

**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, April 4, 2022 on the agency website www.elmcitycommunities.org or via Twitter, www.twitter.com/ECCCommunities or via Facebook 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.

A public hearing where public comments will be accepted and recorded is scheduled for Monday, May 2 2022 at 2:00pm via RingCentral:

<https://meetings.ringcentral.com/j/1442345626?pwd=V01CUkxOZVBvTDVjeDIicXV4T0luUT09> Password: 325851

Or Phone:

US: +1(646)3573664, Meeting ID: 144 234 5626

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 LA CIUDAD DE ELM, AUTORIDAD DE VIVIENDA DE NEWHAVEN
(ECC/HANH) ENMIENDA PROPUESTA AL PLAN DE ADMISIÓN Y OCUPACIÓN CONTINUA
(ACOP) Y AL PLAN ADMINISTRATIVO DE HCV (PLAN ADMIN) DEL LIPH**

Elm City Communities, la Autoridad de Vivienda de la Ciudad de New Haven (ECC/HANH) propone enmendar secciones de su Admisión a Viviendas Públicas de Bajos Ingresos y Política de Ocupación Continua (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 4 de abril de 2022 en el sitio web de la agencia www.elmcitycommunities.org o a través de Twitter, www.twitter.com/ECCCommunities o a través de Facebook [www.facebook.com /Comunidades de ElmCity](https://www.facebook.com/ComunidadesdeElmCity).

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

Una audiencia pública donde se aceptarán y grabarán los comentarios públicos está programada para el lunes 2 de mayo de 2022 a las 2:00 p. m. a través de RingCentral:

<https://meetings.ringcentral.com/j/1442345626?pwd=V01CUkxOZVBvTDVjeDIicXV4T0luUT09> Contraseña: 325851

O Teléfono:

EE. UU.: +1(646)3573664, ID de reunión: 144 234 5626

Cualquier persona 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

**ADMISSIONS
AND
CONTINUED
OCCUPANCY
POLICY**

Chapt er	Section	Title	Page #	Current Policy/Language	Suggested Policy/Language	Comments
4	4-IV	LIPH to HCV OPTIONS FOR RESIDENTS	4.24- 4.25	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. 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	Option 2 Each month, the Reasonable Accommodations Manager (RAM) or designee will determine how many families were on the LIPH Transfer wait list for more than 90 days. The RAM will then contact the HCV Manager or designee to determine if non-EHV vouchers are available for said families. When vouchers are available, the RAM will contact families from the LIPH transfer wait list who was on the list for more than 6 months with a VAWA preference, did not receive and accept a unit transfer offer and not previously contacted for a housing voucher option (using date of the approval for VAWA protections). These families will be invited to an informational session to discuss their option of receiving a voucher or remaining on the transfer list awaiting a transfer unit offer. Families will 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 referred to HCV department for inclusion on the HCV VAWA transfer list. The families will be invited to a briefing and voucher issuance by HCV. 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.	

