

Administrative Plan

Section 8 Housing Choice Voucher Program

March 10, 2015



8865 Natural Bridge Road
Post Office Box 23886
St. Louis, MO 63121

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Section I - Introduction

The Housing Choice Voucher Program (Section 8) helps eligible households afford decent, safe and sanitary housing by paying a portion of their rent each month. At the time of this writing, the Authority is assisting approximately 6,000 families in this manner, scattered throughout 95 municipalities and 60 ZIP code areas. Approximately 3,000 landlords participate in the program and over 5,100 households are on a list awaiting future assistance.

Managing the Housing Choice Voucher Program is a large, complex undertaking. The scope, policies and procedures of this program may change at any time without prior - or contemporaneous - publication in this or any other document.

This Administrative Plan is intended to provide general information concerning the scope, policies and procedures of the Authority's Housing Choice Voucher Program. It is a general overview and is not intended to be a compilation of all material facts concerning the program.

While every attempt has been made to be accurate, no warranty of accuracy is made. Any errors that are found will be corrected in future editions.

Section II - Brief Description of the Housing Choice Voucher Program

Rental assistance programs were created by the 8th section of Title II of the 1937 Housing Act, as amended. Private owners contract with the Authority to rent to lower-income households. The Authority pays owners the difference between the rent residents pay (approximately 30% of their adjusted gross income) and the market rent of the units. Usually no significant rehabilitation is required. The assistance is normally vested in the resident, not the unit. If the resident wants to move at the expiration of a lease and has satisfied all obligations under the program, the assistance follows the resident to a new unit. Rents must be approved by the Authority.

Owner Recruitment and Retention:

Recruitment

HASLC is responsible for ensuring that very low income families have access to all types and ranges of affordable housing in our jurisdiction, particularly housing outside areas of poverty or minority concentration. A critical element in fulfilling this responsibility is for HASLC to ensure that a sufficient number of owners, representing all types and ranges of affordable housing in our jurisdiction, are willing to participate in the HCV program.

HASLC will conduct owner outreach to ensure that owners are familiar with the program and its advantages. HASLC will actively recruit property owners with property outside areas of poverty and minority concentration. These outreach strategies will include:

- Holding owner recruitment/informational meetings once a month
- Participating in community based organizations comprised of private property and apartment owners and managers
- Developing working relationships with owners and real estate brokers associations

Retention

In addition to recruiting owners to participate in the HCV program, HASLC must also provide the kind of customer service that will encourage participating owners to remain active in the program.

All HASLC activities that may affect an owner's ability to lease a unit will be processed as rapidly as possible, in order to minimize vacancy losses for owners.

HASLC will provide owners with a brochure that explains the program, including HUD and HASLC policies and help new owners succeed through activities such as:

- Providing the owner with a designated HASLC contact person
- Coordinating inspection and leasing activities between HASLC, the owner and the family
- Initiating telephone contact with the owner to explain the inspection process,
- Providing written information about how the program operates, including answers to frequently asked questions
- Additional services may be undertaken on an as-needed basis, and as resources permit

Section III - Waiting List

1. Random Selection (Lottery) Waiting List

A. Opening and closing of the waiting list

The waiting list will be reviewed regularly (normally every six months) and compared to the anticipated need for households in the next six-month period. The Authority may - within its sole discretion - open or close the waiting list.

B. Registrations

A prospect must be a family and must be income-eligible. HUD's definition of family includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity or marital status: A family may be a single person or a group of people. For purposes of this section a single, pregnant female is considered a family, not a single person. A multi-person family may, or may not, include children. A child who is temporarily (6 months or less) away from the home because of placement in foster care is considered a family member. A family may consist of one or more elderly or disabled persons living with one or more live-in aides.

Gender identity means actual or perceived gender characteristics. Sexual orientation means homosexuality, heterosexuality, or bisexuality.

No person who claims to be the head of a household may register unless he or she has attained 18 years of age or unless otherwise required by law. The Authority will, in its sole discretion, determine if a group of persons is a family.

As a cost saving measure that will also offer efficiency to HASLC clients and employees, we are transitioning to an online application process with the next opening of our Section 8 waiting list.

C. Random selection process

To allocate scarce resources and to give every prospect an equal opportunity to be selected without an unduly long wait, the Authority employs a waiting list lottery system.

Registrations are entered into a Pre-Random Selection pool. After all prospects for a given application period have been entered, the pool is closed. Staff then indicates the number of prospects to be selected and the computer randomly selects that number from the pool. All prospects receive notification informing them whether they have been selected or not. Selected prospects are called in the order they were randomly selected.

D. Maintenance/updating of waiting list

1. A prospect may update the preliminary registration by completing our Preliminary Registration Information Update form available online.
2. A prospect may also change their address by mailing a letter stating their new address, their old address, and their social security number.
3. Note that even if a prospect on the waiting list becomes a participant in another Authority housing program, it is the prospect's - not the Authority's - responsibility to change their address on the waiting list by using a Preliminary Registration Information Update form or by sending in a letter.

4. The Authority will remove a prospect's name from the waiting list when:
 - a. The prospect requests in writing that their name be removed,
 - b. The prospect does not meet eligibility selection criteria,
 - c. The prospect fails to respond in a reasonable time, generally 60 days, or, if applicable, a specified time to a written request for information or written request to declare their continued interest in the program, or
 - d. A written request for information or written request to declare a prospect's continued interest in the program cannot be delivered by the U.S. Postal Service to the prospect at the prospect's last known address on file at the Authority.
 - e. The HASLC **must** deny the eligibility of a prospect if he/she does not disclose a SSN and/or provide documentation of such SSN, except for individuals who do not contend eligible immigration status, and for individuals age 62 or older as of January 21, 2010, whose initial determination of eligibility was begun before January 31, 2010. However, if the applicant is otherwise eligible to participate in the program, the applicant may maintain his/her place on the waiting list pending disclosure within 30 days.

2. Preference Waiting List

- a. Approved referrals from any homeless programs with which the Housing Authority has a cooperation agreement to the extent that the number of such referrals does not exceed the number of specially earmarked vouchers or units designated for such referrals;
- b. Approved referrals of displaced households from a designated public improvement, development or redevelopment program.
- c. Approved referrals of households experiencing extreme hardship due to a sudden loss of shelter –no alternatives with and/or resources for shelter – because of fire, flood, government condemnation or other good cause, but only when the principle reason for the loss of shelter was not caused by a household member, and not to exceed five such households a month;
- d. Approved referrals from a designated witness protection program;
- e. Approved referrals of households in danger of losing their housing assistance from Missouri state sponsored rental assistance programs, not to exceed 200 vouchers total; and
- f. Approved referrals from any transitional housing programs with which the Housing Authority has a cooperation agreement, not to exceed 10 Vouchers issued per calendar year. (Note: The St. Louis County Department of Human Services or its designee must certify that each referred household has met all the requirements of – and has successfully completed – the transitional housing program before making a referral to the Housing Authority for final approval.)
- g. Section 8 Voucher allocations which target special populations - such as families displaced by the Authority or families living in project-based Section 8 units at the end of a contract - will be made available to the targeted populations without regard to normal waiting list policies and procedures.
- h. Approved referrals from Division of Family Services for the Family Unification Program, not to exceed 200 vouchers. FUP is a program under which vouchers are provided to families for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child or

children, in out-of-home care; or the delay in the discharge of the child, or children, to the family from out-of-home care. There is no statutory limitation on the time a family may receive housing assistance under the program.

i. Approved referrals from The Veteran's Administrations for the VA Supported Housing Program (VASH) not to exceed the allocations granted, currently 60. VASH is a program under which vouchers are provided to homeless veterans with case management and clinical services provided by the VA through its community medical centers.

3. Moderate Rehabilitation (Mod Rehab) Waiting List

The moderate rehabilitation program provides project-based rental assistance for low income families. The program was designed in 1978 to upgrade rental units with deficiencies requiring a moderate level of upgrading. The program was repealed in 1991 and no new projects are authorized for development. Assistance is limited to properties previously rehabilitated pursuant to a housing assistance payment (HAP) contract between an owner and the Authority.

Eligible families are placed on HASLC's Mod Rehab Waiting List as they are referred by the Mod Rehab owner. Owners select families for occupancy of a particular unit after screening each family. When the family has leased-up, they pay 30% of their adjusted income towards the rent.

4. Family Self Sufficiency (FSS) Waiting List

Family self-sufficiency (FSS) is a HUD program that encourages communities to develop local strategies to help voucher families obtain employment that will lead to economic independence and self-sufficiency. HASLC's work with welfare agencies, schools, businesses, and other local partners to develop a comprehensive program that gives participating FSS family members the skills and experience to enable them to obtain employment that pays a living wage.

Families that are selected to receive a voucher or who currently receive assistance through the housing choice voucher program are eligible for participation in the FSS program.

When the Family Self Sufficiency waiting list is open, prospects as well as participants complete a form to indicate whether or not they are interested in the Family Self-Sufficiency Program. The forms are signed and dated by the prospect or participant and if interested, a copy is given to the Section 8 Supervisor responsible for the FSS waiting list who adds those interested to the waiting list in date order. As slots open up, people are called from the waiting list.

Section IV - Determination of Eligibility and Selection of Households

A. Calling households from the Random Selection Waiting List

To achieve optimal use of the HCV funds while stabilizing the program, the Housing Authority uses a HUD spreadsheet titled "HCV Leasing and Spending Projection". HASLC will determine whether there is adequate funding to issue vouchers, approve moves to higher cost units and areas, and continue subsidizing all current participants by comparing HASLC's annual budget authority to the annual total HAP needs on a monthly basis. The total HAP needs for the calendar year will be projected by establishing the actual HAP costs year to date. To that figure, HASLC will add anticipated HAP expenditures for the remainder of the calendar year. Projected HAP expenditures will be calculated by multiplying the projected number of units leased per remaining months by the most current month's average HAP. The projected number of units leased per month will take into account the average monthly turnover of participant families. If the total annual HAP needs equal or exceed the annual budget authority, or if HASLC cannot support the cost of the proposed subsidy commitment (voucher issuance or move) based on the funding analysis, HASLC will be considered to have insufficient funding.

Pre-Random Selection registrations are accepted online only, when the waiting list is open.

B. Special selection of registrants

1. Operation Bootstrap no longer exists as a separate program. It has been incorporated into the Family Self Sufficiency program.

2. Family Self Sufficiency program prospects are selected from those who express an interest at initial certification, recertification or from those who have previously expressed an interest in writing. If interested households exceed available allocations, prospects are placed on a FSS waiting list in the date order in which they expressed an interest. After an initial interview, prospects will be asked to confirm their interest in participating and willingness to abide by program rules or relinquish their place on the FSS waiting list.

3. If the Authority receives additional Vouchers for a homeless program, it will attempt to integrate them with its current program for homeless households and use the same prospect selection criteria.

