

Before Starting the CoC Application

The CoC Consolidated Application is made up of two parts: the CoC Application and the CoC Priority Listing, with all of the CoC's project applications either approved and ranked, or rejected. The Collaborative Applicant is responsible for submitting both the CoC Application and the CoC Priority Listing in order for the CoC Consolidated Application to be considered complete.

The Collaborative Applicant is responsible for:

- Reviewing the FY 2015 CoC Program Competition NOFA in its entirety for specific application and program requirements.
- Using the CoC Application Detailed Instructions for assistance with completing the application in e-snaps.
- Answering all questions in the CoC Application. It is the responsibility of the Collaborative Applicant to ensure that all imported and new responses in all parts of the application are fully reviewed and completed. When doing so, please keep in mind that:
 - This year, CoCs will see that a few responses have been imported from the FY 2013/FY 2014 CoC Application. Due to significant changes to the CoC Application questions, most of the responses from the FY 2013/FY 2014 CoC Application could not be imported.
 - For some questions, HUD has provided documents to assist Collaborative Applicants in filling out responses.
 - For other questions, the Collaborative Applicant must be aware of responses provided by project applicants in their Project Applications.
 - Some questions require that the Collaborative Applicant attach a document to receive credit. This will be identified in the question.
 - All questions marked with an asterisk (*) are mandatory and must be completed in order to submit the CoC Application.

For Detailed Instructions click [here](#).

1A. Continuum of Care (CoC) Identification

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

1A-1. CoC Name and Number: MA-505 - New Bedford CoC

1A-2. Collaborative Applicant Name: City of New Bedford

1A-3. CoC Designation: CA

1A-4. HMIS Lead: City of New Bedford

1B. Continuum of Care (CoC) Engagement

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

1B-1. From the list below, select those organizations and persons that participate in CoC meetings. Then select "Yes" or "No" to indicate if CoC meeting participants are voting members or if they sit on the CoC Board. Only select "Not Applicable" if the organization or person does not exist in the CoC's geographic area.

Organization/Person Categories	Participates in CoC Meetings	Votes, including electing CoC Board	Sits on CoC Board
Local Government Staff/Officials	Yes	Yes	Yes
CDBG/HOME/ESG Entitlement Jurisdiction	Yes	Yes	Yes
Law Enforcement	Yes	No	No
Local Jail(s)	No	No	Not Applicable
Hospital(s)	Yes	No	No
EMT/Crisis Response Team(s)	No	No	Not Applicable
Mental Health Service Organizations	Yes	Yes	Yes
Substance Abuse Service Organizations	Yes	Yes	Yes
Affordable Housing Developer(s)	Yes	Yes	Yes
Public Housing Authorities	Yes	Yes	No
CoC Funded Youth Homeless Organizations	No	No	Not Applicable
Non-CoC Funded Youth Homeless Organizations	Yes	Yes	Yes
School Administrators/Homeless Liaisons	Yes	Yes	No
CoC Funded Victim Service Providers	Yes	Yes	Yes
Non-CoC Funded Victim Service Providers	Yes	Yes	Yes
Street Outreach Team(s)	Yes	Yes	Yes
Youth advocates	Yes	Yes	Yes
Agencies that serve survivors of human trafficking	Yes	Yes	Yes
Other homeless subpopulation advocates	Yes	Yes	Yes
Homeless or Formerly Homeless Persons	Yes	Yes	No
Legal Services	Yes	Yes	No
Community Health Care Services	Yes	Yes	No
Veteran's Services	Yes	Yes	Yes

1B-1a. Describe in detail how the CoC solicits and considers the full range of opinions from individuals or organizations with knowledge of homelessness in the geographic area or an interest in preventing and ending homelessness in the geographic area. Please provide two examples of organizations or individuals from the list in 1B-1 to answer this question. (limit 1000 characters)

The New Bedford CoC membership includes broad representation from individuals and organizations that have experience and knowledge in homeless and housing programs designed to prevent and end homelessness, relying on their practical and professional knowledge in utilizing best practices. One example is CoC member Catholic Social Services that effectively guides the CoC with triage efforts in leading its outreach efforts in encampments to ensure rapid housing for the hardest to house. Another is Veterans Transition House who leads the effort to end veteran's homelessness in the NB CoC by providing graduate housing and extensive veteran's resources.

1B-1b. List Runaway and Homeless Youth (RHY)-funded and other youth homeless assistance providers (CoC Program and non-CoC Program funded) who operate within the CoC's geographic area. Then select "Yes" or "No" to indicate if each provider is a voting member or sits on the CoC Board.

Youth Service Provider (up to 10)	RHY Funded?	Participated as a Voting Member in at least two CoC Meetings within the last 12 months (between October 1, 2014 and November 15, 2015).	Sat on the CoC Board as active member or official at any point during the last 12 months (between October 1, 2014 and November 15, 2015).
Catholic Social Services	No	Yes	Yes

1B-1c. List the victim service providers (CoC Program and non-CoC Program funded) who operate within the CoC's geographic area. Then select "Yes" or "No" to indicate if each provider is a voting member or sits on the CoC Board.

Victim Service Provider for Survivors of Domestic Violence (up to 10)	Participated as a Voting Member in at least two CoC Meetings within the last 12 months (between October 1, 2014 and November 15, 2015).	Sat on CoC Board as active member or official at any point during the last 12 months (between October 1, 2014 and November 15, 2015).
New Bedford Women's Shelter	Yes	Yes
New Bedford Police Dept. Domestic Violence Unit	No	No

1B-2. Does the CoC intend to meet the timelines for ending homelessness as defined in Opening Doors?

Opening Doors Goal	CoC has established timeline?
End Veteran Homelessness by 2015	Yes
End Chronic Homelessness by 2017	Yes
End Family and Youth Homelessness by 2020	Yes
Set a Path to End All Homelessness by 2020	Yes

1B-3. How does the CoC identify and assign the individuals, committees, or organizations responsible for overseeing implementation of specific strategies to prevent and end homelessness in order to meet the goals of Opening Doors? (limit 1000 characters)

The NB CoC relies on its Executive Committee (itself constituting a broad cross-section of CoC representation) to identify and recruit individuals and organizations to serve on its Strategic Planning Committee. In considering such membership the Executive Committee considers the work and relationship of the indiv/agency against the four Opening Doors goals, i.e. the director of the local veteran's agency serves on the Strategic Planning Committee because of the CoC's goal of ending veteran homelessness by 2015. In addition to these direct-link members, four additional CoC members are recruited representing four of the broader CoC strategic elements: coordinated entry, hmis, best practices, performance measurement. The final members are city (DPHCD) staff responsible for coordination of CoC activities. The EC also identifies and assigns responsibility to sub committees to implement community strategies.

1B-4. Explain how the CoC is open to proposals from entities that have not previously received funds in prior CoC Program competitions, even if the CoC is not applying for any new projects in 2015. (limit 1000 characters)

The NB CoC has always been open to proposals from entities not previously awarded funding from homeless assistance competitions. This is done through the distribution of information through a comprehensive regional listserv with 200+ contacts, posting of funding availability on the City's website and on the CoC's website. All such notifications are around the solicitation of funding proposals through a competitive RFP process. The NB CoC (aka Homeless Service Provider's Network/HSPN) conducts informal training regarding the funding process. Powerpoint presentations detailing the funding process and technical assistance is offered months before the release of the annual NOFA in order to assist potential new applicants for funding.

1B-5. How often does the CoC invite new members to join the CoC through a publicly available invitation? Annually

1C. Continuum of Care (CoC) Coordination

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

1C-1. Does the CoC coordinate with other Federal, State, local, private and other entities serving homeless individuals and families and those at risk of homelessness in the planning, operation and funding of projects? Only select "Not Applicable" if the funding source does not exist within the CoC's geographic area.

Funding or Program Source	Coordinates with Planning, Operation and Funding of Projects
Housing Opportunities for Persons with AIDS (HOPWA)	Yes
Temporary Assistance for Needy Families (TANF)	Yes
Runaway and Homeless Youth (RHY)	Not Applicable
HeadStart Program	Yes
Other housing and service programs funded through Federal, State and local government resources.	Yes

1C-2. The McKinney-Vento Act, as amended, requires CoCs to participate in the Consolidated Plan(s) (Con Plan(s)) for the geographic area served by the CoC. The CoC Program interim rule at 24 CFR 578.7(c)(4) requires that the CoC provide information required to complete the Con Plan(s) within the CoC's geographic area, and 24 CFR 91.100(a)(2)(i) and 24 CFR 91.110(b)(1) requires that the State and local Con Plan jurisdiction(s) consult with the CoC. The following chart asks for information about CoC and Con Plan jurisdiction coordination, as well as CoC and ESG recipient coordination.

CoCs can use the CoCs and Consolidated Plan Jurisdiction Crosswalk to assist in answering this question.

	Number	Percentage
Number of Con Plan jurisdictions with whom the CoC geography overlaps	1	
How many Con Plan jurisdictions did the CoC participate with in their Con Plan development process?	1	100.00 %
How many Con Plan jurisdictions did the CoC provide with Con Plan jurisdiction level PIT data?	1	100.00 %
How many of the Con Plan jurisdictions are also ESG recipients?	1	
How many ESG recipients did the CoC participate with to make ESG funding decisions?	1	100.00 %

How many ESG recipients did the CoC consult with in the development of ESG performance standards and evaluation process for ESG funded activities?	1	100.00 %
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1C-2a. Based on the responses selected in 1C-2, describe in greater detail how the CoC participates with the Consolidated Plan jurisdiction(s) located in the CoC's geographic area and include the frequency, extent, and type of interactions between the CoC and the Consolidated Plan jurisdiction(s). (limit 1000 characters)

The lead agency of the CoC's Homeless Service Provider's Network [HSPN] is the city's own Department of Planning, Housing & Community Development [DPHCD], the city department responsible for developing/implementing the Consolidated Plan. Not only is the agency working with the CoC the same as that which is responsible for production of the city's ConPlan, but the staff associated with both is also identical. As such, the coordination between the CoC and ConPlan is seamless. Throughout the year, DPHCD staff informs the membership of the HSPN about critical housing, demographic and income data, goals and strategic priorities within the ConPlan as they relate to honing the CoC's approach to ensuring adequate housing and services. Similarly, fair housing is an integral part of the ConPlan and the HSPN's membership and Exec Committee each look to the information within that plan to help inform where systems are working and what changes may be needed on a semi-annual basis.

1C-2b. Based on the responses selected in 1C-2, describe how the CoC is working with ESG recipients to determine local ESG funding decisions and how the CoC assists in the development of performance standards and evaluation of outcomes for ESG-funded activities. (limit 1000 characters)

After a series of public meetings where a detailed overview of the ESG program was presented, televised and broadcast multiple times through local cable access, along with a separate public presentation to the CoC, the city issued an RFP for ESG proposals in January 2015. Scoring and ultimately the funding decisions of proposals meeting threshold requirements were based on a range of performance measures including consistency with CoC strategies, breadth of program goals and demonstrated agency capacity. Members of the CoC's Performance Review Committee [PRC], comprised of CoC members who do not have any financial stake or programming, provide program review and ranking recommendations for CoC and ESG funded activities based on performance standards and outcome thresholds [reviewed and adopted by the CoC] as part of the committee's responsibilities. ESG reviews are being conducted on a quarterly basis by the CoC's PRC.

1C-3. Describe the how the CoC coordinates with victim service providers and non-victim service providers (CoC Program funded and non-CoC funded) to ensure that survivors of domestic violence are provided housing and services that provide and maintain safety and security. Responses must address how the service providers ensure and maintain the safety and security of participants and how client choice is upheld. (limit 1000 characters)

The New Bedford Women’s Center [WC] offers 24 hour accessible/secure shelter, housing and services including counseling and referrals using a voluntary services approach to ensure client choice for victims of domestic violence. The WC is an active member of the CoC and is represented on the CoC’s Executive Committee providing the organization with an important voice into the leadership of the CoC. The WC’s shelter affords the greatest privacy and security for those in need of such shelter and safety with 24 hour staffing, locked door protocols and security cameras. The CoC provides a forum for the WC and all victim and non-victim service providers to present detailed information about domestic violence including training for all provider members to ensure as to the short/long term safety plans are developed/intact for those they are serving. In addition, the City of New Bedford also provides CDBG funding to the NB Police Department to fund a domestic violence outreach coordinator.

1C-4. List each of the Public Housing Agencies (PHAs) within the CoC's geographic area. If there are more than 5 PHAs within the CoC's geographic area, list the 5 largest PHAs. For each PHA, provide the percentage of new admissions that were homeless at the time of admission between October 1, 2014 and March 31, 2015, and indicate whether the PHA has a homeless admissions preference in its Public Housing and/or Housing Choice Voucher (HCV) program. (Full credit consideration may be given for the relevant excerpt from the PHA's administrative planning document(s) clearly showing the PHA's homeless preference, e.g. Administration Plan, Admissions and Continued Occupancy Policy (ACOP), Annual Plan, or 5-Year Plan, as appropriate).

Public Housing Agency Name	% New Admissions into Public Housing and Housing Choice Voucher Program from 10/1/14 to 3/31/15 who were homeless at entry	PHA has General or Limited Homeless Preference
New Bedford Housing Authority	65.00%	Yes-Public Housing

If you select "Yes--Public Housing," "Yes--HCV," or "Yes--Both" for "PHA has general or limited homeless preference," you must attach documentation of the preference from the PHA in order to receive credit.

1C-5. Other than CoC, ESG, Housing Choice Voucher Programs and Public Housing, describe other subsidized or low-income housing opportunities that exist within the CoC that target persons experiencing homelessness. (limit 1000 characters)

Missionary Sisters of Charity provides up to 10 beds specifically for the hardest to house chronic females and young children and is a faith-based mission operating without benefit of any of the listed funding sources. The State of Mass DHCD will give priority in funding to projects that provide affordable housing for homeless families or individuals that reserve at least 10% of the units in the project for homeless families or individuals earning less than 30% of area median income. New Bedford has had 3 recent projects utilize that incentive to create units for homeless ind and families.

1C-6. Select the specific strategies implemented by the CoC to ensure that homelessness is not criminalized in the CoC's geographic area. Select all that apply. For "Other," you must provide a description (2000 character limit)

Engaged/educated local policymakers:	<input checked="" type="checkbox"/>
Engaged/educated law enforcement:	<input checked="" type="checkbox"/>
Implemented communitywide plans:	<input checked="" type="checkbox"/>
No strategies have been implemented:	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

1D. Continuum of Care (CoC) Discharge Planning

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

1D-1. Select the systems of care within the CoC's geographic area for which there is a discharge policy in place that is mandated by the State, the CoC, or another entity for the following institutions? Check all that apply.

Foster Care:	<input checked="" type="checkbox"/>
Health Care:	<input checked="" type="checkbox"/>
Mental Health Care:	<input checked="" type="checkbox"/>
Correctional Facilities	<input checked="" type="checkbox"/>
None:	<input type="checkbox"/>

1D-2. Select the systems of care within the CoC's geographic area with which the CoC actively coordinates to ensure that institutionalized persons that have resided in each system of care for longer than 90 days are not discharged into homelessness. Check all that apply.

Foster Care:	<input checked="" type="checkbox"/>
Health Care:	<input checked="" type="checkbox"/>
Mental Health Care:	<input checked="" type="checkbox"/>
Correctional Facilities:	<input checked="" type="checkbox"/>
None:	<input type="checkbox"/>

**1D-2a. If the applicant did not check all boxes in 1D-2, explain why there is no coordination with the institution(s) and explain how the CoC plans to coordinate with the institution(s) to ensure persons discharged are not discharged into homelessness.
(limit 1000 characters)**

The CoC does coordinate with these institutions and continues to strive to achieve best practices with each entity.

1E. Centralized or Coordinated Assessment (Coordinated Entry)

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

CoCs are required by the CoC Program interim rule to establish a Centralized or Coordinated Assessment system – also referred to as Coordinated Entry. Based on the recent Coordinated Entry Policy Brief, HUD’s primary goals for coordinated entry processes are that assistance be allocated as effectively as possible and that it be easily accessible regardless of where or how people present for assistance. Most communities lack the resources needed to meet all of the needs of people experiencing homelessness. This combined with the lack of a well-developed coordinated entry processes can result in severe hardships for persons experiencing homelessness who often face long wait times to receive assistance or are screened out of needed assistance. Coordinated entry processes help communities prioritize assistance based on vulnerability and severity of service needs to ensure that people who need assistance the most can receive it in a timely manner. Coordinated entry processes also provide information about service needs and gaps to help communities plan their assistance and identify needed resources.

**1E-1. Explain how the CoC’s coordinated entry process is designed to identify, engage, and assist homeless individuals and families that will ensure those who request or need assistance are connected to proper housing and services.
(limit 1000 characters)**

The NB CoC joined with the other COC's in Bristol County in 2014 agreeing that Catholic Social Services would execute a county-wide coordinated entry system known as THE CALL using a vulnerability index created with our HMIS vendor to determine those most in need, rely on daily census from providers facilitating referrals for families/individuals who meet the program guidelines to those programs that have available slots, and train/involve agencies with low barrier acceptance. On December 1, 2015 THE CALL will publicly announce an official hotline for homeless in Bristol County; it attempts diversion first on each call. When there's no availability in the CoC, THE CALL will work with other agencies outside of the CoC to strategize/assist callers in crisis while more permanent arrangements are explored and may mean financial assistance for limited motel stays. The CoC also has an Outreach Task Force that visits encampments to inform individuals and families of resources available.

1E-2. CoC Program and ESG Program funded projects are required to participate in the coordinated entry process, but there are many other organizations and individuals who may participate but are not required to do so. From the following list, for each type of organization or individual, select all of the applicable checkboxes that indicate how that organization or individual participates in the CoC's coordinated entry process. If the organization or person does not exist in the CoC's geographic area, select "Not Applicable." If there are other organizations or persons that participate not on this list, enter the information, click "Save" at the bottom of the screen, and then select the applicable checkboxes.

Organization/Person Categories	Participates in Ongoing Planning and Evaluation	Makes Referrals to the Coordinated Entry Process	Receives Referrals from the Coordinated Entry Process	Operates Access Point for Coordinated Entry Process	Participates in Case Conferencing	Not Applicable
Local Government Staff/Officials	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CDBG/HOME/Entitlement Jurisdiction	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Law Enforcement	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Local Jail(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hospital(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EMT/Crisis Response Team(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental Health Service Organizations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Substance Abuse Service Organizations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Affordable Housing Developer(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Housing Authorities	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-CoC Funded Youth Homeless Organizations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
School Administrators/Homeless Liaisons	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Non-CoC Funded Victim Service Organizations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Street Outreach Team(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homeless or Formerly Homeless Persons	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<input type="checkbox"/>					
	<input type="checkbox"/>					
	<input type="checkbox"/>					

1F. Continuum of Care (CoC) Project Review, Ranking, and Selection

Instructions

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

1F-1. For all renewal project applications submitted in the FY 2015 CoC Program Competition complete the chart below regarding the CoC's review of the Annual Performance Report(s).

How many renewal project applications were submitted in the FY 2015 CoC Program Competition?	8
How many of the renewal project applications are first time renewals for which the first operating year has not expired yet?	1
How many renewal project application APRs were reviewed by the CoC as part of the local CoC competition project review, ranking, and selection process for the FY 2015 CoC Program Competition?	7
Percentage of APRs submitted by renewing projects within the CoC that were reviewed by the CoC in the 2015 CoC Competition?	100.00%

1F-2. In the sections below, check the appropriate box(s) for each section to indicate how project applications were reviewed and ranked for the FY 2015 CoC Program Competition. (Written documentation of the CoC's publicly announced Rating and Review procedure must be attached.)

Type of Project or Program (PH, TH, HMIS, SSO, RRH, etc.)	<input checked="" type="checkbox"/>
Performance outcomes from APR reports/HMIS	
Length of stay	<input checked="" type="checkbox"/>
% permanent housing exit destinations	<input checked="" type="checkbox"/>
% increases in income	<input checked="" type="checkbox"/>
	<input type="checkbox"/>

Monitoring criteria	
Participant Eligibility	<input checked="" type="checkbox"/>
Utilization rates	<input checked="" type="checkbox"/>
Drawdown rates	<input checked="" type="checkbox"/>
Frequency or Amount of Funds Recaptured by HUD	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
Need for specialized population services	
Youth	<input checked="" type="checkbox"/>
Victims of Domestic Violence	<input type="checkbox"/>
Families with Children	<input checked="" type="checkbox"/>
Persons Experiencing Chronic Homelessness	<input checked="" type="checkbox"/>
Veterans	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
None	<input type="checkbox"/>

1F-2a. Describe how the CoC considered the severity of needs and vulnerabilities of participants that are, or will be, served by the project applications when determining project application priority. (limit 1000 characters)

The CoC evaluated the severity of need and vulnerability of participants during the project rank and review process. The scoring tool utilized HUD priorities & evaluation criteria related to at-risk populations to score applications. Several of the Scoring criteria allocates points based on percentage of dedicated CH beds vs non-dedicated CH beds, housing first models (HF) & connection to mainstream resources. From there, the CoC followed the HUD priority order for projects and, as stipulated in its published rank/review process, required each project applicant to report on indicators including the creation of new PSH beds for chronically homeless indiv/families. In its rank/review process the CoC also stipulated that it would include consideration of the creation of new rapid rehousing projects that will serve persons fleeing domestic violence situations.

**1F-3. Describe how the CoC made the local competition review, ranking, and selection criteria publicly available, and identify the public medium(s) used and the date(s) of posting. In addition, describe how the CoC made this information available to all stakeholders. (Evidence of the public posting must be attached)
(limit 750 characters)**

The NB CoC published its competitive review, ranking and selection criteria on its website at www.nbhspn.com on October 22, 2015 . Included in its posting are the NB CoC's adopted CoC/Community Priorities for 2015, the formal announcements for both renewal and bonus funding competitions complete with information available through links as to the way in which the applications would be reviewed/ranked/selected, the selected projects and the overall NOFA timeframe as adopted by the NB CoC. In addition, this information was made available to the CoC membership both by email and at a regular meeting of the overall continuum. Evidence of the website posting is attached.

1F-4. On what date did the CoC and Collaborative Applicant publicly post all parts of the FY 2015 CoC Consolidated Application that included the final project application ranking? (Written documentation of the public posting, with the date of the posting clearly visible, must be attached. In addition, evidence of communicating decisions to the CoC's full membership must be attached.) 11/18/2015

1F-5. Did the CoC use the reallocation process in the FY 2015 CoC Program Competition to reduce or reject projects for the creation of new projects? (If the CoC utilized the reallocation process, evidence of the public posting of the reallocation process must be attached.) Yes

1F-5a. If the CoC rejected project application(s) on what date did the CoC and Collaborative Applicant notify those project applicants their project application was rejected in the local CoC competition process? (If project applications were rejected, a copy of the written notification to each project applicant must be attached.) 10/23/2015

1F-6. Is the Annual Renewal Demand (ARD) in the CoC's FY 2015 CoC Priority Listing equal to or less than the ARD on the final HUD-approved FY 2015 GIW? Yes

1G. Continuum of Care (CoC) Addressing Project Capacity

Instructions

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

1G-1. Describe how the CoC monitors the performance of CoC Program recipients. (limit 1000 characters)

The NB CoC monitors its programs utilizing city staff and the CoC's own performance Review Committee [PRC]. Staff from Dept of Planning/Housing/CD responsible for monitoring CoC programs are similarly responsible for monitoring all CDBG and ESG funded projects and thus, have understanding/capacity related to both financial and programmatic elements of projects funded by the CoC. The PRC is comprised of individuals/agency reps who, themselves/their agencies, receive no CoC funding so as to ensure impartiality. The PRC & City developed comprehensive performance measures (PM) by which to evaluate projects. PM data will be derived from APRs & HMIS & will be made available to projects & published on the web. TA & future funding will be based upon PM outcomes. CoC will also established a Training Committee to develop training to improve capacity & performance of CoC programs and provides a format for CoC members to network common problems & collectively identify ideas to address them.

1G-2. Did the Collaborative Applicant review and confirm that all project applicants attached accurately completed and current dated form HUD 50070 and form HUD-2880 to the Project Applicant Profile in e-snaps? Yes

1G-3. Did the Collaborative Applicant include accurately completed and appropriately signed form HUD-2991(s) for all project applications submitted on the CoC Priority Listing? Yes

2A. Homeless Management Information System (HMIS) Implementation

Intructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

2A-1. Does the CoC have a governance charter that outlines the roles and responsibilities of the CoC and the HMIS Lead, either within the charter itself or by reference to a separate document like an MOU? In all cases, the CoC's governance charter must be attached to receive credit. In addition, if applicable, any separate document, like an MOU, must also be attached to receive credit. Yes

2A-1a. Include the page number where the roles and responsibilities of the CoC and HMIS Lead can be found in the attached document referenced in 2A-1. In addition, in the textbox indicate if the page number applies to the CoC's attached governance charter or the attached MOU. Page 1

2A-2. Does the CoC have a HMIS Policies and Procedures Manual? If yes, in order to receive credit the HMIS Policies and Procedures Manual must be attached to the CoC Application. Yes

2A-3. Are there agreements in place that outline roles and responsibilities between the HMIS Lead and the Contributing HMIS Organizations (CHOs)? Yes

2A-4. What is the name of the HMIS software used by the CoC (e.g., ABC Software)?
Applicant will enter the HMIS software name (e.g., ABC Software).

Housing Works HMIS, Inc.

2A-5. What is the name of the HMIS software vendor (e.g., ABC Systems)?
Applicant will enter the name of the vendor (e.g., ABC Systems).

Housing Works HMIS, Inc.

2B. Homeless Management Information System (HMIS) Funding Sources

Instructions

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

2B-1. Select the HMIS implementation coverage area: Single CoC

*** 2B-2. In the charts below, enter the amount of funding from each funding source that contributes to the total HMIS budget for the CoC.**

2B-2.1 Funding Type: Federal - HUD

Funding Source	Funding
CoC	\$29,524
ESG	\$0
CDBG	\$0
HOME	\$0
HOPWA	\$0
Federal - HUD - Total Amount	\$29,524

2B-2.2 Funding Type: Other Federal

Funding Source	Funding
Department of Education	\$0
Department of Health and Human Services	\$0
Department of Labor	\$0
Department of Agriculture	\$0
Department of Veterans Affairs	\$0
Other Federal	\$0
Other Federal - Total Amount	\$0

2B-2.3 Funding Type: State and Local

Funding Source	Funding
City	\$0
County	\$0
State	\$0
State and Local - Total Amount	\$0

2B-2.4 Funding Type: Private

Funding Source	Funding
Individual	\$0
Organization	\$0
Private - Total Amount	\$0

2B-2.5 Funding Type: Other

Funding Source	Funding
Participation Fees	\$0
Other - Total Amount	\$0

2B-2.6 Total Budget for Operating Year	\$29,524
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2C. Homeless Management Information System (HMIS) Bed Coverage

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

2C-1. Enter the date the CoC submitted the 2015 HIC data in HDX, (mm/dd/yyyy): 05/13/2015

2C-2. Per the 2015 Housing Inventory Count (HIC) indicate the number of beds in the 2015 HIC and in HMIS for each project type within the CoC. If a particular housing type does not exist in the CoC then enter "0" for all cells in that housing type.

Project Type	Total Beds in 2015 HIC	Total Beds in HIC Dedicated for DV	Total Beds in HMIS	HMIS Bed Coverage Rate
Emergency Shelter beds	179	27	152	100.00%
Safe Haven (SH) beds	0	0	0	
Transitional Housing (TH) beds	274	15	259	100.00%
Rapid Re-Housing (RRH) beds	0	0	0	
Permanent Supportive Housing (PSH) beds	308	0	278	90.26%
Other Permanent Housing (OPH) beds	0	0	0	

2C-2a. If the bed coverage rate for any housing type is 85% or below, describe how the CoC plans to increase this percentage over the next 12 months. (limit 1000 characters)

Not applicable; all bed coverage rates exceed 90%.