Chapt er	Section	Title	Page #	Current Policy/Language	Suggested Policy/Language	Comments
4		INTERAGENCY RELOCATION AGREEMENT WITH COOPERATING PHAS; VAWA ADMISSIONS	4.25		<p>ECC/HANH has executed agreements with a cooperating Connecticut PHAs to house each PHA's residents who are victims of domestic violence. This would occur after the initial PHA has unsuccessfully exercised all efforts to safely relocate the family.</p> <p>Families Referred to ECC</p> <p>ECC/HANH will require a referring PHA, that has made several attempts to relocate a family who is current victim of domestic violence to ECC/HANH. ECC/HANH will require the referring PHA to submit a statement that outlines what relocation attempts were made, including dates and outcomes. Upon the receipt of a referral from the cooperating PHA, ECC will:</p> <ol style="list-style-type: none"> 1.Add the referred applicant to the site-based waiting lists with a VAWA preference 2.Offer a unit accordingly as the family reaches the top of the waiting list <p>ECC/HANH will advise the PHA and family of their status on the wait list and that they will be housed accordingly.</p> <p>Once the family reaches the top of the ECC/HANH site-based wait list, ECC/HANH will advise the cooperating PHA and family, of the availability of a unit and will proceed to house the family accordingly.</p>	
4		INTERAGENCY RELOCATION AGREEMENT WITH COOPERATING PHAS; VAWA ADMISSIONS	4.26		<p>ECC/HANH will follow the Eligibility Determination, Unit Offer and Lease Up policy and procedures.</p> <p>When the unit is ready to be leased by the Family, ECC/HANH and the referring PHA will coordinate an End of Participation recertification by the referring PHA and a New Admission recertification by ECC/HANH for PIC submission. Each referred family will receive 1 unit offer from ECC/HANH unless mitigating circumstances exist.</p> <p>ECC referrals to cooperating PHA</p> <p>When an ECC/HANH resident family has experienced new incidents of domestic violence and ECC has made several unsuccessful attempts to relocate the Family, ECC/HANH will refer the family to the cooperating PHA for relocation. At the time of the referral, ECC/HANH will provide a statement of all efforts made to relocate the Family to a safe environment.</p> <p>The cooperating PHA will house the ECC/HANH resident according to their policies and procedures and admission criteria</p>	
12	12-1C	EMERGENCY TRANSFER PROCEDURES	12.3		<p>In cases where ECC/HANH does not have a unit available for an emergency transfer ECC/HANH can transfer the resident to one of its affiliated entities. Emergency transfers from one LIHTC/RAD/PBV/LIPH development are allowable for Emergencies that cannot be immediately mediated and are subject to applicable LIHTC/LIPH income guidelines. Emergency transfers will be placed on a centralized transfer list for LIHTC/RAD/PBV/LIPH residents.</p>	

Chapt er	Section	Title	Page #	Current Policy/Language	Suggested Policy/Language	Comments
12	IV	TRANSFER POLICY			<p>Preferences for Resident Transfers are as follows:</p> <ol style="list-style-type: none"> 1)Emergency 2)Reasonable Accommodation for Accessible Units 3)Reasonable Accommodation for other than those needing accessible units or units with accessible features 4)Transfers mandated by modernization projects 5)VAWA transfers 6)Urgent- Non-VAWA Crime and Safety related transfers 7)Transfers due to over and under housing by more than two degrees 8)Other administrative transfers 	
12	IV	TRANSFER POLICY			<p>Transfers from an LIPH development to another LIPH development or a LIHTC ACC, PBV or RAD/PBV development are allowable for all preferences, subject to LIHTC income guidelines and applicable Tenant Selection Plans.</p> <p>The transfer list is an agency-wide transfer list and not a site-based list. One out of every ten offers will be made to a resident-requested transfer.</p> <p>Per the development Resident Selection Plan, a resident who resides in a development and requires a different unit size or type will have a priority over other households on the Site based Waitlist for the unit that has become vacant in that Development</p>	

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 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 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).

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. Application forms can also be obtained at the ECC/HANH website at www.elmcitycommunities.org or United Way's 211 Info line at <http://www.cthcvp.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.

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

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-II.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.

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 the waiting list, ECC/HANH will send a purge letter 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 purge letter will be sent to the last address that ECC/HANH has on record for the family. The 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 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, 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, hospitalization, 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 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
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)

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

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

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.

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.

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:¹ 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-

¹ 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.

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. 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 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 applicants on Reentry waitlist. Residents under the family reunification 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. 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

McConaughey 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 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

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.

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
- 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 all household members have not 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 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

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 managed by ECC/HANH,
- ECC/HANH's in-house transfer waitlists
- current applicants on the HCV waitlist.

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, 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 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 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. Approved families will be added to every wait list for which the family qualifies for by ECC. 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 approval date.

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 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.

LIPH/HCV OPTION FOR APPLICANTS ON LIPH SITE BASED WAITING LISTS WITH VAWA WAIT LIST PREFERENCE

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 days. The 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.

LIPH to HCV OPTIONS FOR RESIDENTS

Option 1

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.

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

Option 2

Each month, the Reasonable Accommodations Manager (RAM) or designee will determine how many families were on the LIPH Transfer wait list for more than 90 days. The RAM will then contact the HCV Manager or designee to determine if vouchers are available for said families.

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

These families will be invited to an informational session to discuss their option of receiving a voucher or remaining on the transfer list awaiting a transfer unit offer. Families will 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 referred to HCV department for inclusion on the HCV VAWA transfer list. The families will be invited to a briefing and voucher issuance by HCV. 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.