4. Targeted Vouchers

a. With the approval of HUD and the need demonstrated to the Housing Authority, the Housing Authority can choose to make Vouchers available to eligible residents in the Section 8 New Construction or Substantial Rehabilitation properties whose owners choose not to renew their term of assistance.

b. If the Housing Authority receives HUD approval to dispose of Authority-owned assisted units, the Housing Authority can choose to make Vouchers available to those eligible residents who qualify for continued assistance.

C. Interviews

1. The Authority will brief all eligible families regarding:

- a. the portability of Vouchers,
- b. the determination of the Housing Assistance Payment.
- c. the incentive for selecting a unit renting for less than the payment standards,
- d. the minimum rent the family must pay,
- e. all applicable Fair Housing and Equal Opportunity laws,
- f. Housing Quality Standards (HQS),
- g. resident responsibilities under the program, and
- h. the Family Self Sufficiency program.

2. Distributed and retained material. A Voucher will be issued after a family has completed an approved application, has been determined to be eligible and has been selected for participation. Also, at this time, the family shall be given a Voucher's Holder's packet.

Materials distributed to eligible families may include:

- a. Briefing Document #BD102
- b. Briefing Document #BD202
- c. Briefing Document #BD302
- d. You Have a Right to Live where You Want To Live
- e. Website for HCV listings at www.socialserve.com
- f. Section 8 Existing Housing Allowances for Resident-Furnished Utilities and Other Services
- g. Dwelling Unit Inspection Report
- h. Landlord- Law
- i. Things You Should Know
- j. portability information, You Can Take It With You and portability contacts for Missouri and Illinois
- k. resident information sheet including resident responsibilities, fraud, restriction on renting from relatives, maximum initial rent burden (40% rule)
- l. reasons the Authority may deny or terminate assistance
- m. policies and procedures concerning informal hearings
- n. a brochure on lead-paint poisoning
- o. general information/helpful numbers
- p. voucher, including term of voucher
- q. explanation of voucher extension policy
- r. sample resident authorization to occupy new unit (pink slip)
- s. brochure on housing discrimination
- t. map showing school districts in Missouri

Materials retained from eligible families may include:

- a. all income verification
- b. Voucher's Holder's Statement (request for copy of tax return)
- c. Disclosure Statement and Notification Concerning Lead Poisoning
- d. Authorization for Release of Information
- e. Employment/Banking Verification
- f. Verification of Social Security Numbers
- g. Personal Declaration form.
- h. Citizenship Declaration on all family members
- i. Criminal Disclosure statement
- j. Verification of Income form
- k. Summary of Rental Assistance Briefing
- l. Notice to Clients concerning Violence Against Women Act (VAWA)
- m. HASLC's policies for issuing utility checks
- n. Client's request for HASLC's help to negotiate rent
- o. HASLC's authorization to discuss personal information with persons other than client
- p. HUD 52675 "Debts owed to Public Housing Agencies and Terminations" (signed by adults)
- q. Language Preference Selection Form

D. Verification of income and other information; determination of gross family contribution

All information relative to gross family income and assets will be verified and all verified findings will be documented and recorded. To the extent feasible, staff will use Enterprise Income Verification (EIV)

methods to verify client income. Additional verification methods – including those listed below – may also continue to be used. Staff will investigate and resolve substantial differences between EIV income and income reported through other methods. Resolution may include using a repayment agreement and/or termination of assistance.

Employment – Client will bring in letter from employer on original letterhead with an original signature on the letter. Client will also bring in three consecutive check stubs. Staff will call personnel office and verify wages and check stubs. If check stub amounts match EIV information, employment letter is not required. If employer will not verify information, staff will determine if employer is on fax-back list and fax the income verification form.(The Work Number or InVerify) Staff will initial and date all income verification and indicate to whom they spoke and the date of the conversation. Income tax returns will also be requested from all clients.

Self Employment – Staff will request tax returns, receipts and other pertinent records from client.

TANF – An original letter from DFS will be requested from the client. Staff will also call the toll-free number to verify information and document the call with name, amount, date and signature.

Initial Social Security letter – Staff will request an original letter from Social Security. After the client is in the program, staff will use the EIV system for verification.

Bank statements – Bank statements will be requested from the bank if the bank will provide them at no cost. If this is impossible, staff will request 3 recent bank statements from the client;

Child Support – Staff will obtain the 8-digit case number from the client, child support order or child support print out. Staff will call the toll-free number and document the last three payments to the client and will sign and date all pertinent forms.

Full-Time Student verification - Caseworkers will verify all full-time student letters using the studentclearinghouse.org website. If letter is fraudulent, termination will follow.

Zero Income – The Authority will issue a voucher to zero income households. The Head of Household and other zero income adult members must, in a manner required by the Authority, recertify at least quarterly, regarding their means of basic subsistence such as food, utilities, transportation, etc. The family may be required to provide documentation to prove that income such as unemployment benefits, TANF, SSI, etc., are not being received. A family may be removed from the program if the Authority reasonably concludes that they have unreported income. The Authority may request a credit report on adult members of the family.

Annual income is the gross amount of income anticipated to be received by the household during the twelve months after certification or recertification. Gross income is the amount of income prior to any HUD-allowable expenses or deductions and does not include income which is excluded by HUD. Annual income is used to determine if households are within applicability income limits.

Prospects are required to sign an Authorization for Release of Information initially and at each recertification in addition to other consent forms regarding release of information regarding income, assets and tax returns.

HASLC **must** deny or terminate assistance if any member of the family fails to sign and submit consent forms for obtaining information in accordance with program regulations.

1) A written application will be signed by the client, or by a responsible member of the client's family if the client is unable to complete and sign the application.

Federal regulations require the disclosure and verification of Social Security numbers on all prospects and residents with the exception of the following:

- a. Individuals who do not contend eligible immigration status.
- b. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.

Immigrants must sign a declaration of eligible immigrant's status and sign a verification consent form. Adult immigrants must certify to their status and provide a "green card" or other acceptable documentation from the Immigration and Naturalization Service. Parents may certify as to the immigration status of their minor children. Citizenship is documented via birth certificates and/or self-declaration, as appropriate.

To verify immigration status, immigrants will be entered into the Department of Homeland Security's "SAVE" system; Systematic Alien Verification for Entitlements system by the Director of Assisted Housing or a Supervisor of Assisted Housing. The file will be documented with the results.

If a student enrolled at an institution of higher education is under the age of 24, is not a veteran, is not married, does not have a dependent child, and is not a person with disabilities receiving HCV assistance as of November 30, 2005, the student's eligibility must be examined along with the income eligibility of the student's parents. In these cases, both the student and the student's parents must be income eligible for the student to receive HCV assistance. If, however, a student in these circumstances is determined independent from his/her parents in accordance with PHA policy, the income of the student's parents will not be considered in determining the student's eligibility.

HASLC will consider a student "independent" from his or her parents and the parents' income will not be considered when determining the student's eligibility if the following four criteria are met:

The individual is of legal contract age under state law.

The individual has established a household separate from his/her parents for at least one year prior to application for occupancy or the individual meets the U.S. Department of Education's definition of independent student.

To be considered an *independent student* according to the Department of Education, a student must meet one or more of the following criteria:

- Be at least 24 years old by December 31 of the award year for which aid is sought
- Be an orphan or ward of the court through the age of 18
- Be a veteran of the U.S. Armed Forces
- Have one or more legal dependents other than a spouse (for example, dependent children or an elderly dependent parent)
- Be a graduate or professional student
- Be married

The individual was not claimed as a dependent by his/her parents pursuant to IRS regulations, as demonstrated on the parents' most recent tax forms.

The individual provides a certification of the amount of financial assistance that will be provided by his/her parents. This certification must be signed by the individual providing the support and must be submitted even if no assistance is being provided.

HASLC **must** terminate assistance if any family member fails to meet the eligibility requirements concerning certain individuals enrolled at an institution of higher education.

2) All information relative to previous housing, gross family income and assets will be verified. To the extent considered necessary, all verified findings will be documented and recorded in the prospect's folder. All sensitive information is maintained in file folders in staff offices and/or in file cabinets in reasonable security and is not knowingly misused or improperly disseminated.

3) Verified information will be analyzed and a determination will be made with respect to the following:

- a. eligibility of prospect as an eligible type of household,
- b. eligibility of prospect with respect to income limits for admission,
- c. size of unit required for the family,
- d. security deposit and estimated rent,

- e. citizenship status,
- f. transfer from waiting list,
- g. criminal information,
- h. family composition,
- i. income, assets and expenses,
- j. elderly/disabled status,
- k. regulatory deductions, and
- l. lead inspection if required.

4) Family Share of Rent – is the family’s contribution toward the gross rent. The family share may be the TTP or a higher amount, depending on the unit the family selects.

Income – includes all monetary amounts which are received on behalf of the family. For purposes of calculating the TTP, HUD regulations define what is to be included and excluded. The Authority includes all income which is not specifically excluded in these regulations.

Annual Income – is the gross amount of income anticipated to be received by the family during the 12 month period after certification or recertification. Gross income is the amount of income prior to any HUD-allowable expenses or deductions, and does not include income which has been excluded by HUD. Annual income is used to determine if prospects are within applicable income limits.

Adjusted Income – is defined as annual income less any HUD allowable expenses and deductions.

Family Rent to Owner – is the portion of the family share of rent that is paid to the owner as rent. If the family is not responsible for paying any utilities under the lease, family rent to owner equals the family’s share. Where families are responsible for directly paying some or all of the utilities, family rent to owner is calculated by subtracting the HAP amount from the rent to the owner. The rent to owner is limited by rent reasonableness. HASLC documents that the rent to the owner is reasonable in comparison to rent for other comparable unassisted units. Another limitation on rent to owner is the maximum rent standard at initial occupancy. At the time a family initially goes on the program in a specific unit – whether it is a new admission or a move to a different unit – the family’s share of rent cannot exceed 40% of the family’s monthly adjusted gross income.

Minimum Rent – is \$50.00. Minimum rent refers to the TTP and includes the combined amount a family pays toward rent and/or utilities when it is applied.

The family’s portion of monthly income to be paid for rent and utilities is called the Total Resident Payment or TTP. For each eligible family with a Voucher, this amount will be the greater of 30% of adjusted gross income or \$50. The Voucher program allows a family’s TTP to exceed 30%, but it may not be less than \$50. The actual percentage will vary with the family’s annual income, number of minors, payment standard, and extent of medical payments, if applicable. The family’s portion of the rent may not exceed 40% of their monthly adjusted gross income at initial lease up.

If a family does not meet the 40% rule, HASLC will not consider non-verifiable income unless it was previously presented and accepted. HASLC will accept new verifiable income such as employment, unemployment, etc.

Imputed welfare income is potential annual income that is not actually received by a household as a result of an official welfare benefit reduction. Imputed welfare income is included in a family’s annual income for purposes of rent calculation for the duration of the welfare benefit reduction.

Adjusted income is the income upon which rent calculations are based – annual income less appropriate deductions and exemptions. Deductions may include child care expense, medical expense, disability expense, dependent allowance and an elderly/disabled allowance. All income not specifically excluded by law or regulation is used in rent calculation.