**2C-3. HUD understands that certain projects are either not required to or discouraged from participating in HMIS, and CoCs cannot require this if they are not funded through the CoC or ESG programs. This does NOT include domestic violence providers that are prohibited from entering client data in HMIS. If any of the project types listed in question 2C-2 above has a coverage rate of 85% or below, and some or all of these rates can be attributed to beds covered by one of the following programs types, please indicate that here by selecting all that apply from the list below.
 (limit 1000 characters)**

VA Domiciliary (VA DOM):	<input type="checkbox"/>
VA Grant per diem (VA GPD):	<input type="checkbox"/>
Faith-Based projects/Rescue mission:	<input type="checkbox"/>
Youth focused projects:	<input type="checkbox"/>
HOPWA projects:	<input type="checkbox"/>
Not Applicable:	<input checked="" type="checkbox"/>

2C-4. How often does the CoC review or assess its HMIS bed coverage? Quarterly

2D. Homeless Management Information System (HMIS) Data Quality

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

2D-1. Indicate the percentage of unduplicated client records with null or missing values and the percentage of "Client Doesn't Know" or "Client Refused" during the time period of October 1, 2013 through September 30, 2014.

Universal Data Element	Percentage Null or Missing	Percentage Client Doesn't Know or Refused
3.1 Name	2%	0%
3.2 Social Security Number	0%	3%
3.3 Date of birth	0%	0%
3.4 Race	0%	2%
3.5 Ethnicity	0%	0%
3.6 Gender	0%	0%
3.7 Veteran status	0%	0%
3.8 Disabling condition	0%	0%
3.9 Residence prior to project entry	0%	0%
3.10 Project Entry Date	0%	0%
3.11 Project Exit Date	0%	0%
3.12 Destination	0%	0%
3.15 Relationship to Head of Household	0%	27%
3.16 Client Location	0%	0%
3.17 Length of time on street, in an emergency shelter, or safe haven	0%	0%

2D-2. Identify which of the following reports your HMIS generates. Select all that apply:

CoC Annual Performance Report (APR):	<input checked="" type="checkbox"/>
ESG Consolidated Annual Performance and Evaluation Report (CAPER):	<input checked="" type="checkbox"/>
Annual Homeless Assessment Report (AHAR) table shells:	<input checked="" type="checkbox"/>

	<input type="checkbox"/>
None	<input type="checkbox"/>

2D-3. If you submitted the 2015 AHAR, how many AHAR tables (i.e., ES-ind, ES-family, etc) were accepted and used in the last AHAR?

6

2D-4. How frequently does the CoC review data quality in the HMIS?

Quarterly

2D-5. Select from the dropdown to indicate if standardized HMIS data quality reports are generated to review data quality at the CoC level, project level, or both?

Both Project and CoC

2D-6. From the following list of federal partner programs, select the ones that are currently using the CoC's HMIS.

VA Supportive Services for Veteran Families (SSVF):	<input type="checkbox"/>
VA Grant and Per Diem (GPD):	<input type="checkbox"/>
Runaway and Homeless Youth (RHY):	<input type="checkbox"/>
Projects for Assistance in Transition from Homelessness (PATH):	<input type="checkbox"/>
	<input type="checkbox"/>
None:	<input checked="" type="checkbox"/>

2D-6a. If any of the federal partner programs listed in 2D-6 are not currently entering data in the CoC's HMIS and intend to begin entering data in the next 12 months, indicate the federal partner program and the anticipated start date. (limit 750 characters)

No federal partners are anticipated to enter data into the CoC's HMIS within the next 12 months.

2E. Continuum of Care (CoC) Sheltered Point-in-Time (PIT) Count

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

The data collected during the PIT count is vital for both CoCs and HUD. Communities need accurate data to determine the size and scope of homelessness at the local level so they can best plan for services and programs that will appropriately address local needs and measure progress in addressing homelessness. HUD needs accurate data to understand the extent and nature of homelessness throughout the country, and to provide Congress and the Office of Management and Budget (OMB) with information regarding services provided, gaps in service, and performance. This information helps inform Congress' funding decisions, and it is vital that the data reported is accurate and of high quality.

2E-1. Did the CoC approve the final sheltered PIT count methodology for the 2015 sheltered PIT count? Yes

2E-2. Indicate the date of the most recent sheltered PIT count (mm/dd/yyyy): 02/11/2015

2E-2a. If the CoC conducted the sheltered PIT count outside of the last 10 days of January 2015, was an exception granted by HUD? Yes

2E-3. Enter the date the CoC submitted the sheltered PIT count data in HDX, (mm/dd/yyyy): 05/13/2015

2F. Continuum of Care (CoC) Sheltered Point-in-Time (PIT) Count: Methods

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

2F-1. Indicate the method(s) used to count sheltered homeless persons during the 2015 PIT count:

Complete Census Count:	<input checked="" type="checkbox"/>
Random sample and extrapolation:	<input type="checkbox"/>
Non-random sample and extrapolation:	<input type="checkbox"/>
	<input type="checkbox"/>

2F-2. Indicate the methods used to gather and calculate subpopulation data for sheltered homeless persons:

HMIS:	<input checked="" type="checkbox"/>
HMIS plus extrapolation:	<input type="checkbox"/>
Interview of sheltered persons:	<input checked="" type="checkbox"/>
Sample of PIT interviews plus extrapolation:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>

2F-3. Provide a brief description of your CoC's sheltered PIT count methodology and describe why your CoC selected its sheltered PIT count methodology. (limit 1000 characters)

The sheltered PIT count methodology was based on a two prong approach that included using both HMIS and paper surveys to gather PIT data. All providers are encouraged to participate and enter client data via the HMIS system to ensure data quality. The majority of providers utilized the HMIS system vs the traditional paper survey. This has improved data quality and accuracy of counts. Agencies that do not utilize the HMIS system completed paper surveys on clients served on the night of the count while agencies utilizing the HMIS system are instructed to update and verify client data for the same period. Both groups receive detailed step-by-step instructions and TA provided prior to the count. The CoC lead then assessed all completed surveys for de-duplication, categorization, and summation using a customized Excel spreadsheet. The described process has been utilized in past PIT Counts and has been extremely successful in counting both HMIS and non-HMIS participating agencies.

2F-4. Describe any change in methodology from your sheltered PIT count in 2014 to 2015, including any change in sampling or extrapolation method, if applicable. Do not include information on changes to the implementation of your sheltered PIT count methodology (e.g., enhanced training and change in partners participating in the PIT count). (limit 1000 characters)

There were no significant changes in methodology from the CoC's sheltered 2014 to 2015 PIT Counts. Agencies either participated in the HMIS system or completed a paper survey for their PIT Counts. During the 2015 PIT Count, an increasing number of agencies participated in the HMIS system vs completing paper surveys.

2F-5. Did your CoC change its provider coverage in the 2015 sheltered count? No

2F-5a. If "Yes" in 2F-5, then describe the change in provider coverage in the 2015 sheltered count. (limit 750 characters)

2G. Continuum of Care (CoC) Sheltered Point-in-Time (PIT) Count: Data Quality

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

2G-1. Indicate the methods used to ensure the quality of the data collected during the sheltered PIT count:

Training:	<input type="checkbox"/>
Provider follow-up:	<input checked="" type="checkbox"/>
HMIS:	<input checked="" type="checkbox"/>
Non-HMIS de-duplication techniques:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>

2G-2. Describe any change to the way your CoC implemented its sheltered PIT count from 2014 to 2015 that would change data quality, including changes to training volunteers and inclusion of any partner agencies in the sheltered PIT count planning and implementation, if applicable. Do not include information on changes to actual sheltered PIT count methodology (e.g., change in sampling or extrapolation method). (limit 1000 characters)

The NB CoC continuously improves its process/approach to the annual PIT. The PIT Committee met early to review the FY14 Count, process/implementation and developed measures to improve the PIT. As a result changes that improved data quality/accuracy of counts were made: increased outreach to agencies that didn't participate in previous PIT counts encouraging them to enter data into HMIS or paper surveys, utilization of a standardized paper survey with step-by-step instructions to ensure proper use, training to volunteers and agencies for enhanced understanding, contact with all shelters prior to the PIT date with instructions to make sure that all client/intake data in HMIS was correctly entered/up-to-date, and the provision of TA by DPHCD staff prior/during the PIT Count to improve overall data quality and accuracy of counts.

2H. Continuum of Care (CoC) Unsheltered Point-in-Time (PIT) Count

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDExchange Ask A Question.

The unsheltered PIT count assists communities and HUD to understand the characteristics and number of people with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground. CoCs are required to conduct an unsheltered PIT count every 2 years (biennially) during the last 10 days in January; however, CoCs are strongly encouraged to conduct the unsheltered PIT count annually, at the same time that it does the annual sheltered PIT count. The last official PIT count required by HUD was in January 2015.

2H-1. Did the CoC approve the final unsheltered PIT count methodology for the most recent unsheltered PIT count? Yes

2H-2. Indicate the date of the most recent unsheltered PIT count (mm/dd/yyyy): 02/11/2015

2H-2a. If the CoC conducted the unsheltered PIT count outside of the last 10 days of January 2015, was an exception granted by HUD? Yes

2H-3. Enter the date the CoC submitted the unsheltered PIT count data in HDX (mm/dd/yyyy): 05/13/2015

2I. Continuum of Care (CoC) Unsheltered Point-in-Time (PIT) Count: Methods

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDExchange Ask A Question.

2I-1. Indicate the methods used to count unsheltered homeless persons during the 2015 PIT count:

Night of the count - complete census:	<input checked="" type="checkbox"/>
Night of the count - known locations:	<input checked="" type="checkbox"/>
Night of the count - random sample:	<input type="checkbox"/>
Service-based count:	<input type="checkbox"/>
HMIS:	<input type="checkbox"/>
	<input type="checkbox"/>

2I-2. Provide a brief description of your CoC's unsheltered PIT count methodology and describe why your CoC selected its unsheltered PIT count methodology. (limit 1000 characters)

The CoC designed a survey instrument to capture all required HUD elements and included questions to reduce double counting. The PIT Committee met in October to review the FY14 Count, survey tool, process, and implementation. A comprehensive plan was developed that included area service providers, schools and police dept. in the implementation process. Also, the survey tool was updated based on HUD guidance. The Committee developed a four prong approach: The Committee identified and mapped homeless hotspots thru-out the city, a comprehensive media campaign was developed to engage both the overall community and acted as an outreach tool for the homeless on the importance of the PIT Count, the Committee assembled gift bags with essential items that were provided to the homeless as an incentive to participate in the count and all PIT volunteers were required to participate in a training session focused properly administering the survey tool, data quality, and double counting.

2I-3. Describe any change in methodology from your unsheltered PIT count in 2014 (or 2013 if an unsheltered count was not conducted in 2014) to 2015, including any change in sampling or extrapolation method, if applicable. Do not include information on changes to implementation of your sheltered PIT count methodology (e.g., enhanced training and change in partners participating in the count). (limit 1000 characters)

New Bedford has a continuous improvement process or approach to the PIT Count. Firstly, the PIT Committee met in October to review the FY14 Count, process and implementation and developed measures to improve the overall PIT process. As a result, the PIT Committee made a few changes that improved data quality and accuracy of counts. The following changes were implemented: increased outreach and focus on counting unaccompanied youth, veterans, and households with children, a focus on thorough, accurate quality data in order to reduce double counting, and finally, PIT Teams consisted of four person teams--an experienced team leader who reviewed the surveys; two volunteers who helped homeless participants complete the surveys, and either a formerly homeless individual or youth members for outreach purposes.

2I-4. Does your CoC plan on conducting an unsheltered PIT count in 2016? Yes

(If "Yes" is selected, HUD expects the CoC to conduct an unsheltered PIT count in 2016. See the FY 2015 CoC Program NOFA, Section VII.A.4.d. for full information.)

2J. Continuum of Care (CoC) Unsheltered Point-in-Time (PIT) Count: Data Quality

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

2J-1. Indicate the steps taken by the CoC to ensure the quality of the data collected for the 2015 unsheltered population PIT count:

Training:	<input checked="" type="checkbox"/>
"Blitz" count:	<input type="checkbox"/>
Unique identifier:	<input type="checkbox"/>
Survey question:	<input checked="" type="checkbox"/>
Enumerator observation:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
None:	<input type="checkbox"/>

2J-2. Describe any change to the way the CoC implemented the unsheltered PIT count from 2014 (or 2013 if an unsheltered count was not conducted in 2014) to 2015 that would affect data quality. This includes changes to training volunteers and inclusion of any partner agencies in the unsheltered PIT count planning and implementation, if applicable. Do not include information on changes to actual methodology (e.g., change in sampling or extrapolation method). (limit 1000 characters)

The following changes were implemented from the 2014 to 2015 PIT Counts that affected data quality: First, the PIT Committee met in October to review the FY14 Count process, its implementation and developed measures to improve the overall PIT process as a result. Second, in order to have an inclusive process, homeless area service providers, formerly homeless persons, unaccompanied youth, veterans, and NB Police Dept. participated in the planning and implementation process. Third, all PIT volunteers were required to participate in a comprehensive training session focused on properly administering the survey tool, data quality, and double counting. Finally, PIT Teams consisted of four-person teams, an experienced team leader who reviewed surveys, two volunteers who helped homeless participants complete surveys, and either a formerly homeless individual or youth members for outreach purposes. During the overnight hours, a member of the NBPD helped PIT Teams for perform the count.

3A. Continuum of Care (CoC) System Performance

Instructions

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDExchange Ask A Question.

3A-1. Performance Measure: Number of Persons Homeless - Point-in-Time Count.

* 3A-1a. Change in PIT Counts of Sheltered and Unsheltered Homeless Persons

Using the table below, indicate the number of persons who were homeless at a Point-in-Time (PIT) based on the 2014 and 2015 PIT counts as recorded in the Homelessness Data Exchange (HDX).

	2014 PIT (for unsheltered count, most recent year conducted)	2015 PIT	Difference
Universe: Total PIT Count of sheltered and unsheltered persons	349	437	88
Emergency Shelter Total	120	162	42
Safe Haven Total	0	0	0
Transitional Housing Total	213	225	12
Total Sheltered Count	333	387	54
Total Unsheltered Count	16	50	34

3A-1b. Number of Sheltered Persons Homeless - HMIS.

Using HMIS data, CoCs must use the table below to indicate the number of homeless persons who were served in a sheltered environment between October 1, 2013 and September 30, 2014.

	Between October 1, 2013 and September 30, 2014
Universe: Unduplicated Total sheltered homeless persons	574
Emergency Shelter Total	349
Safe Haven Total	0
Transitional Housing Total	225

3A-2. Performance Measure: First Time Homeless.

**Describe the CoC’s efforts to reduce the number of individuals and families who become homeless for the first time. Specifically, describe what the CoC is doing to identify risk factors for becoming homeless for the first time.
(limit 1000 characters)**

Prevention is a critical piece of the NB CoC’s strategy. The CoC relies on private and ESG funds to prevent individuals/families from becoming homeless. In 2014, 1949 households with 2696 individuals and 4787 children were prevented from entering homelessness; many of these had access to ESG monies. To broaden the reach of prevention efforts into the CoC, regular training is provided to those providing services to those living on the margins—those who are tentatively housed and visit soup kitchens, food pantries and church organizations—to help them recognize the early warning signs. Loss of jobs and domestic violence are two large contributors to first time homelessness. The NB CoC works with companies/the city at job sites affected by layoffs/closures to ensure mainstream benefits are available for workers. The local women’s center/state domestic violence advocates are part of the NB CoC utilizing both existing internal systems and ESG/private funds to prevent homelessness.

3A-3. Performance Measure: Length of Time Homeless.

**Describe the CoC’s efforts to reduce the length of time individuals and families remain homeless. Specifically, describe how your CoC has reduced the average length of time homeless, including how the CoC identifies and houses individuals and families with the longest lengths of time homeless.
(limit 1000 characters)**

The CoC recognizes individuals/families in homelessness in this area typically don’t have economic capacity to secure permanent housing. Families are first sent to the state to determine their eligibility for state family shelter (MA has a right to shelter system). If they are deemed ineligible then they work with THE CALL [coordinated entry] case manager to determine alternatives that may be available to them and the barriers they may encounter. Coordinated entry includes use of the SPDAT vulnerability index for prioritization to ensure hardest to house/chronically homeless are housed first. Wherever possible barriers are removed and that placement serves as temporary if not permanent housing. This has helped reduce length of time in homelessness. Movement from homelessness to housing goal is 60 days in FY15 and 30 days in FY16. During client stay in any emergency or transitional setting, barrier removal and housing stabilization are the paramount goals.

*** 3A-4. Performance Measure: Successful Permanent Housing Placement or Retention.**

In the next two questions, CoCs must indicate the success of its projects in placing persons from its projects into permanent housing.

3A-4a. Exits to Permanent Housing Destinations:

In the chart below, CoCs must indicate the number of persons in CoC funded supportive services only (SSO), transitional housing (TH), and rapid re-housing (RRH) project types who exited into permanent housing destinations between October 1, 2013 and September 30, 2014.

	Between October 1, 2013 and September 30, 2014
Universe: Persons in SSO, TH and PH-RRH who exited	225
Of the persons in the Universe above, how many of those exited to permanent destinations?	125
% Successful Exits	55.56%

3A-4b. Exit To or Retention Of Permanent Housing:

In the chart below, CoCs must indicate the number of persons who exited from any CoC funded permanent housing project, except rapid re-housing projects, to permanent housing destinations or retained their permanent housing between October 1, 2013 and September 31, 2014.

	Between October 1, 2013 and September 30, 2014
Universe: Persons in all PH projects except PH-RRH	397
Of the persons in the Universe above, indicate how many of those remained in applicable PH projects and how many of those exited to permanent destinations?	397
% Successful Retentions/Exits	100.00%

3A-5. Performance Measure: Returns to Homelessness:

Describe the CoC's efforts to reduce the rate of individuals and families who return to homelessness. Specifically, describe at least three strategies your CoC has implemented to identify and minimize returns to homelessness, and demonstrate the use of HMIS or a comparable database to monitor and record returns to homelessness. (limit 1000 characters)

The NB CoC's strategies to reduce the rate homeless returns include: 1)All individuals and families are given contact information from any discharging entity that they may use if they feel their situation is deteriorating. 2)The NB CoC joins with the other CoCs in Bristol County and participates in individual service committee meetings for both individuals and families to present and triage the most complicated cases where the risk of returning to homelessness is great. 3)The NB CoC also participates in a veteran's committee at the regional level to identify high risk veterans and to prevent their return to homelessness. 4)The NB CoC's Performance Review Committee reviews HMIS data on a quarterly basis that specifically identifies an aggregated # of those returning to homelessness. 5)The NB CoC is incorporating metrics into its overall strategic plan to help account for significant shifts in recidivism to homelessness and to analyze presenting reasons.

3A-6. Performance Measure: Job and Income Growth.

Describe specific strategies implemented by CoC Program-funded projects to increase the rate by which homeless individuals and families increase income from employment and non-employment sources (include at least one specific strategy for employment income and one for non-employment related income, and name the organization responsible for carrying out each strategy). (limit 1000 characters)

NON-EMPLOYMENT: 1)All providers in the NB CoC have online access to enroll the homeless they serve for food stamps and Medicaid. 2)Providers benefit from the CoC's guest speakers about identifying mainstream resources, access points and opportunities for creatively serving individuals/families experiencing homelessness. EMPLOYMENT: 1)CoC providers use day labor agencies to assist homeless enter the workforce. This has proven successful as many are hired by the companies for whom they work. 2)The CoC works with the local Workforce Investment Board [WIB] and SER Jobs who provide job training geared specifically to those who have been homeless and out of the workforce for a period of time. LifeStream provides job training for jobs in the health industry and Bristol Community College has developed educational programs to have individuals-classroom ready; it's added career courses [culinary arts, dental hygienists, food handler certification] to their course offerings.

3A-6a. Describe how the CoC is working with mainstream employment organizations to aid homeless individuals and families in increasing their income. (limit 1000 characters)

The NB CoC has relationships with the local and regional career centers, both of whom have developed training and job readiness programs for those experiencing homelessness. A particular sector of note within this CoC has been the connection between the fishing industry and those who are/formerly homeless. Employment with a variety of companies involved in the fishing industry including warehouses, dock work and fish processing, has been successful. Providers within the CoC routinely connect with traditional fast food businesses such as McDonald's and Dunkin' Donuts who continue to be important sources of local jobs despite their failure to provide the living wage incomes families need to stabilize over the long term.

3A-7. Performance Measure: Thoroughness of Outreach.

**How does the CoC ensure that all people living unsheltered in the CoC's geographic area are known to and engaged by providers and outreach teams?
(limit 1000 characters)**

The NB CoC has a STREETSHEET that lists resources in the CoC and is in a wide range of locations. The CoC has established an Outreach Task Force engaged w/folks living within encampments and in places not meant for human habitation. The team consists of providers from the CoC, the NB Police Department, city depts [eg Dept of Planning, Housing and Community Development [DPHCD], Office of Community Svcs], state agencies [eg Dept. of Mental Health], church, food and outreach programs, and THE CALL [coord entry] staff that physically visit the encampments to offer information as well as food and clothing. An Outreach Task Force public meeting was conducted to train/update everyone about resources, crisis issues, community services and the range of issues faced by those who had already been encountered by police and charitable missions. All members of the core Outreach Team are professionals with training in engaging this population and accommodating a wide range of behaviors and issues.

3A-7a. Did the CoC exclude geographic areas from the 2015 unsheltered PIT count where the CoC determined that there were no unsheltered homeless people, including areas that are uninhabitable (e.g., deserts)? No

**3A-7b. What was the the criteria and decision-making process the CoC used to identify and exclude specific geographic areas from the CoC's unsheltered PIT count?
(limit 1000 characters)**

N/A: As the NB CoC did not exclude any geographic areas from the 2015 unsheltered PIT Count within its jurisdiction, there was no decision-making process used to exclude areas.

3B. Continuum of Care (CoC) Performance and Strategic Planning Objectives

Objective 1: Ending Chronic Homelessness

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDExchange Ask A Question.

Opening Doors, Federal Strategic Plan to Prevent and End Homelessness (as amended in 2015) establishes the national goal of ending chronic homelessness. Although the original goal was to end chronic homelessness by the end of 2015, that goal timeline has been extended to 2017. HUD is hopeful that communities that are participating in the Zero: 2016 technical assistance initiative will continue to be able to reach the goal by the end of 2016. The questions in this section focus on the strategies and resources available within a community to help meet this goal.

3B-1.1. Compare the total number of chronically homeless persons, which includes persons in families, in the CoC as reported by the CoC for the 2015 PIT count compared to 2014 (or 2013 if an unsheltered count was not conducted in 2014).

	2014 (for unsheltered count, most recent year conducted)	2015	Difference
Universe: Total PIT Count of sheltered and unsheltered chronically homeless persons	25	83	58
Sheltered Count of chronically homeless persons	16	50	34
Unsheltered Count of chronically homeless persons	9	33	24

3B-1.1a. Using the "Differences" calculated in question 3B-1.1 above, explain the reason(s) for any increase, decrease, or no change in the overall TOTAL number of chronically homeless persons in the CoC, as well as the change in the unsheltered count, as reported in the PIT count in 2015 compared to 2014. To possibly receive full credit, both the overall total and unsheltered changes must be addressed. (limit 1000 characters)

Overall, the PIT count totals for both sheltered and unsheltered chronically homeless (CH) persons increased from 2014 to 2015. The CH unsheltered count increased from 9 to 33 and sheltered from 16 to 50 persons. Overall, the NB CoC's total shelter count increased from 333 to 387 homeless persons during that same period. The number of homeless in all categories including CH persons increased attributable to four reasons: first, the increase in CH persons for both categories can be explained by the fact that surveyors attended a mandatory training session and emphasis was placed on correctly understanding the definition of a CH persons and recording results. Secondly, more sheltered programs utilized the HMIS system vs a paper survey during the 2015 count, as a result, the quality of statistical data improved. Third, one new shelter program (i.e. New Chapters) reported 9 CH persons in program. Finally, an existing sheltered program increased their CH persons from 2 to 17.

3B-1.2. From the FY 2013/FY 2014 CoC Application: Describe the CoC's two year plan (2014-2015) to increase the number of permanent supportive housing beds available for chronically homeless persons and to meet the proposed numeric goals as indicated in the table above. Response should address the specific strategies and actions the CoC will take to achieve the goal of ending chronic homelessness by the end of 2015. (read only)

The New Bedford CoC will proactively seek to ending chronic homelessness by, increasing PSH options through re-allocation, creating new beds and improving outreach to the chronically homeless. Specifically, the CoC will 1) Coordinate efforts with the VTH to convert 45 units of transitional housing units into 36 permanent supportive for chronically homeless vets, also work to increase the utilization of VASH vouchers and prioritizing those for chronically homeless; 3) Coordinate with private developers that are developing new permanent housing projects to set-aside a portion of the units for the chronically homeless. 3) Work with the Housing Authority to continue to designate project based section 8 units dedicated for chronic homeless in new developments designated by non-profit and for-profit developers. 4) work with providers to identify individuals who are chronically homeless and connect them with appropriate programs and permanent housing options.

3B-1.2a. Of the strategies listed in the FY 2013/FY 2014 CoC Application represented in 3B-1.2, which of these strategies and actions were accomplished? (limit 1000 characters)

The NB CoC has actively worked to accomplish these strategies/actions, first by improving outreach to chronically homeless through wider distribution of multi-language street sheets and encampment outreach. The CoC has also worked with providers to identify individuals who are chronically homeless (by increasing technical assistance to agencies and reinforcing the primacy of serving those identified as chronically homeless)and connecting them with appropriate programs and perm housing. CoC agencies triage through active CoC networking channels in triaging chronically homeless as well as within the regional SoCo network.

3B-1.3. Compare the total number of PSH beds (CoC Program and non-CoC Program funded) that were identified as dedicated for use by chronically homeless persons on the 2015 Housing Inventory Count, as compared to those identified on the 2014 Housing Inventory Count.

	2014	2015	Difference
Number of CoC Program and non-CoC Program funded PSH beds dedicated for use by chronically homelessness persons identified on the HIC.	139	183	44

3B-1.3a. Explain the reason(s) for any increase, decrease or no change in the total number of PSH beds (CoC Program and non CoC Program funded) that were identified as dedicated for use by chronically homeless persons on the 2015 Housing Inventory Count compared to those identified on the 2014 Housing Inventory Count. (limit 1000 characters)

The number of PSH chronically homeless(CH)beds increased from 2014/2015 resulting from the NB CoC's active support of Opening Doors' goal of ending chronic homelessness and prioritizing CH for all beds not just those specifically designated. The NB CoC supports this strategy and has been encouraging TH programs to explore reallocation and conversion to PSH with dedicated CH beds. In the past few years, one TH program did convert to PSH and HUD TA will be used this winter to help the remaining two THs consider doing the same. Additionally, during the last NOFA round, all of New Bedford's CoC PSH programs agreed to dedicate at least 50% of their beds as CH beds. In this funding round, the PSH program increased their commitment to ending homeless and agreed to dedicate upwards of 100% of beds as CH beds. The CoC also continues to collaborate with non-CoC funded programs, private developers, non-profits, state agencies and the PHA to increase the number of PSH beds for CH persons.

3B-1.4. Did the CoC adopt the orders of priority in all CoC Program-funded PSH as described in Notice CPD-14-012: Prioritizing Persons Experiencing Chronic Homelessness in Permanent Supportive Housing and Recordkeeping Requirements for Documenting Chronic Homeless Status ? Yes

3B-1.4a. If "Yes", attach the CoC's written standards that were updated to incorporate the order of priority in Notice CPD-14-012 and indicate the page(s) that contain the CoC's update. page 8,9

3B-1.5. CoC Program funded Permanent Supportive Housing Project Beds prioritized for serving people experiencing chronic homelessness in FY2015 operating year.

Percentage of CoC Program funded PSH beds prioritized for chronic homelessness	FY2015 Project Application
Based on all of the renewal project applications for PSH, enter the estimated number of CoC-funded PSH beds in projects being renewed in the FY 2015 CoC Program Competition that are not designated as dedicated beds for persons experiencing chronic homelessness.	0
Based on all of the renewal project applications for PSH, enter the estimated number of CoC-funded PSH beds in projects being renewed in the FY 2015 CoC Program Competition that are not designated as dedicated beds for persons experiencing chronic homelessness that will be made available through turnover in the FY 2015 operating year.	55
Based on all of the renewal project applications for PSH, enter the estimated number of PSH beds made available through turnover that will be prioritized beds for persons experiencing chronic homelessness in the FY 2015 operating year.	55
This field estimates the percentage of turnover beds that will be prioritized beds for persons experiencing chronic homelessness in the FY 2015 operating year.	100.00%

3B-1.6. Is the CoC on track to meet the goal of ending chronic homelessness by 2017? Yes

This question will not be scored.