INTERAGENCY RELOCATION AGREEMENT WITH COOPERATING PHAS

VAWA ADMISSIONS

ECC/HANH has executed agreements with a cooperating Connecticut PHAs to house each PHA's residents who are victims of domestic violence. This would occur after the initial PHA has unsuccessfully exercised all efforts to safely relocate the family.

Families Referred to ECC

ECC/HANH will require a referring PHA, that has made several attempts to relocate a family who is current victim of domestic violence to ECC/HANH. ECC/HANH will require the referring PHA to submit a statement that outlines what relocation attempts were made, including dates and outcomes.

Upon the receipt of a referral from the cooperating PHA, ECC will:

1. Add the referred applicant to the site-based waiting lists with a VAWA preference
2. Offer a unit accordingly as the family reaches the top of the waiting list

ECC/HANH will advise the PHA and family of their status on the wait list and that they will be housed accordingly.

Once the family reaches the top of the ECC/HANH site-based wait list, ECC/HANH will advise the cooperating PHA and family, of the availability of a unit and will proceed to house the family accordingly.

ECC/HANH will follow the Eligibility Determination, Unit Offer and Lease Up policy and procedures.

When the unit is ready to be leased by the Family, ECC/HANH and the referring PHA will coordinate an End of Participation recertification by the referring PHA and a New Admission recertification by ECC/HANH for PIC submission.

Each referred family will receive 1 unit offer from ECC/HANH unless mitigating circumstances exist.

ECC referrals to cooperating PHA

When an ECC/HANH resident family has experienced new incidents of domestic violence and ECC has made several unsuccessful attempts to relocate the Family, ECC/HANH will refer the family to the cooperating PHA for relocation. At the time of the referral, ECC/HANH will provide a statement of all efforts made to relocate the Family to a safe environment.

The cooperating PHA will house the ECC/HANH resident according to their policies and procedures and admission criteria

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 12

TRANSFER POLICY

INTRODUCTION

This chapter explains the ECC/HANH's transfer policy, based on HUD regulations, HUD guidance, and ECC/HANH policy decisions.

This chapter describes HUD regulations and ECC/HANH policies related to transfers in four parts:

Part I: Emergency Transfers. This part describes emergency transfers, emergency transfer procedures, and payment of transfer costs.

Part II: ECC/HANH Required Transfers. This part describes types of transfers that may be required by the ECC/HANH, notice requirements, and payment of transfer costs.

Part III: Transfers Requested by Residents. This part describes types of transfers that may be requested by residents, eligibility requirements, security deposits, payment of transfer costs, and handling of transfer requests.

Part IV: Transfer Processing. This part describes creating a waiting list, prioritizing transfer requests, preferences the unit offer policy, examples of good cause, deconcentration, transferring to another development and reexamination.

ECC/HANH may require the tenant to move from the unit under some circumstances. There are also emergency circumstances under which alternate accommodations for the tenant must be provided, that may or may not require a transfer.

The tenant may also request a transfer, such as a request for a new unit as a reasonable accommodation.

ECC/HANH must have specific policies in place to deal with acceptable transfer requests.

ECC/HANH Policy

ECC/HANH's transfer list is an agency-wide transfer list and not a site-based list. A separate transfer list is maintained for scattered site transfers.

PART I: EMERGENCY TRANSFERS

12-I.A. OVERVIEW

HUD categorizes certain situations that require emergency transfers [PH Occ GB, p. 147]. The emergency transfer differs from a typical transfer in that it requires immediate action by ECC/HANH.

In the case of a structural emergency, it may be unlikely that ECC/HANH will have the time or resources to immediately transfer a tenant. Due to the immediate need to vacate the unit, placing the tenant on a transfer waiting list would not be appropriate. Under such circumstances, if an appropriate unit is not immediately available, ECC/HANH should find alternate accommodations for the tenant until the emergency passes, or a permanent solution, i.e., return to the unit or transfer to another unit, is possible.

12-I.B. EMERGENCY TRANSFERS

If the structure of the dwelling unit is damaged to the extent that conditions are created which are hazardous to life, health, or safety of the occupants, ECC/HANH must offer standard alternative accommodations, if available, where necessary repairs cannot be made within a reasonable time [24 CFR 966.4(h)].

ECC/HANH Policy

Emergency transfers must be approved by the Executive Director/President or designee.