5) All other necessary verifications and determinations will be obtained including evidence of citizenship or immigration status, as required. Note that if a household has verifiable childcare expenses - such as canceled checks or money order receipts - the Authority will use the actual expense as an allowance if it is necessary to enable a family member to:

- a. be gainfully employed – deduction may not exceed amount of employment income,
- b. actively seek work and provide documented proof of such,
- c. further education – academic or vocational and provide documented proof of such.

Child care expenses must be anticipated and must be for the care of children under the age of 13, including foster children. The expense must be reasonable, verifiable and not reimbursed by a source outside the family. In cases where the child care submitted is unreasonable or questionable, i.e. exceeds the employment income or cannot be verified, HASLC will use the current Division of Family Services Child Care Family Eligibility Income Guidelines.

Medical Expenses will be anticipated for the following twelve month period based upon the past twelve months experience for eligible families, unless they can provide clear documentation of an expense the family will have during the next twelve months that is of a different type than previously experienced. If such an anticipated expense was included in the last recertification, it will not again be used in a subsequent recertification.

Non-prescription medicines must be doctor-recommended in order to be considered a medical expense and will be counted toward medical expenses for families who qualify if the family furnished legible receipts.

6) Earned Income Disallowance is the earned income of a Previously Employed Person or Qualified Family used for admissions purposes, but not for rent calculation purposes. HASLC works closely with the welfare office concerning the verification of welfare benefits.

Previously employed person. Someone with disabilities who has earned – in the 12 months prior to employment – not more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Qualified family. A resident household whose annual income increases due to one of the following reasons:

- employment of a family member who is a person with disabilities and was previously unemployed for one or more years prior to employment
- increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program
- new employment or increased earnings of a family member who is a person with disabilities during or within 6 months after receiving assistance, benefits or service under any state program for temporary assistance (TANF, Welfare to Work, etc.).

7) HASLC promotes safe assisted and public housing. In furtherance of this end, HASLC will use reasonable efforts to prevent those with an unacceptable criminal history or substance abuse problem or history from being issued a Voucher or being admitted to Public Housing.

When prospects are called in from the waiting list, all adult family members (17 or more years old) must sign a release form so that the Authority can check their criminal records. If a live-in aide is approved by HASLC, he/she must also sign a release form so the Authority may check their criminal history.

If the records indicate there are one or more outstanding warrants, the Authority provides 30 days for the client to clear those warrants. If the client clears all warrants within 30 days and so informs the Authority, HASLC will then check their criminal records and make a determination of acceptability. If the client does not clear all outstanding warrants or does not so inform the Authority, the client's name will be removed from the waiting list and be given 10 days to request a hearing.

If the client has no criminal history, or has an acceptable history, HASLC will continue further processing for admission.

If there is an unacceptable history, the Authority will give the client a letter indicating the possible denial, enclosing a copy of the criminal record (if any) on which the denial was based. The letter will provide 10 days in which to request a hearing.

The Authority will deny participation for the following reasons:

(1) Any household member is subject to a lifetime registration requirement under a state sex offender registration program. To fulfill the obligation to perform criminal background checks during the application process to determine if any member of an prospect household is subject to a lifetime registration requirement under any state sex offender registration program, HASLC has access to a national database covering sex offender registries in all states.

(2) Any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

The Authority may – in its sole discretion – deny participation for any of the following reasons:

(1) Any household member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.

(2) Any household member has been evicted from federally assisted housing in the last 3 years for drug-related criminal activity. However, the Authority may admit the household if – in its sole discretion – the Authority determines that the evicted household member has successfully completed a supervised drug rehabilitation program approved by the Authority, or that the circumstances leading to eviction no longer exist (i.e., the criminal household member has died or is imprisoned).

(3) The Authority has reasonable cause to believe that any household member's illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

(4) The Authority has reasonable cause to believe that any household member's alcohol abuse or pattern of alcohol abuse may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

(5) Any household member is currently engaged in – or has engaged in within 5 years of the admission decision – drug-related criminal activity. Among other things, any violation of the Missouri Controlled Substance Law will generally be presumed to bar participation in the Authority's programs.

(6) Any household member is currently engaged in – or has engaged in within 10 years of the admission decision – violent criminal activity. Assault, rape, robbery, arson, murder, and crimes closely related to these five are generally presumed to bar participation in the Authority's programs. Other criminal acts may also bar participation in the Authority's programs if – in the sole discretion of the Authority – serious bodily harm was inflicted by or threatened by a family member.

(7) Any household member is currently engaged in – or has engaged in within 10 years of the admission decision – other criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity.

(8) Any household member is currently engaged in – or has engaged in within 10 years of the admission decision – other criminal activity that may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the Authority, including an Authority employee, contractor, subcontractor or agent.

(9) Any household member has failed to adhere to court and probation/parole mandated conditions for any action related to any prohibited activity.

In determining whether to deny or terminate assistance because of action or failure to act by members of the family:

- (a) The Authority may consider all relevant circumstances, such as the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstances related to the disability of a family member, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.
- (b) The Authority may impose, as a condition of continued assistance for other family members, a requirement that any family members who participated in or were culpable for the action or failure will not reside in the unit. The Authority may permit innocent members of a participant family to continue receiving assistance. As a condition of continued assistance, the head of household must certify with a notarized “Affidavit of Residency” that the culpable family member has vacated the unit and will not be permitted to visit or to stay as a guest in the assisted unit. The head of household must provide two documents from the document list, showing that the family member is no longer a resident at the subsidized unit. If the tenant is a county resident, the occupancy permit for the subsidized unit must be updated to remove the member losing assistance. The revised occupancy permit must be submitted to the Housing Authority timely and will be used as one of the two documents required. The family must present evidence of the former family member’s current address upon PHA request.
- (c) In determining whether to deny admission or terminate assistance for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the Authority may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully. For this purpose, the Authority may require the prospect or resident to submit evidence of the household member’s current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

E. Determination of appropriate unit size

The Housing Authority will determine the composition of an assisted family and who can live in an assisted unit, initially and throughout a family’s participation. Except for birth, adoption or court-awarded custody, an assisted family must get Authority approval to add a new member. Additions to family or household composition may also occur with custodial care of a child through the Division of Family Services, foster children or foster adults; however, HASLC will not approve the addition of a foster child or foster adult if it will cause a violation of HQS space standards. The establishment of life partner relationships or requirements to care for elderly or disabled, immediate family members will also be considered. A family must immediately notify the Authority of any change in family size.

If the Head of Household dies, any remaining adult family member who may legally sign a lease with the current landlord, may continue to receive the Section 8 assistance as a remaining member, if the landlord is agreeable.

If the only remaining member(s) is a minor, The Housing Choice Voucher may be transferred to a caretaker if custody or legal guardianship has been awarded to a caretaker. HASLC has the right to reject a particular

individual as a caretaker base on criminal acts and drug related criminal activity as well as owing rent to any PHA.

If a family breaks apart, the Authority will determine which - if any - remaining portion of the family retains the Voucher. The interests of minor children, and ill, elderly or disabled family members will be considered in making this determination. In documented cases of actual or threatened physical violence against family members by a spouse or other member of the household, the family member who was threatened or abused shall retain the rental assistance even if he or she has left the subsidized unit.

Resident is defined as the person or persons (other than a live-in aide) who executes the lease as lessee of a dwelling unit. A resident must have legal capacity to enter into a lease under state and local law.

Unit size will be determined by the bedroom occupancy standards as follows. To make economic use of limited resources, a household will be allowed the smallest number of bedrooms consistent with decent, safe and sanitary housing, and consistent with local housing codes. The number of bedrooms allowed will not require more than two persons to occupy the same bedroom and will not require persons of the opposite sex to share a bedroom except for husband and wife or if at least one of the two occupants is a child under 5 years old.

1) A single parent and a child of either sex under the age of 5 years will be issued a one-bedroom Voucher.

2) A household with 2 children of opposite sex, both under 5 years of age, will be issued a two bedroom Voucher.

3) A household with two children of the same sex, regardless of age, will be issued a two bedroom Voucher.

4) The Authority will issue a two bedroom Voucher to an elderly couple or elderly/disabled person only under the following conditions:

- a) one household member must have proof of needed hospital equipment such as oxygen or other medical hook-up equipment, and
- b) verification of said medical equipment will need signed confirmation from the physician on a form furnished by the Authority.

5) The Authority will certify the household for a bedroom for a live-in attendant only if the acting physician verifies, on the Authority's form, that the attendant is needed in order for an elderly, near-elderly or disabled resident to be able to function on a day-to-day basis to sustain life. Only one live-in attendant will be allowed per household. A family's request for an additional bedroom must be in writing and must clearly explain the need for an extra bedroom. If the request is for a reasonable accommodation it must specifically explain why the additional bedroom is necessary. The Authority may require an update of the medical documentation, at any time, on HASLC forms, verifying the need or justification for an extra bedroom. A State of Missouri licensed professional must provide certification of the need for an extra bedroom or live-in aide. HASLC has the right to reject a particular individual as a live-in-aide based on criminal acts and drug-related activity as well as owing rent to any PHA.

Relatives are not automatically excluded as eligible live-in-aides, however, a pre-existing household member does not qualify as a live-in-aide. When a household requests to add a relative as a live-in-aid, the household must certify that:

- a) The live-in-aide is qualified to provide the needed care
- b) The live-in-aide was not part of the household prior to receiving program assistance
- c) There is no other reason for the aide to reside in the unit (i.e. the individual can demonstrate they have a previous residence they left in good standing)
- d) The live-in-aide has no other obligations (school, employment) that would take them from the home and hinder the care needed for the disabled participant
- e) The aide and the participant will maintain separate finances

- f) The owner of the unit has approved the live-in-aide
- g) A live-in-aide will be approved for an additional 1 bedroom only. Live-in-aides requiring more than one additional bedroom will not be considered
- h) Occasional, intermittent, multiple or rotating care givers do not meet the definition of a live-in aide since 24 CFR Section 982.402(7) implies that live-in-aides must reside with a family permanently *for the family unit size to be adjusted in accordance with the subsidy standards established by HASLC*. Therefore, regardless of whether these caregivers spend the night, an additional bedroom will not be approved.

6) The Authority, in its sole discretion, may allow a bedroom and a deduction for a full time college student attending school within 250 miles of the assisted household's dwelling unit.

7) If a household does not have at least 51% custody of a child, the Authority, in its sole discretion, will generally not allow a bedroom and a deduction.

8) A child who is temporarily (6 months or less) away from home because of placement in foster care is considered a member of the family.

