food stamps, earned income of a minor, or foster care funds) [Notice PIH 2013-04].

ECC/HANH may accept a family's signed application or reexamination form as self-certification of fully excluded income. They do not have to require additional documentation. However, if there is any doubt that a source of income qualifies for full exclusion, ECC/HANH have the option of requiring additional verification.

For partially excluded income, ECC/HANH **is** required to follow the verification hierarchy and all applicable regulations, and to report the income on the 50058. Partially excluded income is defined as income where only a certain portion of what is reported by the family qualifies to be excluded and the remainder is included in annual income (for example, income excluded under the earned income disallowance).

#### ECC/HANH Policy

ECC/HANH will accept the family's self-certification as verification of fully excluded income. ECC/HANH may request additional documentation if necessary to document the income source.

ECC/HANH will verify the source and amount of partially excluded income as described in Part 1 of this chapter.

### **7-III.I. ZERO ANNUAL INCOME STATUS**

#### ECC/HANH Policy

Families attest to the Zero Income Affidavit.

ECC/HANH defines a Zero Income family as a family receiving no income from any source, or that is receiving only food stamps. A family receiving other types of income, whether included or excluded under regulation or federal statute, is not considered a Zero Income family.

ECC/HANH will check 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.

## PART IV: VERIFYING MANDATORY DEDUCTIONS

### 7-IV.A. DEPENDENT DEDUCTION

The dependent deduction requires only that ECC/HANH verify that the family members identified as dependents meet the statutory definitions. No further verifications are required.

#### Dependent Deduction

See Chapter 6B (6B-II.B.) for a full discussion of this deduction. ECC/HANH will verify that:

- Any person under the age of 18 for whom the dependent deduction is claimed is not the head, spouse or cohead of the family and is not a foster child
- Any person age 18 or older for whom the dependent deduction is claimed is not a foster adult or live-in aide, and is a person with a disability or a full time student

### 7-IV.B. MEDICAL EXPENSE DEDUCTION

Policies related to medical expenses are found in 6B-II.D. The amount of the deduction will be verified following the standard verification procedures described in Part I.

#### Amount of Expense

##### ECC/HANH Policy

Medical expenses will be verified through:

Written third-party documents provided by the family, such as pharmacy printouts or receipts.

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

Written third-party verification forms, if the family is unable to provide acceptable documentation.

If third-party or document review is not possible, written family certification as to costs anticipated to be incurred during the upcoming 12 months.

In addition, ECC/HANH must 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.
- Costs incurred in past years are counted only once.

## **Eligible Household**

The medical expense deduction is permitted only for households in which the head, spouse, or cohead is at least 62 or a person with disabilities. ECC/HANH will verify that the family meets the definition of an elderly or disabled family provided in the Eligibility chapter, and as described in Chapter 7 (7-IV.A) of this plan.

## **Qualified Expenses**

To be eligible for the medical expenses deduction, the costs must qualify as medical expenses. See Chapter 6B (6B-II.D.) for ECC/HANH policy on what counts as a medical expense.

## **Unreimbursed Expenses**

To be eligible for the medical expenses deduction, the costs must not be reimbursed by another source.

### ECC/HANH Policy

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.

## **Expenses Incurred in Past Years**

### ECC/HANH Policy

When anticipated costs are related to on-going payment of medical bills incurred in past years, ECC/HANH will verify:

The anticipated repayment schedule

The amounts paid in the past, and

Whether the amounts to be repaid have been deducted from the family's annual income in past years

## **7-IV.C. DISABILITY ASSISTANCE EXPENSES**

Policies related to disability assistance expenses are found in 6B-II.E. The amount of the deduction will be verified following the standard verification procedures described in Part I.

## **Amount of Expense**

### ***Attendant Care***

#### ECC/HANH Policy

ECC/HANH will accept written third-party documents provided by the family.

If family-provided documents are not available, ECC/HANH will provide a third-party verification form directly to the care provider requesting the needed information.

Expenses for attendant care will be verified through:

Written third-party documents provided by the family, such as receipts or cancelled checks.

Third-party verification form signed by the provider, if family-provided documents are not available.

If third-party verification is not possible, written family certification as to costs anticipated to be incurred for the upcoming 12 months.

### ***Auxiliary Apparatus***

#### ECC/HANH Policy

Expenses for auxiliary apparatus will be verified through:

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.

Third-party verification form signed by the provider, if family-provided documents are not available.

If third-party or document review is not possible, written family certification of estimated apparatus costs for the upcoming 12 months.

In addition, ECC/HANH must verify that:

- The family member for whom the expense is incurred is a person with disabilities (as described in 7-II.F above).
- The expense permits a family member, or members, to work (as described in 6B-II.E.).
- The expense is not reimbursed from another source (as described in 6B-II.E.).

### **Family Member is a Person with Disabilities**

To be eligible for the disability assistance expense deduction, the costs must be incurred for attendant care or auxiliary apparatus expense associated with a person with disabilities. ECC/HANH will verify that the expense is incurred for a person with disabilities (See 7-II.F.).

### **Family Member(s) Permitted to Work**

ECC/HANH must verify that the expenses claimed actually enable a family member, or members, (including the person with disabilities) to work.