The following is considered an emergency circumstance warranting an immediate transfer of the tenant or family:

Maintenance conditions in the resident's unit, building or at the site that pose an immediate, verifiable threat to the life, health or safety of the resident or family members that cannot be repaired or abated within 24 hours. Examples of such unit or building conditions would include but is not limited to: a gas leak; no heat in the building during the winter; no water; toxic contamination; and serious water leaks.

ECC/HANH is not required to give prior notice of an emergency transfer.

Emergency conditions that occur due to abuse or neglect will be grounds for emergency transfer, however resident will be charged for the damages caused to the apartment.

12-I.C. EMERGENCY TRANSFER PROCEDURES

ECC/HANH Policy

If the transfer is necessary because of maintenance or other life-threatening conditions defined above, and an appropriate unit is not immediately available, ECC/HANH will provide temporary accommodations to the tenant by arranging for temporary lodging at a hotel or similar location. If the conditions that required the transfer cannot be repaired, or the condition cannot be repaired in a reasonable amount of time, ECC/HANH will transfer the resident to the first available and appropriate unit after the temporary relocation.

Emergency transfers are mandatory for the tenant. Refusal of a resident to accept an emergency transfer is grounds for termination of assistance or lease termination and eviction.

In cases where ECC/HANH does not have a unit available for an emergency transfer ECC/HANH can transfer the resident to one of its affiliated entities.

Emergency transfers from one LIHTC/RAD/PBV/LIPH development are allowable for emergencies that cannot be immediately mediated and are subject to applicable LIHTC/LIPH income guidelines. Emergency transfers will be placed on a centralized transfer list for LIHTC/RAD/PBV/LIPH residents.

12-I.D. COSTS OF TRANSFER

ECC/HANH Policy

ECC/HANH will bear the reasonable costs of temporarily accommodating the tenant and of long term transfers, if any, due to emergency conditions.

The reasonable cost of transfers includes the cost of packing, moving, and unloading.

ECC/HANH will move the family at ECC/HANH's expense.

All amounts owed under tenancy will follow the family regardless of transfer.

PART II: ECC/HANH REQUIRED TRANSFERS

12-II.A. OVERVIEW

ECC/HANH may require that a resident transfer to another unit under some circumstances. For example, ECC/HANH may require a resident to transfer to make an accessible unit available to a disabled family or may transfer a resident in order to maintain occupancy standards based on family composition or may transfer residents in order to demolish or renovate the unit.

A transfer that is required by ECC/HANH is an adverse action, and is subject to the notice requirements for adverse actions [24 CFR 966.4(e)(8)(i)].

12-II.B. TYPES OF ECC/HANH REQUIRED TRANSFERS

ECC/HANH Policy

The types of transfers that may be required by ECC/HANH, include, but are not limited to:

- transfers to make an accessible unit available for a disabled family
- transfers to comply with occupancy standards
- transfers for demolition, disposition, revitalization, or rehabilitation
- emergency transfers as discussed in Part I of this chapter.

Transfers required by ECC/HANH are **mandatory** for the tenant.

Transfers to Make an Accessible Unit Available

When a family is given an accessible unit, but does not require the accessible features, ECC/HANH may require the family to agree to move to a non-accessible unit when it becomes available. ECC/HANH's lease must include the tenant's agreement to transfer to an appropriately sized unit if a family who needs the accessible unit is identified.

ECC/HANH Policy

When a non-accessible unit becomes available, ECC/HANH will transfer a family living in an accessible unit that does not require the accessibility features to an available unit that is not accessible. ECC/HANH may wait until a disabled resident or applicant requires the accessible unit before transferring the family that does not require the accessible features out of the unit. ECC/HANH will give the family a 30 day notice to move, with the right to request a grievance hearing and a reasonable accommodation to remain in the unit if applicable.

Occupancy Standards Transfers

ECC/HANH may require a resident to move when an interim or reexamination indicates that there has been a change in family composition, and the family is either overcrowded or over-housed according to ECC/HANH policy [24 CFR 960.257(a)(4)].

On some occasions, the ECC/HANH may initially place a resident in an inappropriately sized unit at lease-up, where the family is over-housed, to prevent vacancies. The ECC/HANH lease must include the tenant's agreement to transfer to an appropriately sized unit based on family composition [24 CFR 966.4(c)(3)].