F. Vouchers will be issued upon availability. Over-issuing is within the sole discretion of the Authority.

G. Time limit for Vouchers

1. New Vouchers are generally issued for a 60- to 120-day period, based on anticipated program and market conditions. Recertifications are generally issued for a 60-day period. The family must submit required lease papers within the issuance period.
2. Extensions for the applicable voucher time periods are generally not granted and are at the discretion of the HA. Under no circumstances will the initial term plus any discretionary extension exceed 120 calendar days from the date of issuance. The decision to grant an extension for good cause may be premised on the following verified, exceptional circumstances:
 - a) The family or individual was not able to actively search for housing due to extenuating circumstances beyond the control of the voucher holder that must be verified, (i.e. disaster or death in the family requiring travel out of state);
 - b) A voucher holder suffered from severe medical difficulties, an unexpected illness or hospitalization (i.e. rehabilitation program) that must be verified, during the initial 120 day search period. Under these circumstances, the HA will extend the search period for 60 days or if such time was more than 60 days, for as many days as an applicant was hospitalized, in a rehabilitation center, or incapacitated due to illness, not to exceed 120 days;
 - c) An individual or member of the household requires a reasonable accommodation for a disability. The HA will extend such voucher term as is reasonably necessary so that the program may be accessible to a family member or individual who is a person with a disability;
 - d) A household is qualified as a "hard to house" family due to size and/or the need to accommodate for an individual or family member/s disability;
 - e) Accommodation to a family who is porting out, if the receiving PHA is requesting additional time to brief the family.
3. To obtain an extension, the family must make a request in writing prior to the expiration date. A statement of the efforts the family has made to find a unit must accompany the request. If a voucher is due to expire, the voucher holder may request an extension of the voucher. In order for a request for an extension to be considered by the HA, the following conditions must be met:

- a) The request for an extension must be in writing,
- b) The request must be made prior to the expiration of the voucher.
- c) An extension is necessary as a reasonable accommodation for a person with disabilities.
- d) An extension is necessary due to reasons beyond the family's control such as serious illness or death in the family, other family emergency, family size or other special requirements making finding a unit difficult.
- e) The presence of these circumstances does not guarantee that an extension will be granted.

HASLC will decide whether to approve or deny an extension request within 10 business days of the date the request is received, and will provide the family written notification of its decision.

Section V - Initial Lease Up

A. When the family finds a suitable unit, it must submit to the Housing Authority:

- 3 completed Tenancy Addenda,
- 3 Lead disclosures signed by both the participant and the landlord,
- 3 Leases, and
- 3 Request for Tenancy Approval forms (or equivalent) showing responsibility for utilities and appliances.
- 3 signed Authorization to Change Lease forms
- 3 signed Relative Rule notices
- 1 Landlord W-9 form, completed

In case of any conflict between the provisions of the lease and the Tenancy Addendum, the provisions of the Addendum shall prevail.

The family must submit these documents during the unexpired term of the Voucher. Documents for multiple units may be submitted serially, but only documents related to a single unit may be submitted and processed at one time. If a unit fails to pass inspection or if the owner and the Authority cannot agree on rent, documents for another unit may be submitted and processed.

B. The Housing Authority may review the submitted papers for any inconsistencies or omissions. If the leases are approved, an initial inspection will be scheduled for unit and rent approval.

C. At the time of the initial execution of the lease the owner may collect a security deposit that is reasonable, does not exceed what is charged unassisted residents, and does not exceed the maximum amount allowable under state or local law. Owners have no claim on the Authority for damages or any other amount a resident owes under the lease.

D. Steps for approval of assisted occupancy

1. When a unit passes HQS and a rent is established, the caseworker will then put the unit on the program and submit the papers to the Accounting Department for a HAP.

Housing Quality Standards (HQS): To protect the health, welfare and safety of the clients in our Section 8 program, we will enforce HUD's Housing Quality Standards. The HQS are a guide of acceptable conditions within a dwelling unit. A unit must pass HQS before a tenant is approved to move into the unit.

2. When the caseworker puts the unit on the program, she/he will put a hold on the check until the contract is signed by the owner and the Housing Authority.

3. Rent Reasonableness Methodology – Rental information is continuously gathered for unassisted market units throughout St. Louis City and County. The information is gathered from a variety of sources such as newspaper and magazine ads, various websites, field surveys and telephone inquiries. Location, size, unit type, age, quality, utilities, amenities, facilities and housing and maintenance services are considered.

Staff enters this information into our rental data base and maintains the data for each zip code/census tract. Each zip code/census tract has rental data which is subdivided into age, amenities and facilities, location, maintenance, quality, size, unit type and utilities provided. Using a point system the subject property and three unassisted market units are compared to determine rent reasonableness.

The Housing Evaluator completes a unit comparison to certify that the approved rent is reasonable and not in excess of rents currently being charged by owners of comparable unassisted units. The Rent Comparison (RC) score will become part of the unit's permanent record.

This process is completed for each unit coming into the program, as well as any unit already on the program that has an increase or decrease in the rent for the next term.

The Housing Evaluator certifies in writing that an approved rent is reasonable and not in excess of rents currently being charged by an owner for comparable unassisted units. The *Summary and Certification* form is kept as part of the unit's permanent record.

E. Portability of Vouchers

To avoid the administrative complexities of a resident using a Voucher issued in one area and used in another, the Housing Authority will attempt to negotiate with the other authority be it the issuing, or the receiving, authority.

1. If we are the receiving authority and have allocations available, we may offer a St. Louis County Voucher to the resident. Residents porting into St. Louis County and leasing up for the first time must meet HASLC income guidelines to be eligible.

2. If we are the issuing authority, we will encourage the receiving authority to offer one of their Vouchers to the resident. If the receiving authority refuses, they will administer the Voucher and bill us.

3. The Authority will consider Family Self Sufficiency Vouchers to be portable either into or out of the combined geographic area of St. Louis City and County, providing the participant can complete goals in the new location and any escrow is transferred to the receiving agency.

F. Additional Family Self Sufficiency Requirements

Households who choose FSS Vouchers will be required to agree to an Individual Training and Service Plan and execute a Contract of Participation. Households will be required to receive services directly from the Authority or another agency. If the participant's goal includes homeownership, they must complete either HASLC's homeownership counseling program, or a comparable program approved by HASLC.

G. Utility Allowances

The Authority reviews utility allowances at least annually. A computer spreadsheet is used to make mathematical calculations and produce Utility Allowance Schedules.

Allowances are based on standard usage tables provided by HUD, consumer experience tables provided by utility companies, and utility rate structures. The allowances attempt to approximate a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with a safe, sanitary and healthful living environment. Linear regression analysis may be used to smooth out highly volatile utility costs.

Based on the Utility Allowance Schedules, the Authority calculates an actual utility allowance for each Section 8 tenancy. The actual utility allowance is then used in a HUD-prescribed formula to calculate resident rent.

When HUD-required calculations – for new certifications, interim or annual recertifications – result in a Utility Allowance credit (also called a utility reimbursement payment) or URP the credit is paid to the resident each month.

Section VI - Resident Responsibilities

A. Continuing responsibilities. Participants in the Housing Choice Voucher Program have the following continuing responsibilities:

- a. timely payment of rent
- b. timely reporting of any change in household income
- c. timely reporting of any change in household size
- d. keeping resident-paid utilities in service
- e. making dwelling unit available for inspection upon reasonable notice
- f. keeping appointments with the Authority
- g. timely response to letters from the Authority
- h. notifying the Authority before vacating the dwelling unit
- i. except as noted in Section VI C, below, using the dwelling unit solely for residence by the family and as the family's principal place of residence, and not assigning the lease or transferring the unit,
- j. not engaging in drug-related criminal activity or violent criminal activity including criminal activity by any family member, and
- k. abiding by any further requirements imposed by the Voucher, law or regulation
- l. sign and submit consent forms for obtaining information in accordance with program regulations.

B. Family Self Sufficiency. Participants in the Family Self Sufficiency program must fulfill the requirements of their Individual Training and Service Plan and Contract of Participation. Moreover, if an FSS household does not pay its share of rent or other amounts due under their lease, or if a household commits fraud in connection with the FSS program, the Authority - in its sole discretion - may terminate any and all assistance, eliminate the household's escrow account, and/or take any other action allowed by law, regulation or policy.

C. Business in unit. Families may engage in legal for-profit activities in their assisted unit. This includes any legal internet businesses. Any use of the unit for business activities by family members must be incidental to the primary use of the unit as a residence, must be in compliance with local law, and must not be prohibited by the lease. The family must timely report the business and income from the business to the Authority. Failure to abide by these provisions may result in the termination of assistance.

D. Absence from unit. The Authority will consider a family to be absent if the head of household (or head and spouse for families with both) is (are) not residing in the unit. Families may be absent from the unit for brief periods, if the family is planning on returning to the unit. In documented cases of hospitalization, drug rehabilitation or nursing home care, the Authority will allow a maximum of 90 consecutive, or substantially consecutive, days before termination. For absence due to imprisonment, a maximum of 30 consecutive, or substantially consecutive, days is allowed. Families whose absence falls outside of these guidelines will be terminated. They may reapply if the waiting list is open.

E. Unauthorized Occupants. If it comes to the attention of the Housing Authority that a participant may have unauthorized persons residing in the subsidized unit, the Housing Authority will begin an investigation. This may include unannounced inspections of the unit, a postal check to see if a specific individual receives mail at the unit, review of the occupancy permit, police reports with self-incriminating statements regarding residency, sex offender registration information, probation and parole records of residency, and review of legal documents such as driver's license. If the preponderance of evidence shows unauthorized occupant or occupants, the resident will be terminated from the Section 8 program.

F. Crime and Substance Abuse. HASLC will terminate participation of those with unacceptable criminal behavior or a substance abuse problem.

G. Mandatory Prohibition for Lifetime Sex Offenders. HASLC prohibits issuance of a voucher to any family that includes as a member of the household a person subject to any State's lifetime sex offender registration requirement. Except as otherwise provided in this paragraph, HASLC must terminate assistance

to a household if any member of the household becomes subject to any State's lifetime sex offender registration requirement. Except as otherwise provided in this paragraph, HASLC must terminate assistance to a household that was admitted to the program after June 25, 2001 that includes a member of the household who: (a) either (1) was at the time of admission, or (2) subsequently became, subject to any State's lifetime sex offender registration requirement; and (b)(1) was either allowed to become or remain a participant in the program by reason of error or oversight by HASLC, or (2) whose registration requirement status was either uncertain under the law at the time of admission or altered by a subsequent change in the law. Assistance to the household must be terminated unless the family agrees to remove the ineligible member from the household and exclude the member from the home within ten calendar days of a written demand by HASLC for such action. Assistance to the household may still be terminated by HASLC if the family permits the ineligible member to enter the unit once he or she has been removed from the household.

H. The Authority must terminate assistance if any household member has ever been convicted of the manufacture or production of methamphetamine on the premises of federally-assisted housing.