3B-1.6a. If “Yes,” what are the strategies implemented by the CoC to maximize current resources to meet this goal? If “No,” what resources or technical assistance will be implemented by the CoC to reach the goal of ending chronically homeless by 2017? (limit 1000 characters)

The NB CoC is using its planning grant to develop a strategic plan that will address the continuum's ability to meet each of the Opening Doors' goals within the target timeframes. The CoC has been/continues to be taking steps to end chronic homelessness on multiple fronts: by outreaching and bringing the faith community to CoC membership as they are on the front lines of encampments and street outreach efforts and their engagement as part of the CoC is critical; by providing training and coordination in addressing chronic homelessness; by reinforcing it through CoC monthly meeting presentations and discussion.

3B. Continuum of Care (CoC) Strategic Planning Objectives

Objective 2: Ending Homelessness Among Households with Children and Ending Youth Homelessness

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDExchange Ask A Question.

Opening Doors outlines the goal of ending family (Households with Children) and youth homelessness by 2020. The following questions focus on the various strategies that will aid communities in meeting this goal.

3B-2.1. What factors will the CoC use to prioritize households with children during the FY2015 Operating year? (Check all that apply).

Vulnerability to victimization:	<input checked="" type="checkbox"/>
Number of previous homeless episodes:	<input checked="" type="checkbox"/>
Unsheltered homelessness:	<input checked="" type="checkbox"/>
Criminal History:	<input type="checkbox"/>
Bad credit or rental history (including not having been a leaseholder):	<input type="checkbox"/>
Head of household has mental/physical disabilities:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
N/A:	<input type="checkbox"/>

3B-2.2. Describe the CoC's plan to rapidly rehouse every family that becomes homeless within 30 days of becoming homeless on the street or entering shelter. (limit 1000 characters)

The New Bedford CoC's plan to rapidly rehouse families within 30 days is phased over two years, with this year having a 60 day or less turnaround and working toward a 30 day or less turnaround next year. After being assessed through coordinated entry using SPDAT, diversion is the first step. If unsuccessful, families are prioritized in rapid rehousing programs to assist them in getting out of shelter or off the streets as soon as possible. The CoC's agencies actively coordinate with mainstream resources including the state's DTA and DHCD for things like food stamps, etc. Close coordination with the NB Housing Authority can additionally provide homeless emergency preference placement assistance.

3B-2.3. Compare the number of RRH units available to serve families from the 2014 and 2015 HIC.

	2014	2015	Difference
RRH units available to serve families in the HIC:	0	0	0

3B-2.4. How does the CoC ensure that emergency shelters, transitional housing, and permanent housing (PSH and RRH) providers within the CoC do not deny admission to or separate any family members from other members of their family based on age, sex, or gender when entering shelter or housing? (check all strategies that apply)

CoC policies and procedures prohibit involuntary family separation:	<input checked="" type="checkbox"/>
There is a method for clients to alert CoC when involuntarily separated:	<input type="checkbox"/>
CoC holds trainings on preventing involuntary family separation, at least once a year:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
None:	<input type="checkbox"/>

3B-2.5. Compare the total number of homeless households with children in the CoC as reported by the CoC for the 2015 PIT count compared to 2014 (or 2013 if an unsheltered count was not conducted in 2014).

PIT Count of Homelessness Among Households With Children

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	2014 (for unsheltered count, most recent year conducted)	2015	Difference
Universe: Total PIT Count of sheltered and unsheltered homeless households with children:	118	158	40
Sheltered Count of homeless households with children:	118	158	40
Unsheltered Count of homeless households with children:	0	0	0

3B-2.5a. Explain the reason(s) for any increase, decrease or no change in the total number of homeless households with children in the CoC as reported in the 2015 PIT count compared to the 2014 PIT count. (limit 1000 characters)

New Bedford’s PIT count totals for homeless families with children showed there were zero unsheltered homeless families with children in both 2014 and 2015. This statistic is consistent with past PIT Counts. MA is a “right to shelter” state and is obligated to provide shelter for every eligible family. The zero count for unsheltered homeless families with children reflects this state policy. For sheltered homeless families with children, the PIT count showed an increase between 2014/2015. Statewide statistics for MA show the number of homeless families increased by 17% from 2013 to 2014. The overall increase in the total number of homeless households with children from 2014 to 2015 that are sheltered can be explained by two factors: 1. Catholic Social Service’s Ruth Street Program started submitting data on clients served in 2015. This program alone reported 34 homeless households with children. 2. JRI’S–Focus Program reported an additional 11 homeless households with children.

3B-2.6. Does the CoC have strategies to address the unique needs of unaccompanied homeless youth (under age 18, and ages 18-24), including the following:

Human trafficking and other forms of exploitation?	Yes
LGBTQ youth homelessness?	Yes
Exits from foster care into homelessness?	Yes
Family reunification and community engagement?	No
Positive Youth Development, Trauma Informed Care, and the use of Risk and Protective Factors in assessing youth housing and service needs?	Yes
Unaccompanied minors/youth below the age of 18?	No

3B-2.6a. Select all strategies that the CoC uses to address homeless youth trafficking and other forms of exploitation.

Diversion from institutions and decriminalization of youth actions that stem from being trafficked:	<input checked="" type="checkbox"/>
Increase housing and service options for youth fleeing or attempting to flee trafficking:	<input checked="" type="checkbox"/>
Specific sampling methodology for enumerating and characterizing local youth trafficking:	<input type="checkbox"/>
Cross systems strategies to quickly identify and prevent occurrences of youth trafficking:	<input checked="" type="checkbox"/>
Community awareness training concerning youth trafficking:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
N/A:	<input type="checkbox"/>

3B-2.7. What factors will the CoC use to prioritize unaccompanied youth (under age 18, and ages 18-24) for housing and services during the FY2015 operating year? (Check all that apply)

Vulnerability to victimization:	<input checked="" type="checkbox"/>
Length of time homeless:	<input checked="" type="checkbox"/>
Unsheltered homelessness:	<input checked="" type="checkbox"/>
Lack of access to family and community support networks:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
N/A:	<input type="checkbox"/>

3B-2.8. Using HMIS, compare all unaccompanied youth (under age 18, and ages 18-24) served in any HMIS contributing program who were in an unsheltered situation prior to entry in FY 2013 (October 1, 2012 - September 30, 2013) and FY 2014 (October 1, 2013 - September 30, 2014).

	FY 2013 (October 1, 2012 - September 30, 2013)	FY 2014 (October 1, 2013 - September 30, 2014)	Difference
Total number of unaccompanied youth served in HMIS contributing programs who were in an unsheltered situation prior to entry:	0	0	0

3B-2.8a. If the number of unaccompanied youth and children, and youth-headed households with children served in any HMIS contributing program who were in an unsheltered situation prior to entry in FY 2014 is lower than FY 2013, explain why. (limit 1000 characters)

There were no unaccompanied youth within the Continuum during this period.

3B-2.9. Compare funding for youth homelessness in the CoC's geographic area in CY 2015 to projected funding for CY 2016.

	Calendar Year 2015	Calendar Year 2016	Difference
Overall funding for youth homelessness dedicated projects (CoC Program and non-CoC Program funded):	\$0.00	\$0.00	\$0.00
CoC Program funding for youth homelessness dedicated projects:	\$0.00	\$0.00	\$0.00
Non-CoC funding for youth homelessness dedicated projects (e.g. RHY or other Federal, State and Local funding):	\$0.00	\$0.00	\$0.00

3B-2.10. To what extent have youth housing and service providers and/or State or Local educational representatives, and CoC representatives participated in each other's meetings over the past 12 months?

Cross-Participation in Meetings	# Times
CoC meetings or planning events attended by LEA or SEA representatives:	11
LEA or SEA meetings or planning events (e.g. those about child welfare, juvenile justice or out of school time) attended by CoC representatives:	15
CoC meetings or planning events attended by youth housing and service providers (e.g. RHY providers):	11

3B-2.10a. Given the responses in 3B-2.10, describe in detail how the CoC collaborates with the McKinney-Vento local education liaisons and State educational coordinators. (limit 1000 characters)

The New Bedford CoC has been actively connected with the local and state Education Departments. The homeless youth PIT was done in collaboration with the local McKinney-Vento local education liaison. There was outreach to homeless youth in our high school with a major event being held for all high school students to educate them about resources. During that event 15 homeless youth stepped forward. The COC also participated in the state wide efforts around the PIT for homeless youth. The state liaison from the Dept. of Education participates in the Regional SOCO meeting involving all service providers and she convenes all the homeless liaisons. The homeless liaison is a member of the New Bedford CoC.

3B-2.11. How does the CoC make sure that homeless participants are informed of their eligibility for and receive access to educational services? Include the policies and procedures that homeless service providers (CoC and ESG Programs) are required to follow. In addition, include how the CoC, together with its youth and educational partners (e.g. RHY, schools, juvenile justice and children welfare agencies), identifies participants who are eligible for CoC or ESG programs. (limit 2000 characters)

The NB CoC provides training to its members taught by the education homeless liaison around issues/rights involved in accessing educ. services. At intake all service providers inform families of their education rights/estab. contact with the appropriate homeless liaison to arrange transportation to schools. The child's best interest is paramount and is always included in any decision around education/housing needs. Upon referral the McKinney Vento liaison determines the child's eligibility; if a child is eligible they work in concert with the service provider to obtain all school records as quickly as possible while meantime, the child attends school. With the initiation of THE CALL [coord entry] all families with children are assessed/referred appropriately. Marketing THE CALL and targeted outreach to local agencies serving youth [Boy's Club, YMCA, YWCA, churches] is ongoing with shared info to ensure they're aware of eligibility.

3B. Continuum of Care (CoC) Performance and Strategic Planning Objectives

Objective 3: Ending Veterans Homelessness

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

Opening Doors outlines the goal of ending Veteran homelessness by the end of 2015. The following questions focus on the various strategies that will aid communities in meeting this goal.

3B-3.1. Compare the total number of homeless Veterans in the CoC as reported by the CoC for the 2015 PIT count compared to 2014 (or 2013 if an unsheltered count was not conducted in 2014).

	2014 (for unsheltered count, most recent year conducted)	2015	Difference
Universe: Total PIT count of sheltered and unsheltered homeless veterans:	54	43	-11
Sheltered count of homeless veterans:	53	38	-15
Unsheltered count of homeless veterans:	1	5	4

3B-3.1a. Explain the reason(s) for any increase, decrease or no change in the total number of homeless veterans in the CoC as reported in the 2015 PIT count compared to the 2014 PIT count. (limit 1000 characters)

An influx of Federal funding resulting from the mandate to end veteran homelessness has resulted in three separate agencies within the New Bedford CoC engaging in multi-tiered efforts at outreach, referral and housing placement within the ambit of the Supportive Services to Veteran Families Grant alone. There have been placements made possible by Veterans' Administration Supportive Housing [VASH] vouchers as well as robust transitional housing services for those veterans who cannot immediately proceed to permanent housing provided by an agency specializing in veterans' housing. Lastly, case management has worked to stem the tide of formerly homeless veterans "falling out" of permanent housing placements thus ensuring long-term stability.

3B-3.2. How is the CoC ensuring that Veterans that are eligible for VA services are identified, assessed and referred to appropriate resources, i.e. HUD-VASH and SSVF? (limit 1000 characters)

Services are available to a greater number of qualifying veterans through interagency cooperation made possible by New Bedford's CoC as well as the regional effort [all three continuums within Bristol County] known as the SouthCoast Regional Network to End Homelessness. Area nonprofits are able to communicate in an open forum and thus share referrals and best practices while triaging particular clients whose issues go beyond one CoC. Agencies for which veterans are not a primary focus perform triage during intake and assessment to determine veteran status. Agencies specializing in the administration of the SSVF Grant and referral to Veterans' Administration Supportive Housing [VASH] perform more in-depth reviews of records to determine VA eligibility and subsequent placement. The New Bedford CoC actively participates in these regional veterans meetings conducted on a monthly basis to ensure every possible resource is made available to eliminate homelessness among vets.

3B-3.3. For Veterans who are not eligible for homeless assistance through the U.S Department of Veterans Affairs Programs, how is the CoC prioritizing CoC Program-funded resources to serve this population? (limit 1000 characters)

Services are made available to a greater number of non-qualifying veterans through interagency cooperation made possible by New Bedford's CoC and the SouthCoast Regional Network to End Homelessness. Area nonprofits are able to communicate in an open forum and thus share referrals and best practices. Agencies for which veterans are not a primary focus perform triage during intake and assessment to determine veteran status. Agencies specializing in serving veterans perform more in-depth reviews of records to determine VA eligibility and subsequent placement. Those found ineligible for full VA benefits but who still qualify for other veterans benefits or services are referred to Supportive Services to Veteran Families Grantees who can provide housing search as well as limited financial and moving assistance to this population, as well as to providers of transitional housing and case management.

3B-3.4. Compare the total number of homeless Veterans in the CoC AND the total number of unsheltered homeless Veterans in the CoC, as reported by the CoC for the 2015 PIT Count compared to the 2010 PIT Count (or 2009 if an unsheltered count was not conducted in 2010).

	2010 (or 2009 if an unsheltered count was not conducted in 2010)	2015	% Difference
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Total PIT count of sheltered and unsheltered homeless veterans:	59	38	-35.59%
Unsheltered count of homeless veterans:	1	5	400.00%

3B-3.5. Indicate from the dropdown whether you are on target to end Veteran homelessness by the end of 2015. Yes

This question will not be scored.

3B-3.5a. If “Yes,” what are the strategies being used to maximize your current resources to meet this goal? If “No,” what resources or technical assistance would help you reach the goal of ending Veteran homelessness by the end of 2015? (limit 1000 characters)

As of the 2015 Point-In-Time Count, New Bedford has met this goal. In order to make sure that the CoC maintains a functional zero, it is working to maximize strategic collaboration through New Bedford’s Homeless Services Providers Network [HSPN] and the South Coast Regional Network to End Homelessness, discussing, in particular, scenarios and actual cases in order to share best practices for outreach, referral, placement and case management, and to avoid duplication of services. During the current Program Year the New Bedford Coc’s Coordinated Intake and Assessment system will begin operation and further strengthen these modalities.

4A. Accessing Mainstream Benefits

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

4A-1. Does the CoC systematically provide information to provider staff about mainstream benefits, including up-to-date resources on eligibility and mainstream program changes that can affect homeless clients? Yes

4A-2. Based on the CoC's FY 2015 new and renewal project applications, what percentage of projects have demonstrated that the project is assisting project participants to obtain mainstream benefits, which includes all of the following within each project: transportation assistance, use of a single application, annual follow-ups with participants, and SOAR-trained staff technical assistance to obtain SSI/SSDI?

FY 2015 Assistance with Mainstream Benefits

Total number of project applications in the FY 2015 competition (new and renewal):	10
Total number of renewal and new project applications that demonstrate assistance to project participants to obtain mainstream benefits (i.e. In a Renewal Project Application, "Yes" is selected for Questions 3a, 3b, 3c, 4, and 4a on Screen 4A. In a New Project Application, "Yes" is selected for Questions 5a, 5b, 5c, 6, and 6a on Screen 4A).	4
Percentage of renewal and new project applications in the FY 2015 competition that have demonstrated assistance to project participants to obtain mainstream benefits:	40%

4A-3. List the healthcare organizations you are collaborating with to facilitate health insurance enrollment (e.g. Medicaid, Affordable Care Act options) for program participants. For each healthcare partner, detail the specific outcomes resulting from the partnership in the establishment of benefits for program participants. (limit 1000 characters)

Greater New Bedford Community Health Center:

Southcoast Health System/Southcoast Hospitals Group:

4A-4. What are the primary ways that the CoC ensures that program participants with health insurance are able to effectively utilize the healthcare benefits available?

Educational materials:	<input checked="" type="checkbox"/>
In-Person Trainings:	<input checked="" type="checkbox"/>
Transportation to medical appointments:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
Not Applicable or None:	<input type="checkbox"/>

4B. Additional Policies

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

4B-1. Based on the CoC's FY 2015 new and renewal project applications, what percentage of Permanent Housing (PSH and RRH), Transitional Housing (TH) and SSO (non-Coordinated Entry) projects in the CoC are low barrier? Meaning that they do not screen out potential participants based on those clients possessing a) too little or little income, b) active or history of substance use, c) criminal record, with exceptions for state-mandated restrictions, and d) history of domestic violence.

FY 2015 Low Barrier Designation

Total number of PH (PSH and RRH), TH and non-Coordinated Entry SSO project applications in the FY 2015 competition (new and renewal):	10
Total number of PH (PSH and RRH), TH and non-Coordinated Entry SSO renewal and new project applications that selected "low barrier" in the FY 2015 competition:	9
Percentage of PH (PSH and RRH), TH and non-Coordinated Entry SSO renewal and new project applications in the FY 2015 competition that will be designated as "low barrier":	90%

4B-2. What percentage of CoC Program-funded Permanent Supportive Housing (PSH), RRH, SSO (non-Coordinated Entry) and Transitional Housing (TH) FY 2015 Projects have adopted a Housing First approach, meaning that the project quickly houses clients without preconditions or service participation requirements?

FY 2015 Projects Housing First Designation

Total number of PSH, RRH, non-Coordinated Entry SSO, and TH project applications in the FY 2015 competition (new and renewal):	10
Total number of PSH, RRH, non-Coordinated Entry SSO, and TH renewal and new project applications that selected Housing First in the FY 2015 competition:	9
Percentage of PSH, RRH, non-Coordinated Entry SSO, and TH renewal and new project applications in the FY 2015 competition that will be designated as Housing First:	90%

4B-3. What has the CoC done to ensure awareness of and access to housing and supportive services within the CoC's geographic area to persons that could benefit from CoC-funded programs but are not currently participating in a CoC funded program? In particular, how does the CoC reach out to for persons that are least likely to request housing or services in the absence of special outreach?

Direct outreach and marketing:	<input checked="" type="checkbox"/>
Use of phone or internet-based services like 211:	<input checked="" type="checkbox"/>
Marketing in languages commonly spoken in the community:	<input checked="" type="checkbox"/>
Making physical and virtual locations accessible to those with disabilities:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
Not applicable:	<input type="checkbox"/>

4B-4. Compare the number of RRH units available to serve any population from the 2014 and 2015 HIC.

	2014	2015	Difference
RRH units available to serve any population in the HIC:	0	0	0

4B-5. Are any new proposed project applications requesting \$200,000 or more in funding for housing rehabilitation or new construction? No

**4B-6. If "Yes" in Questions 4B-5, then describe the activities that the project(s) will undertake to ensure that employment, training and other economic opportunities are directed to low or very low income persons to comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) (Section 3) and HUD's implementing rules at 24 CFR part 135?
 (limit 1000 characters)**

Not applicable.

4B-7. Is the CoC requesting to designate one or more of its SSO or TH projects to serve families with children and youth defined as homeless under other Federal statutes? No

4B-7a. If "Yes" in Question 4B-7, describe how the use of grant funds to serve such persons is of equal or greater priority than serving persons defined as homeless in accordance with 24 CFR 578.89. Description must include whether or not this is listed as a priority in the Consolidated Plan(s) and its CoC strategic plan goals. CoCs must attach the list of projects that would be serving this population (up to 10 percent of CoC total award) and the applicable portions of the Consolidated Plan. (limit 2500 characters)

Not applicable.

4B-8. Has the project been affected by a major disaster, as declared by President Obama under Title IV of the Robert T. Stafford Act in the 12 months prior to the opening of the FY 2015 CoC Program Competition? No

4B-8a. If "Yes" in Question 4B-8, describe the impact of the natural disaster on specific projects in the CoC and how this affected the CoC's ability to address homelessness and provide the necessary reporting to HUD. (limit 1500 characters)

Not applicable.

4B-9. Did the CoC or any of its CoC program recipients/subrecipients request technical assistance from HUD in the past two years (since the submission of the FY 2012 application)? This response does not affect the scoring of this application. No

4B-9a. If "Yes" to Question 4B-9, check the box(es) for which technical assistance was requested.

This response does not affect the scoring of this application.

CoC Governance:	<input type="checkbox"/>
CoC Systems Performance Measurement:	<input type="checkbox"/>
Coordinated Entry:	<input type="checkbox"/>
Data reporting and data analysis:	<input type="checkbox"/>
HMIS:	<input type="checkbox"/>
Homeless subpopulations targeted by Opening Doors: veterans, chronic, children and families, and unaccompanied youth:	<input type="checkbox"/>
Maximizing the use of mainstream resources:	<input type="checkbox"/>
Retooling transitional housing:	<input type="checkbox"/>
Rapid re-housing:	<input type="checkbox"/>
Under-performing program recipient, subrecipient or project:	<input type="checkbox"/>
	<input type="checkbox"/>
Not applicable:	<input type="checkbox"/>

4B-9b. If TA was received, indicate the type(s) of TA received, using the categories listed in 4B-9a, the month and year it was received and then indicate the value of the TA to the CoC/recipient/subrecipient involved given the local conditions at the time, with 5 being the highest value and a 1 indicating no value.

This response does not affect the scoring of this application.

Type of Technical Assistance Received	Date Received	Rate the Value of the Technical Assistance

4C. Attachments

Instructions:

For guidance on completing this form, please reference the FY 2015 CoC Application Detailed Instructions, the CoC Application Instructional Guides and the FY 2015 CoC Program NOFA. Please submit technical questions to the HUDEXchange Ask A Question.

For required attachments related to rejected projects, if the CoC did not reject any projects then attach a document that says "Does Not Apply".

Document Type	Required?	Document Description	Date Attached
01. 2015 CoC Consolidated Application: Evidence of the CoC's Communication to Rejected Projects	Yes	Evidence of the ...	11/18/2015
02. 2015 CoC Consolidated Application: Public Posting Evidence	Yes	2015 CoC Consolid...	11/18/2015
03. CoC Rating and Review Procedure	Yes	CoC Rank and Revi...	11/18/2015
04. CoC's Rating and Review Procedure: Public Posting Evidence	Yes	2015 PROJECT SELE...	11/18/2015
05. CoCs Process for Reallocating	Yes	CoC Process for R...	11/18/2015
06. CoC's Governance Charter	Yes	CoC's Governance ...	11/18/2015
07. HMIS Policy and Procedures Manual	Yes	HMIS Policy and P...	11/18/2015
08. Applicable Sections of Con Plan to Serving Persons Defined as Homeless Under Other Fed Statutes	No		
09. PHA Administration Plan (Applicable Section(s) Only)	Yes	PHA Administratio...	11/18/2015
10. CoC-HMIS MOU (if referenced in the CoC's Governance Charter)	No	CoC-HMIS MOU	11/18/2015
11. CoC Written Standards for Order of Priority	No		
12. Project List to Serve Persons Defined as Homeless under Other Federal Statutes	No		
13. Other	No	Project applicati...	11/18/2015
14. Other	No	CoC email announc...	11/18/2015
15. Other	No	CoC Written Stand...	11/18/2015

Attachment Details

Document Description: Evidence of the CoC's Communication to Rejected Projects

Attachment Details

Document Description: 2015 CoC Consolidated Application: Public Posting Evidence

Attachment Details

Document Description: CoC Rank and Review Process

Attachment Details

Document Description: 2015 PROJECT SELECTIONS RANKING and APPLICATION

Attachment Details

Document Description: CoC Process for Reallocation

Attachment Details

Document Description: CoC's Governance Charter

Attachment Details

Document Description: HMIS Policy and Procedures Manual

Attachment Details

Document Description:

Attachment Details

Document Description: PHA Administration Plan

Attachment Details

Document Description: CoC-HMIS MOU

Attachment Details

Document Description:

Attachment Details

Document Description:

Attachment Details

Document Description: Project application RFP

Attachment Details

Document Description: CoC email announcement of Ranking and Applications

Attachment Details

Document Description: CoC Written Standards

Submission Summary

Page	Last Updated
1A. Identification	11/13/2015
1B. CoC Engagement	11/13/2015
1C. Coordination	11/13/2015
1D. CoC Discharge Planning	11/13/2015
1E. Coordinated Assessment	11/13/2015
1F. Project Review	11/18/2015
1G. Addressing Project Capacity	11/13/2015
2A. HMIS Implementation	11/13/2015
2B. HMIS Funding Sources	11/13/2015
2C. HMIS Beds	11/13/2015
2D. HMIS Data Quality	11/13/2015
2E. Sheltered PIT	11/13/2015
2F. Sheltered Data - Methods	11/13/2015
2G. Sheltered Data - Quality	11/13/2015
2H. Unsheltered PIT	11/13/2015
2I. Unsheltered Data - Methods	11/13/2015
2J. Unsheltered Data - Quality	11/13/2015
3A. System Performance	11/13/2015
3B. Objective 1	11/18/2015
3B. Objective 2	11/13/2015
3B. Objective 3	11/13/2015
4A. Benefits	11/13/2015
4B. Additional Policies	11/13/2015
4C. Attachments	11/18/2015
Submission Summary	No Input Required



CITY OF NEW BEDFORD MASSACHUSETTS Continuum of Care ■ Homeless Services Providers Network

ANNOUNCEMENT

Having received, reviewed and ranked applications it received during the RFP process associated with the 2015 Continuum of Care competition, the City of New Bedford's CoC announces that it did not reject any submitted application.

November 9, 2015

Jennifer Clarke

From: Jennifer Clarke
Sent: Friday, November 13, 2015 3:37 PM
To: Jennifer Clarke
Subject: HSPN INFO :: THE COC COLLABORATIVE APPLICATION
Attachments: BLANK COLLABORATIVE APPLICATION 2015.pdf

HSPN IMPORTANT INFORMATION

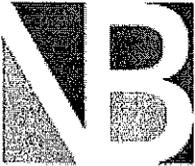
Good afternoon!

Attached you will find a blank copy of this year's collaborative application that the City of New Bedford is currently in the process of completing in anticipation of submitting it—along with all of the new and renewal ranked project applications you voted on as the HSPN last month—to the U.S. Department of Housing and Community Development.

You'll quickly see from the attachment that this collaborative application is a tremendous undertaking. Most importantly, we wanted to share this document with you so that not only can you review the breadth of questions/reviews of strategies/performance expectations and more which the application provides, but it is also offered here as an opportunity for you as the HSPN to give us your questions, concerns, or ideas.

We will be submitting the entire application package shortly as it is due November 20th, so please ensure you take a look. And don't forget...we also have this, along with the rankings and plenty of information about the competition and HSPN in general on the HSPN website at www.nbhspn.com . Check it out today!

See you soon.



JENNIFER CLARKE, AICP
Deputy Director of Planning & Community Development
Dept. of Planning, Housing & Community Development
608 Pleasant Street
New Bedford, MA 02740
508.979.1500 x117 ■ www.newbedford-ma.gov



COC REVIEW and RANKING PROCESS.2015

The U.S. Department of Housing and Urban Development released the 2015 Notice of Funding Availability <https://www.hudexchange.info/resource/4688/fy-2015-coc-program-nofa/> on September 18, 2015. Approximately \$1.89 billion is available in this 2015 CoC Funding Notice.

Although the available amount of funding is expected to be sufficient to fund anticipated eligible renewal projects in 2015, HUD will continue to require Collaborative Applicants to rank all projects, except CoC planning and UFA Costs, in two tiers. Tier 1 is equal to 85 percent of the CoC's 2015 Annual Renewal Demand (ARD). Tier 2 is the difference between Tier 1 and the CoC's ARD plus any amount available for the permanent housing bonus as described in Section II.B.3. of this NOFA.

CoCs may create new projects through the permanent housing bonus up to 15 percent of the CoC's FPRN for the following types of new projects:

- a. CoCs may create new permanent supportive housing projects that will serve 100 percent chronically homeless families and individuals, and
- b. CoCs may create new rapid re-housing projects that will serve homeless individuals and families coming directly from the streets or emergency shelters, and includes persons fleeing domestic violence situations and other persons meeting the criteria of paragraph (4) of the definition of homeless.