ECC/HANH Policy

ECC/HANH will transfer a family when the family size has changed, and the family is now too large (overcrowded) or too small (over-housed) for the unit occupied by at least two (2) degrees.

For purposes of the transfer policy, overcrowded and over-housed are defined as follows:

Overcrowded: the number of household members exceeds the maximum number of persons allowed for the unit size in which the family resides, according to the chart in Section 5-I.B, plus one person so the living room may be used as a sleeping room. For example, 5 persons could occupy a two-bedroom unit if the family wishes.

Over-housed: the family no longer qualifies for the bedroom size in which they are living based on the ECC/HANH'S occupancy standards as described in Section 5-I.B.

ECC/HANH may also transfer a family who was initially over-housed to a unit of an appropriate size based on ECC/HANH's occupancy standards, when ECC/HANH determines there is a need for the transfer.

ECC/HANH may also elect not to transfer an over-housed family in order to prevent vacancies.

A family that is required to move due to occupancy standards will be advised by ECC/HANH that a transfer is necessary and that the family has been placed on the transfer list.

Families that request and are granted an exception to the occupancy standards (for either a larger or smaller size unit) in accordance with the policies in Section 5-I.C. will only be required to transfer if it is necessary to comply with the approved exception.

Scattered site in house transfers supersede scattered site wait list applicants.

Demolition, Disposition, Revitalizations, or Rehabilitation Transfers

These transfers permit ECC/HANH to demolish, sell or do major capital or rehabilitation work at a building site [PH Occ GB, page 148].

ECC/HANH Policy

ECC/HANH will relocate a family when the unit or site in which the family lives is undergoing major rehabilitation that requires the unit to be vacant, or the unit is being disposed of or demolished. ECC/HANH's relocation plan may or may not require transferring affected families to other available public housing units.

If the relocation plan calls for transferring public housing families to other public housing units, affected families will be placed on the LIPH transfer list.

In cases of revitalization or rehabilitation, the family may be offered a temporary relocation if allowed under Relocation Act provisions, and may be allowed to return to their unit, depending on contractual and legal obligations, once revitalization or

rehabilitation is complete.

12-II.C. ADVERSE ACTION [24 CFR 966.4(e)(8)(i)]

A ECC/HANH required transfer is an adverse action. As an adverse action, the transfer is subject to the requirements regarding notices of adverse actions. If the family requests a grievance hearing within the required timeframe, ECC/HANH may not take action on the transfer until the conclusion of the grievance process.

12-II.D. COST OF TRANSFER

ECC/HANH Policy

ECC/HANH will bear the cost of transfers that ECC/HANH requires.

ECC/HANH will bear the cost of transfer related to occupancy standards if ECC/HANH initiates the transfer.

The reasonable costs of transfers include the cost of packing, moving, and unloading.

PART III: TRANSFERS REQUESTED BY TENANTS

12-III.A. OVERVIEW

HUD provides ECC/HANH with discretion to consider transfer requests from tenants. The only requests that ECC/HANH is required to consider are requests for reasonable accommodation. All other transfer requests are at the discretion of ECC/HANH. To avoid administrative costs and burdens, this policy limits the types of requests that will be considered by ECC/HANH.

Some transfers that are requested by tenants should be treated as higher priorities than others due to the more urgent need for the transfer.

12-III.B. TYPES OF RESIDENT REQUESTED TRANSFERS

ECC/HANH Policy

The types of requests for transfers that ECC/HANH will consider are limited to requests for

- transfers to alleviate a serious or life threatening medical condition
- transfers to a different unit size as long as the family qualifies for the unit according to ECC/HANH's occupancy standards
- transfers to a location closer to employment
- ECC/HANH will also consider a request for transfer from a family that simply wishes to change locations as long as they meet the criteria defined later in this chapter.

12-III.C. HIGH PRIORITY RESIDENT REQUESTED TRANSFERS

ECC/HANH Policy

ECC/HANH will consider the following as high priority transfer requests:

1) In the event of an urgent transfer, involving violence or criminal activity against a family, the family will be placed on the transfer list with LIPH – Crime and Safety preference and moved to an appropriately sized unit accordingly.