The Authority may terminate participation for any of the following reasons:

- (1) any illegal use of a drug by a household member;
- (2) a pattern of illegal use of a drug by a household member that interferes with the health, safety or right to peaceful enjoyment of the premises by other residents;
- (3) a household member's drug-related criminal activity; among other things, any violation of the Missouri Controlled Substance Law will generally lead to termination;
- (4) a household member's violent criminal activity; assault, rape, robbery, arson, murder, and crimes closely related to these five will generally lead to termination; other criminal acts may also result in termination if – in the sole discretion of the Authority – serious bodily harm was inflicted by or threatened by a family member;
- (5) a household member's other criminal activity that threatens the health, safety or right to peaceful enjoyment of other residents or persons residing in the immediate vicinity of the premises;
- (6) a household member's abuse or pattern of abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents;
- (7) if any member of the household commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
- (8) if any household member has failed to adhere to court and probation/parole mandated conditions for any action related to any prohibited activity

The Authority may terminate assistance for criminal activity by a household member if it determines, based on a preponderance of evidence, that the household member has engaged in the activity, regardless of whether the household member has been arrested or convicted for such activity.

The Authority may consider all circumstances relevant to a particular case such as the seriousness of the offending action, the extent of participation by the leaseholder in the offending action, the effects that the eviction would have on family members not involved in the offending activity, and the extent to which the leaseholder has shown personal responsibility and has taken reasonable steps to prevent or mitigate the offending action.

The Authority may require a resident to exclude a household member in order to continue to reside in the assisted unit, if that household member has participated in or is culpable for action or failure to act that warrants termination.

As a condition of continued assistance, the head of household must certify that the culpable family member has vacated the unit and will not be permitted to visit or to stay as a guest in the assisted unit. The family must present evidence of the former family member's current address upon PHA request. A revised

occupancy permit showing the member removed will also be required for municipalities requiring occupancy permits.

In determining whether to terminate tenancy for illegal drug use or a pattern of illegal drug use by a household member who is no longer engaging in such use, or for abuse or a pattern of abuse of alcohol by a household member who is no longer engaging in such abuse, the Authority may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully. The Authority may require the resident to submit evidence of the household member's current participation in, or successful completion of, a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.

If the Authority proposes to terminate assistance for criminal activity as indicated by a criminal record, it must notify the household of the proposed action, provide the subject of the record and the resident with a copy of the criminal record, and allow 10 days in which to request a hearing. If a hearing is requested, the Authority must give the family an opportunity to dispute the accuracy and relevance of the record at the hearing.

G. Notice to terminate lease. A family may unilaterally terminate a lease after tenancy under the lease for at least one year. The family must give the landlord and Authority the length of notice required by the lease, but no less than 30 days. A lease may not require a notice period of more than 60 days. Failure to provide sufficient notice to either the landlord or Authority is a breach of the family's obligations and may result in termination of assistance to the family.

H. Maintenance of resident-paid utilities. A family has an obligation to pay for all utilities for which it is responsible under the lease. If a utility for which the family is responsible is disconnected or otherwise unavailable due to non-payment or other family-caused reason, the family will be given a maximum period of time to get service restored or their rental assistance will be terminated. If the Authority, in its sole discretion, determines that the absence of a utility is "life-threatening," the family will be given 24 hours to have service restored. In other cases, 45 days will be allowed.

If a hearing is requested regarding the termination of assistance for utilities off, first time offenders whose utility or utilities have been off for less than three (3) months may continue receiving assistance if the utility is back in service by the day of their hearing. Clerical staff will check with the utility in question to see if the utility was on by the day of the hearing. Additional time will not be given. However, if this is the second time any tenant paid utility has been off for non-payment, since they have been on the program, termination will follow, whether or not the utility is back in service.

For purposes of this section, "life-threatening" always includes a loss of utility service that prevents the primary source of heat from being created or distributed throughout the dwelling unit in any calendar month in which the historical average low temperature is below freezing. Such months are December, January and February. The loss of heat-related utilities in other months, and the loss of non heat-related utilities in any month, is generally not considered "life-threatening." However, the Authority may consider all circumstances and has the sole discretion to make a determination of "life-threatening" as it deems appropriate.

If a family is terminated for non-payment of utilities, they may reapply if the list is open. But they will not be able to receive rental assistance again until and unless they produce a letter from the affected utility(ies) stating they will be able to have service restored in their name.

I. Lease violations. The Authority **must** terminate assistance whenever a family is evicted from a unit assisted under the HCV program for a serious or repeated violation of the lease. Incidents of actual or threatened violence, dating violence, or stalking may not be construed as serious or repeated violations of the lease by the victim or threatened victim of such violence or stalking. A family will be considered *evicted*

if the family moves after a legal eviction order has been issued, whether or not physical enforcement of the order was necessary.

If a family moves after the owner has given the family an eviction notice for serious or repeated lease violations but before a legal eviction order has been issued, termination of assistance is not mandatory. However, HASLC will determine whether the family has committed serious or repeated violations of the lease based on available evidence and may terminate assistance.

Serious and repeated lease violations will include, but are not limited to, unauthorized occupants, nonpayment of rent, disturbance of neighbors, destruction of property, or living or housekeeping habits that cause damage to the unit or premises and criminal activity. Generally, the criteria to be used are whether the reason for the eviction was through no fault of the tenant or guests.

The Authority will generally allow a reasonable time, not to exceed 60 days for a resident to pay amounts due under the lease or judgment before terminating a resident's assistance. Written documentation from the landlord will be required. If the resident's lease has expired, the resident must vacate the unit so as not to incur further rent owed.

In cases where a judgment or legitimate agreement is received from a current or prior landlord for monies due under the lease, the Section 8 resident will be notified that the household will not be recertified unless the judgment is paid in full or payments have been made in accordance with the agreement.

J. Violation of Continuing Responsibilities. The Authority may terminate a family's participation in the program if the head of household or other family members fail to fulfill any of their continuing responsibilities listed in Section VI.A above. With respect to a participant's obligation to report to the Authority information concerning, among other things, change in household income and change in household size, the obligation is the participant's and this obligation is not satisfied by the Authority receiving such information from its own investigation or from third parties, such as employers, landlords, or other governmental authorities. The Authority receives income and demographic information from a variety of sources throughout the year and caseworkers are not expected to examine this information as it comes in and compare it with the information provided by participants. Caseworkers re-examine third-party information about a participant during the certification and recertification process or when contacted in writing by the participant with new information, such as a change in income or household size. With respect to household income, the Authority has determined that in most cases it is not possible for a family to survive for 6 months with zero or very low income (defined as less 80% of what is paid under Missouri TANF) (referred to herein as Zero Income). Consequently, in such Zero-Income cases, the Authority may make additional inquiries concerning how the family pays its expenses and possible undisclosed additional sources of income. If the Authority concludes that a participant is not truthfully disclosing to the Authority all of his or her sources of income or how the family's expenses are being paid, the Authority may conclude: (a) that the participant is lying to the Authority; and (b) that the participant has failed to comply with his or her continuing responsibility to report household income; and may terminate the family's participation in the program on those grounds.

Section VII - Landlord Responsibilities

A. Continuing responsibilities. Landlords participating in the Housing Choice Voucher Program have the following continuing responsibilities:

- a. maintaining unit in conformance with HQS*,
- b. keeping landlord-paid utilities in service,
- c. timely reporting of move-outs, and
- d. abiding by any further requirements imposed by the Housing Assistance Payments Contract, law or regulation.

* Note: The HA inspector may issue a twenty-four (24) hour notice of termination to the landlord if any of the following (but not limited to) life-threatening situations are found:

- The smell of natural gas
- Signs of potential structural collapse
- Unsafe condition that has the potential of starting a fire
- Sparking electrical system
- Main plumbing line back-up or flooding
- No heat when outside temperature is less than 40 degrees for more than a 24-hour period
- Any condition which seriously adversely affects the health, welfare or safety of the resident.

B. Disapproval of owner. The Authority may refuse to approve any or all units an owner requests to include in the Housing Choice Voucher Program (this is not an exclusive or exhaustive list):

- when it is informed by HUD that the federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirement, and such action is pending,
- when a court or administrative agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirement,
- if the owner has committed fraud, bribery or any other corrupt or criminal act in connection with a federally-assisted housing program,
- if the owner has engaged in drug-trafficking, manufacture, sale or distribution of narcotics,
- if the owner has a history of violating Housing Quality Standards,
- if the owner has not paid any lawful taxes, fines or assessments, or
- if the owner fails to abide by provisions of Section VII A, above.

C. Concealable and Other Weapons. It is the policy of the Housing Authority of St. Louis County to discourage – to the maximum feasible extent – possession of concealable and other weapons from all federally-assisted property. To implement this policy, the Authority strongly suggests that all participating Section 8 landlords take the following actions:

- Adding a clause to their lease which prohibits all concealable and other weapons from their properties.
- Posting notices in public access areas of their properties – such as driveways, entryways and hallways – notifying all persons of the prohibition against bringing concealable and other weapons into their properties.
- Making sure that their residents know the prohibition against concealable and other weapons covers visitors and guests, too.

This policy is included in landlord packets and will be discussed with new and existing landlords at monthly landlord meetings.

D. Payments to Landlords. All payments to landlords will be made only by direct deposit or by check pick up from the Housing Authority by the landlord, with identification, or a representative of the landlord, with identification. These arrangements are consistent with Housing Authority policies for all Housing Authority vendors. The Housing Authority may terminate landlords from the Section 8 program who refuse to accept payment according to this policy.

Section VIII - Annual and Interim Reviews and Recertification

Clients are scheduled to be recertified at least 60 days prior to the expiration of their lease and HAP Contract. Clients are recertified annually or more often if necessitated by the termination of their unit.

The Authority will schedule an appointment for a client to be certified or recertified. If the client fails to keep the appointment for any reason, a second appointment will be scheduled. Except as described below, if the client fails to keep the second appointment, he or she may be terminated.

A third appointment may be scheduled if the reasons the client missed both of the first two appointments were beyond the client's ability to control or prevent, and the client gave prior notice to the Authority that they could not keep both of the first two appointments. The decision to schedule a third appointment is solely within the discretion of the Authority. If a client fails to keep a third appointment for any reason, he or she will be terminated.

A client will have 30 days from the date of his or her appointment to complete all steps necessary to receive, or continue to receive, rental assistance. If a client fails to do so within this time period, except for good cause as determined solely by the Authority, he or she will be terminated.

Families are required to report any change in their income within 10 days of the effective date of the change. Interim re-exams are conducted whenever an increase or decrease of more than \$25/month occurs. For decreases, the change is based on when the client provides the information – the change is processed within two weeks of our receipt and is effective the following month. For increases, families are given 30 days advance notice. The resident and landlord are sent written notice of all changes.

Seasonal Employees – When annual income cannot be anticipated for a full twelve months, HASLC will use one of the following methods:

- Method 1 Annualize current income, and conduct an interim reexamination when the income changes.
- Method 2 Calculate the actual anticipated income from all known sources for the entire year. This means there will be no interim reexamination when the income changes as already anticipated. However, to use method 2, a history of the individual's income from past years is needed. The method cannot be used when the future income source is "unknown" or "none".

All information relative to gross family income and assets will be verified and all verified findings will be documented and recorded. To the extent feasible, staff will use Enterprise Income Verification (EIV) methods to verify client income. Additional verification methods – including those listed below – may also continue to be used. Staff will investigate and resolve substantial differences between EIV income and income reported through other methods. Resolution may include using a repayment agreement and/or termination of assistance.