The Department of Planning, Housing and Community Development issued a Request for Proposals and the \$1.89 billion issued under this NOFA will be available for the following applications:

- 1) **Renewal projects** – all current CoC projects are eligible for FY 2015 fund renewal. Projects will be required to submit Project applications to the City for review, approval and ranking by the Performance Review Committee and the HSPN.
- 2) **Reallocations** - CoCs can propose new projects only by shifting funds from one or more projects to new PSH and RRH without decreasing the CoC's ARD. Through the reallocation process:
 - a. CoCs may create new permanent supportive housing projects where all beds will be dedicated for use by the chronically homeless. Persons coming from transitional housing are not eligible.
 - b. CoCs may create new rapid re-housing projects for homeless households with children who enter directly from the streets or emergency shelters. Rapid re-housing projects created through reallocation may include in part or whole, victims of domestic violence; however, these participants must meet all other criteria for this type of housing (i.e., household with children who enter directly from the streets or emergency shelter). Persons coming from transitional housing projects are not eligible.
- 3) **Permanent Supportive Housing Bonus (PSH Bonus)** - Permanent Housing Bonus. The Permanent Housing Bonus is available to all CoCs to apply for funding to create new permanent supportive housing projects that will exclusively serve chronically homeless individuals and families or rapid re-housing projects that will serve individuals, families or unaccompanied youth who come directly from the streets, emergency shelters, or are fleeing domestic violence or other persons who meet the criteria of paragraph (4) of the definition of homeless.

A CoC is eligible to apply for up to 15 percent of its FPRN and may apply for more than one permanent housing bonus project. New projects created through a permanent housing bonus must meet the project eligibility and threshold requirements established by HUD.

4) **CoC Planning** costs up to \$58,349.

The \$1.89 billion issued under this NOFA will provide the following funding for the New Bedford CoC.

Annual Renewal Demand (ARD)	\$1,944,951
Amount Available for Tier I (ARD at 85%)	\$1,653,208
Preliminary Pro Rata Need	\$1,716,257
Amount Available for Permanent Supportive Housing Bonus (PPR less 15%)	\$ 291,743

Projects must meet minimum project eligibility, capacity, timeliness, and performance standards. HUD will review information in the Line of Credit Control System (LOCCS); Annual Performance Reports (APRs); and information derived from desktop and on-site monitoring, including monitoring reports and A-133 audit reports as applicable, as well as performance standards on prior grants, and assess a project on the following criteria using a pass/fail basis:

- applicant’s performance against plans and goals;
- timeliness standards;
- applicant’s performance in assisting program participants to achieve and maintain independent living and record of success;
- financial management accounting practices;
- timely expenditures;
- capacity; and
- eligible activities

Elements of the rating and ranking process will include:

- All renewal and new applications will be reviewed and ranked by an unbiased review panel composed of representatives from neutral (non-applicant) organizations.
- The review panel members will review the Project Applications as well as data from the Project Application Annual Performance Reports for renewal projects, as well as overall performance and adherence to HUD and Housing Service Providers Network (HSPN) goals and priorities to determine a ranked ordering.
- The rating and ranking will also take into consideration the CoCs Tiering strategy to determine what projects will be placed into Tier 2.
- The rankings will be presented to the Continuum of Care Executive Committee for approval and then submitted to the HSPN for a formal vote on October 22, 2015.
- The ranking process used locally will align with HUD’s process as described in the NOFA. Points will be assigned to projects in accordance to corresponding criteria assigned by HUD.
- New projects created through reallocation will be ranked based on the performance of the renewal application which is being reallocated.
- New projects will be evaluated in accordance with NOFA guidance

- Projects will be ranked in accordance with HUD’s priority order by project type (e.g. PH, TH, SSO, etc.) applying the methodology described above. Any remaining projects not fitting in the amount allocated under Tier 1 are placed in Tier 2.

Projects will be approved for submission to HUD based on the project funding requests that fall within the final pro rata share for the CoC, split between Tiers 1 and 2. Projects scoring highest will be ranked and placed into Tier 1 until all Tier 1 funds are allocated. The remaining projects selected for funding will be ranked and placed into Tier 2 until all Tier 2 funds are allocated. Projects that scored well but fell outside the pro rata share are encouraged to re-submit in a future competition.

CoC’s homeless assistance programs are being measured in FY 2015 by the objective to "end chronic homelessness and to move the homeless to permanent housing." HUD has chosen six indicators which directly relate to the CoC Program. These six indicators, as described below, will be collected in the FY 2015 CoC Application. Each project applicant will also be asked to report on the following indicators:

- The creation of new PSH beds for chronically homeless individuals and families;
- The decrease in the number of chronically homeless individuals and families in the CoC's geography;
- The increase of employment of the homeless residing in or exiting HUD homeless assistance projects;
- The increase of the use of mainstream resources for the homeless residing or exiting from HUD homeless assistance projects;
- The percentage of turnover in CoC Program-funded PSH not dedicated to chronically homeless that will be prioritized to serve chronically homeless individuals and families; and
- The percentage of individuals and households with children that are served in rapid re-housing that came from unsheltered locations.
- The review panel members will review the Project Applications and Supplemental Application, monitoring results, data from the Project Application Annual Performance Reports for renewal projects, as well as overall performance and adherence to HUD performance outcomes, goals and priorities to determine a ranked ordering.
- The rating and ranking will also take into consideration the CoCs Tiering strategy to determine what projects will be placed into Tier 2.

Tiering and Ranking:

The CoC must assign a unique rank to each project that it intends to submit to HUD for 2015 funding. HUD strongly advises CoCs to rank higher those project applications that the CoC determines are high priority, high performing, and meet the needs and gaps as identified in the CoC.

Tiers:

To ensure that CoCs have the opportunity to prioritize their projects locally in the event that HUD is not able to fund all renewals, HUD requires that CoCs rank projects in 2 tiers. The tiers are financial thresholds. This year Tier 1 is equal to 85% of the CoC’s ARD. Tier 2 is the amount between the CoCs Tier 1 and the CoCs Final Annual Renewal Demand (ARD), and any HUD determined amounts for CoC planning.

The Tiers financial thresholds:

- ✓ Tier 1 is equal to the Annual Renewal Demand (ARD) for the New Bedford CoC in the amount of \$1,653,208 which is 85% of ARD.

Projects ranked in Tier 1 are considered relatively safe, while projects in Tier 2 are at risk. Projects in each Tier are funded based on the priority order established in the NOFA. Higher scoring applications have a better chance of being awarded funding for projects in both Tier 1 and Tier 2.

HUD's homeless assistance programs are being measured in FY 2015 by the objective to "end chronic homelessness and to move the homeless to permanent housing."

HUD Priority Order:

New PSH or RRH projects created through reallocation will be ranked based on the performance criteria listed in this policy. Projects will be ranked in accordance with HUD's priority order by project type (e.g. PH, TH, SSO, etc.) applying the methodology described above. Any remaining projects not fitting in the amount allocated under Tier 1 are placed in Tier 2.

Within the rank order established by the CoC on the Priority Listings, HUD will first select projects from Tier 1 in the following order by CoC score:

1. renewal PSH & RRH
2. new PSH projects created through reallocation for 100 percent chronically homeless;
3. new rapid re-housing projects created through reallocation for homeless households with children;
4. renewal transitional housing;
5. SSO projects for centralized or coordinated assessment system;
6. Any other project application submitted by the CoC that was not included in the HUD-approved GIW.

Within the rank order established by the CoC on the Priority Listings, HUD will then select projects from

Tier 2 with any remaining available funds in the same order.

*The HMIS Project must be ranked in Tier I to ensure funding.

HUD will select projects in order of the selection priorities, and within each selection priority by 2015 CoC score, and for each CoC in order of the 2015 CoC Priority Listing, until there are no more available funds. For each selection priority, HUD will select all of the projects for a higher scoring CoC, in order of the CoC's Priority Listings, before selecting projects from the next highest scoring CoC, in order of that CoC's Priority Listings; HUD will move down through the CoCs by 2015 CoC score before continuing to the next selection priority, or until there are no more available funds.

Rating and Ranking Members:

The Performance Review Committee (PRC) is comprised of HSPN members who are knowledgeable about homelessness and housing in our CoC and who are broadly representative of the relevant sectors, subpopulations, and geographic areas. The PRC is comprised of representatives from a cross-section of groups in the HSPN including; faith based providers, private sector, non-profit providers of homeless services and housing; and City of New Bedford staff. The PRC is also comprised of members that have no financial or interest in a CoC funded program. The projects will be evaluated on a 60 point basis. For each section of the application, the RRC members will be asked to assign a score that is based on information in the application, the quantitative review, and the site visit (if applicable) for each project.

Appeals Process:

Agencies that question the ranking and review process and feel that they have been unfairly eliminated from the competition may file an appeal. Project applicants whose project was rejected may appeal the local CoC competition decision to HUD if the project applicant believes it was denied the opportunity to participate in the local CoC planning process in a reasonable manner by submitting a Solo Application in e-snaps directly to HUD prior to the application deadline of 7:59:59 p.m. eastern time on November 20, 2015. The CoC's notification of rejection of the project in the local competition must be attached to the Solo Application. If the CoC fails to provide written notification outside of e-snaps, the Solo Applicant must attach evidence that it attempted to participate in the local CoC planning process and submitted a project application that met the local deadlines, along with a statement that the CoC did not provide the Solo Applicant written notification of the CoC rejecting the project in the local CoC competition. The appeal must be based on the fact that a decision made by the PRC regarding the ranking, rejection, or funding of their project was prejudicial, unsubstantiated by project performance, or in violation of the 2015 Continuum of Care Guidelines. The appeal may be filed to the City of New Bedford via email: Patrick.sullivan@newbedford-ma.gov by **3:00pm, October 23, 2015** the appeal deadline.

The Following is the Rating Criteria for all programs:

RATING CRITERIA – PSH PROJECTS:

GOALS	PERFORMANCE STANDARD	%	POINTS	SCORE
1. Housing Stability - Persons residing in permanent housing will remain in this housing for a minimum of 1 year or exit to other permanent housing. Goal 85%	The % of persons who remain in the PH program as of the end of the operating year or exited to PH during the operating year.		≥85%=10 80%-84%= 8 65%-79%= 4 55%-64%= 1 ≤55%= 0	
2. Increase Total Income - Persons will maintain or increase earned and unearned income. Goal 85% <i>(Includes wages and mainstream resources)</i>	The % of persons age 18 and older who maintain or increased their total income(from all sources) as of the end of the operating year or program exit.		≥85%= 10 75%-84%= 7 65%-74%= 5 50%-64%= 3 ≤49%= 0	
3. Increase earned Income - Adults will obtain or maintain employment income. Goal 20%	The % of persons age 18 – 61 who maintained or increased their income(i.e. employment income) as of the end of the operating year or program exit.		≥20%= 10 10%-19%= 6 5%-9%= 3 ≤5%= 0	
4. Utilization Rate - Program operates at full capacity, with low vacancy rate, and quickly fills vacancies. Goal 90%	Average daily utilization rate during the operating year.		≥90%= 10 70%-89%= 7 51%-69%= 4 ≤50%= 0	
5. Unspent Funds FY 2014	HUD LOCS		0% = 10 1-5%=7 5-10%= 5 10%> = 0	
5a. Unspent Funds FY 2013	HUD LOCS		0% = 10 1-5%=7 5-10%= 5 10%> = 0	

RATING FACTORS	POINTS	RATING
Agency Met HUD Threshold Requirements	YES/NO	N/A
APR Performance/Local and National Objectives	20	
Bed Utilization Rate	10	
Expenditure Rate and Unspent Funds	20	

RATING CRITERIA – TH PROJECTS

GOALS	PERFORMANCE STANDARD	%	POINTS	SCORE
1. Housing Stability - Households exiting transitional housing will move directly to permanent housing. Goal: 75%	% of persons who exited to permanent housing(subsidized or unsubsidized) during the operating year		≥75%= 10 60%-74% = 7 40%- 59%= 5 25%-39%= 3 ≤24%= 0	
2. Increase Total Income - Persons will maintain or increase earned and unearned income. Goal 54% <i>(Includes wages and mainstream resources)</i>	The % of persons age 18 or older who increased their total(from all sources) as of the end of the operating year or program exit		≥30%= 10 21%-29%= 7 11%-20%= 3 ≤10%= 0	
3. Increased Earned Income – Persons who increased employment income. Goal 20%	The % of persons age 18-61 who increased their income(i.e. employment income) as of the end of the operating year or program exit.		≥20%= 10 10%-19%= 6 5%-9%= 3 ≤5%= 0	
4. Utilization Rate - Program operates at full capacity, with low vacancy rate, and quickly fills vacancies. Goal 90%	Average daily utilization rate during the operating year.		≥90%= 10 70%-89%= 8 51%-69%= 5 ≤50%= 0	
5. Unspent Funds FY 2014	HUD LOCS		0% = 10 1-5%=7 5-10%= 5 10%> = 0	
5a. Unspent Funds FY 2013	HUD LOCS		0% = 10 1-5%=7 5-10%= 5 10%> = 0	

RATING FACTORS	POINTS	RATING
Agency Met HUD Threshold Requirements	YES/NO	N/A
APR Performance/Local and National Objectives	20	
Bed Utilization Rate	10	
Expenditure Rate and Unspent Funds	20	

PUBLIC POSTING OF PROJECT SELECTIONS/RANKING/COC APPLICATIONS

PROVIDED AT: <http://www.nbhspn.com/coc/>

NEW BEDFORD HOMELESS SERVICE PROVIDERS NETWORK [HSPN]

Continuum of Care Funding Competition
2015 Project Rankings Announced!

The New Bedford HSPN unanimously* ratified the project ranking recommendation of its Performance Review Committee at its October 22, 2015 meeting. The tier system, available funding and bonus programs were discussed before the HSPN voted on the recommendation with which it was presented. The final ranking is presented below and is available as a [downloadable PDF here](#).

FY2015 Final CoC Rank and Order of Projects																		
RANK	PROJECT NAME	PROJECT TYPE	FUNDING	POINTS AWARDED														
REALLOCATION and RENEWAL PROJECTS ARE RATED ON A SCALE OF 60 POINTS																		
1	THE CALL - CATHOLIC SOCIAL SERVICES	REALLOCATION SSO	\$ 48,399	45														
2	HMS NEW BEDFORD	HMS	\$ 29,524															
3	FAMILY PRESERVATION - SFS	PH	\$ 251,720	44														
4	TRANSITION TO STABILITY - CATHOLIC SOCIAL SERVICES	PH-RRH	\$ 196,680	43														
5	STEP UP - PAACA	PH	\$ 272,669	41														
6	PORTICO - CATHOLIC SOCIAL SERVICES	PH	\$ 578,320	40														
7	WELCOME HOME - STEPPINGSTONE	PH	\$ 185,918	40														
8	PRISM-CATHOLIC SOCIAL SERVICES	PH	\$ 109,031	37														
TOTAL TIER 1			\$ 1,603,208															
9	PRISM-CATHOLIC SOCIAL SERVICES	PH	\$ 106,275	37														
10	NETWORK HOUSE - VTN	TH	\$ 95,210	42														
10	GRADUATE PROGRAM - STEPPINGSTONE	TH	\$ 96,257	33														
SUBTOTAL TIER 2			\$ 291,743															
REALLOCATION and RENEWAL PROJECTS ARE RATED ON A SCALE OF 60 POINTS																		
	BONUS: EXCEL - CATHOLIC SOCIAL SERVICES	PH	\$ 145,872	88														
	BONUS: RISE - PAACA	PH	\$ 145,871	88														
SUBTOTAL BONUS			\$ 291,743															
TOTAL TIER 2 + BONUS			\$ 583,486															
<table border="1"> <tr> <td>New Bedford Annual Renewal Demand (ARD)</td> <td>\$ 1,944,951</td> </tr> <tr> <td>Amount Available for Tier 1 (ARD less 15%)</td> <td>\$ 1,653,208</td> </tr> <tr> <td>Total Amount Being Requested for Tier 1</td> <td>\$ 1,603,208</td> </tr> <tr> <td>Amount Available for Tier II (Difference between the ARD and Tier 1)</td> <td>\$ 291,743</td> </tr> <tr> <td>Amount Available for Permanent Supportive Housing Bonus (15% of the ARD)</td> <td>\$ 291,743</td> </tr> <tr> <td>Total Amount Available for Tier 2 (Tier 2 + Bonus)</td> <td>\$ 583,486</td> </tr> <tr> <td>Total Amount Being Requested for Tier 2 (Tier 2 + Bonus)</td> <td>\$ 583,486</td> </tr> </table>					New Bedford Annual Renewal Demand (ARD)	\$ 1,944,951	Amount Available for Tier 1 (ARD less 15%)	\$ 1,653,208	Total Amount Being Requested for Tier 1	\$ 1,603,208	Amount Available for Tier II (Difference between the ARD and Tier 1)	\$ 291,743	Amount Available for Permanent Supportive Housing Bonus (15% of the ARD)	\$ 291,743	Total Amount Available for Tier 2 (Tier 2 + Bonus)	\$ 583,486	Total Amount Being Requested for Tier 2 (Tier 2 + Bonus)	\$ 583,486
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Total Amount Available for Tier 2 (Tier 2 + Bonus)	\$ 583,486																	
Total Amount Being Requested for Tier 2 (Tier 2 + Bonus)	\$ 583,486																	

NOTES:

- The projects ranked 1 - 10 above were ranked and rated according to the City of New Bedford's Ranking and Review process.
- One new program—THE CALL (the CoC's coordinated entry program)—was created by Catholic Social Services through the reallocation process whereby funds from CSJ Portico program were reallocated to develop THE CALL.
- HUD requires the HMS Project, unranked, to be listed in Tier 1.
- Because of the cap on Tier 1 funding, one project (PRISM) had to be funded in both Tier 1 and Tier 2. HUD is permitting such "transfunding" this year under the NOFA.



NEW BEDFORD COC REALLOCATION PLAN 2015

Background

The U.S. Department of Housing and Urban Development (HUD) requires that CoCs carefully evaluate and review all renewal projects and to develop a reallocation process for projects funded with CoC funds. Reallocating funds is an important tool used by CoCs to make strategic improvements to their homelessness system. Through reallocation, the CoC can create new projects that are aligned with HUD's goals, by eliminating projects that are underperforming or are more appropriately funded from other sources. Reallocation is particularly important when new resources are not available.

A. Reallocation Policy

All renewal projects are reviewed by the Department of Planning, Housing and Community Development (DPHCD) and the Performance Review Committee (PRC) of the Homeless Service Provider Network (HSPN) to determine how the project performed and determine if a project should be considered for reallocation. The HSPN develops annual performance standards for all programs and the review of performance through quarterly and annual performance reports is integral to the evaluation process. The DPHCD staff monitors all programs through review of quarterly reports and comprehensive assessment of agency capacity and ability to implement performance measure goals and objectives. The DPHCD provides technical assistance to the PRC to assist in the overall evaluation process.

The recommendation for reallocation is based on any one of the following HUD criteria and the overall score of the project evaluation:

- 1) Outstanding obligation to HUD that is in arrears or for which a payment schedule has not been agreed upon;
- 2) Audit finding(s) for which a response is overdue or unsatisfactory;
- 3) History of inadequate financial management accounting practices;
- 4) Evidence of untimely expenditures on prior award;
- 5) History of other major capacity issues that have significantly impacted the operation of the project and its performance;
- 6) Timeliness in reimbursing sub recipients for eligible costs. HUD will consider a project applicant as meeting this standard if it has drawn down grant funds at least once per month;
- 7) History of serving ineligible persons, expending funds on ineligible costs, or failing to expend funds within statutorily established timeframes; or
- 8) Programs did not consistently meet the CoC performance measures.

Involuntary and Voluntary Reallocations:

Involuntary Reallocations are primarily based on two criteria:

- Programs that have the lowest score in the evaluation process
- Programs that have unspent funds in the most recent FY ending.

The PRC will evaluate and determine if programs will have a full or partial reallocation of funding. Well performing programs that have unspent funding will be subject to review of possible partial reallocation of unspent funds.

All funds freed through involuntary reallocations may be made available for one or more new projects. If no new project applications are submitted, funds will remain available for the original renewal projects.

Project applicants that are subject to partial involuntary reallocation must develop a plan to continue with their renewal project, with the reduced level of funding. This includes HUD contract compliance for numbers of persons served and the types of services provided. It may be possible to seek a contract amendment from HUD for some changes; applicants should contact their HUD representative to discuss any options for amendment. If the reduction in funding will result in loss of assistance for persons currently served by the program, the applicant must develop a transition plan for these persons.

Voluntary reallocation: For projects not listed above for involuntary reallocation, an applicant may choose to reallocate funds from an existing renewal project, to free additional funds for one or more new projects. If the same applicant wishes to apply for a new project using those same funds, the following parameters apply:

- The applicant may choose to reallocate all or a portion of their renewal funds to create the new project.
- The applicant will have “first rights” to the funds that are freed as a result.

The applicant may also choose to compete for a portion or all of the funds available to the CoC through involuntary reallocation of other projects or bonus funds.

Through the reallocation process, the CoC ensures that projects submitted with the CoC Collaborative Application best align with the HUD CoC funding priorities and contribute to a competitive application that secures HUD CoC dollars to address and end homelessness in New Bedford. The CoC will make decisions based on alignment with HUD guidelines, performance measures, and unspent project funds.

CITY OF NEW BEDFORD CONTINUUM OF CARE HOMELESS SERVICE PROVIDER NETWORK (HSPN)

Bylaws - Established February 12, 2003; Amended April 25, 2013

Article I: Introduction, Purpose, and Mission

Section 1.0: Introduction

The City of New Bedford coordinates a comprehensive response to homelessness through an organized Continuum of Care process. This Continuum of Care is rooted in the City's Homeless Service Providers' Network (HSPN), a collective of approximately 50 organizations, agencies, and individuals committed to working together in addressing both episodic and chronic homelessness.

New Bedford's Continuum of Care encompasses the entire range of services and housing needed to prevent, alleviate, and eliminate homelessness in the City. The Continuum, acting through the HSPN—its membership component—includes preventative services, emergency shelters, transitional housing, and permanent housing.

To support these efforts on an annual basis, the Department of Housing and Urban Development (HUD) issues a Notice of Funding Availability (NOFA) that competitively seeks applications for Continuum of Care programs that include transitional and permanent housing for persons who are homeless and homeless with disabilities. This NOFA requires evidence that the Continuum of Care actively applies for funding and regularly addresses issues of homelessness in the City through a coordinated process. As the HSPN regularly meets and works on issues, strategies, and active solutions from its membership in addressing homelessness, the City of New Bedford, through its Continuum has successfully applied for and received funding since 1996.

These bylaws have been developed in order to minimize questions of procedure, expectation, and responsibility within the HSPN, thereby ensuring that the work of the HSPN remains on target and focused on the product and its substance in the future.

Section 1.1: Purpose

The HSPN is the membership component of the City of New Bedford's Continuum of Care for outreach to vulnerable populations and moving them through a compassionate system of housing and support into permanent independent housing. The HSPN strives to:

- 1) Provide a network which shares ideas, concerns, and resources applicable to homeless issues and to foster collaboration in addressing the needs of the homeless;
- 2) Increase community awareness of the causes of homelessness, the needs of homeless people, and ways to end homelessness.
- 3) Participate actively in state and local advocacy for homeless issues. It does so by adhering to its mission statement, which was revised and adopted by the membership in 2003.

Section 1.2: Mission Statement

"To advocate on behalf of homeless individuals and families by enlisting the cooperation of homeless providers and organizations, to improve the accessibility of existing public resources, to maintain statistical data on the homeless population, and to provide supportive services and empowerment strategies to allow these individuals and families to be integrated into the community. The HSPN is committed to the concept that each person is entitled to live in dignity."

Section 1.3: Responsibilities

- 1) **Continuum of Care Planning** - The HSPN ensures the implementation and coordination of a housing and service system that encompasses the following:
 - a. Outreach, engagement, and assessment;
 - b. Shelter, housing, and supportive services;
 - c. Prevention strategies
- 2) **Point-in-Time Count** - The HSPN conducts at least a biennially point-in-time count of homeless persons within the Continuum of Care
- 3) **Gaps Analysis** - The HSPN conducts an annual gaps analysis of the homeless needs and services available within the Continuum of Care
- 4) **Consolidated Plan** - The HSPN will provide information to the City of New Bedford Office of Housing and Community Development as it relates to the homeless needs assessment and homeless facilities components of the Consolidated Plan
- 5) **Emergency Solutions Grant Consultation** - The HSPN will consult with the Commonwealth of Massachusetts and the City of New Bedford Emergency Solutions Grants program on the plan for allocating Emergency Solutions Grants program funds and reporting and evaluating the performance of Emergency Solutions Grants program recipients
- 6) **Preparing an application for funds** - The City of New Bedford Office of Housing and Community Development is the Collaborative Applicant and is responsible for the development of applications and the approval and submission of applications in response to a NOFA published by HUD annually
- 7) **Other tasks and projects as identified**

Article II: Members and Membership Meetings

The HSPN membership is open to organizations including those state and local agencies, public housing authorities, non-profit organizations, business entities, legal /law enforcement, faith-based organizations, developers, educational, victim service providers, school districts, mental health agencies, hospitals and medical communities, organizations that serve veterans, homeless and formerly homeless individuals and other related organizations that are part of the City's Continuum of Care and are involved in anticipating, addressing, working with and remediating homelessness and its precipitating factors within New Bedford.

Interested individuals or organizations may obtain a Membership Application from the HSPN Coordinator. New member organizations must be approved by the Executive Committee at a regularly scheduled Executive Committee Meeting. Each member organization shall have one vote.

In addition to these organizations, the HSPN also invites homeless and those formerly homeless consumers to participate as members; although in order to ensure privacy and confidentiality, the HSPN does not maintain a roster of such names unless directed by the HSPN Chair or designee.

Governing Rules of Order: Unless otherwise specified by these bylaws, the HSPN will be governed by Robert's Rules of Order.

Meetings of the HSPN are open to all, whether or not they are a member.

Section 2.0: Levels of Membership

Only active members are given a voice in the decision-making progress for issues brought before the HSPN (affording one vote per member organization and homeless consumer on issues requiring a vote). Such issues may include the identification of homeless needs and prioritization of projects for the annual Continuum of Care application. Active membership also allows organizations access to federal homelessness funds received from HUD and administered by the City of New Bedford Office of Housing and Community Development.

Section 2.1: Membership Agreement

The HSPN Membership Agreement is an annually signed pledge of commitment to participate in the HSPN and serves as the basis of voting membership in the network. Membership agreements should be distributed, executed, and returned to the HSPN Chair or designee. Membership is held either by an organization, agency or office (rather than individually by employees or members of those entities) and is also held individually only by those who are, or formerly were, homeless. In order to retain the privilege of being a voting member, an organization or homeless consumer must maintain active membership in the HSPN.

Section 2.1.1: Member

A member is any organization matching the above criteria who agrees to the obligations and privileges of being a member of the HSPN. Such agreement is formalized by completing and signing a Membership Agreement. Attendance at fifty percent (50%) of the regular monthly HSPN meetings is encouraged. An organization is defined as a provider of services to assist homeless persons toward self-sufficiency. An organization that provides funding for homeless services is also eligible for membership.

Section 2.1.2: Non-Voting Member

A Non-Voting Member is one who does not have voting rights.

- a) A member organization, as identified in Section 2.1, may choose to be a non-voting member. They will retain all other benefits of membership.

An individual or organization that does not meet the organization definition in Section 2.1 may join as a non-voting member, as long as they subscribe to the purposes and basic policies of the HSPN.

Section 2.1.3: Representatives and Alternates

Each member organization may have one or more representatives. Organizations may have more than one individual attend meetings; however the organization must designate a representative for voting purposes.

Section 2.2: Resignation of Members

Any member organization may resign from the HSPN by delivering a written resignation to the HSPN Chair or designee.

Section 2.3: Termination of Membership

Membership in the HSPN may be terminated for any action by a member who repeatedly violates the mission and purpose of the HSPN. Removal based on detrimental actions shall require the affirmative vote of three-quarters ($\frac{3}{4}$) of the present voting members. At the meeting, the member shall be entitled to respond to the stated reasons for the termination and be heard in his or her own defense.

Section 2.3.1: Reinstatement of Membership

If a member has been terminated, they may reinstate their membership by submitting a letter to the HSPN Chair or designee which will be presented to the HSPN for a formal vote.

Section 2.4: Rights of Members

Membership to the HSPN includes receiving updates on issues relating to homelessness, voting privileges on HSPN business, and the opportunity to serve on or lead one of many subcommittees or projects.

Section 2.5: Meetings

- a) Monthly Meetings: Monthly meetings of the HSPN are held at the City of New Bedford Office of Housing and Community Development, 608 Pleasant Street, New Bedford on the third Thursday of the month, unless otherwise stated. Notices of each meeting and minutes of previous meetings shall be distributed to each member, electronically or by mail.
- b) Conduct of Business: Members present shall constitute a quorum (a quorum is at least forty percent [40%] of voting membership) to conduct business at any regular meeting. Business may be conducted and issues voted on at any scheduled monthly meeting. Passage of any motions will be by simple majority of those voting members present. In rare situations when an urgent need arises that cannot wait for the next scheduled meeting of the HSPN and a vote of members is required, a vote by email may be conducted. A quorum of responses is still required and all members must be contacted and their responses posted to all members.
- c) Balloting: Voting shall be conducted by show of hands of previously designated voting members.