Such circumstances will include:

- Targeted violence- a family member is the actual or potential victim of a criminal attack, retaliation for testimony or hate crime and the threat of violence is verified by a law enforcement professional and/or agency.
- Inadvertent violence- to protect a family member from criminal activity that is occurring at the property of the community in which they are not the targeted victim but request to be transferred for their safety and the threat of violence is verified by a law enforcement professional or agency.

2) Reasonable Accommodations:

When a transfer is needed to give a person with a disability an equal opportunity to use and enjoy a dwelling unit or common area as required by federal and state fair housing laws.

A family may request a transfer as a reasonable accommodation for a disability.

Examples of a reasonable accommodation transfer include, but are not limited to:

- a transfer to accommodate a person with a mobility impairment such as a transfer to a first floor unit, a unit without stairs or to a unit with a bed and bath on the first floor

or, in the case of person who uses a wheelchair for mobility

- a transfer to a unit with accessible features.

Once a family's reasonable accommodation has been approved, the family will be placed on the Reasonable Accommodation Transfer List based on the date the family was approved for the reasonable accommodation and the bedroom size(s) and type of unit, approved for such family and will be offered an available unit that meet's such family's approved disability and bedroom size needs in a Low Income Public Housing (LIPH which includes the Scattered Site units), Project Based Voucher (PBV) or RAD/PBV development/portfolio accordingly..

If it is determined that ECC/HANH cannot accommodate the family's approved disability-related needs in the LIPH, PBV or RAD/PBV portfolio, the family may be added to the HCV/TBV Reasonable Accommodation List for an opportunity for a Tenant Based Voucher (TBV).

The family will be given the option for a TBV or may choose to remain on the Reasonable Accommodation Transfer list until a unit that meets their needs becomes available.

3) VAWA:

When there has been a verified threat of physical harm or criminal activity. Such circumstances may, at ECC/HANH's discretion, include an assessment by law enforcement or social service agency indicating that a family member is the actual or potential victim of domestic violence, dating violence, sexual assault, or stalking.

The threat may also be established through documentation outlined in section 16-VII.D, or by any proof accepted by ECC/HANH.

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 transfer request.

12-III.D. REGULAR PRIORITY RESIDENT-REQUESTED TRANSFERS

ECC/HANH Policy

The regular priority resident requested transfer list is maintained in a first-come, first-served basis.

ECC/HANH will consider the following as regular priority transfer requests:

- When a family requests a larger bedroom size unit even though the family does not meet ECC/HANH's definition of overcrowded, as long as the family meets ECC/HANH's occupancy standards for the requested size unit

- When the head of household or spouse is employed 25 miles or more from the public housing unit, has no reliable transportation, and public transportation is not adequate.
- When a family wishes to move to another development for any reason.

Transfers requested by the tenant are considered optional for the tenant.

12-III.E. ELIGIBILITY FOR TRANSFER

Transferring residents do not have to meet the admission eligibility requirements pertaining to income or preference. However, ECC/HANH may establish other standards for considering a transfer request [PH Occ GB, p. 150].

ECC/HANH Policy

ECC/HANH will only consider transfer requests from residents that meet the following requirements, also referred to as a tenant in “good standing”.:

- Have not engaged in criminal activity that threatens the health and safety of residents and staff
- Owe no back rent or other charges, or have a pattern of late payment as defined in the public housing residential lease
- Have no housekeeping lease violations or history of damaging property (a resident with housekeeping standard violations will not be transferred until the resident passes a follow up housekeeping inspection.
- Can get utilities turned on in the name of the head of household (applicable only to properties with tenant-paid utilities)

Emergency transfers and transfers for reasonable accommodations are exempt from these requirements.

Exceptions to the good standing requirement may also be made when it is to ECC/HANH’s advantage to make the transfer.

Exceptions may also be made when ECC/HANH determines that a transfer is necessary to protect the health or safety of a resident who is a victim of domestic violence, dating violence, sexual assault, or stalking and who provides documentation of abuse in accordance with section 16-VII.D of this ACOP.

If a family requested to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines, the family will not be eligible to transfer to a larger size unit for a period of one year from the date of admission, unless they have a change in family size or composition, or it is needed as a reasonable accommodation.

12-III.F. SECURITY DEPOSITS

ECC/HANH Policy

When a family transfers from one unit to another, ECC/HANH will transfer their security deposit to the new unit. The tenant will be billed for any maintenance or others charges due for the “old” unit.

