

Revisions to Policy in the 09/2020 Administrative Plan

1. Page 79 – PHA Policy addition:

With the prior written consent of the PHA, a foster child/foster adult may be added to the Section 8 participant family. The factors considered by the PHA in determining whether or not consent is granted may include:

2. Page 80 – PHA Policy Change:

- a. Generally an individual who is or is expected to be absent from the assisted unit for 120 consecutive days or less is considered temporarily absent and continues to be considered a family member unless information becomes available to the PHA indicating that the family member has established a separate household. Generally an individual who is or is expected to be absent from the assisted unit for more than 120 consecutive days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

3. Page 80-81 – PHA Policy Change – Absent Head, Spouse, or Cohead

- a. When a single parent is absent from the household for an extended period (30 days) as a result of imprisonment, etc. and another adult moves into the home to care for the remaining members, the rental assistance may be terminated. In extenuating cases where the PHA approves the temporary absence, the family composition may be modified to include the name of the temporary guardian as temporary head of household. The PHA shall screen the guardian under the same criteria that it screens a live-in aide. The temporary guardian's income will not be included in the family income. The single parent's name as head of household shall be temporarily removed and the file documented to explain the circumstances. When the single parent returns to the unit, the guardian will vacate the unit, unless further documentation of need is verified. If the guardian remains after the return of the head of household and does not become a live-in aide, his/her income will be included in the calculation of family income. In addition to all the above, the guardian will be responsible for obtaining the owner's/landlord's approval before occupying the unit. PHA will review the reason why the head of household is no longer present and may make a determination to terminate the assistance. If all members of the household are absent for thirty (30) cumulative days during a calendar year, but have not moved from the unit, assistance will be terminated. In order to determine if the family is absent from the unit, PHA may secure various forms of verification including but not limited to: notice and letters to the family at the unit, and/or location of telephone billing of the family at the unit, interview the owner/landlord and neighbors, and/or verify if utilities are in service. In cases where the family has moved from the unit, assistance will be terminated in accordance with the procedures set forth further in this plan.

4. Page 97 – 3-III.B. Mandatory Denial of assistance
 - a. PHA Policy - The PHA will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past three years for drug-related criminal activity, if the PHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by the PHA, or the person who committed the crime, is no longer living in the household.
 - b. PHA Policy – Criminal - Currently engaged in means the individual has engaged in the behavior recently enough to justify a reasonable belief that the individual’s behavior is current. The PHA’s reasonable belief of illegal drug use need not be based on a criminal conviction.
 - c. Also, update on Criminal – “record or records of arrest, in and of itself and without other evidence, will not be used as the sole basis....”

5. Page 159 – 6-I.E. Calculation of Disallowance (Old Method is no longer applicable)
Calculation Method

Initial 12-Month Exclusion

During the initial exclusion period of 12 consecutive months, the full amount (100 percent) of any increase in income attributable to new employment or increased earnings is excluded.

PHA Policy

The initial EID exclusion period will begin on the first of the month following the date an eligible member of a qualified family is first employed or first experiences an increase in earnings.

Second 12-Month Exclusion

During the second exclusion period of 12 consecutive months, the PHA must exclude at least 50 percent of any increase in income attributable to employment or increased earnings.

PHA Policy

During the second 12-month exclusion period, the PHA will exclude 100 percent of any increase in income attributable to new employment or increased earnings.

- a.

6. Page 276 – 9-I.H. Changes in Lease or Rent

- a. PHA Policy

Where the owner is requesting a rent increase, the PHA will determine whether the requested increase is reasonable within a reasonable period of receiving the request from the owner. The owner will be notified of the determination in writing.

Rent increases will go into effect on the first of the month following the 60-day period after the owner notifies and the notification is verified as “received” by the PHA of the rent change or on the date specified by the owner, whichever is later. Requests successfully received via fax and email will be considered as the received date/time by the PHA. Requests received and verified with a proof of delivery via USPS (US POST OFFICE) will be held for 48 hours due to the COVID-19 Pandemic and will be considered received as of the date/time stamped as “Received” by the PHA. Similarly, if the Landlord sends the request via alternate delivery services and can provide proof of delivery to the PHA, such as FEDEX, UPS or other comparable delivery services, it will be considered received as of the date and time stamped by the PHA, unless a “proof of delivery from the delivery service is provided to the PHA . Paper documents coming to the PHA are “held” for at least 48 hours before date stamping. Requests received via DROP BOX will be considered “received” as of the date/time stamped as “received”. Drop boxes are emptied regularly on business days, but due to the COVID-19 Pandemic, mail is “held” for at least 48 hours before it is stamped. Thus, it is not guaranteed that mail received in the drop box will be stamped immediately on the first business day, in addition to staffing fluctuations. Post marked dates are NOT considered date of receipt by the PHA.

7. Page 305 – 11-II.C.

Required Reporting

a. PHA Policy

Families are required to report all income increases, regardless of the source or amount, within 10 business days of the date the change takes effect.

The PHA will only conduct interims reexaminations as a result of changes in employment resulting in an increase of two- hundred dollars (\$200) or more per month, changes in position, and/or place of employment will require an interim reexamination.

That qualify for the earned income disallowance (EID), but only when the EID family’s share of rent would change as a result of the increase.

In all other cases, the PHA will note the information in the tenant file but will not conduct an interim reexamination.

Families are not required to report any other changes in income or expenses.

8. Page 342 13-II.C.

a. PHA Policy

All landlord HAP payments are made electronically. Landlord enrollment in the direct deposit program offered by the Housing Authority is required. The Housing Authority reserves the right, in cases of extreme hardship, to grant

exceptions however all requests must be submitted in writing to the Executive Director for approval.

9. Page 400 16-III.C.

a. Remote Informal Hearings.

The PHA's essential responsibility is to ensure informal hearings meet the requirements of due process and comply with HUD regulations. Therefore, all PHA policies and processes for remote informal hearings will be conducted in accordance with due process requirements and will be in compliance with HUD regulations.

PHA Policy

The PHA has the sole discretion to require that informal hearings be conducted remotely in case of local, state, or national physical distancing orders, and in cases of inclement weather or natural disaster.

In addition, the PHA will conduct an informal hearing remotely upon request as a reasonable accommodation for a person with a disability, if a participant does not have child care or transportation that would enable them to attend the informal hearing, or if the participant believes an in-person hearing would create an undue health risk. The PHA will consider other reasonable requests for a remote informal hearing on a case-by-case basis.

b. Conducting Informal Hearings Remotely

In conducting any informal hearing remotely, the PHA shall ensure due process and that all parties are able to have full access to the hearing.

PHA Policy

The PHA will conduct remote informal hearings via telephone conferencing call-in or via videoconferencing. If the informal hearing will be conducted via videoconferencing, the PHA will ensure that all participants, participant representatives, advocates, witnesses, PHA representatives, and the hearing officer can adequately access the platform (i.e., hear, be heard, see, and be seen).

If any participant, representative, advocate, witness, PHA representative, or hearing officer is unable to effectively utilize the videoconferencing platform, the informal hearing will be conducted by telephone conferencing call-in.

Whether the informal hearing is to be conducted via videoconferencing or telephone call-in, the PHA will provide all parties login information and/or telephone call-in information before the hearing.