- d) Conflict of Interest: No member shall cast a vote on, nor participate in, any decision-making capacity on the provision of services by such member (or any organization which that member directly represents), nor on any matter which would provide any direct financial benefit to that member. If a matter arises which places a member in a conflict of interest situation or a potential conflict of interest situation, that member will notify the HSPN Chair or designee and abstain from voting.
- e) Minutes: Minutes of all meetings shall be promptly recorded and a copy provided to each HSPN member by email prior to the next regularly scheduled meeting.
- f) Attendance: Records of attendance, reports, and the names of motion-makers will be included in the minutes.
- g) Special meetings of the membership may be called by the HSPN Chair or designee upon written notice to all members at least ten (10) calendar days in advance of the meeting.
 - i. Forty percent (40%) of voting membership shall constitute a quorum to conduct business at any special meeting.
 - ii. No business shall be transacted at a special meeting other than that identified for which the meeting was called.

Article III: Officers, Nominations, Elections, and Terms of Office

The officers of the HSPN shall consist of the Chair, Vice-Chair, Clerk, and Immediate Past Chair.

Section 3.1: Nomination for Officers

At the regular meeting of the HSPN held in January, the Chair will facilitate the selection of a Nominating Committee. The Nominating Committee will consist of an odd number of members of the HSPN, totaling no less than three (3), nor more than seven (7) members. Any member of the HSPN may serve on the Nominating Committee with the exception of the Chair and Vice-Chair.

- a) The Nominating Committee will solicit recommendations for officers from the membership of the HSPN. It will submit a slate of officers to the HSPN by mail or email one month prior to the election date in January.
- b) Nominees will indicate their willingness and eligibility to serve for each position. The HSPN will accept a slate of nominees and entertain nominations from the floor for each position.
- c) The Chairperson, Vice-Chairperson, Clerk, and Immediate Past Chair shall be elected by a majority vote for one (1) year term beginning in January and ending on December 31st. The Chairperson, Vice-Chairperson, and Clerk shall be eligible to serve again in the following year. The Officers of the Executive Committee cannot serve in the same position for more than two (2) consecutive terms defined as two (2) two-year terms for a total of four (4) years. Any exceptions will require a simple majority of votes of the Executive Committee and the HSPN.

- d) The Executive Committee shall be comprised of the four (4) officers and up to and not exceeding eight additional positions, for a total not to exceed twelve (12). The City of New Bedford shall hold up to two (2) positions Ex Officio on the Executive Committee.

Section 3.2: Elections and Voting for Officers

Voting members of the HSPN present at the meeting in January will vote for the slate of officers and the Executive Committee as presented by the Nominations Committee. The slate of officers and Executive Committee will be accepted by a simple majority of votes from those voting members present at the meeting.

Section 3.3: Duties of the Chair, Vice-Chair, Clerk and Immediate Past Chair

Powers and Duties

Officers. For the purposes of carrying out the mission of the HSPN the membership shall annually elect a Chair, Vice-Chair, Clerk, and Immediate Past Chair from among its membership.

All four (4) officers shall be considered full voting members on the Executive Committee.

Chair. The HSPN Chair shall be responsible for convening all plenary meetings of the HSPN and shall also:

- Preside at and conduct all meetings of the HSPN
- Work with the Vice-Chair in all matters of the HSPN, keeping that officer apprised of all details of the organization relevant to the execution of his or her duties
- Finalize all HSPN agendas with the HSPN Coordinator based on agenda recommendations from the Executive Committee
- Represent the HSPN at any community or public event to which such representation is requested
- Represent the views of the HSPN in public and through the media provided such views accurately represent the consensus of the membership and its Executive Committee
- Designate a member of the Executive Committee to preside over an HSPN meeting in the case of his/her absence and the absence of the Vice-Chair
- Communicate any administrative issues and concerns with the Executive Committee and shall have such other powers and duties consistent with these Bylaws as may be assigned from time to time by the members
- Appoint interim Chairs for new committees
- Serve as a voting member of the Executive Committee

Vice-Chair. The HSPN Vice-Chair shall be responsible for assisting the HSPN Chair in administering the HSPN and shall also:

- Preside at and conduct all meetings of the HSPN in the absence of the Chair
- Work with the Chair in all matters of the HSPN, keeping that officer apprised of all details of the organization relevant to the execution of his or her duties
- Assist in finalizing all HSPN agendas with the HSPN Coordinator based on agenda recommendations from the Executive Committee in the absence of the Chair

- Represent the HSPN at any community or public event to which such representation is requested in the absence of the Chair
- At the request of the Chair and/or Executive Committee, represent the views of the HSPN in public and through the media provided such views accurately represent the consensus of the membership and its Executive Committee
- Communicate any administrative issues and concerns with the Chair and Executive Committee
- Serve as a voting member of the Executive Committee

Clerk. The HSPN Clerk shall be responsible for assisting the HSPN Chair in ensuring the paperwork of the HSPN is properly handled and shall:

- Review a draft of the minutes of each meeting prepared by the HSPN Coordinator and make any necessary edits prior to distribution to the membership. In the event that there is no HSPN Coordinator, the responsibility of preparing and editing minutes of each meeting shall fall to the Clerk.
- Review any correspondence from the Communications Committee prior to sending to the media to ensure consistency with the membership's consensus and directive
- Serve as a liaison between the HSPN Coordinator (if position exists) and the Executive Committee in maintaining an updated membership roster, resource guide and contact list

Immediate Past Chair. The HSPN Immediate Past Chair shall assist the Executive Committee in any and all matters.

- Assist the Chair in HSPN business as directed
- Serve as Chair of the Nominations Committee

Section 3.4: Resignation

Any officer may resign at any time by delivering a written resignation to the HSPN Chair. The acceptance of such resignation, unless required by the terms thereof, shall not be necessary to make the resignation effective.

Section 3.5: Removal

Any officer may be removed from office by a two-thirds ($\frac{2}{3}$) majority vote of the voting members at a duly held meeting of the membership. A quorum of voters must be present at this meeting. Proper notice specifying the proposed removal shall be given one week prior to any meeting of the membership in which removal shall be considered.

Section 3.6: Vacancies

If a vacancy occurs on the Executive Committee (described in Section 4.2), that vacancy shall be filled as follows:

- a) If the Chair position is made vacant, the Vice-Chair will become the Chair and will assume all duties and responsibilities of this position.

- b) If the Vice-Chair position is made vacant, it will remain unfilled until the next election. Should a Vice-Chair be needed to fill the role of the Chair during this vacancy, the immediate Past Chair will assume this duty.
- c) If the Clerk position is made vacant, the Vice-Chair will assume this role in addition to the Vice-Chair role or the Chair will appoint another member of the Executive Committee to assume this role.
- d) If the Immediate Past Chair position is made vacant, it will remain unfilled until the next election.

Article IV: Committees

Section 4.1: Standing Committees:

The HSPN shall have the following standing committees: Executive Committee, Nominating Committee, Continuum of Care Application Committee, Performance Based Review Committee, Unaccompanied Youth Committee, Mainstream Resources Committee, Chronic and Discharge Committee, HMIS Committee, and Point-in-Time Homeless Count Committee. All meetings shall be announced and open to any HSPN member who wishes to attend.

Executive Committee:

The purpose of the Executive Committee is to direct and manage the activities of the HSPN and provide policy guidance to the Continuum of Care Coordinator (City of New Bedford through the Office of Housing and Community Development). The Executive Committee shall be an elected body with no less than seven (7) nor greater than thirteen (13) members. The HSPN Chair, Vice-Chair, Clerk, and Immediate Past Chair shall hold four (4) of those seats while two (2) staff members representing the City's Office of Housing and Community Development shall hold an additional two (2) seats. The remaining two through seven (2-7) seats shall be elected and filled on an annual basis, with at least one (1) seat held by a homeless or formally homeless person and one (1) seat held by a representative of an agency receiving Emergency Solutions Grant (ESG) funding. Primary functions include:

- Provide guidance to the officers of the HSPN in carrying forth the mission of this Continuum
- Set forth annual goals for the HSPN's operation (distinct from Continuum of Care programmatic goals)
- Establish membership goals and ensure recruitment of new members and relationship-building within existing membership
- Communicate any administrative issues and concerns with the Officers and the Office of Housing and Community Development
- Work with the HSPN Chair in addressing and framing current issues from the perspective of the Continuum of Care and mission of the HSPN
- Develop a quarterly framework for HSPN agendas
- From among its membership, provide representation for the HSPN at community or public event to which such representation is requested in the absence of the Chair and Vice-Chair

Performance Based Review Committee:

The Performance Based Review Committee reviews Annual Performance Reports and other reports submitted by McKinney-Vento funded programs and provides analysis to the HSPN as to strengths, weaknesses, and ongoing program/systemic issues. The committee reviews the annual Supportive Housing Program application for submittal to HUD, monitors the status of the Continuum's HMIS compliance, and undertakes the annual Point-in-Time survey in an effort to produce accurate and statistically reliable data.

Point-In-Time Committee:

The Point-in-Time Planning Committee will be responsible for planning and implementing all aspects of the annual Point-in-Time (PIT) survey. This includes donations, engagement of service and housing providers, team selection, appointment of leaders/volunteers, training, and site location identification. This committee was created to implement consistency in the PIT process and provide a network of members to implement this much-needed data collection exercise. The Continuum of Care has set a goal of providing consistent, accurate data in all areas of collection and reporting, including the PIT and HMIS. The PIT committee meets twice a month from November through January.

Chronic and Discharge Committee:

The Chronic Discharge Committee reviews and develops policies and protocols to ensure that persons being discharged from publicly-funded institutions or systems of care are not discharged immediately into homelessness. To the maximum extent practicable, this committee will work to coordinate the HSPN with State and local discharge planning efforts to ensure that discharged persons are not released directly to the streets, emergency homeless shelters, or other McKinney-Vento homeless assistance programs. Specific areas include: Foster Care, Health Care, Mental Health, and Corrections.

Mainstream Resources Committee:

The Mainstream Resources Committee will work to continue current success in connecting mainstream resources to clients. The committee will assist in developing policies to ensure that case managers/advocates are properly trained and knowledgeable of application and appeal processes for mainstream benefits. The committee will ensure Continuum-wide collaboration with State and regional offices that administer mainstream program resources, e.g., Medicaid, food stamps, employment assistance, welfare assistance, and mental health services.

Unaccompanied Youth Committee:

The Unaccompanied Youth Committee will focus on improving access to housing and services for unaccompanied homeless youth (defined as youth between the ages of 14-22 not accompanied by a parent or legal guardian), with the goal of ensuring a comprehensive and effective response to the unique needs of this group as a whole and for sub-populations, including youth who identify as lesbian, gay, bisexual, and transgender (LGBT) and those under the age of 18.

Continuum of Care Application Committee:

The Continuum of Care Application Committee is charged with the responsibility of reviewing the NOFA and the requirements of the annual Continuum application so as to guide the HSPN in the development and refinement of Continuum-wide strategies, resources needs, and issues critical to the application process. The direct personnel of those organizations receiving Continuum of Care Program funding through the NOFA process shall be expected to participate in this specific responsibility should they not already be elected members of the Executive Committee.

HMIS Committee:

The HMIS committee meets quarterly and is responsible for planning, decision-making, evaluation, and facilitation for the continued implementation of the HMIS; determination of the long-term policy and procedures for HMIS; coordination and gathering of resources, and leverages available to assist programs with participation; providing recommendations to the Executive Committee about data elements to be collected, and ensuring compliance with HUD's reporting requirements.

Nominating Committee:

The Nominating Committee will consist of an odd number of members of the HSPN, totaling no less than three (3), nor more than seven (7) members. Any member of the HSPN may serve on the Nominating Committee with the exception of the Chair and Vice-Chair of the HSPN. The City of New Bedford - Office of Housing and Community, Executive Committee member will be an ex-officio member of the Nominating Committee. The committee will carry out duties per Section 3.1.

Ad Hoc Committees/Amendment of Existing Committees:

Mission specific ad hoc committees may be created at the discretion of the Executive Committee or by a vote of the membership at a regularly scheduled HSPN meeting. All such committees shall cease to exist when their specified tasks have been completed. Each of these committees will create a work plan, keep minutes, and provide a monthly update to the Executive Committee during Executive Committee meetings and to the HSPN during HSPN meetings for the duration of the committee's existence. The Chair or designee will serve as the Interim Chair of any new committee until members of that committee elect a Chairperson during their first meeting. At the discretion of the Executive Committee or by a vote of the membership at a regularly scheduled HSPN meeting, an existing committee may be modified or eliminated as necessitated by current conditions and/or as per HUD requirements.

Article V: Miscellaneous Provisions

Section 5.1: Amendment of Bylaws

These bylaws may be altered, amended, or repealed by the affirmative vote of two-thirds ($\frac{2}{3}$) majority of the Voting Members at any annual or monthly meeting of the HSPN. Proposals to amend the bylaws may be made at any monthly meeting. The proposed amendment will be sent to all HSPN members in writing fourteen (14) days before the next regularly scheduled meeting and a vote on the proposal will occur at the next meeting of the HSPN.

Section 5.2: Rules of Procedure

When not inconsistent with the provisions in these bylaws, Parliamentary Procedures shall govern all meetings of the HSPN.

Section 5.3: Compensation

Members of the HSPN shall serve without compensation.

Section 5.4: Staffing

The Continuum of Care Coordinator - The City of New Bedford, acting by and through the Office of Housing and Community Development will receive policy guidance from the Executive Committee and will regularly report on program activities and accomplishments at monthly meetings of the HSPN. The Continuum of Care Coordinator will take lead responsibility for carrying out the obligations of the HSPN, including acting as a liaison with local elected officials regarding HSPN performance and activities as necessary.

Article VI. Nondiscrimination

The HSPN is a non-discriminatory organization and does not discriminate on the basis of age, sex, race, ethnicity, religion, creed, disability, sexual orientation, familial status, or natural origin in accordance with all state and federal regulations.



NEW BEDFORD CONTINUUM OF CARE HMIS GOVERNANCE AGREEMENT

A. PURPOSE

The purpose of this document is to serve as a governance charter for the oversight of the Homeless Management Information System (heretofore referred to as "HMIS"). HMIS is used to aggregate data about the extent and nature of homelessness over time; produce an unduplicated count of homeless persons; understand patterns of service use; and measure the effectiveness of homeless assistance projects and programs. Data produced is used for planning and education.

B. RESPONSIBILITIES OF THE NEW BEDFORD CONTINUUM OF CARE

The New Bedford Continuum of Care shall:

1. Designate a non-profit or public entity to serve as the HMIS Lead Agency;
2. Designate a single Homeless Management Information System (HMIS) lead for the New Bedford CoC;
3. Require that the HMIS Lead enter into written HMIS Participation Agreement. Monitor the performance of the HMIS Lead Agency, including ensuring HMIS is administered in accordance with requirements prescribed by federal legislation and the CoC;
4. Review on an annual basis the HMIS needs of the Continuum of Care and approve any substantial changes to the HMIS system; and
5. Review, revise, and approve all policies and procedures that must be developed by the HMIS Lead Agency, including: data quality, privacy, and security plans.

C. DESIGNATIONS

The New Bedford CoC designates the City of New Bedford Department of Planning, Housing and Community Development as the HMIS Lead Agency to operate the New Bedford CoC's HMIS.

The New Bedford CoC designates "Housing Works HMIS Inc." as the official HMIS for the New Bedford CoC.

D. RESPONSIBILITIES OF THE HMIS LEAD AGENCY

The HMIS Lead Agency shall:

- Ensure the operation of and consistent participation by recipients of funds from the Emergency Solutions Grants Program and Continuum of Care Program including oversight of the HMIS and any necessary corrective action to ensure that the HMIS compliance federal requirements.
- Adopting written policies and procedures for the operation of the HMIS that apply to the HMIS Lead, the HMIS Participating Agencies, and the Continuum of Care.
- Execute a written HMIS Participation Agreement with each HMIS participating agency, which includes:

- Obligations and authority of HMIS Lead Agency and each HMIS participating agency;
 - Requirements of the security plan with which each HMIS participating agency must abide;
 - Requirements of the privacy policy with which each HMIS participating agency must abide;
 - Sanctions for violating the HMIS Participation Agreement (*e.g.*, imposing a financial penalty, requiring completion of standardized or specialized training, suspending or revoking user licenses, suspending or revoking system privileges, or pursuing criminal prosecution);
 - Agreement that HMIS Lead Agency and HMIS participating agencies will process Protected Identifying Information consistent with the agreement; and
- Serve as the applicant to HUD for grant funds to be used for HMIS activities for the New Bedford Continuum of Care, as directed by the New Bedford Continuum of Care, and enter into a grant agreement with HUD to carry out the HUD-approved activities;
 - Monitor and enforce compliance by all HMIS participating agencies with all HUD requirements and report to CoC and HUD;
 - Monitor data quality and take necessary actions to maintain input of high-quality data from all HMIS Participating agencies.
 - Submit a security plan, a data quality plan, and a privacy policy to the CoC for approval within 6 months of the effective date of the HMIS final rule and within 6 months after the date that any change is made to the local HMIS. The HMIS Lead must review and update the plans and policy at least annually. During this process, the HMIS Lead Agency must seek and incorporate feedback from the CoC and from the HMIS participating agencies. The HMIS Lead must implement the plans and policy within 6 months of the date of approval by the New Bedford CoC.
 - The HMIS Lead must, at least once annually, or upon request from HUD, submit to the New Bedford CoC an unduplicated count of clients served and an analysis of unduplicated counts, when requested by HUD.
 - The HMIS Lead, in contracting an HMIS vendor, must require the HMIS vendor and the software to comply with HMIS standards issued by HUD as part of its contract.

E. RESPONSIBILITIES OF THE COC HMIS /DATA SUBCOMMITTEE

The HMIS Committee will work with the HMIS Lead to:

1. Develop, annually review, and, as necessary, revise for CoC a privacy plan, security plan, and data quality plan for HMIS, as well as any other HMIS policies and procedures required by HUD;
2. Develop for the CoC a plan for monitoring the HMIS to ensure that:
 - a. All HMIS Participating Agencies consistently participate in HMIS;
 - b. HMIS is satisfying the requirements of all regulations and notices issued by HUD;
 - c. The HMIS Lead is fulfilling the obligations outlined in its HMIS Governance Charter and Agreement with the CoC, including the obligation to enter into written participation agreements with each contributing HMIS organization.

3. Oversee and monitor HMIS data collection and production of the following reports:
 - a. Sheltered point-in-time count;
 - b. Housing Inventory Chart;
 - c. Annual Homeless Assessment Report (AHAR); and
 - d. Annual Performance Reports (APRs).
 - e. Data Quality Monitoring Reports

F. RESPONSIBILITIES OF THE HMIS PARTICIPATING AGENCIES

HMIS Participating Agencies shall:

- Comply with the U.S. Department of Housing and Urban Development’s (“HUD”) HMIS regulations.
- Comply with the Homeless Management Information Participation Agreement.
- Comply with all policies and procedures that are developed by the HMIS Lead Agency, including: data quality, privacy, and security plans.

This charter was approved by the New Bedford CoC on January 21, 2014.

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Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Public Housing Program was created by the U.S. Housing Act of 1937.

Administration of the Public Housing Program and the functions and responsibilities of the Public Housing Authority (PHA) staff shall be in compliance with the PHA's Personnel Policy, and this Admissions and Continued Occupancy Policy. The administration of this PHA's housing program will also meet the requirements of the Department of Housing and Urban Development. Such requirements include any Public Housing Regulations, Handbooks, and applicable Notices. All applicable Federal, State and local laws, including Fair Housing Laws and regulations also apply. Changes in applicable federal laws or regulations shall supersede provisions in conflict with this policy. Federal regulations shall include those found in Volume 24 CFR, Parts 1, 5, 8, 100 and 900-966 (Code of Federal Regulations).

A. HOUSING AUTHORITY MISSION STATEMENT

The New Bedford Housing Authority (hereinafter referred to as PHA or NBHA) is committed to providing quality, affordable housing, that is decent and safe, to eligible families in this community. We strive to make the best use of all available resources so that our residents may live in an environment that is clean, well maintained and attractive. Our goal is to manage our public housing units in a manner that is consistent with good, financially sound property management practices. By taking advantage of available community and government resources, we intend to provide our residents with as many opportunities for economic self-sufficiency as we can identify. We endeavor to instill pride and a desire for an enhanced quality of life for our residents and their families. We are committed to serving our residents and this entire community in a manner that demonstrates professional courtesy, respect and caring.

B. LOCAL OBJECTIVES

This Admissions and Continued Occupancy Plan for the Public Housing Program is designed to demonstrate that the PHA is managing its program in a manner that reflects its commitment to improving the quality of housing available to its public, and its capacity to manage that housing in a manner that demonstrates its responsibility to the public trust. In addition, this Admissions and Continued Occupancy Policy is designed to achieve the following objectives:

To provide improved living conditions for very low and low income families while maintaining their rent payments at an affordable level.

To operate a socially and financially sound public housing agency that provides decent, safe, and sanitary housing within a drug free, suitable living environment for tenants and their families.

To avoid concentrations of economically and socially deprived families in any one or all of the PHA's public housing developments.

To lawfully deny the admission of applicants, or the continued occupancy of residents, whose habits and practices reasonably may be expected to adversely affect the health, safety, comfort or welfare of other residents or the physical environment of the neighborhood, or create a danger to PHA employees.

To attempt to house a tenant body in each development that is composed of families with a broad range of incomes and rent-paying abilities that are representative of the range of incomes of low-income families in the PHA's jurisdiction.

To ensure compliance with Title VI of the Civil Rights Act of 1964 and all other applicable Federal laws and regulations so that the admissions and continued occupancy are conducted without regard to race, color, religion, creed, sex, national origin, handicap or familial status.

C. PURPOSE OF THE POLICY

The purpose of this Admissions and Continued Occupancy Policy (ACOP) is to establish guidelines for the Public Housing Authority (PHA) staff to follow in determining eligibility for admission and continued occupancy. These guidelines are governed by the requirements of the Department of Housing and Urban Development (HUD) with latitude for local policies and procedures. These policies and procedures for admissions and continued occupancy are binding upon applicants, residents, and the PHA.

The PHA Board of Commissioners must approve the original policy and any changes. Required portions of this Plan will be provided to HUD.

D. FAIR HOUSING POLICY

It is the policy of the Housing Authority to comply fully with all Federal, State and local nondiscrimination laws and with rules and regulations governing Fair Housing and Equal Opportunity in housing and employment. The PHA will comply with all laws relating to Civil Rights, including:

- Title VI of the Civil Rights Act of 1964
- Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988)
- Executive Order 11063
- Section 504 of the Rehabilitation Act of 1973
- The Age Discrimination Act of 1975
- Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section 504 and the Fair Housing Amendments govern)
- Any applicable State laws or local ordinances and any legislation protecting individual rights of tenants, applicants or staff that may subsequently be enacted.

The PHA shall not discriminate because of race, color, sex, religion, familial status, disability, national origin, **actual or perceived gender identity, sexual orientation or marital status** in the leasing, rental, or other disposition of housing or related facilities, including land, that is part of any project or projects under the PHA's jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended, or in the use or occupancy thereof.

Posters and housing information are displayed in locations throughout the PHA's office in such a manner as to be easily readable from a wheelchair.

The NBHA's **Boa Vista Central Office and Caroline Street Apartments Senior Center** are accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the TDD telephone service provider.

The PHA shall not, on account of race, color, sex, religion, familial status, disability, national origin, **actual or perceived gender identity, sexual orientation or marital status**:

Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to lease housing suitable to its needs;

Provide housing that is different from that provided to others;

Subject a person to segregation or disparate treatment;

Restrict a person's access to any benefit enjoyed by others in connection with the housing program;

Treat a person differently in determining eligibility or other requirements for admission; or

Deny a person access to the same level of services.

The PHA shall not automatically deny admission to a particular group or category of otherwise qualified applicants (e.g., families with children born to unmarried parents, elderly families with pets).

E. SERVICE AND ACCOMMODATIONS POLICY

It is the policy of the NBHA to provide courteous and efficient service to all applicants for housing assistance. In that regard, the PHA will endeavor to accommodate persons with disabilities, as well as those persons with language and literacy barriers.

This policy is applicable to all situations described in this Admissions and Continued Occupancy Policy when a family initiates contact with the PHA, when the PHA initiates contact with a family including when a family applies, and when the PHA schedules or reschedules appointments of any kind.

It is the policy of this PHA to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to the families within our jurisdiction.

The PHA's policies and practices will be designed to provide assurances that all persons with disabilities will be provided reasonable accommodation so that they may fully access and utilize the housing program and related services. The availability of specific accommodations will be made known by including notices on PHA forms and letters to all families, and all requests will be verified so that the PHA can properly accommodate the need presented by the disability.

Federal Americans with Disabilities Act of 1990

With respect to an individual, the term "disability," as defined by the 1990 Act means:

A physical or mental impairment that substantially limits one or more of the major life activities of an individual; or

A record of such impairment, or

Being regarded as having such impairment.

Undue Hardship

Requests for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need presented by the disability and they do not create an "undue financial and administrative burden" for the PHA, meaning an action requiring "significant difficulty or expense."

In determining whether accommodation would create an undue hardship, the following guidelines will apply:

The nature and cost of the accommodation needed;

The overall current financial resources of the facility or facilities involved in the provision of the reasonable accommodation; and

The number of persons currently employed at such facility, the number of families likely currently to need such accommodation, the effect on expenses and resources, or the likely impact on the operation of the facility as a result of the accommodation.

Verification of a Request for Accommodation

All requests for accommodation or modification of a unit will be verified with a reliable, knowledgeable, professional.

Requests for reasonable accommodation from persons with disabilities will be granted upon verification that they meet the need presented by the disability.

Reasonable Accommodation

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to provide some information, but only with the permission of the person with the disability.

All PHA mailings will be made available in an accessible format upon request, as a reasonable accommodation.

Application Process

For purposes of this section, the NBHA will make the following types of accommodations to persons with disabilities to facilitate the application process:

Permitting the submission of applications or certification forms via mail.

Permitting an authorized designee to participate in the application or certification process.

Other Accommodations

Families will be offered an accessible unit, upon request by the family, when an accessible unit is available.

F. TRANSLATION OF DOCUMENTS

The NBHA has bilingual staff to assist non-English speaking families in Portuguese, Creole and Spanish. The NBHA has adopted a Language Assistance Plan to ensure non-English speaking applicants/participants access to housing services.

This plan is in effect for all NBHA Public Housing and HCVP/MRVP programs.

Goal:

The goal of the NBHA Limited English Proficiency Plan is to ensure that all individuals (potential applicants, applicants and participants), regardless of primary language spoken, have meaningful access to housing services.

Meaningful access is free language assistance in accordance with Federal guidelines. The NBHA will periodically assess and update the following four factor analysis, including but not limited to:

FACTOR ONE:

The Number or Proportion of Limited English Proficient (LEP) Individuals to be Served or Likely to be Encountered

The number of limited English proficient applicants on the waiting list as well as the number of participants in NBHA programs substantiate the need for meaningful access to housing services.

2006 Census data indicates that 20.3% of the population in the New Bedford metropolitan area speaks a language other than English at home. In the New Bedford area, the predominant non-Hispanic ethnicity is Cape Verdean with Creole as the primary language. Additionally, an unspecified number of applicants/residents, almost entirely in the elderly programs speak Portuguese as their primary language.

FACTOR TWO:

The Frequency with which LEP Individuals Come Into Contact with the Program

The minimum frequency of contact for participants in NBHA programs includes initial application, briefing, yearly annual re-exam and yearly annual inspection. Some participants may have one or more additional re-exams (interim re-exams) to report changes in income or family composition. In addition, some families receive emergency inspections for health, safety or life threatening conditions in their housing unit that occur prior to the annual inspection. Some applicants/participants may have informal reviews, informal conferences, may attend resident or community meetings, or may have various questions regarding the programs throughout the year.