12-III.G. COST OF TRANSFER

ECC/HANH must pay moving expenses to transfer a resident with a disability to an accessible unit as an accommodation for the resident's disability [Notice PIH 2010-26].

ECC/HANH Policy

The resident will bear all of the costs of transfer s/he requests. However, ECC/HANH will bear the transfer costs when the transfer is done as a reasonable accommodation.

12-III.H. HANDLING OF REQUESTS

ECC/HANH Policy

Residents requesting a transfer to another unit or development will be required to submit a written request for transfer.

In case of a reasonable accommodation transfer, ECC/HANH will encourage the resident to make the request in writing using a reasonable accommodation request form. However, ECC/HANH will consider the transfer request any time the resident indicates that an accommodation is needed whether or not a formal written request is submitted.

ECC/HANH will respond by

- approving the transfer and putting the family on the transfer list
- by denying the transfer,
- or by requiring more information or documentation from the family, such as documentation of domestic violence, dating violence, sexual assault, or stalking in accordance with section 16-VII.D of this ACOP.

Failure to provide adequate documentation will lead to a finding of “no action” by ECC/HANH.

If the family does not meet the “good standing” requirements under Section 12-III.C., the manager will deny the request and address the problem. Once resolved, the family may request the transfer again.

ECC/HANH will acknowledge the receipt of the tenant initiated transfer request within 10 business days. If ECC/HANH denies the request for transfer, the family will be informed of its grievance rights. Transfers which are requested as a reasonable accommodation to the family's disability-related needs will be verified by a 3rd party professional, as necessary, and ECC/HANH will respond within 10 business days of the approval of the reasonable accommodation request.

12-III.I. SCATTERED SITE DEVELOPMENTS (SELF-SUFFICIENCY SCATTERED SITES)

ECC/HANH Policy

Scattered sites are ECC/HANH designated self-sufficiency units and are eligible only to Tier III transfer families and applicant families (families who are between 50% and 80% of AMI) or families granted a Reasonable Accommodation to reside in such property.

Scattered sites are located throughout the jurisdiction ECC/HANH serves. In addition to

transfer criteria described in 12.III.E., 12.III.F. and 12.III.G., eligibility for transfer to a scattered site requires:

- Residency in ECC/HANH public housing for a minimum of one year before requesting transfer to a scattered site unit
- Head of house, spouse, cohead or adult is currently employed and has been employed for at least one year
- Demonstrated ability to put and maintain utilities in an adult family member's name

The lease may provide that the tenant shall perform seasonal maintenance or other maintenance tasks, as specified in the lease, where performance of such tasks by tenants of dwellings units of a similar design and construction is customary: Provided that such provision is included in the lease in good faith and not for the purpose of evading the obligations of ECC/HANH. ECC/HANH shall exempt tenants who are unable to perform such tasks because of age or disability [966.4(g)].

ECC/HANH Policy

Perform seasonal tasks such as mowing the lawn, raking and removal of leaves and snow removal, as required in the lease, unless approval granted through a reasonable accommodation not to have to perform these functions..

PART IV: TRANSFER PROCESSING

12-IV.A. OVERVIEW

Generally, families who request a transfer should be placed on a LIPH transfer list and processed in a consistent and appropriate order. The transfer process must be clearly auditable to ensure that residents do not experience inequitable treatment.

12-IV.B. TRANSFER LIST

ECC/HANH Policy

ECC/HANH will maintain a centralized LIPH transfer list to ensure that transfers are processed in the correct order and that procedures are uniform across all properties.

ECC/HANH will also maintain a centralized transfer list specifically for Reasonable Accommodation transfers, to include families from the LIPH, PBV and RAD/PBV portfolios with the ability to transfer a family with a disability to an available unit within all portfolios.

Emergency transfers will not automatically go on the transfer list. Instead emergency transfers will be handled immediately, on a case by case basis, upon approval by the Executive Director/President or designee.

If the emergency cannot be resolved by a temporary accommodation, and the resident requires a permanent transfer, the family will be placed at the top of the transfer list, with an “Emergency” preference.

Transfers will be processed in the following order:

1. Emergency transfers (hazardous maintenance and life-threatening conditions). See Section 12-I.B.
2. ECC/HANH -required transfers (demolition, disposition, accessibility). See Section 12-II.B.
3. High priority resident-requested transfers. See Section 12-III.C.
4. Regular priority resident-requested transfers. See Section 12-III.D.