#### ECC/HANH Policy

ECC/HANH will request third-party verification from a rehabilitation agency or knowledgeable medical professional indicating that the person with disabilities requires attendant care or an auxiliary apparatus to be employed, or that the attendant care or auxiliary apparatus enables another family member, or members, to work (See 6B-II.E.). This documentation may be provided by the family.

If third-party verification has been attempted and is either unavailable or proves unsuccessful, the family must certify that the disability assistance expense allows a family member, or members (possibly including the disabled family member), to work.

## **Unreimbursed Expenses**

To be eligible for the disability expenses deduction, the costs must not be reimbursed by another source.

### ECC/HANH Policy

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.

## **7-IV.D. CHILD CARE EXPENSES**

Policies related to child care expenses are found in Chapter 6B (6B-II.F). The amount of the deduction will be verified following the standard verification procedures described in Part I. In addition, ECC/HANH must verify that:

- The child is eligible for care (under the age of 13/12 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.
- The costs are reasonable.

### **Eligible Child**

To be eligible for the child care deduction, the costs must be incurred for the care of a child under the age of 13. ECC/HANH will verify that the child being cared for (including foster children) is under the age of 13 (See 7-II.C.).

### **Unreimbursed Expense**

To be eligible for the child care deduction, the costs must not be reimbursed by another source.

### ECC/HANH Policy

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.

### **Pursuing an Eligible Activity**

ECC/HANH must verify that the family member(s) that the family has identified as being enabled to seek work, pursue education, or be gainfully employed, are actually pursuing those activities.

### ECC/HANH Policy

#### *Information to be Gathered*

ECC/HANH will verify information about how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the time required for study (for students), the relationship of the family member(s) to the child,

and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

### *Seeking Work*

Whenever possible ECC/HANH will use documentation from a state or local agency that monitors work-related requirements (e.g., welfare or unemployment). In such cases ECC/HANH will request family-provided verification from the agency of the member's job seeking efforts to date and require the family to submit to ECC/HANH any reports provided to the other agency.

In the event third-party verification is not available, ECC/HANH will provide the family with a form on which the family member must record job search efforts. ECC/HANH will review this information at each subsequent reexamination for which this deduction is claimed.

### *Furthering Education*

ECC/HANH will request third-party documentation to verify that the person permitted to further his or her education by the child care is enrolled and provide information about the timing of classes for which the person is registered. The documentation may be provided by the family.

### *Gainful Employment*

ECC/HANH will seek third-party verification of the work schedule of the person who is permitted to work by the child care. In cases in which two or more family members could be permitted to work, the work schedules for all relevant family members may be verified. The documentation may be provided by the family.

## **Allowable Type of Child Care**

The type of care to be provided is determined by the family, but must fall within certain guidelines, as discussed in Chapter 6B.

### ECC/HANH Policy

ECC/HANH will verify that the type of child care selected by the family is allowable, as described in Chapter 6B (6B-II.F).

ECC/HANH will verify that the fees paid to the child care provider cover only child care costs (e.g., no housekeeping services or personal services) and are paid only for the care of an eligible child (e.g., prorate costs if some of the care is provided for ineligible family members).

ECC/HANH will verify that the child care provider is not an assisted family member. Verification will be made through the head of household's declaration of family members who are expected to reside in the unit.

## **Reasonableness of Expenses**

Only reasonable child care costs can be deducted.

ECC/HANH Policy

The actual costs the family incurs will be compared with ECC/HANH's established standards of reasonableness for the type of care in the locality to ensure that the costs are reasonable.

If the family presents a justification for costs that exceed typical costs in the area, ECC/HANH will request additional documentation, as required, to support a determination that the higher cost is appropriate.

**Exhibit 7-1: Summary of Documentation Requirements for Noncitizens**

- All noncitizens claiming eligible status must sign a declaration of eligible immigrant status on a form acceptable to the PHA.
- Except for persons 62 or older, all noncitizens must sign a verification consent form
- Additional documents are required based upon the person's status.

**Elderly Noncitizens**

- A person 62 years of age or older who claims eligible immigration status also must provide proof of age such as birth certificate, passport, or documents showing receipt of SS old-age benefits.

**All other Noncitizens**

- Noncitizens that claim eligible immigration status also must present the applicable USCIS document. Acceptable USCIS documents are listed below.

- Form I-551 Alien Registration Receipt Card (for permanent resident aliens)
- Form I-94 Arrival-Departure Record annotated with one of the following:
  - “Admitted as a Refugee Pursuant to Section 207”
  - “Section 208” or “Asylum”
  - “Section 243(h)” or “Deportation stayed by Attorney General”
  - “Paroled Pursuant to Section 221 (d)(5) of the USCIS”

- Form I-94 Arrival-Departure Record with no annotation accompanied by:
  - A final court decision granting asylum (but only if no appeal is taken);
  - A letter from a USCIS asylum officer granting asylum (if application is filed on or after 10/1/90) or from a USCIS district director granting asylum (application filed before 10/1/90);
  - A court decision granting withholding of deportation; or
  - A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90).

- Form I-688 Temporary Resident Card annotated “Section 245A” or Section 210”.

- Form I-688B Employment Authorization Card annotated “Provision of Law 274a.12(11)” or “Provision of Law 274a.12”.

- A receipt issued by the USCIS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant’s entitlement to the document has been verified; or
- Other acceptable evidence. If other documents are determined by the USCIS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the *Federal Register*

**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 SelfSufficiency 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, 2020 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**