FACTOR THREE:

The Nature and Importance of the Program, Activity or Service Provided by the Program

NBHA's mission is to provide safe, quality, affordable housing for individuals and families of New Bedford. The main eligibility factor for the PHF is income limits established by the Department of Housing and Urban Development (HUD). Simply stated, the NBHA provides safe, decent and sanitary housing to low-income families. Housing is a basic human need, the lack of which can have serious or life-threatening implications for any individual. Compulsory NBHA activities include the application/eligibility process including the yearly re-exam and inspection, and attendance at informal reviews or hearings when a family is in violation of their lease or is proposed for termination from any NBHA program.

FACTOR FOUR:

Resources Available to the Recipient and Costs

The NBHA has the following resources available, or if necessary will obtain access to, to ensure that LEP individuals have meaningful access to NBHA programs:

- Bilingual Staff
- Interpreting Services
- Translating Services
- Written Notices to Participants and Applicants
- Use of "I Speak" Cards

The Section 8 Administrative Plan requires that:

"The PHA shall not deny any family or individual the opportunity to apply for or receive assistance under the Section 8 Programs on the basis of race, color, sex, religion, creed, national or ethnic origin, age, family status, handicap or disability.

Additionally, in determining whether it is feasible to translate documents into other languages, the NBHA will consider the following factors:

- Number of applicants and participants who do not speak English and speak the other language.
- Cost of translation into the other language per/client who speaks the language.
- Evaluation of the need for translation by agencies that work with the non-English speaking clients.
- The availability of organizations to translate documents, letters and forms for non-English speaking families.
- Availability of bilingual staff to explain untranslated documents to clients."

The Public Housing Admissions and Continuing Occupancy Plan (ACOP) specifies the following:

The New Bedford Housing Authority will endeavor to have bilingual staff or access to people who speak languages other than English in order to assist non-English speaking families. The following languages shall be covered: Portuguese, Spanish and Creole.

Language Assistance Measures:

The NBHA hires and utilizes bilingual staff as interpreters. As of July 2009, there are 14 multi-lingual staff members. Of these, seven speak Spanish, three speak Creole, and four speak Portuguese. The ability to speak more than one language is and will continue to be an important factor in making staff hiring decisions.

The NBHA will reach out to local interpreter service providers to assist with interpreting/translation if staff resources are not available or if the language requirement is outside NBHA staff fluency. NBHA has engaged such services several times, particularly for applicants/residents required American Sign Language interpretation.

A written notice will be provided to all participant and waiting list families who indicate their ethnicity as Hispanic, notifying them that free assistance is available to limited-English proficient families.

Since the combined programs have a combined total of 14% Hispanic families and, and since, based upon census statistics, NBHA can reasonably assume 20% of its clients are not fluent in English, vital documents will be interpreted to individuals when the need arises.

Professional translators may also be contracted, when needed, to ensure that accurate and clearly understandable information is disseminated to the public. Families are permitted to use, at their own expense an interpreter of their own choosing (including a family member) in place of or as a supplement to the free services offered by NBHA.

It is not the NBHA policy to *require* an individual to hire his or her own interpreter or use a family member as an interpreter. Utilizing a family member or friend as interpreter may violate the individual's right to privacy, and therefore, the decision is left to the LEP individual.

"I speak" cards will be utilized to encourage LEP individuals to self-identify. Correspondence received in languages other than English will be referred to the Director of Field Operations or Director of Housing Assistance as appropriate for translation and response. In-person contacts by individuals speaking a language other than English will be referred to one of the bilingual staff for assistance.

Monitoring and Updating the Limited English Proficiency Plan:

The Limited-English Proficiency Plan will be reviewed yearly to determine whether updates are needed. Updates will be executed by the Director of Field Operations and/or the Director of Housing Assistance.

Complaints and comments regarding LEP services will be forwarded to the Executive Director as appropriate.

NBHA Bilingual Staff

Spanish

Carmen Gonzalez

Cynthia Cortez-Lefevre

Janet Marrero

Mildred Bretal-Paiva

Nelida Negrón

Rosemarie Frias

Xiomara Colon

Creole

Anisia Melicio

Marilyn Gonsalves

Shirley Silva

Portuguese

Anisia Melicio

Dalia Faustino

Rosemarie Frias

Susan Conde

G. LANGUAGE ASSISTANCE

The NBHA will provide readers to assist persons with literacy barriers in completing the application and certification process.

H. PUBLIC HOUSING ASSESSMENT SYSTEM (PHAS) OBJECTIVES

[24 CFR 901 & 902]

The PHA operates its public housing program with efficiency and can demonstrate to HUD or independent auditors that the PHA is using its resources in a manner that reflects its commitment to quality and service. The PHA policies and practices are consistent with the new Public Housing Assessment System (PHAS) outlined in the 24 CFR Parts 901 and 902 final published regulations.

I. FAMILY OUTREACH

The PHA will publicize and disseminate information to make known the availability of housing units and housing-related services for very low income families on a regular basis.

The PHA will communicate the status of housing availability to other service providers in the community. The PHA will advise them of housing eligibility factors and guidelines in order that they can make proper referrals for those who seek housing.

J. PRIVACY RIGHTS

Applicants and participants, including all adults in their households, are required to sign the form HUD-9886, "Authorization for Release of Information and Privacy Act Notice." This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD will release family information.

The PHA's policy regarding release of information is in accordance with State and local laws that may restrict the release of family information.

Any and all information that would lead one to determine the nature and/or severity of a person's disability must be kept in a separate folder and marked "confidential." The personal information in this folder must not be released except on an "as needed" basis in cases where an accommodation is under consideration. All requests for access and granting of accommodations based on this information must be approved by the staff person designated by the **Executive Director**.

***The PHA's practices and procedures are designed to safeguard the privacy of applicants and tenants.**

K. POSTING OF REQUIRED INFORMATION

The PHA will maintain a bulletin board in a conspicuous area of the **Boa Vista Central Office** that will contain:

Statement of policies and procedures governing Admissions and Continued Occupancy Policy (ACOP) or a notice of where the policy is available

Information on application taking

Directory of the PHA's housing sites including names, address of offices and office hours at each facility.

Income limits for Admission

Current schedule of routine maintenance charges

A copy of the lease

The PHA's grievance procedures

A Fair Housing Poster

An Equal Opportunity in Employment poster

Current Resident Notices

Required public notices

Site developments will maintain a bulletin board in a conspicuous place which will contain:

Tenant Selection policies (960.202 and 960.203)

Information on application taking

Income limits for admission

Current schedule of maintenance charges

Copy of lease

PHA's grievance procedures

Fair Housing poster

Equal Opportunity in Employment poster

Current Resident Notices

L. TERMINOLOGY

The Housing Authority of **New Bedford** is referred to as "PHA" or "**NBHA**" throughout this document.

"Family" is used interchangeably with "Applicant," "Resident" or "Participant" or and can refer to a single-person family.

"Tenant" is used to refer to participants in terms of their relation as a lessee to the PHA as the landlord.

"Landlord" refers to the PHA.

"Disability" is used where "handicap" was formerly used.

"Noncitizens Rule" refers to the regulation effective June 19, 1995, restricting assistance to U.S. citizens and eligible immigrants.

See Glossary for other terminology.

Chapter 2

ELIGIBILITY FOR ADMISSION

[24 CFR Part 960, Subpart B]

INTRODUCTION

This Chapter defines both HUD's and the PHA's criteria for admission and denial of admission to the program. The policy of this PHA is to strive for objectivity and consistency in applying these criteria to evaluate the qualifications of families who apply. The PHA staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the PHA pertaining to their eligibility.

A. QUALIFICATION FOR ADMISSION

It is the PHA's policy to admit qualified applicants only. An applicant is qualified if he or she meets the following criteria:

Is a family as defined in this Chapter;

Heads a household where at least one member of the household is either a citizen or eligible non-citizen. (24 CFR Part 5, Subpart E).

Has an Annual Income at the time of admission that does not exceed the **low** income limit for occupancy established by HUD and posted separately in the PHA offices.

Provides a Social Security number for all family members, age 6 or older, or will provide written certification that they do not have Social Security numbers;

Meets or exceeds the tenant Selection and Suitability Criteria as set forth in this policy., **including the attendance and successful completion of the PHA's pre-occupancy class.**

Timing for the Verification of Qualifying Factors

The qualifying factors of eligibility will not be verified until the family is in a position on the waiting list to be offered a housing unit.

B. FAMILY COMPOSITION

Definition of Family

The applicant must qualify as a Family. A Family may be a single person or a group of persons.

Discrimination on the basis of familial status is prohibited, and a group of persons may not be denied solely on the basis that they are not related by blood, marriage or operation of law. For occupancy standards purposes, the applicant may claim a spousal relationship. (see chapter on Occupancy Guidelines.)

A group of persons is defined by the PHA as two or more persons who intend to share residency whose income and resources are available to meet the family's needs, and will live together in PHA housing.

Elderly, disabled, and displaced families are defined by HUD in CFR 5.403.

The term “family” includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- (1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person or any other single person; or
- (2) A group of persons residing together and such group includes, but is not limited to:
 - (i) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
 - (ii) An elderly family;
 - (iii) A near-elderly family;
 - (iv) A disabled family;
 - (v) A displaced family; and
 - (vi) The remaining member of a tenant family;

In addition, for categorizing family as defined above, the terms disabled family, elderly family and near-elderly family (per 24 CFR 5.403) are:

Disabled family means a family whose head (including co-head), spouse or sole member is a person with a disability.

Elderly family means a family whose head (including co-head), spouse or sole member is a person who is at least 62 years of age.

Near elderly family means a family whose head (including co-head), spouse or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62.

A single person who is not elderly, displaced, or a person with disabilities, or the remaining member of a tenant family;

Two or more elderly or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in aides is a family;

Two or more near-elderly persons living together, or one or more near-elderly persons living with one or more live-in aides.

The temporary absence of a child from the home due to placement in foster care shall not be considered in determining the family composition and family size.

*** Occupancy by Police Officers**

In order to provide an increased sense of security for public housing residents the PHA may allow public housing units to be occupied by police officers.

Police officers will not be required to be income eligible to qualify for admission to the PHA's public housing program.

Head of Household

The head of household is the adult member of the household who is designated by the family as head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under State/local law.

Emancipated minors who qualify under State law will be recognized as head of household if there is a court order recognizing them as an emancipated minor.

Persons who are married are legally recognized as adults under State law.

A family may designate an elderly or disabled family member as head of household solely to qualify the family as an elderly family, provided that the person is at least partially responsible for paying the rent.

Spouse of Head

Spouse means the husband or wife of the head.

For proper application of the Noncitizens Rule, the definition of spouse is: the marriage partner who, in order to dissolve the relationship, would have to be divorced. It includes the partner in a common law marriage. The term "spouse" does not apply to boyfriends, girlfriends, significant others, or co-heads.

Co-head

An individual in the household who is equally responsible for the lease with the Head of
New Bedford Housing Authority
134 So. Second Street
New Bedford, MA 02740

09/02/15ACO

Household. A household may have either a spouse or co-head, but not both. A co-head never qualifies as a dependent.

Live-In Attendants

A Family may include a live-in aide provided that such live-in aide:

Is determined by the PHA to be essential to the care and well being of an elderly person, a near-elderly person, or a person with disabilities,

Is not obligated for the support of the person(s), and

Would not be living in the unit except to provide care for the person(s).

A live-in aide is not considered to be an assisted family member and has no rights or benefits under the program:

Income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits.

Live-in aides are not subject to Non-Citizen Rule requirements.

Live-in aides may not be considered as a remaining member of the tenant family.

Relatives are not automatically excluded from being live-in aides, but they must meet all of the elements in the live-in aide definition described above.

Family members of a live-in attendant may also reside in the unit, providing doing so does not increase the subsidy by the cost of an additional bedroom and that the presence of the family member(s) does not overcrowd the unit.

A Live-in Aide may only reside in the unit with the approval of the PHA. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker. The verification provider must certify that a live-in aide is needed for the care of the family member who is elderly, near-elderly (50-61) or disabled.

Verification of the need for a live-in aide must include the hours the care will be provided.

After the PHA approves the addition of a live-in aide on behalf of a resident, the resident must submit a specific live-in aide's name and information for approval by the PHA within 30 calendar days of the PHA's notification.

If the 30 calendar days expire, the resident will have to resubmit an application for approval of a live-in aide.

A specific live-in aide may only reside in the unit with the approval of the PHA. The PHA shall make the live-in aide subject to the agency's normal screening criteria.

The PHA will require the live-in aide to execute a lease rider agreeing to abide by the terms and conditions of occupancy set forth in the lease agreement. If the live-in aide violates provisions of the lease rider, the PHA may take action against the live-in aide separate from action against the assisted family.

If the live-in aide or their family members participate in drug-related or criminal activity, the PHA will rescind the aide's right to occupy the unit. When the agency takes such action against the live-in aide, the aide is not entitled to the grievance hearing process of the agency.

The PHA has the right to disapprove a request for a live-in aide based on the "Other Eligibility Criteria" described in this Chapter.

C. MANDATORY SOCIAL SECURITY NUMBERS [24 CFR 5.216]

Families are required to provide verification of Social Security Numbers for all family members age 6 and older prior to admission, if they have been issued a number by the Social Security Administration. This requirement also applies to persons joining the family after admission to the program.

Failure to furnish verification of social security numbers is grounds for denial of admission or termination of tenancy.

If a member does not have a Social Security Number they must sign a certification stating that they do not have one. The certification shall:

state the individual's name,

state that the individual has not been issued a Social Security Number;

state that the individual will disclose the Social Security Number, if they obtain one at a later date;

be signed and dated.

D. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS

In order to receive assistance, a family member must be a U.S. citizen or eligible immigrant. Individuals who are neither may elect not to contend their status. Eligible immigrants are persons who are in one of the six immigrant categories as specified by HUD.

For the Citizenship/Eligible Immigration requirement, the status of each member of the family is considered individually before the family's status is defined.

Mixed Families. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed".

Such applicant families will be given notice that their income-based assistance (TTP) will be pro-rated and that they may request a hearing if they contest this determination. If such a family chooses flat rent, the flat rent will not be pro-rated if the flat rent is greater than the Public Housing Maximum Rent. If the Public Housing Maximum Rent is greater than the flat rent, and the family chooses flat rent, the flat rent will be pro-rated.

No eligible members. Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Noncitizen students defined by HUD in the noncitizen regulations are not eligible for assistance.

The PHA will establish and verify eligibility no later than the date of the family's annual reexamination following October 21, 1998.

No individual or family applying for financial assistance may receive such financial assistance prior to the affirmative establishment and verification of eligibility of at least one individual or family member.

E. OTHER ELIGIBILITY CRITERIA

All applicants will be processed in accordance with HUD's regulations (24 CFR Part 960) and sound management practices. Applicants will be required to demonstrate ability to comply with essential provisions of the lease as summarized below.

All applicants must demonstrate through an assessment of current and past behavior the ability:

to pay rent and other charges as required by the lease in a timely manner;

to care for and avoid damaging the unit and common areas;

to use facilities, appliances and equipment in a reasonable way;

to create no health or safety hazards, and to report maintenance needs in a timely manner;

not to interfere with the rights and peaceful enjoyment of others and to avoid damaging the property of others;

not to engage in criminal activity or alcohol abuse that threatens the health, safety or right to peaceful enjoyment of other residents or staff and not to engage in drug-related criminal activity on or off the PHA premises;

not to have ever been convicted of manufacturing or producing methamphetamine, also known as "speed," on the premises of assisted housing;

not to contain a household member subject to lifetime sex offender registration requirement under a State Sex offender registration program;

to comply with necessary and reasonable rules and program requirements of HUD and the PHA; and,

to comply with local health and safety codes.

Denial of Admission for Previous Debts to This or Any Other PHA

Previous outstanding debts to this PHA or any PHA resulting from a previous tenancy in the public housing or Section 8 program must be paid in full prior to admission. No Payment Agreement will be accepted.

At the time of initial application, the applicant must pay any previous debt prior to being placed on the waiting list.

Either spouse is responsible for the entire debt incurred as a previous PHA tenant. Children of the head or spouse who had incurred a debt to the PHA will not be held responsible for the parent's previous debt.

F. DENIAL OF ADMISSION FOR DRUG-RELATED AND/OR OTHER CRIMINAL ACTIVITY

Purpose

All federally assisted housing is intended to provide a place to live and raise families, not a place to commit crime, to use or sell drugs or terrorize neighbors. It is the intention of the New Bedford Housing Authority to fully endorse and implement a policy that is designed to:

Help create and maintain a safe and drug-free community;

Keep our program participants free from threats to their personal and family safety;

Support parental efforts to instill values of personal responsibility and hard work;

Help maintain an environment where children can live safely, learn and grow up to be productive citizens.

Administration

All screening procedures shall be administered fairly and in such a way as not to discriminate on the basis of race, color, nationality, religion, sex, familial status, disability or against other legally protected groups, and not to violate right to privacy.

To the maximum extent possible, the PHA will involve other community and governmental entities in the promotion and enforcement of this policy.

This policy will be posted on the PHA's bulletin board and copies made readily available to applicants and tenants upon request.

HUD Definitions

"Drug-related criminal activity" is the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute or use a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

Drug-related criminal activity means *on or off the premises, not just on or near the premises*.

"Covered person" means a tenant, any member of the tenant's household, a guest, or another person under the tenant's control.

"Criminal activity" includes any criminal activity that threatens the health, safety or right to peaceful enjoyment of the resident's public housing premises by other residents or employees of the PHA.

"Drug" means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

"Guest" for purposes of this Chapter, means a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

"Household" means the family and PHA-approved live-in aide.

"Other person under the tenant's control," for the purposes of the definition of "covered person", means that the person, although not staying as a guest (as defined above) in the unit is, or was at the time of the activity in question, on the premises (as defined in this section) because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

"Premises" means the building or complex or development in which the public housing dwelling unit is located, including common areas and grounds.

"Violent criminal activity" means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Screening for Drug Abuse and Other Criminal Activity

In an effort to prevent drug related and other criminal activity, as well as other patterns of behavior that pose a threat to the health, safety or the right to peaceful enjoyment of the premises

by other residents, the PHA will endeavor to screen applicants as thoroughly and fairly as possible.

If in the past the PHA initiated a lease termination, which may or may not have resulted in eviction for any reason cited under the Screening and Eviction for Drug Abuse and Other Criminal Activity Notice, for a family, as a prior resident of public housing, the PHA shall have the discretion to consider all circumstances of the case regarding the extent of participation by non-involved family members.

Initial screening will be limited to routine inquiries of the family and any other information provided to the PHA regarding this matter. The inquiries will be standardized and directed to all applicants by inclusion in the application form.

If as a result of the standardized inquiry, or the receipt of a verifiable referral, there is indication that the family or any family member is engaged in drug-related criminal or violent criminal activity, the PHA will conduct closer inquiry to determine whether the family should be denied admission.

If the screening indicates that any family member has been arrested/convicted within the prior 3 years for drug-related or violent criminal activity, the PHA shall obtain verification through police/court records and the Criminal Offender Record Information database.

Use of FBI and Law Enforcement Records

The PHA will check criminal history for all **applicants who are 18 years of age** to determine whether any member of the family has engaged in violent or drug-related criminal activity.

The PHA will check criminal history for all **applicants who are 18 years of age** to determine whether any member of the family is subject to a lifetime sex offender registration requirement.

Verification of any past activity will be done prior to final eligibility and will include a check of conviction records.

The PHA has applied to the Federal Bureau of Investigation (FBI) and obtained a unique Originating Agency Identifier (ORI) number in order to maximize its efforts in obtaining applicant criminal record history.

The PHA will do a name check only through its local law enforcement agency to access limited information from the NCIC.

Standard for Violation

Persons evicted from public housing, Indian housing, Section 23, or any Section 8 program because of drug-related criminal activity are ineligible for admission to Public Housing for a **three-year** period beginning on the date of such eviction.

The PHA will admit the household if the PHA determines:

The person demonstrates successful completion of a rehabilitation program approved by the PHA, or

The circumstances leading to the eviction no longer exist. For example, the individual involved in drugs is no longer in the household because the person has died or is imprisoned.

No member of the applicant's family may have engaged in drug related or violent criminal activity within the past **3 years**.

The PHA will deny participation in the program to applicants where the PHA determines there is reasonable cause to believe that the person is illegally using a controlled substance or engages in drug-related or other criminal activity. The same will apply if it is determined that the person abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents. This includes cases where the PHA determines that there is a pattern of illegal use of controlled substances or a pattern of alcohol abuse.

*** The PHA will consider the use of a controlled substance or alcohol to be a *pattern* if there is more than one incident during the previous 6 months.**

"Engaged in or engaging in or recent history of" drug-related criminal activity means any act within the past **3 years** by applicants or participants, household members, or guests which involved drug-related criminal activity including, without limitation, drug-related criminal activity, possession and/or use of narcotic paraphernalia, which did or did not result in the arrest and/or conviction of the applicant or participant, household members, or guests.

"Engaged in or engaging in or recent history of" criminal activity means any act within the past **3 years** by applicants or participants, household members, or guests which involved criminal activity that would threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the PHA, which did or did not result in the arrest and/or conviction of the applicant or participant, household members, or guests.

In evaluating evidence of negative past behavior, the PHA will give fair consideration to the seriousness of the activity with respect to how it would affect other residents, and/or likelihood of favorable conduct in the future which could be supported by evidence of rehabilitation.

The PHA will waive the requirement regarding drug-related criminal activity if:

The person demonstrates successful completion of a credible rehabilitation program approved by the PHA; or

The person demonstrates consistent participation in professional rehabilitation for 18 months; or

The individual involved in drug-related criminal activity is no longer in the household because the person is incarcerated.

The PHA may permit eligibility for occupancy and impose conditions that the involved family member(s) does not reside in the unit. The PHA will consider evidence that the person is no longer in the household such as divorce decree/incarceration/death/copy of a new lease with the owner's telephone number and address/or other substantiating evidence.

Permanent Denial of Admission

The PHA will permanently deny admission to public housing persons convicted of manufacturing or producing methamphetamine on the premises of the assisted housing project in violation of any Federal or State law. "Premises" is defined as the building or complex in which the dwelling unit is located, including common areas and grounds. The PHA will not waive this requirement.

Prohibition on Persons Subject to Lifetime Sex Offender Registration Requirement

The PHA will deny admission to public housing to any family in which a family member is subject to a lifetime sex offender registration requirement. This provision will not be waived. The PHA shall perform necessary criminal history background checks in the State where the housing is located and in any other States where household members are known to have resided.

Other criminal activity

"Other criminal activity" means a history of criminal activity involving crimes of actual or threatened violence to persons or property, or a history of other criminal acts, conduct or behavior which would adversely affect the health, safety, or welfare of other residents.

For the purposes of this policy, this is construed to mean that a member of the current family has been arrested or convicted of any criminal or drug-related criminal activity within the past 3 years.

HUD defines violent criminal activity as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against a person or property, and the activity is being engaged in by any family member.

Applicants and/or their household members who have been convicted of criminal sexual conduct, including but not limited to sexual assault, incest, statutory sexual seduction, open and gross lewdness, or child abuse, and are required by law to register as a sex offender will be prohibited from participation in the public housing program.

No family member may have engaged in or threatened abusive or violent behavior toward PHA personnel at any time within the past 5 years.

No family member may have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program in the last 5 years.

Even if a person has served time in jail and has now been released on probation, that person cannot be admitted into public housing until the completion of probation.

If the only sentence was probation, probation must have been completed, without incident, in order to be considered eligible for public housing.

A person who is released from jail with no probation requirement would have to operate on the outside for one year with no further evidence of the prohibited activities in order to be considered eligible for admission.

A person who has been convicted of any crime involving bodily injury would not be considered for admission until a year has passed since full repaying of the social debt, including probation.

Evidence

The PHA must have evidence of the violation.

"Preponderance of evidence" is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred.

Preponderance of evidence is not to be determined by the number of witnesses, but by the greater weight of all evidence.

"Credible evidence" may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence, can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants, evidence gathered by PHA inspectors and/or investigators, and evidence gathered from the PHA Hotline.

The PHA may pursue fact-finding efforts as needed to obtain credible evidence.

Obtaining Information From Drug Abuse Treatment Centers

The PHA will:

Request for certain household members. The PHA shall submit a request to a drug abuse treatment facility only with respect to each proposed household member:

Whose criminal record indicates prior arrest or conviction for any criminal activity that may be a basis for denial of admission; or

Whose prior tenancy records indicate that the proposed household member:

Engaged in the destruction of property;

Engaged in violent activity against another person; or

Interfered with the right of peaceful enjoyment of the premises of other residents.

The written consent form shall authorize the PHA to receive information from the drug abuse treatment facility stating whether the facility has reasonable cause to believe that the applicant is currently engaging in the illegal use of a controlled substance or the applicant is successfully completing rehabilitation.

The authorization will be sent to the drug abuse treatment facility with a PHA postage paid return addressed envelope addressed to the attention of the Supervisor of Tenant Selection.

The PHA will maintain such information received from a drug abuse treatment facility in a manner that respects its confidentiality.

Such confidential information will be reviewed by the Supervisor of Tenant Selection who will make a decision as to the outcome of the review.

Such confidential information will not be misused or improperly disseminated and will be destroyed not later than 5 business days after the date on which the PHA gives final approval for admission.

If the application is denied, the information will be destroyed within 5 business days following the date on which the statute of limitations for commencement of a civil action from the applicant based upon the denial of admission has expired.

Confidentiality of Criminal Records

The PHA will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed once the purpose for which it was requested is accomplished.

All criminal reports, while needed by the Supervisor of Tenant Selection for screening for criminal behavior, will be housed in a locked file with access restricted to individuals responsible for such screening.

Misuse of the above information by any employee will be subject to the penalties contained in the PHA's Personnel Policy.

If the family is determined eligible for initial or continued assistance, the PHA's copy of the criminal report shall be shredded as soon as the information is no longer needed for eligibility or continued assistance determination.

If the family's assistance is denied or terminated, the criminal record information shall be shredded immediately upon completion of the review or hearing procedures and a final decision has been made.

The PHA will document in the family's file that the family was denied admission or the tenancy was terminated due to findings in the Criminal History Report.

Disclosure of Criminal Records to Family

Before the PHA takes any adverse action based on a criminal conviction record, the applicant and subject of record will be provided with a copy of the criminal record and an opportunity to dispute the record. Applicants will be provided an opportunity to dispute the record at an informal hearing. Tenants may contest such records at the grievance hearing or court hearing in the case of evictions.

Hearings

(See Chapter titled "Complaints, Grievances and Appeals")

If information is revealed that would cause the PHA to deny admission to the household and the person disputes the information, s/he shall be given an opportunity for an informal hearing according to the PHA's hearing procedures outlined in the Chapter on Complaints, Grievances and Appeals.

G. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING [Pub.L. 113-4, 127 Stat. 54]

The Violence against Women Reauthorization Act of 2013 (VAWA) prohibits denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, sexual assault or stalking. Specifically, Section 607(2) of VAWA adds the following provision to Section 6 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the public housing program:

Every contract for contributions shall provide that. . . the public housing agency shall not deny admission to the project to any applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking if the applicant otherwise qualifies for assistance or admission, and that nothing in this section shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, or stalking.

Definitions

As used in VAWA:

- The term *domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship
- The term *sexual assault* means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.
- The term *stalking* means:
 - To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or
 - To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and
 - In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly

committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.

- The term *affiliated individual* means, with respect to a person -
 - A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in loco parentis; or
 - Any individual, tenant, or lawful occupant living in the household of that individual.

Notification

PHA Policy

The PHA acknowledges that a victim of domestic violence, dating violence, sexual assault, or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under the PHA's policies. Therefore, if the PHA makes a determination to deny admission to an applicant family, the PHA will include in its notice of denial:

A statement of the protection against denial provided by VAWA

A description of PHA confidentiality requirements

A request by an applicant wishing to claim this protection must submit to the PHA documentation meeting the specifications below with her or his request for an informal hearing.

Documentation

Victim Documentation

PHA Policy

An applicant claiming that the cause of an unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, sexual assault, or stalking must provide documentation (1) demonstrating the connection between the abuse and the unfavorable history and (2) naming the perpetrator of the abuse. The documentation may consist of any of the following:

- a. **HUD-approved form** - by providing to the NBHA or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence, sexual assault, or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.
- b. **Other documentation** - by providing to the NBHA or to the requesting Section 8 owner or manager 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 the domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest 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 meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence, sexual assault, or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.