Employment – Client will bring in letter from employer on original letterhead with an original signature on the letter. Client will also bring in three consecutive check stubs. Staff will call personnel office and verify wages and check stubs. If employer will not verify information, staff will determine if employer is on fax-back list and fax the income verification form. Staff will initial and date all income verification and indicate to whom they spoke and the date of the conversation.

Staff will average the last three consecutive check stubs to determine income; however, year-to-date gross wages may be used if sporadic overtime or bonus income appears on any of the last three consecutive check stubs.

Income tax returns will be requested from all clients, or if client states he/she did not file, they will be required to produce a non-filing document to verify.

Self Employment – Staff will request tax returns, receipts and other pertinent records from client.

TANF – An original letter from DFS will be requested from the client. Staff will also call the toll-free number to verify information and document the call with name, amount, date and signature.

Social Security letter – Staff use the EIV system for verification.

Bank statements – Bank statements will be requested from the bank if the bank will provide them at no cost. If this is impossible, staff will request 3 recent bank statements from the client and copy, sign and date them.

Child Support – Staff will obtain the 8-digit case number from the client, child support order or child support print out. Staff will call the toll-free number and document the last three payments to the client and will sign and date all pertinent forms.

Annual income is the gross amount of income anticipated to be received by the household during the twelve months after certification or recertification. Gross income is the amount of income prior to any HUD-allowable expenses or deductions and does not include income which is excluded by HUD.

Prospects are required to sign an Authorization for Release of Information initially and at each recertification.

Section IX - Fraud and Program Abuse

A. Resident. Among other sources, HASLC utilizes EIV methods, the HUD-established computer-based Resident Eligibility Verification System for obtaining Social Security benefits, Supplemental Security Income benefit history, resident income reports, and Internal Revenue Service tax returns to verify income.

If the Housing Authority suspects resident fraud, the caseworker will conduct an investigation concerning the matter. If any data is derived from this investigation, the caseworker will then determine if fraud has been committed. If the evidence indicates that fraud has occurred, the caseworker will send out a proposed termination form, giving the client the right to a hearing.

A client must report all material facts that would affect his or her rental assistance to the Authority in a timely manner. Failure to do so may result in termination of assistance, referral for collection, referral for criminal prosecution, and/or other remedies including, but not limited to, referral to the Regional Inspector General for Investigation, U.S. Department of Housing and Urban Development, U.S. Attorney and/or local prosecutor.

If the Authority discovers unreported income resulting in an overpayment of rental assistance, the Authority may, in its sole discretion, offer to enter into an agreement with the client to repay the amount owed.

For debts exceeding \$3,000.00, or in other circumstances solely within the Authority's discretion, no agreement will be offered. In cases when an agreement is offered, the amount owed will be divided into 1 to 18 equal monthly installments. The minimum monthly installment will be the lesser of \$50 or the total amount owed.

If such an agreement is offered, refusal to enter into such an agreement or failure to make a payment when due under such an agreement will result in termination of assistance, referral for collection, referral for criminal prosecution, and/or other remedies. If the client incurs a second debt, no agreement will be offered for the second debt. Termination will occur if the second debt is not paid in full.

HASLC's calculation of a client's rent is based on the income reported by the client to HASLC. A client who reports income to the IRS that exceeds the income reported to HASLC should expect to find his/her rent based on the higher reported income. If the overpayment by HASLC exceeds \$3,000.00, the client will be terminated from the program for fraud and program abuse. If the overpayment is under \$3,000.00 and there is no other pending agreement, the client will be offered a repayment agreement.

If it can be justified, a termination may be avoided if the client persuades HASLC that they were a victim of fraud with respect to filing a tax return claiming a higher income than actually earned by the client. To avoid termination, as a victim of fraud, the client must:

1. file an amended return with the IRS, within 30 days, correcting the income reported by the client so that it reflects the client's actual income and provide a copy, from the IRS, of the amended return;
2. provide HASLC with detailed information supporting the client's claim that he/she was the victim of fraud with respect to the tax return, including, but not limited to the name of the person or persons who prepared the tax return or otherwise participated in the fraud; the address or location where the client met with or otherwise dealt with such person or persons; and all telephone numbers, email addresses and other means of communication by which one is able to contact the person who participated in the fraud.
3. HASLC will use its best judgment in determining whether a client was a victim of fraud, and is not required to find them a victim of fraud, even if the client performs all of the actions described in this section.
4. If the client files an amended return, within 30 days, HASLC will use the income reflected in the amended return in preference to the income reflected in the original, fraudulent return, in determining the tenant's share of the rent for the applicable time period.

5. If a client files a fraudulent tax return with the IRS after having a specific communication with HASLC about this issue, HASLC may terminate the client's continued participation in the program.

The Authority may also deny or terminate assistance if the family engages in, or threatens to engage in, violence against the Authority or Authority personnel.

In any case of fraud or program abuse, the Authority may - in its sole discretion - authorize assistance or continued assistance for certain family members while denying or terminating assistance for other family members who bear a greater responsibility for any infraction(s).

B. Landlord. When the Housing Authority learns of fraud by the landlord, they will attempt to gather as much evidence as possible. The Housing Authority will then contact the landlord (and resident, if involved) and call the party(s) in for a conference or hearing. Based on the outcome of such, the Housing Authority will attempt to recoup overpayment by agreement or prosecution. The Housing Authority will also refer the matter to the Regional Inspector General for Investigation, U.S. Department of Housing and Urban Development. Also see Section VII - Landlord Responsibilities, B. Disapproval of owner, above.

C. Staff. If the Housing Authority learns of program fraud by an employee, the Housing Authority will take prospective measures as well as terminate the employee.

Section X - Payments for Resident-Caused Damages, Unpaid Resident Rent and Vacancy Loss

Claims related to properties in the Housing Choice Voucher Program are not eligible for reimbursement from the Authority for resident-caused damages, unpaid resident rent or vacancy loss. However, such claims related to properties in the Moderate Rehabilitation Program are eligible for such payments.

In general

All claims must be made in a "timely manner."

For claims related to resident-caused damages and unpaid resident rent, "timely manner" means no later than 30 days after the date the resident vacated their unit, or the last date a Housing Assistance Payment was due and payable, whichever comes last.

For vacancy loss claims, "timely manner" means no later than 30 days after the date the unit was re-rented, or 90 days after the last date a Housing Assistance Payment was due and payable, whichever comes first. Vacancy loss is paid only in cases where the resident vacated in violation of the lease.

Claims will be reduced by amounts received or entitled to be received from other sources, including payments from the resident and security deposit.

Since amounts paid pursuant to claims for resident-caused damages are a legal liability of the resident to the Authority - and may ultimately result in the termination of rental assistance - the resident has the right to request an informal hearing to appeal such claims.

All decisions of the Authority are final.

Resident-caused damages and unpaid resident rent

The landlord should call the Evaluation Department to schedule a damage inspection at a mutually convenient date and time. Evaluation will mail the landlord an Owner's Certification for Damages and Unpaid Resident Rent form. The landlord must complete this form and bring it with him or her to the inspection, or mail it in. The landlord must also immediately write a letter to the previous resident stating the date and time of the inspection, and informing the resident that he/she has a right to attend. The landlord must also bring a copy of this letter to the inspection, or mail it in. (If the landlord does not have the previous resident's new address, the original letter should be addressed to the unit he/she just vacated.)

The Authority has compiled a standardized list of damages and amounts payable for same. At the inspection, the Evaluator will complete the form. Both the Evaluator and the landlord will execute their required certifications. It is no longer necessary for the landlord to submit receipts and bills. From time to time, the standardized list of damages will be updated to reflect new items and/or prices.

The maximum amount payable for resident-caused damages (including unpaid resident rent, if any) is the lesser of the amount of damages, or two month's contract rent minus the greater of the security deposit collected, or the security deposit which could have been collected under HUD regulations.

To qualify for reimbursement of unpaid resident rent, the landlord must send copies of all collection letters and bills to the resident. The landlord must also submit a copy of the rent ledger, demonstrating that no rent has been received.

Vacancy loss

If a resident vacates a unit in violation of the lease, a landlord may be entitled to vacancy loss payment.

The landlord may keep the Housing Assistance Payment for the calendar month in which the vacancy occurred. If the vacancy continues into the following calendar month - and the landlord demonstrates that reasonable efforts have been made to re-rent the unit - the landlord may receive 80% of the contract rent prorated to that portion of the month during which the vacancy lasts.

The landlord is not entitled to any vacancy loss unless he/she

- complies with applicable law, regulation and provisions of the Housing Assistance Payments Contract,
- notifies the Authority immediately upon learning of the vacancy,
- takes all feasible actions to fill the vacancy including (but not limited to) contacting prospects on the landlord's waiting list (if any), requesting that the Authority refer eligible prospects and advertising the unit's availability, and
- does not reject any prospect except for good cause, acceptable to the Authority, pursuant to federal requirements.

Section XI - Informal Hearings

The Authority may deny or terminate assistance for a prospect or participant whenever it determines - in its sole discretion - sufficient reason exists. Denial and termination specifically include failure to approve a preference determination or inclusion on the waiting list, non-issuance of a Voucher, refusal to enter into a new HAP contract or approve a lease, termination of payments under an existing HAP contract, refusal to process portability requests or provide assistance under portability procedures, etc. (These are examples not an exhaustive list.)

The Authority is not required to provide an opportunity for an informal hearing to prospects:

- to review discretionary administrative determinations or to consider general policy issues or class grievances;
- to review the Authority's determination of the number of bedrooms entered on the Voucher;
- to review the Authority's determination that a unit located by a Voucher holder does not comply with the Authority's housing quality standards or the Authority's determination not to approve the lease for the unit; or
- to review the Authority's decision not to approve a request by a Voucher holder for an extension of the term of the Voucher.

The Authority is not required to provide an opportunity for an informal hearing to residents:

- to review discretionary administrative determinations or to consider general policy issues or class grievances;
 - to review the Authority's determination that a unit does not comply with the Authority's housing quality standards, that the owner has failed to maintain or operate a contract unit to provide decent, safe and sanitary housing in accordance with the housing quality standards (including all services, maintenance and utilities required under the lease), or that the contract unit is not decent, safe and sanitary because of an increase in household size or change in household composition;
 - to review a decision by the Authority to exercise any remedy against the owner under an outstanding contract, including the termination of housing assistance payments to the owner; or
 - to review the Authority's decision not to approve a household's request for an extension of the term of the Voucher issued to an assisted household which wants to move to another dwelling unit with continued participation in the Section 8 program.
- if the Resident has defaulted on a repayment agreement he/she signed specifically waiving any right he/she might otherwise have to a termination hearing.

Conduct of informal hearings

The informal hearing shall be conducted by any person or persons designated by the Authority, other than a person who made or approved the decision under review or a subordinate of such person.