Generally, for categories 3 and 4 above, transfers will be processed in order of the date a family was placed on the transfer list, starting with the earliest date.

With the approval of the Executive Director/President or designee, ECC/HANH may, on a case-by-case basis, transfer a family without regard to its placement on the transfer list in order to address the immediate need of a family in crisis.

Demolition and renovation transfers will gain the highest priority as necessary to allow ECC/HANH to meet the demolition or renovation schedule.

Emergency transfers required transfer and high-priority transfers take precedence over waiting list applicants.

Excluding the transfers listed above, one out of every ten offers will be made to a resident-requested transfer.

Existing elderly families transferring to elderly-designated properties are not subject to the one-in-ten transfer vs. applicant policy.

Preferences for Resident Transfers are as follows:

- 1) Emergency
- 2) Reasonable Accommodation for Accessible Units
- 3) Reasonable Accommodation for other than those needing accessible units or units with accessible features
- 4) Transfers mandated by modernization projects
- 5) VAWA transfers
- 6) Urgent- Non-VAWA Crime and Safety related transfers
- 7) Transfers due to over and under housing by more than two degrees
- 8) Other administrative transfers

Transfers from an LIPH development to another LIPH development or a LIHTC ACC, PBV or RAD/PBV development are allowable for all preferences, subject to LIHTC income guidelines and applicable Tenant Selection Plans.

The transfer list is an agency-wide transfer list and not a site-based list. One out of every ten offers will be made to a resident-requested transfer.

Per the development Resident Selection Plan, a resident who resides in a development and requires a different unit size or type will have a priority over other households on the Site based Waitlist for the unit that has become vacant in that Development.

12-IV.C. TRANSFER OFFER POLICY

ECC/HANH Policy

Emergency transfers and ECC/HANH-required transfers to make an accessible unit available, and for demolition/disposition, will provide one offer of transfer.

High priority transfer residents will receive one offer of a transfer.

ECC/HANH required transfers for occupancy standards (over-housed or under-housed) and regular priority transfer residents will receive two offers of transfer.

High priority transfer residents will receive one offer of transfer.

Regular priority transfer residents will receive two offers of transfer.

For emergency transfers and when the transfer is required by ECC/HANH, the refusal of that offer without good cause will result in lease termination.

When the transfer has been requested by the resident, the refusal of two offer(s) without good cause will result in the removal of the family from the transfer list.

In such cases, the family must wait one year to reapply for a transfer, with the exception of families who requested a transfer for a reasonable accommodation and were withdrawn for refusing a unit offer without good cause. The family can reapply for a transfer for a reasonable accommodation at any time

12-IV.D. GOOD CAUSE FOR UNIT REFUSAL

ECC/HANH Policy

Examples of good cause for refusal of a unit offer include, but are not limited to:

- The family demonstrates to ECC/HANH's satisfaction that accepting the unit offer will require an adult family member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities.
- The family demonstrates to ECC/HANH's satisfaction that accepting the offer will place a family member's life, health, or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders, other court orders, risk assessments related to witness protection from a law enforcement agency, or documentation of domestic violence, dating violence, or stalking in accordance with section 16-VII.D of this ACOP. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption.
- A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on final application) or live-in aide necessary to the care of the principal family member.
- The unit is inappropriate for the applicant's disabilities or approved reasonable accommodation, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move.
- The unit has lead-based paint and the family includes children under the age of six.
- Other compelling reasons as approved by ECC/HANH.

ECC/HANH will require documentation of good cause for unit refusals.

12-IV.E. DECONCENTRATION

ECC/HANH Policy

If subject to deconcentration requirements, ECC/HANH will consider its deconcentration goals when transfer units are offered.

When feasible, families above the Established Income Range will be offered a unit in a development that is below the Established Income Range, and vice versa, to achieve ECC/HANH's deconcentration goals.

12-IV.F. REEXAMINATION POLICIES FOR TRANSFERS

ECC/HANH Policy

A new lease is executed at the time of the transfer of a resident from one ECC/HANH unit to another (with no change in anniversary date).

If a resident has a pending summary process matter or has an outstanding balance due ECC/HANH and is transferring to another unit, execution of a lease addendum will be required in order for ECC/HANH to transfer the resident's current balance and legal case.