- c. **Police or court record** – by providing to the NBHA or to the requesting Section 8 owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

Perpetrator Documentation

PHA Policy

If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

A signed statement (1) requesting that the perpetrator be removed from the application and (2) certifying that the perpetrator will not be permitted to visit or to stay as a guest in the public housing unit

Documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.

Time Frame for Submitting Documentation

PHA Policy

The applicant must submit the required documentation with her or his request for an informal hearing or must request an extension in writing at that time. If the applicant so requests, the PHA will grant an extension of 14 business days and will postpone scheduling the applicant's informal hearing until after it has received the documentation or the extension period has elapsed. If, after reviewing the documentation provided by the applicant, the PHA determines that the family is eligible for assistance, no informal hearing will be scheduled, and the PHA will proceed with admission of the applicant family.

PHA Confidentiality Requirements

All information provided to the PHA regarding domestic violence, dating violence, sexual assault, or stalking, including the fact that an individual is a victim of such violence, sexual assault or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure is

- (a) requested or consented to by the individual in writing,
- (b) is required for use in an eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or
- (c) is otherwise required by applicable law.

PHA Policy

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the PHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

H. SCREENING FOR SUITABILITY [24 CFR 960.203, 960.204, 960.205]

In developing its admission policies, the aim of the PHA is to attain a tenant body composed of families with a broad range of incomes and to avoid concentrations of the most economically deprived families and families with serious social problems. Therefore, it is the policy of the PHA to deny admission to applicants whose habits and practices may reasonably be expected to have a detrimental effect on the operations of the development or neighborhood, or on the quality of life for its residents.

The PHA will conduct a detailed interview of all applicants. The interview form will contain questions designed to evaluate the qualifications of applicants to meet the essential requirements of tenancy. Answers will be subject to third party verification.

An applicant's intentional misrepresentation of any information related to eligibility, award of preference for admission, housing history, allowances, family composition or rent will result in denial of admission.

Applicants must be able to demonstrate the ability and willingness to comply with the terms of the lease, either all or with assistance that they can demonstrate that they have or will have at the time of admission. (24 CFR 8.3, Definition: Qualified Individual with Handicaps) The availability of assistance is subject to verification by the PHA.

The PHA does not permit a parent or legal guardian to co-sign the lease on the applicant's behalf if the head of household is under 18 and, under State/local law, does not have the legal capacity to enter into a legally binding contract

As a part of the final eligibility determination, the PHA will screen each applicant household to assess their suitability as renters.

The PHA will complete a rental history check on all applicants.

The PHA shall rely upon sources of information which may include, but are not limited to, PHA records, personal interviews with the applicant or tenant, interviews with previous landlords, employers, family social workers, parole officers, criminal and court records, clinics, physicians or the police department, and home visits.

This will be done in order to determine whether the individual attributes, prior conduct, and behavior of a particular applicant is likely to interfere with other tenants in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety or welfare.

The PHA will run a credit check on every applicant to evaluate their financial history. In evaluating a credit report, higher weight will be given to bills that are shelter and utility related.

Factors to be considered in the screening are housekeeping habits, rent paying habits, prior history as a tenant, criminal records, the ability of the applicant to maintain the responsibilities of tenancy, and whether the conduct of the applicant in present or prior housing has been such that admission to the program would adversely affect the health, safety or welfare of other residents, or the physical environment, or the financial stability of the project.

The PHA's examination of relevant information pertaining to past and current habits or practices will include, but is not limited to, an assessment of:

The applicant's past performance in meeting financial obligations, especially rent.

Eviction or a record of disturbance of neighbors sufficient to warrant a police call, destruction of property, or living or housekeeping habits at present or prior residences which may adversely affect the health, safety, or welfare of other tenants or neighbors.

Any history of criminal activity on the part of any applicant family member involving criminal acts, including drug-related criminal activity.

Any history or evidence of repeated acts of violence on the part of an individual, or a pattern of conduct constituting a danger to peaceful occupancy by neighbors.

Any history of initiating threats or behaving in a manner indicating an intent to assault employees or other tenants.

Any history of alcohol or substance abuse that would threaten the health, welfare, or right to peaceful enjoyment of the premises by other residents.

The ability and willingness of an applicant to comply with the essential lease requirements will be verified and documented by the PHA. The information to be considered in the screening process shall be reasonably related to assessing the conduct of the applicant and other family members listed on the application in present and prior housing.

The history of applicant conduct and behavior must demonstrate that the applicant family can reasonably be expected not to:

Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare. [24CFR 960.203(c)]

Adversely affect the physical environment or financial stability of the project. [24CFR 960.203(c)]

Violate the terms and conditions of the lease. [24CFR 960.203(c)].

Require services from PHA staff that would alter the fundamental nature of the PHA's program. [24 CFR 8.3]

Rent Paying Habits

The PHA will examine any Housing Authority records from a prior tenancy, and will request written references from the applicant's current landlord and may request written references from former landlords **for up to the past 5 years.**

Based upon these verifications, the PHA will determine if the applicant was chronically late with rent payments, was evicted at any time **during the past 5 years** for nonpayment of rent, or had other legal action initiated against him/her for debts owed. Any of these circumstances could be grounds for an ineligibility determination, depending on the amount of control the applicant had over the situation.

The PHA will undertake a balancing test that will consider: (1) amount of former rent; (2) loss of employment; (3) death or divorce from primary support; (4) illness or other circumstances beyond applicant's control. Any of these circumstances could be grounds for an ineligibility determination, depending on the amount of control the applicant had over the situation.

Applicants will not be considered to have a poor credit history if they were late paying rent because they were withholding rent due to substandard housing conditions in a manner consistent with a local ordinance; or had a poor rent paying history clearly related to an excessive rent relative to their income (using 50% of their gross income as a guide,) and responsible efforts were made by the family to resolve the nonpayment problem.

Where past rent paying ability cannot be documented, the PHA will check with the utility company(s) to determine whether the family has been current and timely on their payments.

Screening Applicants Who Claim Mitigating Circumstances

Mitigating circumstances are facts relating to the applicant's record of unsuitable rental history or behavior, which, when verified would indicate both: (1) the reason for the unsuitable rental history and/or behavior; and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control, and the applicant's prospect for lease compliance is an acceptable one, justifying admission.

If unfavorable information is received about an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. In order to be factored into the PHA's screening assessment of the applicant, mitigating circumstances must be verifiable.

If the mitigating circumstances claimed by the applicant relate to a change in disability, medical condition or course of treatment, the PHA shall have the right to refer such information to persons who are qualified and knowledgeable to evaluate the evidence and to verify the mitigating circumstance. The PHA shall also have the right to request further information reasonably needed to verify the mitigating circumstance, even if such information is of a medically confidential nature. Such inquiries will be limited to the information necessary to verify the mitigating circumstances or, in the case of a person with disabilities, to verify a reasonable accommodation.

Examples of Mitigating Circumstances

Evidence of successful rehabilitation;

Evidence of the applicant family's participation in and completion of social service or other appropriate counseling service approved by the PHA;

Evidence of successful and sustained modification of previous disqualifying behavior.

Consideration of mitigating circumstances does not guarantee that the applicant will qualify for admission. The PHA will consider such circumstances in light of:

The applicant's ability to substantiate through verification the claim of mitigating circumstances and his/her prospects for improved future behavior; and

The applicant's overall performance with respect to all the screening requirements.

Qualified and Unqualified Applicants

Information that has been verified by the PHA will be analyzed and a determination will be made with respect to:

The eligibility of the applicant as a *family*;

The eligibility of the applicant with respect to income limits for admission;

The eligibility of the applicant with respect to citizenship or eligible immigration *status*;

Assistance to a family may not be delayed, denied or terminated on the basis of the family's ineligible immigration status unless and until the family completes all the verification and appeals processes to which they are entitled under both INS and PHA procedures, except for a pending PHA hearing.

Applicants who are determined to be unqualified for admission will be promptly notified with a Notice of Denial of Admission stating the reason for the denial. The PHA shall provide applicants an opportunity for an informal hearing (see Chapter titled "Complaints, Grievances, and Appeals.")

Applicants who have requested a reasonable accommodation as a person with a disability and who have been determined eligible, but fail to meet the Applicant Selection Criteria, will be offered an opportunity for a second meeting to have their cases examined to determine whether mitigating circumstances or reasonable accommodations will make it possible for them to be housed in accordance with the screening procedures.

The PHA will make every effort to accurately estimate an approximate date of occupancy. However, the date given by the PHA does not mean that applicants should expect to be housed by that date. The availability of a suitable unit to offer a family is contingent upon factors not directly controlled by the PHA, such as turnover rates, and market demands as they affect bedroom sizes and project location.

Documenting Findings

An authorized representative of the PHA shall document any pertinent information received relative to the following:

Criminal Activity - includes the activities listed in the definition of criminal activity in this Chapter.

Pattern of Violent Behavior - includes evidence of repeated acts of violence on the part of an individual, or a pattern of conduct constituting a danger to peaceful occupancy of neighbors.

Pattern of Drug Use - includes a determination by the PHA that the applicant has exhibited a pattern of illegal use of a controlled substance which might interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

Drug-Related Criminal Activity - includes a determination by the PHA that the applicant has been involved in the illegal manufacture, sale, distribution, use or possession of a controlled substance.

Pattern of Alcohol Abuse - includes a determination by the PHA that the applicant's pattern of alcohol abuse might interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.

Initiating Threats - or behaving in a manner indicating an intent to assault employees or other tenants.

Abandonment of a Public Housing Unit - without advising PHA officials so that staff may secure the unit and protect its property from vandalism.

Non-Payment of Rightful Obligations - including rent and/or utilities and other charges owed to the PHA or any other PHA.

Intentionally Falsifying an Application for Leasing - including uttering or otherwise providing false information about family income and size, using an alias on the application for housing, or making any other material false statement or omission intended to mislead.

Record of Serious Disturbances of Neighbors, Destruction of Property or Other Disruptive or Dangerous Behavior - consists of patterns of behavior which endanger the life, safety, or welfare of other persons by physical violence, gross negligence or irresponsibility; which damage the equipment or premises in which the applicant resides, or which are seriously disturbing to neighbors or disrupt sound family and community life, indicating the applicant's inability to adapt to living in a multi-family setting. Includes judicial termination of tenancy in previous housing on the grounds of nuisance or objectionable conduct, or frequent loud parties, which have resulted in serious disturbances of neighbors.

Grossly Unsanitary or Hazardous Housekeeping - includes the creation of a fire hazard through acts such as hoarding rags, papers, or other materials; severe damages to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul odors, depositing garbage in halls; or serious neglect of the premises. This category does not include families whose housekeeping is found to be superficially unclean or due to lack of orderliness, where such conditions do not create a problem for neighbors.

Destruction of Property from previous rentals.

In the event of the receipt of unfavorable information with respect to an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct and to factors which might indicate a reasonable probability of favorable future conduct or financial prospects.

The PHA may waive the policies prohibiting admission in these circumstances if the person demonstrates to the PHA's satisfaction that the person is no longer engaging in illegal use

of a controlled substance or abuse of alcohol and has successfully completed a supervised drug or alcohol rehabilitation program.

Prohibited Criteria for Denial of Admission

Applicants will NOT be rejected because they:

- Have no income;
- Are not employed;
- Do not participate in a job training program;
- Will not apply for various welfare or benefit programs;
- Have children;
- Have children born out of wedlock;
- Are on welfare;
- Are students.

H. HEARINGS

If information is revealed that would cause the PHA to deny admission to the household and the person disputes the information, s/he shall be given an opportunity for an informal hearing according to the PHA's hearing procedures outlined in the Chapter on Complaints, Grievances and Appeals.

Chapter 3

APPLYING FOR ADMISSION

INTRODUCTION

The policy of the PHA is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on who may apply. The primary purpose of the intake function is to gather information about the family, but the PHA will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list in accordance with this Policy.

A. HOW TO APPLY

Families who wish to apply for any of the PHA's programs must complete a written application form when application-taking is open. Applications will be made available in an accessible format upon request from a person with a disability.

Persons with disabilities may call the PHA to receive an application through the mail or make other arrangements to complete their preapplication.

Applications will be accepted at a central location for all waiting lists.

The application process will involve two phases.

1. The first is the "initial" application for admission (referred to as a preapplication). This first phase is to determine the family's eligibility for, and placement on, the waiting list.

The preapplication will be dated, time-stamped, and referred to the PHA's office where tenant selection and assignment is processed.
2. The second phase is the "final determination of eligibility for admission" (referred as the full application). The full application takes place when the family reaches the top of the waiting list. At this time the PHA ensures that verification of all HUD and PHA eligibility factors is current in order to determine the family's eligibility for an offer of a suitable unit.

B. "INITIAL" APPLICATION PROCEDURES

The PHA will utilize a preliminary-application form (pre-application) for the initial application for public housing. The application is taken in person and the data is entered into the computer. The application may also be mailed to disabled applicants and, if requested, it will be mailed in an accessible format.

The purpose of the preapplication is to permit the PHA to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list.

Translation will be provided for non-English speaking applicants by staff in Spanish and Portuguese.

The preapplication will contain questions designed to obtain the following information:

- Names of head and spouse
- Names of adult members and age of all members
- Number of family members (used to estimate bedroom size needed)
- Street address and phone numbers
- Mailing address (if PO Box or other permanent address)
- Annual income
- Source(s) of income received by household members to determine preference qualification
- Sufficient additional information to determine preference qualification
- Information regarding request for reasonable accommodation or for accessible unit
- Social Security Numbers
- Race/ethnicity
- Convictions for Drug Related or Violent Criminal Activity**
- Previous address(es)**
- Names and addresses of current and previous landlords**
- Emergency contact person and address**
- Questions regarding previous participation in HUD programs**

Duplicate applications, including applications from a segment of an applicant household, will not be accepted.

Applicants are requested to inform the PHA **in writing or over the phone** of changes in family composition, income, and address, **as well as any changes in their Preference status.**

Applicants are also required to respond to requests from the PHA to update information on their application, or to determine their continued interest in assistance.

Failure to provide information or to respond to mailings will result in the applicant being removed from the waiting list. (See Chapter on Complaints, Grievances and Appeals.)

C. NOTIFICATION OF APPLICANT STATUS

If after a review of the preapplication the family is determined to be preliminarily eligible, they will be notified in writing (in an accessible format upon request, as a reasonable accommodation).

This written notification of preliminary eligibility will be **mailed to the applicant by first class mail.**

If the family is determined to be ineligible based on the information provided in the preapplication, the PHA will notify the family in writing (in an accessible format upon request as a reasonable accommodation), state the reason(s), and inform them of their right to an informal hearing. Persons with disabilities may request to have an advocate attend the informal hearing as an accommodation. See Chapter on "Complaints, Grievances and Appeals."

D. COMPLETION OF A FULL APPLICATION

The application will contain questions designed to obtain the following information:

- Names of head and spouse
- Names of adult members and age of all members
- Number of family members (used to estimate bedroom size needed)
- Street address and phone numbers
- Mailing address (if PO Box or other permanent address)
- Annual income
- Source(s) of income received by household members to determine preference qualification
- Sufficient additional information to determine preference qualification
- Information regarding request for reasonable accommodation or for accessible unit
- Social Security Numbers
- Race/ethnicity
- Convictions **for Drug Related or Violent Criminal Activity**
- Previous addresses**
- Names and addresses of current and previous landlords**
- Emergency contact person and address**
- Questions regarding previous participation in HUD programs**

All preferences claimed on the application or while the family is on the waiting list will be verified:

Upon receipt of the application and prior to placement on the waiting list.

If a preference cannot be verified, said applicant will be returned to their proper place on the waiting list and preference removed.

New Bedford Housing Authority
134 So. Second Street
New Bedford, MA 02740

09/02/15 ACO

The qualification for preference must exist at the time the preference is verified regardless of the length of time an applicant has been on the waiting list because the preference is based on current status.

After the preference is verified, when the PHA is ready to select applicants, the PHA will call the applicant or send the applicant a letter notifying him/her that they are required to attend a pre-occupancy training class. At this time, the interviewer will verify that all preferences still exist and conduct a full interview during which the applicant will be required to furnish complete and accurate information verbally as requested by the interviewer. The PHA interviewer will complete the full application form with the answers supplied by the applicant.

Requirement to Attend Interview

The PHA utilizes the full application interview to discuss the family's circumstances in greater detail, to clarify information that has been provided by the family, and to ensure that the information is complete. The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other PHA services or programs which may be available.

The head of household and spouse must attend the interview and sign the housing application. Exceptions may be made for adult students attending school out of state or for members for whom attendance would be a hardship.

If the head of household cannot attend the interview, the spouse may attend to complete the application and certify for the family.

It is the applicant's responsibility to reschedule the interview if s/he misses the appointment. If the applicant does not reschedule or misses **two** scheduled meeting(s), the PHA will reject the application.

If an applicant fails to appear for a pre-scheduled appointment, the PHA will automatically schedule a second appointment. If the applicant misses the second appointment without prior approval, the application is denied.

If an applicant fails to appear for their interview without prior approval of the PHA, their application will be denied unless they can provide acceptable documentation to the PHA that an emergency prevented them from calling.

Reasonable accommodation will be made for persons with a disability who requires an advocate or accessible offices. A designee will be allowed to provide some information, but only with permission of the person with a disability.

If an application is denied due to failure to attend the full application interview, the applicant will be notified in writing and offered an opportunity to request an informal hearing. (See Chapter on Complaints, Grievances and Appeals.)

All adult members, and head of household and spouse regardless of age, must sign form HUD-9886, "Release of Information," the declarations and consents related to citizenship/immigration status and any other documents required by the PHA. Applicants will be required to sign specific verification forms for information that is not covered by the HUD-9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and releases as required by the PHA.

Information provided by the applicant will be verified, including information related to family composition, income, allowances and deductions, assets, eligible immigration status, full time student status and other factors related to **preferences**, eligibility and rent calculation.

If the PHA determines at or after the interview that additional information or document(s) are needed, the PHA will request the document(s) or information in writing. The family will be given **7** working days to supply the information.

If the information is not supplied in this time period, the PHA will provide the family a notification of denial for assistance. (See Chapter on Complaints, Grievances and Appeals.)

E. PROCESSING APPLICATIONS

As families approach the top of the waiting list, the following items will be verified to determine qualification for admission to the PHA's housing:

Preference verification

Family composition and type (elderly/non elderly)

Annual Income

Assets and Asset Income

Deductions from Annual Income

Social Security Numbers of all family members

Information used in applicant screening

Citizenship or eligible immigration status

Criminal History Report

F. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY

After the verification process is completed, the PHA will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the PHA, and the tenant suitability determination (see Chapter on Eligibility for Admission).

Because HUD can make changes in rules or regulations and family circumstances may have changed during the review process that affect an applicant's eligibility, it is necessary to make final eligibility determination.

The household is not actually eligible for a unit offer until this final determination has been made, even though they may have been preliminarily determined eligible and may have been listed on the waiting list.

Chapter 4

TENANT SELECTION AND ASSIGNMENT PLAN

(Includes Preferences and Managing the Waiting List)

[24 CFR 960.203, 960.204, 960.205, 960.206]

INTRODUCTION

It is the PHA's policy that each applicant shall be assigned an appropriate place **on a city-wide waiting list.**

Applicants will be listed in sequence based upon:

date and time the application is received,

the size and type of unit they require,

and factors of preference or priority

In filling an actual or expected vacancy, the PHA will offer the dwelling unit to an applicant in the appropriate sequence, **with the goal of accomplishing deconcentration of poverty and income-mixing objectives.** The PHA will offer the unit until it is accepted. This Chapter describes the PHA's policies with regard to the number of unit offers that will be made to applicants selected from the waiting list.

PHA's Objectives

PHA policies will be followed consistently and will affirmatively further HUD's fair housing goals.

It is the PHA's objective to ensure that families are placed in the proper order on the waiting list so that the offer of a unit is not delayed to any family unnecessarily or made to any family prematurely. This chapter explains the policies for the management of the waiting list.

When appropriate units are available, families will be selected from the waiting list in their preference-determined sequence.

By maintaining an accurate waiting list, the PHA will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available to fill unit vacancies in a timely manner. Based on the PHA's turnover and the availability of appropriate sized units, groups of families will be selected from the waiting list to form a final eligibility "pool." Selection from the pool will be based on completion of verification.

A. MANAGEMENT OF THE WAITING LIST

The PHA will administer its waiting list as required by 24 CFR Part 5, Part 945 and Part 960, Subparts A and B. The waiting list will be maintained in accordance with the following guidelines:

The application will be a permanent file.

All applicants in the pool will be maintained **in order of preference and in order of date and time of application receipt.**

Applications equal in preference will be maintained by **date and time sequence.**

All applicants must meet applicable income eligibility requirements as established by HUD.

Opening and Closing the Waiting Lists

The PHA, at its discretion, may restrict application intake, suspend application intake, and close waiting lists in whole or in part. The decision to close the waiting list will be based on the number of applications available for a particular size and type of unit, and the ability of the PHA to house an applicant in an appropriate unit within a reasonable period of time.

When the PHA opens the waiting list, the PHA will advertise through public notice in the following newspapers, minority publications and media entities. location(s), and program(s) for which applications are being accepted in the local paper of record, "minority" newspapers, and other media

To reach persons with disabilities, the PHA will provide separate notice to local organizations representing the interests and needs of the disabled.

The notice will contain:

The dates, times, and the locations where families may apply.

The programs for which applications will be taken.

A brief description of the program.

A statement that Section 8 participants must submit a separate application if they want to apply for Public Housing.

Limitations, if any, on who may apply.

The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the PHA address and telephone number, how to submit an application, information on eligibility requirements.

Upon request from a person with a disability, additional time will be given as an accommodation for submission of an application after the closing deadline. This accommodation is to allow persons with disabilities the opportunity to submit an application in cases when a social service organization provides inaccurate or untimely information about the closing date.

When Application Taking is Suspended

The waiting list may not be closed if it would have a discriminatory effect inconsistent with applicable civil rights laws.

During the period when the waiting list is closed, the PHA **will not** maintain a list of individuals who wish to be notified when the waiting list is open.

The open period shall be long enough to achieve a waiting list adequate to cover projected turnover over the next **18** months. **The PHA will give at least 10 working days notice prior to closing the list.** When the period for accepting applications is over, the PHA will add the new applicants to the list by:

Unit size, local preferences priority, and/or date and time of application receipt.

The PHA will update the waiting list **at least annually** by removing the names of those families who are no longer interested, no longer qualify for housing, or cannot be reached by mail or telephone. At the time of initial intake, the PHA will advise families of their responsibility to notify the PHA when mailing address or telephone numbers change.

Reopening the List

If the waiting list is closed and the PHA decides to open the waiting list, the PHA will publicly announce the opening.

Any reopening of the list is done in accordance with the HUD requirements.

Even though there are enough applicants on the waiting list to fill the turnover within the next 18 months, if there are not enough applicants who claim a local preference, the PHA may elect to accept applications from applicants who claim a local preference ONLY, and continue to keep the waiting list closed.

Limits on Who May Apply

When the waiting list is open,

Any family asking to be placed on the waiting list for Public Housing rental assistance will be given the opportunity to complete an application.

When the application is submitted to the PHA:

It establishes the family's date and time of application for placement order on the waiting list.

Multiple Families in Same Household

When families apply that consist of two families living together, (such as a mother and father, and a daughter with her own husband or children), if they apply as a family unit, they will be treated as a family unit.

B. WAITING LIST PREFERENCES

A preference does not guarantee admission to the program. Preferences are used to establish the order of placement on the waiting list. Every applicant must meet the PHA's Selection Criteria as defined in this policy.

The PHA's preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, and further deconcentration of poverty in public housing. When such matching is required or permitted by current law, the PHA will give preference to qualified families.

Families who reach the top of the waiting list will be contacted by the PHA to verify their preference and, if verified, the PHA will complete a full application for occupancy. Applicants must complete the application for occupancy and continue through the application processing and may not retain their place on the waiting list if they refuse to complete their processing when contacted by the PHA.

Among applicants with equal preference status, the waiting list will be organized by **date and time**.

Local Preferences

Local preferences will be used to select among applicants on the waiting list.

The PHA uses the following Local Preferences:

Date and Time of receipt of a completed application.

Families with Incomes Needed to Achieve Deconcentration of Poverty and Income-Mixing: for families with incomes needed to achieve deconcentration of poverty and income-mixing goals.

Residency preference: for families who live, work, or have been hired to work in the jurisdiction.

Working preference (24 CFR 960.206(b)(2)): for families where the head, spouse or sole member is employed and has been employed for 2 months. This preference is automatically extended to elderly families or families whose head or spouse meets the HUD/Social Security definition of disability.

Full-time students: Applicant family whose head, spouse or sole member is enrolled on a full-time basis in a NBHA approved, career oriented job training program or academic program at an educational institution.

VAWA: Families who have a member who has been the victim of domestic violence, dating violence, sexual assault or stalking as defined in VAWA 2013.

Treatment of Single Applicants

Single applicants will be treated as any other eligible family on the PHA waiting list.

C. ORDER OF SELECTION FOR GENERAL OCCUPANCY (FAMILY) DEVELOPMENTS

The PHA has established the following local admissions preferences for general occupancy (family) developments:

Date and time of receipt of a completed application only.

The PHA has established the following system to apply local preferences:

Local preferences will be aggregated using the following system. :

Each preference is assigned points as listed below. The more preference points an applicant has, the higher the applicant's place on the waiting list.

Working Preference: 3 points

Full-time Students Preference: 2 points

Residency Preference: 1 point

VAWA Preference: 1 point

EXAMPLE

1: Families who live and/or work/have been hired to work in the PHA's jurisdiction.

(Reminder: This preference is extended equally to an applicant whose head or spouse is 62 or older or who meets the HUD/Social Security definition of disability.)

2: Families who are full-time students and live in the PHA's jurisdiction.

3. Families who do not live or work in the PHA's jurisdiction and who's head, spouse or co-head are disabled or are employed full-time.

4. Families who do not live in the PHA's jurisdiction and who are full-time students.

5. Families who have a member who has been the victim of domestic violence, dating violence, sexual assault or stalking as defined in VAWA 2013.

6. All other families who live in the PHA's jurisdiction.

D. VERIFICATION OF PREFERENCE QUALIFICATION

The PHA will verify all preference claims at the time they are made.

The PHA will re-verify a preference claim, if the PHA feels the family's circumstances have changed, at time of selection from the waiting list.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list and ranked without the Local Preference.

When the PHA anticipates that the family will be notified in the near future to complete a full application, the family will be sent a letter to attend a pre-occupancy class to the applicant's last known address. The PHA will verify the preference before the applicant's interview is conducted.

Change in Circumstances

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the PHA in writing when their circumstances change. When an applicant claims an additional preference, she/he will be placed on the waiting list in the proper order of their newly-claimed preference.

E. PREFERENCE DENIAL

If the PHA denies a preference, the applicant will be placed on the waiting list without benefit of the preference.

The PHA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for **an informal meeting**. The applicant will have **10** working days to request the meeting **in writing**. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

Any applicant who falsifies documents or makes false statements in order to qualify for any preference will be removed from the waiting list with notification to the family.

F. FACTORS OTHER THAN PREFERENCES THAT AFFECT SELECTION OF APPLICANTS

Before applying its preference system, the PHA will first match the characteristics of the available unit to the applicants available on the waiting lists. Factors such as unit size, accessible features, deconcentration or income mixing, income targeting, or units in housing designated for the elderly limit the admission of families to those characteristics that match the characteristics and features of the vacant unit available.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application.

The PHA's Deconcentration Policy, as described in the PHA Plan, may include skipping of families on the waiting list in order to bring families above the established income range into developments below the established income range, and to bring families below the established income range into developments above the established income range.

G. INCOME TARGETING

The PHA will monitor its admissions to ensure that at least 40 percent of families admitted to public housing in each fiscal year shall have incomes that do not exceed 30% of area median income of the PHA's jurisdiction.

Hereafter families whose incomes do not exceed 30% of area median income will be referred to as "extremely low income families."

The PHA shall have the discretion, at least annually, to exercise the "fungibility" provision of the QHWRA by admitting less than 40 percent of "extremely low income families" to public housing in a fiscal year, to the extent that admissions of extremely low income families to the PHA's voucher program during a PHA fiscal year exceeds the 75 percent minimum targeting requirement for the PHA's Section 8 Voucher Program. This fungibility provision discretion by the PHA is also reflected in the PHA's Administrative Plan.