Hearings may be attended by a hearing officer and the following applicable persons:

- A PHA representative(s) and any witnesses for HASLC
- The resident and any witnesses for the resident
- The resident's counsel or other representative
- Any other person approved by HASLC as a reasonable accommodation for a person with a disability

In all cases where a hearing is required, the Authority shall proceed with a hearing in a reasonably expeditious manner.

At its own expense, the family may be represented by a lawyer or other representative.

The family has a pre-hearing right to discovery of relevant Authority documents, including the right to examine their file. A file may only be reviewed at a mutually agreeable time and under the supervision of Authority personnel. The family may not remove files or documents from the Authority's offices.

Pursuant to the family's request, the Authority will copy relevant documents at the current per-copy and/or hourly rates then in effect. The family must pay any such charges in advance. The Authority has a parallel pre-hearing right to discovery of relevant family documents. The family must produce same at the Authority's offices prior to the hearing. The Authority may not rely on any document that the family requested to be copied but was withheld from copying. The family may not rely on any document that the Authority requested but was withheld.

The person who conducts the hearing may regulate the conduct of the hearings. Failure to comply with the directions of the person conducting the hearing to obtain order may result in exclusion from the proceedings or in a decision adverse to the interests of the disorderly party and granting or denial of the relief sought, as appropriate.

The Authority and the participant shall be given the opportunity to present written and oral evidence, and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The person who conducts the hearing shall issue a written decision, within a reasonable amount of time, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the participant shall be based on the evidence presented at the hearing. A copy of the hearing decision shall be furnished promptly to the participant.

Tape recorders, etc., are not allowed at the hearing. However, the Authority will make a written record of the hearing.

Rescheduling informal hearings

Timely first requests to reschedule an informal hearing will generally be granted when:

- a client experiences a serious, unforeseeable and documentable problem which would reasonably preclude his/her attendance at the scheduled hearing, or
- a client's legal representative has a court appearance or other serious and specific time conflict which cannot be rescheduled and which would reasonably preclude his/her appearance at the scheduled hearing.

Requests to reschedule an informal hearing will generally not be granted when:

- a client is, or has a history of, acting in an irresponsible or uncooperative manner,
- a client's legal representative's problem is, at root, a failure to prepare for the hearing,
- the timeliness of the hearing is of particular importance in the opinion of the Authority,
- the hearing has been previously rescheduled, or
- the request to reschedule is made on or after the scheduled date of the hearing.

Force of hearing decisions limited

The Authority is not bound by a hearing decision:

- concerning a matter for which the Authority is not required to provide an opportunity for an informal hearing;
- in excess of the authority of the person conducting the hearing, or
- contrary to HUD regulations or requirements, or otherwise contrary to Federal, State or local law.

If the Authority determines that it is not bound by a hearing decision, the Authority shall promptly notify the participant of the determination, and of the reasons for the determination.

Section XII - Resident Moves and Inter-Program Transfers

A. Term of lease. The initial term of a lease must be for at least one year. A lease terminates upon any of the following:

- the owner terminates the lease,
- the resident terminates the lease,
- the owner and resident agree to terminate the lease,
- the Authority terminates the associated HAP contract,
- the Authority terminates assistance for the family, or
- the lease term expires.

The term of the lease and the HAP contract are the same: the term of the HAP contract follows the term of the lease. The lease ends when the HAP contract ends and the HAP contract ends when the lease ends.

The owner may offer a family a new lease for a term beginning at any time after the initial term of an old lease. The owner must give the resident at least 60 days written notice of the offer.

B. Moves with continued assistance. A family may move to a new unit if

- the assisted lease for the old unit has terminated; this includes situations when the Authority has terminated the HAP contract due to an owner's breach, and when the lease was terminated by mutual agreement, or
- the resident has given notice of lease termination (if the resident has a right to terminate the lease on notice to the owner, for owner breach, or otherwise). Assistance may not continue if the eviction or notice to vacate is resident caused, or if the resident is not in good standing with either the Landlord or the Authority.

The Authority may prohibit more than one move by the family - either inside the Authority's jurisdiction, or under portability procedures - during any 12-month period.

Families will generally not be allowed to transfer their assistance during the initial term of the lease. Families will generally not be allowed to move more than once in a twelve-month period. Exceptions to this policy may apply if the family can demonstrate an extraordinary reason outside of their control, the move is required due to a medical emergency, the move is needed as a reasonable accommodation to a family member with disabilities, there is a change of ownership and the HAP contract is not assigned to the new owner, or the move is the result of a family member being the victim of domestic violence, dating violence or stalking. The family will also be permitted to move if it receives a valid landlord notice to terminate the family's tenancy after the lease term, provided the family has not committed serious or repeated lease violations.

Families will not be transferred unless the lease was properly terminated after the initial term of the lease in accordance with the lease by either the resident or landlord.

HASLC will deny the family permission to move if:

- the family has violated a family obligation, or
- the family owes HASLC or another PHA money. A housing supervisor may make exceptions to these restrictions as reasonable accommodation or if there is an emergency reason for the move over which the participant has no control, as long as the participant is current on his/her repayment agreement and the family is not moving outside the HASLC jurisdiction.

C. Portability. Under portability provisions, a family may move to anyplace in the U.S. that is under the jurisdiction of a Housing Authority.

A family may only lease a unit under portability during the first year after admission if either the head of household or spouse already had a domicile (legal residence) in the jurisdiction of the initial Authority at the time the family submitted an application for participation. For purposes of this section, transient occupancy does not constitute legal residence. If the legal residence requirement is not met, the family does not have a right to portability during the first year of assisted occupancy. In this case, the family may still

move outside the initial Housing Authority jurisdiction but only if both the initial and receiving Housing Authorities voluntarily agree to such a move.

If HASLC is the initial Housing Authority, HASLC will be responsible for determining whether the family is income eligible for participation in the jurisdiction to which the family wants to move. If the family is not a current participant, the applicable income limit is the income limit for the area to which the family wants to move. The family may only use a Voucher to lease a unit in an area where the family is income eligible.

D. Overlapping assistance. The Authority may - in its sole discretion - overlap HAP payments if the term of an assisted lease for a new unit begins during the month a family moves out of an old unit. The overlap period may not exceed 30 days.

E. Leasing Authority-owned units. If a family wants to rent a dwelling unit owned by the Authority or any allied corporation or partnership, the family will be told - orally and in writing - that they are free to select any eligible unit. The Authority will not pressure or steer any client to an Authority-owned unit.

Section XIII - Operating Reserves

All expenditures of Operating Reserves of \$25,000 or more will only be made with the specific approval of the Board of Commissioners. In granting such approval, the Board will make an affirmative determination that the expenditures are necessary and reasonable for other housing purposes consistent with state and local law.

Section XIV - Fair Housing / Equal Opportunity

A. Non-discrimination

The Authority provides for fair housing throughout its operations. No person shall be subjected to discrimination because of race, color, religion, age, sex, sexual orientation, marital status, handicap, familial status or national origin in the sale, rental or advertising of dwellings, in the provision of brokerage services, or in the availability of residential real estate-related transactions.

The protected class “national origin” extends to Limited English Proficiency (LEP) individuals. Those who fall into the LEP category are persons who do not speak English as their primary language and who are limited in their ability to read, write, speak, or understand English.

The Authority has added a “Language Preference Selection Form” asking prospects and residents in ten different languages to verify “I understand English and do not need an interpreter.”

PHA staff will arrange for an interpreter in the appropriate language as needed.

While sexual orientation, gender identity, and marital status are not considered “protected classes” under the fair housing act, regulations do extend protection to these groups in housing at the federal level.

If a family claims they have been illegally discriminated against, the Authority will give the family information on how to file a housing discrimination complaint. The Authority may also make referrals to any appropriate fair housing agency. The Authority includes a discrimination complaint form in its resident packet.

The Authority encourages landlords to make units available to Voucher program participants in all areas, including areas outside poverty and minority concentration. The Authority will provide a list of any known vacant and available handicap-accessible units upon the request of a family that includes a handicapped individual.

B. Poverty and minority deconcentration policy

The Authority specifically encourages Section 8 Voucher recipients to reside in areas with a low (40% or less) minority concentration and a low (20% or less) poverty concentration. To this end, the Authority:

- a. counsels clients and provides written materials regarding the location of non-impacted areas, rental assistance portability, job opportunities, service availability, fair housing and resident/landlord law;
- b. hosts and participates in meetings with landlords to publicize rental assistance programs, to recruit new landlords and to contract for additional units, particularly units outside of minority and poverty areas; and
- c. uses Voucher Payment Standards not less than 100% of the published Fair Market Rents to maximize – within budgetary and programmatic limitations – the geographic area in which units are likely to be rented.

C. Family Self-Sufficiency Addendum

Any future openings for FSS Coordinator will be posted in the Authority's lobby, advertised in a newspaper of general circulation and in a minority newspaper.

All new Voucher recipients are offered the opportunity to get on the FSS waiting list including new Voucher recipients with disabilities and persons with limited English proficiency.

The Authority's headquarters and other offices are handicapped-accessible. It has a TTY phone number and utilizes such services as Deaf Interlink when necessary. It employs sign-language and other translators as necessary at no cost to clients.

The Authority briefs all new Voucher recipients on fair housing and makes referrals to fair housing agencies when warranted.

The Authority briefs all Voucher recipients on how to file a housing discrimination complaint and provides a HUD discrimination complaint form - which includes the HUD Discrimination Compliant Hotline Number - in the resident information packet clients receive.

The Authority encourages landlords to make units available to Voucher program participants in all areas, including areas outside poverty and minority concentration. The Authority provides a list of known, appropriately-sized vacant and available dwelling units to clients, including known handicapped-accessible units. The Authority also:

a. counsels clients and provides written materials regarding the location of non-impacted areas, rental assistance portability, job opportunities, service availability, fair housing and resident/landlord law;

b. hosts and participates in meeting with landlords to publicize rental assistance programs, to recruit new landlords and to contract for additional units, particularly units outside of minority and poverty areas; and

c. uses Voucher Payment Standards no less than 100% of the published Fair Market Rents to maximize - within budgetary and programmatic limitations - the geographic area in which units are likely to be rented.

The Authority records the race, ethnicity, familial status and disability status, among other attributes, of all of its clients and - within the limitations of its computer software - will generate and provide required FSS reports.

Section XV - Disclosure of Rental History

Upon written request in a form acceptable to the Authority, the Authority may provide a prospective landlord any of the following information as contained in the client file:

- the family's current address,
- the name and address of the family's current landlord,
- the name and address of the family's previous landlord .

The Authority will retain a record of such requests, and the information provided pursuant to such requests, for a reasonable period of time.

Section XVI – Criminal Conviction History and Substance Abuse Records Management

The Director of Assisted Housing, the Director of Residential Properties and the Hearing Officer are responsible for implementing the following guidelines for management of two special types of client-related records:

- (1) criminal conviction records received from law enforcement agencies, and
- (2) records received from drug abuse treatment facilities.

Such records are used to make admit/deny decisions for initial participation or to make continuation/termination decisions for continuing participation. They will be used only for their intended purpose and will not be misused or improperly disseminated. They will be maintained in reasonable confidence and stored separately from regular client files in a designated area. Dated folders are used to facilitate record location and destruction.

If a decision is made to admit or to continue participation, records will be destroyed no later than 5 business days after the final decision is made. If a decision is made to deny admission or to terminate participation, records will be destroyed no later than 6 months after the last of the following events:

- (a) the time to request an administrative hearing has elapsed,
- (b) an administrative hearing decision has been rendered without commencement of litigation, or
- (c) the final disposition of any decision-related litigation has been made.

Section XVII – Owner Access to Criminal History For Prospect Screening, Lease Enforcement and Termination of Tenancy

The owners of rental dwelling units located in St. Louis County and assisted under certain federal housing programs may request that HASLC obtain and review criminal conviction records and/or sex offender registration information concerning an adult prospect or resident as follows:

- (1) the owner of any federally assisted housing may request HASLC assistance in obtaining and reviewing sex offender registration information;
- (2) the owner of a unit assisted under resident-based or project-based Section 8 assistance may request HASLC assistance with respect to sex offender information or other criminal records for the purpose of prospect screening;
- (3) the owner of a unit assisted under project-based Section 8 assistance may request assistance with respect to sex offender information or other criminal records for purposes of eviction or lease enforcement.

An owner's request must include – in a form acceptable to HASLC:

- (1) a copy of a consent form signed by the member of a prospect's or resident's household who is the subject of the inquiry, and
- (2)(a) the owner's written standards for prohibiting admission of criminals or sex offenders subject to a lifetime registration requirement in accordance with 24 CFR 5.854 or 24 CFR 5.855, or
 - (b) the owner's written standards for eviction of criminals or sex offenders subject to a lifetime registration requirement in accordance with 24 CFR 5.857 or 24 CFR 5.858, or
 - (c) the owner's written standards for lease enforcement other than eviction against criminals or sex offenders subject to a lifetime registration requirement, and
- (3) payment of a \$75 fee – or other amount as may be established from time to time – to reimburse the Authority for its reasonable expenses in obtaining police records, staff time, overhead and administrative costs. (Note: the owner may not pass along this fee to residents or prospects.)

If the Authority determines that a criminal record or sex offender registration information reasonably forms a basis for owner screening, eviction or lease enforcement, it will notify the household of the proposed action, furnish a copy of any applicable criminal records or sex offender registration information to the person to whom the records or information pertains and to the prospect or resident, and provide a 10-day period in which the household may request a hearing to dispute the accuracy and/or relevance of the information.

The Authority will notify the owner whether it has received applicable criminal conviction records and, if so, whether such records reasonably form a basis for the proposed action. The Authority may release the actual criminal conviction records to the owner only if:

- (1) the Authority determines that the criminal conviction records form a basis for eviction from a project-based Section 8 unit, and
- (2) the owner certifies in writing that he/she will use the records only for the purpose of and only to the extent necessary to seek eviction in a judicial proceeding of a Section 8 resident based on the criminal activity by the household member described in the records.

The Authority will not release sex offender lifetime registration information to owners.

Section XVIII – Enterprise Income Verification (EIV) Records Access and Management

The Director of Assisted Housing, Director of Residential Properties, IT Manager and Purchasing Manager are responsible for implementing the following policies and procedures with respect to EIV information.

- 1) Appropriate online computer access to the EIV system will be granted only to those employees who have a job-related need to have such access, such as Caseworkers, Managers, Supervisors, Directors, IT personnel, etc. Such access will be promptly withdrawn when an individual no longer has a job-related need to have such access.
- 2) Caseworkers and Managers will insure that a Form HUD-9886 Authorization for the Release of Information / Privacy Act Notice – or its equivalent – is signed by each adult (18 or older) member of an assisted household and is filed in the client file.
- 3) All employees will be instructed and trained to lock their workstation or log off the HASLC network when they are away from their PCs.
- 4) Employees who handle files containing EIV information will be instructed and trained to keep such information reasonably private and secure, including not allowing unauthorized access to such information and by keeping such files in locked containers when not actually in use.
- 5) Keys to locking containers will be given only to appropriate employees, their supervisors and/or department directors. An Acknowledgment of Receipt of Keys will be executed by each employee receiving keys to containers that house EIV information. Such Acknowledgements and a master Key Accountability Record will be maintained by the Director of Assisted Housing and the Director of Residential Properties. Employees will be instructed and trained not to lend or give their keys to anyone.
- 6) When printed EIV information is determined to be no longer needed, employees will be instructed and trained to dispose of such information by secure means such as shredding or burning.
- 7) The Purchasing Manager will have all contractors who have access to areas in which EIV information is handled and/or stored to execute a Contractor Acknowledgment disclosing the prohibition against unauthorized inspection or disclosure of EIV information. The Purchasing Manager will maintain a file of such Acknowledgments.
- 8) The Director of Assisted Housing, Director of Residential Properties and IT Manager will conduct appropriate training sessions as needed for current and future employees concerning these policies and procedures for the handling of EIV information. They will keep a Security Awareness Training Attendance Record for all such training sessions.

Section XIX – Housing Choice Voucher Homeownership Program

The Administrative Plan – Housing Choice Voucher Homeownership Program is hereby incorporated by reference. If any conflict should arise between that Administrative Plan and this Administrative Plan for matters specifically concerning the Housing Choice Voucher Homeownership Program (HCVHP), the Administrative Plan – Housing Choice Voucher Homeownership Program shall prevail.

Section XX – The Violence Against Women Act (VAWA)

The Violence Against Women Act protects qualified residents and family members of residents who are victims of domestic violence, dating violence, or stalking from being denied admission and from being evicted or terminated from housing assistance based solely on acts of such violence against them.

Admission

A PHA, owner or landlord may not deny admissions to a prospect (male or female) who has been a victim or domestic violence, dating violence, or stalking, if the prospect otherwise qualifies for assistance or admission.

If the perpetrator is a member of the victim's household, HASLC will have the authority to require the individual to leave the household and still provide assistance to the remaining members of the household.

Termination

A PHA and owners are prohibited by VAWA from considering actual or threatened domestic violence, dating violence, or stalking as a cause for terminating the tenancy, occupancy, or program assistance of the victim. Specifically, this means that HASLC and owners may not construe such violence or stalking as a serious or repeated violation of the lease by the victim, as other good cause for terminating the tenancy or occupancy rights of the victim, or as criminal activity justifying the termination of the tenancy, occupancy rights, or program assistance of the victim.

If the perpetrator is a member of the victim's household, HASLC still has the authority to require the individual to leave the household as a condition of providing continued assistance to the remaining members of the family.

If a resident is in good standing with the landlord and HASLC and the resident/victim must relocate to protect the health and safety of the victim of domestic violence, dating violence or stalking they may move to another location even though they are breaking the lease when doing so. The victim must have a reasonable belief and proof that he or she is imminently threatened by harm from further violence if he or she remains in the present unit.

Certification of Abuse and Confidentiality

A PHA, owner, or manager may request an individual to certify that the individual is a victim of abuse and that the incidences of abuse are bona fide. The certification must be in a form acceptable to HASLC, must include the name of the perpetrator and any other statutorily required information, and the victim must provide the certification within 14 business days after the individual receives a request for such certification from HASLC, owner or manager.

Without the certification, a PHA, owner, or manager may deny or terminate assistance. All information provided to a PHA, owner or manager is confidential. Notice of these rights must be given to residents. The victim may self-certify and the certification requirement may also be satisfied with documentation signed by an employee, agent or volunteer of a victim service provider, an attorney, or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence, or stalking or the effects of the abuse in which the professional attests under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim of domestic violence, dating violence, or stalking has signed or attested to the documentation. The statute also allows for the certification requirement to be satisfied by producing a federal, state, tribal, territorial or local police or court record.

Notification

HASLC must provide notice to residents assisted under section 8 of the United States Housing Act of 1937 of their rights, and notice to owners and managers of their rights and obligations, under section 8 as amended by VAWA.

Section XXI – Determination and Remedies of Insufficient Funding

The HCV regulations allow PHAs to deny families permission to move and to terminate Housing Assistance Payments (HAP) contracts if funding under the consolidated ACC is insufficient to support continued assistance. Insufficient funding may also impact HASLC's ability to issue vouchers to families on the waiting list. This part discusses the methodology HASLC will use to determine whether or not HASLC has sufficient funding to issue vouchers, approve moves, and to continue subsidizing all families currently under a HAP contract.

HASLC will determine whether there is adequate funding to issue vouchers, approve moves to higher cost units and areas, and continue subsidizing all current participants by comparing HASLC's annual budget authority to the annual total HAP needs on a monthly basis. The total HAP needs for the calendar year will be projected by establishing the actual HAP costs year to date. To that figure, HASLC will add anticipated HAP expenditures for the remainder of the calendar year. Projected HAP expenditures will be calculated by multiplying the projected number of units leased per remaining months by the most current month's average HAP. The projected number of units leased per month will take into account the average monthly turnover of participant families. If the total annual HAP needs equal or exceed the annual budget authority, or if HASLC cannot support the cost of the proposed subsidy commitment (voucher issuance or move) based on the funding analysis, HASLC will be considered to have insufficient funding.

If HASLC determines there is a shortage of funding, prior to terminating any HAP contracts, HASLC will determine if any other actions can be taken to reduce program costs. If after implementing all reasonable cost cutting measures there is not enough funding available to provide continued assistance for current participants, HASLC will first recall unhoused vouchers (last issued, first recalled) before terminating HAP contracts as a last resort. The special purpose vouchers, Non Elderly Disabled (NED), Veterans Affairs Supportive Housing (VASH), and Family Unification (FUP) families will be the last to be recalled or terminated. Project-Based Moderate Rehabilitation is excluded from participation in these voucher reductions.

Prior to terminating any HAP contracts, HASLC will inform the local HUD field office. HASLC will terminate the minimum number needed in order to reduce HAP costs to a level within HASLC's annual budget authority.

If HASLC decides to recall vouchers or terminate HAP contracts due to insufficient funding, HASLC will terminate vouchers and participants in the following order:

1. HASLC will recall vouchers issued to prospects from the waiting list that have not yet been approved for a unit on a "last-in, first-out" basis, with the most recently issued vouchers recalled first, except for special purpose vouchers (NED, FUP and VASH) which will be the last to be affected.
2. HASLC will terminate HAP contracts on a "last-in, first out" basis, with the most recently executed HAP contracts terminated first, with the exception of special purpose programs (NED, FUP and VASH) which will be the last to be terminated.
3. As funds become available, prior participants will be recalled in the reverse of the order terminated, on a "last-terminated, first-recalled" basis, with the last participant cancelled being the first offered reinstatement.
4. Once all prior participants have been recalled, vouchers will be reissued to prospects in the reverse of the order recalled, on a "last-terminated, first-recalled" basis.
5. Once all of the former prospects have had vouchers reissued to them, HASLC will return to its normal process of issuing vouchers to persons on the waiting list a voucher become available.