The fungibility credits will be used to drop the annual requirement below 40 percent of admissions to public housing for extremely low income families by the lowest of the following amounts:

The number of units equal to 10 percent of the number of newly available vouchers in the fiscal year; or

The number of public housing units that 1) are in public housing projects located in census tracts having a poverty rate of 30% or more, and 2) are made available for occupancy by and actually occupied in that year by, families other than extremely low-income families.

The Fungibility Floor: Regardless of the above two amounts, in a fiscal year, at least 30% of the PHA's admissions to public housing will be to extremely low-income families. The fungibility floor is the number of units that cause the PHA's overall requirement for housing extremely low-income families to drop to 30% of its newly available units.

Fungibility shall only be utilized if the PHA is anticipated to fall short of its 40% goal for new admissions to public housing.

Low Income Family Admissions

The PHA will admit only families whose incomes do not exceed 80% of the HUD approved area median income.

H. UNITS DESIGNATED FOR THE ELDERLY

In accordance with the 1992 Housing Act, elderly families with a head, spouse or sole member at least 62 years of age will receive a preference for admission to such units or buildings covered by a HUD-approved Allocation Plan.

The PHA will take the following action when processing families for developments designated for the elderly:

When there are insufficient elderly families who wish to reside in a development, near-elderly families (head or spouse ages 50-61) receive a preference for this type of unit.

When there are insufficient elderly or near-elderly families who wish to reside in a development, and units are ready for leasing more than 60 days, all other family types are eligible for such units.

Families with members who require a unit with accessible features will receive preference for such units over families who do not require such features.

I. DECONCENTRATION OF POVERTY AND INCOME-MIXING

The PHA's admission policy is designed to provide for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects.

Nothing in the deconcentration policy relieves the PHA of the obligation to meet the income targeting requirement.

Gross annual income is used for income limits at admission and for income-mixing purposes.

Deconcentration and Income-Mixing Goals

The PHA's deconcentration and income-mixing goal, in conjunction with the requirement to target at least 40 percent of new admissions to public housing in each fiscal year to "extremely low-income families", will be to admit families above the PHA's Established Income Range (EIR) to developments below the EIR, and families below the PHA's EIR to developments above the EIR.

Deconcentration applies to transfer families as well as applicant families.

Deconcentration Applicability

The PHA has covered family developments subject to the deconcentration requirement. These covered developments are described in the PHA Plan.

Project Designation Methodology

Annually, the PHA will determine the average income of all families residing in general occupancy developments

The PHA will then determine the average income of all families residing in each general

occupancy development.

The PHA will then determine whether each general occupancy development falls above, within or below the Established Income Range (EIR).

The EIR is 85 percent to 115 percent (inclusive of 85 percent and 115 percent) of the PHA-wide average income for general occupancy developments.

If a covered development is both below the 30 percent area-wide median and above the 115 percent income average for PHA-wide covered developments, it will be considered to be within the EIR.

The PHA will then determine whether or not developments outside the EIR are consistent with local goals and strategies in the PHA Plan. Any deconcentration policy as needed is described in the PHA Plan.

Deconcentration Policy

If, at annual review, there are found to be development(s) with average income above or below the EIR, and where the income profile for a general occupancy development above or below the EIR is not explained or justified in the PHA Plan, the PHA shall list these covered developments in the PHA Annual Plan.

The PHA shall adhere to the following policies for deconcentration of poverty and income mixing in applicable developments:

Skipping a family on the waiting list or transfer list to reach another family in an effort to further the goals of the PHA's deconcentration policy:

If a unit becomes available at a development below the EIR, the first eligible family on the waiting list or transfer list with income above the EIR will be offered the unit. If that family refuses the unit, the next eligible family on the waiting list or transfer list with income above the EIR will be offered the unit. The process will continue in this order. For the available unit at the development below the EIR, if there is no family on the waiting list or transfer list with income above the EIR, or no family with income above the EIR accepts the offer, then the unit will be offered to the first eligible family on the waiting list or transfer list in preference order regardless of income.

If a unit becomes available at a development above the EIR, the first eligible family on the waiting list or transfer list with income below the EIR will be offered the unit. If that family refuses the unit, the next eligible family on the waiting list or transfer list with income below the EIR will be offered the unit. The process will continue in this order. For the available unit at the

development above the EIR, if there is no family on the waiting list or transfer list with income below the EIR, or no family with income below the EIR accepts the offer, then the unit will be offered to the first eligible family on the waiting list or transfer list in preference order regardless of income.

Skipping of families for deconcentration purposes will be applied uniformly to all families.

Deconcentration Compliance

If, at annual review, the average incomes at all general occupancy developments are within the Established Income Range, the PHA will be considered to be in compliance with the deconcentration requirement.

J. PROMOTION OF INTEGRATION

Beyond the basic requirement of nondiscrimination, PHA shall affirmatively further fair housing to reduce racial and national origin concentrations.

The PHA shall not require any specific income or racial quotas for any development or developments.

A PHA shall not assign persons to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin for purposes of segregating populations

K. OFFER OF PLACEMENT ON THE SECTION 8 WAITING LIST

The PHA will not merge the waiting lists for public housing and Section 8. However, if the Section 8 waiting list is open when the applicant is placed on the public housing list, the PHA must offer to place the family on both lists. If the public housing waiting list is open at the time an applicant applies for Section 8, the PHA must offer to place the family on the public housing waiting list.

L. REMOVAL FROM WAITING LIST AND PURGING

The waiting list will be purged **at least annually** by a mailing to all applicants to ensure that the waiting list is current and accurate. The mailing will ask for current information and confirmation of continued interest.

If an applicant fails to respond within **10 working** days, she/he will be removed from the waiting list. If a letter is returned by the Post Office without a forwarding address, the applicant will be removed without further notice, and the envelope and letter will be maintained in the file. If an applicant is removed from the waiting list for failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being

unable to reply within the proscribed period or provide medical documentation why they were unable to respond.

Notices will be made available in accessible format upon the request of a person with a disability. An extension to reply to the purge notification will be considered as an accommodation if requested by a person with a disability.

The PHA allows a grace period of 5 working days after completion of the purge. Applicants who respond during this grace period will be reinstated.

The PHA will give written notification to all applicants who fail to respond at the required times. If they fail to respond to this notification within 5 working days, they will be removed from the waiting list.

M. OFFER OF ACCESSIBLE UNITS

The PHA has units designed for persons with mobility, sight and hearing impairments, referred to as accessible units.

No non-mobility impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Before offering a vacant accessible unit to a non-disabled applicant, the PHA will offer such units:

First, to a current occupant of another unit of the same development, or other public housing developments under the PHA's control, who has a disability that requires the special features of the vacant unit.

Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

When offering an accessible/adaptable unit to a non-disabled applicant, the PHA will require the applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement.

N. PLAN FOR UNIT OFFERS

The PHA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is:

- **Plan "A". Under this plan the first qualified applicant in sequence on the waiting list will be made one offer of a unit of the appropriate size.**

If more than one unit of the appropriate type and size is available, the first unit to be offered will be the first unit that is ready for occupancy.

The PHA will maintain a record of units offered, including location, date and circumstances of each offer, each acceptance or rejection, including the reason for the rejection.

O. CHANGES PRIOR TO UNIT OFFER

Changes that occur during the period between removal from the waiting list and an offer of a suitable unit may affect the family's eligibility or Total Tenant Payment. The family will be notified in writing of changes in their eligibility or level of benefits and offered their right to an informal hearing when applicable (See Chapter on Complaints, Grievances, and Appeals)

P. APPLICANT STATUS AFTER FINAL UNIT OFFER

When an applicant rejects the final unit offer the PHA will:

Place the applicant's name on the bottom of the waiting list. "Bottom of the waiting list" means that the applicant will be denied the benefits of any Local preferences.

Q. TIME-LIMIT FOR ACCEPTANCE OF UNIT

Applicants must accept a unit offer within **3** working days of the date the offer is made. Offers made over the telephone will be confirmed by letter. If unable to contact an applicant by telephone, the PHA will send a **letter by first class mail.**

Applicants Unable to Take Occupancy

If an applicant is willing to accept the unit offered, but is unable to take occupancy at the time of the offer for "*good cause*," the applicant will not be **placed at the bottom of the waiting list.**

Examples of "*good cause*" reasons for the refusal to take occupancy of a housing unit include, but are not limited to:

An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing. [24 CFR 945.303(d)]

Inaccessibility to source of employment or children's day care such that an adult household member must quit a job, drop out of an educational institution or a job training program;

The family demonstrates to the PHA's satisfaction that accepting the offer will result in a situation where a family member's life, health or safety will be placed in jeopardy. The family must offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. The reasons offered must be specific to

the family. Refusals due to the location of the unit alone are not considered to be good cause.

A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household members, or a live-in aide necessary to care for the principal household member.

The unit is inappropriate for the applicant's disabilities.

Applicants With a Change in Family Size or Status

Changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. The PHA shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit.

The family will take the appropriate place on the waiting list according to the date they first applied.

R. REFUSAL OF OFFER

If the unit offered is inappropriate for the applicant's disabilities, the family will retain their position on the waiting list.

If the unit offered is refused for other reasons, the PHA will follow the applicable policy as listed in the "Plan for Unit Offers" section and the "Applicant Status After Final Offer" section.

Chapter 5

OCCUPANCY GUIDELINES

INTRODUCTION

The Occupancy Guidelines are established by the PHA to ensure that units are occupied by families of the appropriate size. This policy maintains the maximum usefulness of the units, while preserving them from excessive wear and tear or underutilization. This Chapter explains the Occupancy Guidelines used to determine minimum and maximum unit sizes for various sized families when they are selected from the waiting list, or when a family's size changes, or when a family requests an exception to the occupancy guidelines.

A. DETERMINING UNIT SIZE

The PHA does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom. The PHA's Occupancy Guideline standards for determining unit size shall be applied in a manner consistent with Fair Housing guidelines.

For occupancy standards, an adult is a person 18 years or older or an emancipated minor.

All guidelines in this section relate to the number of bedrooms in the unit. Dwelling units will be so assigned that: *[Select one option below.]*

Generally the PHA will assign one bedroom to two people within the following guidelines:

Adults of different generations, persons of the opposite sex (other than spouses and partners), and unrelated adults will not be required to share a bedroom.

Separate bedrooms should be allocated for persons of the opposite sex other than adults who have a spousal relationship over the age of 8, and children of the same sex 5 or more years apart in age.

Foster children will be included in determining unit size only if they will be in the unit for more than 12 months.

Live-in attendants will generally be provided a separate bedroom. No additional bedrooms are provided for the attendant's family.

Space may be provided for a child who is away at school but who lives with the family during school recesses.

Space will not be provided for a family member who will be absent most of the time, such as a member who is away in the military.

Single person families shall be allocated one bedroom.

The living room will not be used as a bedroom except for purposes of reasonable accommodation.

GUIDELINES FOR DETERMINING BEDROOM SIZE

Bedroom Size	Persons in Household: (Minimum #)	Persons in Household: (Maximum #)
0 Bedroom	1	1
1 Bedroom	1	2
2 Bedrooms	2	4
3 Bedrooms	3	6
4 Bedrooms	4	8
5 Bedrooms	6	10

B. EXCEPTIONS TO OCCUPANCY STANDARDS

The PHA will grant exceptions from the guidelines in cases where it is the family’s request or the PHA determines the exceptions are justified by the relationship, age, sex, health or disability of family members, or other individual circumstances, and there is a vacant unit available. If an applicant requests to be listed on a smaller or larger bedroom size waiting list, the following guidelines will apply:

Applicants may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines, (as long as the unit is not overcrowded according to local codes). The family must agree not to request a transfer until their family composition changes or they have occupied the unit for 2 years.

The PHA may offer a family a unit that is larger than required by the PHA’s occupancy standards, if the waiting list is short of families large enough to fill the vacancy or the PHA determines that the common area for the project is insufficient for accommodating any additional large families.

In all cases, where the family requests an exception to the general occupancy standards, the PHA will evaluate the relationship and ages of all family members and the overall size of the unit.

The family may request to be placed on a larger bedroom size waiting list than indicated by the PHA's occupancy guidelines. The request must explain the need or justification for a larger bedroom size, and must be verified by the PHA before the family is placed on the larger bedroom size list. The PHA will consider these requests:

Person with Disability

The PHA will grant an exception upon request as a reasonable accommodation for persons with disabilities if the need is appropriately verified **and meets requirements in the Service and Accommodations Policy section of Chapter 1.**

Other Circumstances

Circumstances may dictate a larger size than the occupancy standards permit when:

Persons cannot share a bedroom because of a need for medical equipment due to its size and/or function. Requests for a larger bedroom due to medical equipment must be verified by a doctor.

Requests based on health related reasons must be verified by a **doctor documenting the full diagnosis and prognosis.**

The PHA will assign a larger bedroom size due to additions of family members other than by birth, adoption, marriage, or court-awarded custody.

Additionally, the PHA will assign a larger bedroom size if the family has submitted a "Self-Certification of Physical Custody of Minor Child/Children" or an "Appointment of Temporary Guardian" to the PHA. If either of these forms have been submitted the PHA will also require that the family has initiated legal proceedings for guardianship or legal custody or other special circumstances.

All members of the family residing in the unit must be approved by the PHA. The family must obtain approval of any additional family member before the person occupies the unit except for additions by birth, adoption, or court-awarded custody, in which case the family must inform the PHA within **5 working** days.

C. INCENTIVES TO ATTRACT HIGHER INCOME FAMILIES TO LOWER INCOME DEVELOPMENTS

See Chapter on Tenant Selection and Assignment.

In order to attract higher income families to lower income developments, the following specialized occupancy standards will be applied to families above the Established Income Range willing to move into developments below the Established Income Range, as described in the PHA Plan:

Occupancy guidelines of one child per bedroom for every child over the age of 14.

D. ACCESSIBLE UNITS

The PHA has units designed for persons with mobility, sight and hearing impairments. These units were designed and constructed specifically to meet the needs of persons requiring the use of wheelchairs and persons requiring other modifications.

Preference for occupancy of these units will be given to families with disabled family members who require the modifications or facilities provided in the units.

No non-mobility-impaired families will be offered these units until all eligible mobility-impaired applicants have been considered.

Accessible units will be offered and accepted by non-mobility impaired applicants only with the understanding that such applicants must accept a transfer to a non-accessible unit at a later date if a person with a mobility impairment requiring the unit applies for housing and is determined eligible.

E. FAMILY MOVES

When a change in the circumstances of a tenant family requires another unit size, the family's move depends upon the availability of a suitable size and type of unit. If the unit is not available at the time it is requested, the family will be placed on the Transfer List.

The unit considerations in this section should be used as a guide to determine whether and when the bedroom size should be changed. If an unusual situation occurs, which is not currently covered in this policy, the case should be taken to the **Supervisor of Tenant Selection** who will make determination after review of the situation, the individual circumstances, and the verification provided.

See chapter on Recertifications for changes in unit size for tenants.

Chapter 6

DETERMINATION OF TOTAL TENANT PAYMENT

[24 CFR 5.609, 5.611, 5.613, 5.615, 5.628, 5.630]

INTRODUCTION

The accurate calculation of Annual Income and Adjusted Income will ensure that families are not paying more or less money for rent than their obligation under the regulations.

This Chapter defines the allowable deductions from Annual Income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subpart F and further instructions set forth in HUD Notices, Memoranda and Addenda. However, the Quality Housing and Work Responsibility Act now gives PHAs broader flexibility. The PHA's policies in this Chapter address those areas that allow the PHA discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

A. MINIMUM RENT

The minimum rent for this PHA is **\$25.00**. The minimum rent refers to a minimum total tenant payment and not a minimum tenant rent.

The Total Tenant Payment is the greater of:

30% of the adjusted monthly income

10% of the monthly income

The Minimum rent as established by the PHA

The Total Tenant Payment does not include charges for excess utility consumption or other charges.

The PHA recognizes that in some instances even the minimum rent may create a financial hardship for families. The PHA will review all relevant circumstances brought to the PHA's attention regarding financial hardship as it applies to minimum rent. The following section states the PHA's procedures and policies in regard to minimum rent financial hardship as set forth by the QHWRA.

PHA Procedures for Notification to Families of Hardship Exemptions

The PHA will notify all participant families subject to a minimum rent of their right to request a minimum rent hardship exemption under the law.

The PHA will notify all families at the annual recertification appointment of their right to request a minimum rent hardship exemption.

The PHA will notify all families at time of lease-up of their right to request a minimum rent hardship exemption.

The PHA notification will advise the family that hardship exemption determinations are subject to PHA grievance procedures.

The PHA will review all tenant requests for exemption from the minimum rent due to financial hardships.

Requests for minimum rent exemption will be accepted by the PHA from the family in person.

Requests for minimum rent exemption must state the family circumstances that qualify the family for an exemption.

Exemptions to Minimum Rent

The PHA will immediately grant the minimum rent exemption to all families who request it.

The Minimum Rent will be suspended until the PHA determines whether the hardship is:

Covered by statute

Temporary or long term

If the PHA determines that the minimum rent is not covered by statute, the PHA will impose a minimum rent including payment for minimum rent from the time of suspension.

The PHA will use its standard verification procedures to verify circumstances that have resulted in financial hardship, such as loss of employment, death in the family, etc.

HUD Criteria for Hardship Exemption

In order for a family to qualify for a hardship exemption the family's circumstances must fall into one of the following criteria:

The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance;

The family would be evicted as a result of the imposition of the minimum rent requirement;

The income of the family has decreased because of changed circumstances, including:

Loss of employment

Death in the family

Other circumstances as determined by the PHA or HUD

PHA Policy Regarding Hardship Exemption

For purposes of providing the hardship exemption to minimum rent in a fair and consistent manner, the PHA has established policy regarding the above-mentioned HUD criteria.

"Loss of employment" is:

defined as being laid off or terminated through no fault of the employee. Loss of employment does not, for the purposes of exemption to minimum rent, include voluntarily quitting employment.

"Death in the family." Family, for the purposes of exemption to minimum rent, includes any family member on the public housing lease.

Financial Hardship Exemption Only Applies to Waiving the Minimum TTP

The financial hardship exemption only applies to the payment of minimum rent (minimum TTP). The exemption does not apply to the other elements used to calculate the Total Tenant Payment. When the family is granted the financial hardship exemption, the family's TTP shall be the greater of:

30 percent of monthly adjusted income

10 percent of monthly income

Temporary Hardship

If the PHA determines that the hardship is temporary (less than 90 days), a minimum rent will be imposed, including back payment from time of suspension, but the family will not be evicted for nonpayment of rent during the 90 day period commencing on the date of the family's request for exemption.

Repayment Agreements for Temporary Hardship

The PHA will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period.

The PHA's policies regarding repayment agreements are further discussed in the chapter entitled "Family Debts to the PHA."

Retroactive Determination

The PHA will reimburse the family for minimum rent charges that took effect after October 21, 1998 that qualified for one of the mandatory exemptions.

If the family is owed a retroactive payment, the PHA will offset the family's future rent payments by the amount in which the PHA owes the family.

B. INCOME AND ALLOWANCES

Income: The types of money that are to be used as income for purposes of calculating the TTP are defined by HUD in federal regulations. In accordance with this definition, income from all sources of each member of the household is documented. (See Income Inclusions and Income Exclusions in the Glossary of Terms of this policy.)

Annual Income is defined as the gross amount of income anticipated to be received by the family during the 12 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 that has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits. (24 CFR 960.201)

Adjusted Income is defined as the Annual income minus any HUD allowable deductions.

Permissive Deductions

The PHA offers the following permissive deductions to annual income in order to promote economic self-sufficiency, to the extent these amounts have not already been deducted from annual income or reimbursed to the family from other sources:

All medical expenses of working families including premiums for health insurance.

Child support payments by non-custodial parents.

Allowable Deductions

HUD has five allowable deductions from Annual Income:

1. Dependent allowance: \$480 each for family members (other than the head or spouse), who are minors, and for family members who are 18 and older who are full-time students or who are disabled.
2. "Elderly" allowance: \$400 per household for families whose head or spouse is 62 or over or disabled.
3. Allowable medical expenses for all family members are deducted for elderly and disabled families when the expenses exceed 3 percent of the family's annual income.
4. Childcare expenses for children under 13 are deducted when child care is necessary to allow an adult family member to work, actively seek work, or attend school (including vocational training).
5. Expenses for attendant care or auxiliary apparatus for persons with disabilities if needed to enable the individual or an adult family member to work, and if the expenses exceed 3 percent of the family's annual income.

C. TRAINING INCOME EXCLUSIONS [24 CFR 5.609(c)]

The PHA believes that training income exclusions are an important factor in helping public housing participants move from welfare and dependence to greater self-sufficiency.

In order to be eligible for the exclusion the resident must actually receive training under the provisions of the program. For purposes of this exclusion, it is not enough for the resident to merely be enrolled.

1. Training Income Exclusions in Accordance with 24 CFR 5.609(c)(8)(v)

Income from training programs is excluded when the training program is in accordance with 24 CFR 5.609 (c) (8)(v) and has features that allow the training income of assisted housing residents to be excluded only while the resident is actively enrolled in the training program.

A training program qualifying under 24 CFR 5.609 (c)(8)(v) is defined as one with goals and objectives designed to lead to a higher level of proficiency, and one which enhances the individual's ability to obtain employment. The training program may have performance standards to measure proficiency. Training may include, but is not limited to:

Classroom training in a specific occupational skill;

On-the-job training with wages subsidized by the program, or

Basic education.

For this purpose Annual Income does not include the following:

Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs.

At all times the income to be excluded is the incremental income only.

"Incremental income" is defined by HUD as the increase between the total amount of welfare and earnings of a family member *prior* to enrollment in the training program and welfare and earnings of the family member *after* enrollment in the training program.

All other amounts, (such as child support and alimony), are treated in the usual manner in determining annual income. Child support, or other income that is not *earnings or benefits*, is not a factor and will not be considered in regard to training income exclusions, regardless of whether they have increased or decreased.

Who is Eligible for the Exclusion

Any member of the resident's family is eligible for the exclusion, provided the individual is enrolled in the qualifying employment training program.

If a family has members who enroll in training programs at different times, the exclusion may be taken at different periods. The rules will be applied individually to each member based on which type of program they are enrolled in.

Verification

Upon verification, residents who are actively enrolled in a qualifying training program will have the incremental income from the training program excluded from their annual income.

Other Factors to be Considered

If a resident has no income the day they enter a training program, but has a history of employment in the past, the PHA will review the resident's wages for the past 18 months and average the income. That averaged income will become the resident's base amount for determining incremental earnings. Exception: If the resident has no income and enrolls in a welfare program which requires participants to be enrolled in a job training program, the base pay for that resident will be zero.

The resident is required to notify the PHA within **5** working days of enrolling in a qualifying training program.

Residents who have a decrease in income as a result of enrolling in a training program may request an interim examination. The PHA will determine the decrease in incremental income as a result of the training program and adjust the resident's rent accordingly.

Residents who do not notify the PHA within **5** working days of starting a training program, and have a decrease in income, will not have their rent adjusted retroactively.

D. DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS

The annual income for qualified families may not be increased as a result of increases in earned income beginning on the date on which the increase in earned income begins and continuing for a cumulative 12-month period. After the family receives 12 cumulative months of the full exclusion, annual income will include a phase-in of half the earned income excluded from annual income.

A family qualified for the earned income exclusion is a family that occupies a dwelling unit in a public housing project, is paying income-based rent; and

1. Whose annual income increases as a result of employment of a family member who was previously unemployed for one or more years prior to employment;
2. Whose annual income increases as a result of increased earnings by a family member during participation in any economic self-sufficiency or other job training program; or
3. Whose annual income increases, as a result of new employment or increased earnings of a family member during or within six months after receiving assistance, benefits or services under any State program for TANF provided that the total amount over a six-month period is at least \$500.00. The qualifying TANF assistance may consist of any amount of monthly income maintenance, and/or at least \$500.00 in such TANF benefits and services as one-time payments, wage subsidies, and transportation assistance.

The HUD definition of “previously unemployed” includes a person who has earned in the previous 12 months no more than the equivalent earnings for working 10 hours per week for 50 weeks at the minimum wage. Minimum wage is the prevailing minimum wage in the State or locality.

The HUD definition of economic self-sufficiency program is: any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families. Such programs may include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

Amounts to be excluded are any earned income increases of a family member during participation in an economic self-sufficiency or job training program and not increases that occur after participation, unless the training provides assistance, training or mentoring after employment.

The amount that is subject to the disallowance is the amount of incremental increase in income of a family member. The incremental increase in income is calculated by comparing the amount of the family member's income before the beginning of qualifying employment or increase in earned income to the amount of such income after the beginning of employment or increase in earned income.

Initial Twelve-Month Exclusion:

During the cumulative 12-month period beginning on the date a member of a qualified family is first employed or the family first experiences an increase in annual income attributable to employment, the PHA will exclude from annual income any increase in income of the family member as a result of employment over the prior income of that family member.

Second Twelve-Month Phase-in Exclusion:

During the second cumulative 12-month period after the expiration of the initial cumulative 12-month period referred to above, the PHA must exclude from annual income of a qualified family 50 percent of any increase in income of a family member as a result of employment over income of that family member prior to the beginning of such employment.

Maximum Four Year Disallowance:

The earned income disallowance is limited to a lifetime 48-month period for each family member. For each family member, the disallowance only applies for a maximum of 12 months of full exclusion of incremental increase, and a maximum of 12 –months of phase-in exclusion during the 48-month period starting from the date of the initial exclusion.

If the period of increased income does not last for 12 consecutive months, the disallowance period may be resumed at any time within the 48-month period, and continued until the disallowance has been applied for a total of 12 months of each disallowance (the initial 12-month full exclusion and the second 12-month phase-in exclusion).

No earned income disallowance will be applied after the 48-month period following the initial date the exclusion was applied.

Applicability to 18-month Training Income Exclusions [formerly found in 24 CFR 5.609(c)(13)]:

If a tenant meets the criteria for the mandatory earned income disallowance as outlined in 24 CFR 960.255, the PHA shall not deny a tenant the disallowance based on receipt of the earlier 18-month exclusion.

Applicability to Child Care and Disability Assistance Expense Deductions:

The amount deducted for child care and disability assistance expenses necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, for families entitled to the earned income disallowance, the amounts of the full and phase-in exclusions from income shall not be used in determining the cap for child care and disability assistance expense deductions.

Tracking the Earned Income Exclusion

The earned income exclusion will be reported on the HUD 50058 form. Documentation will be included in the family's file to show the reason for the reduced increase in rent.

Such documentation will include:

Name of the family member who has an increase in earned income

Amount of the "baseline" income for the qualifying individual

Amount of the increase in earned income (amount to be excluded)

Date the increase in income is first excluded from annual income

Date(s) earned income ended and resumed during the initial cumulative 12-month period of exclusion (if any)

Date the family member has received a total of 12 months of the initial exclusion

Date the 12-month phase-in period began

Date(s) earned income ended and resumed during the second cumulative 12-month period (phase-in) of exclusion (if any)

Date the family member has received a total of 12 months of the phase-in exclusion

Ending date of the maximum 48-month (four year) disallowance period (48 months from the date of the initial earned income disallowance)

The PHA will maintain a tracking system to ensure correct application of the earned income disallowance.

Inapplicability to Admission

The earned income disallowance is only applied to determine the annual income of families residing in public housing, and therefore does not apply for purposes of admission (including the determination of income eligibility or any income targeting that may be applicable).

E. INDIVIDUAL SAVINGS ACCOUNTS

The PHA chooses not to establish a system of individual savings accounts for families who qualify for the disallowance of earned income.

F. TRAINING PROGRAMS FUNDED BY HUD

All training income from a HUD sponsored or funded training program, whether incremental or not, is excluded from the resident's annual income while the resident is in training. Income from a Resident Services training program, which is funded by HUD, is excluded.

G. WAGES FROM EMPLOYMENT WITH THE PHA OR RESIDENT ORGANIZATION

Upon employment with the PHA or officially-recognized Resident Organization, the full amount of employment income received by the person is counted. There is no exclusion of income for wages funded under the 1937 Housing Act Programs, which includes public housing and Section 8.

H. AVERAGING INCOME

When Annual Income cannot be anticipated for a full twelve months, the PHA will:

Annualize current income and conduct an interim reexamination if income changes.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

Income from the previous year may be analyzed to determine the amount to anticipate when third-party or check-stub verification is not available.

If by averaging, an estimate can be made for those families whose income fluctuates from month to month, this estimate will be used so that the housing payment will not change from month to month.

The method used depends on the regularity, source and type of income.

I. MINIMUM INCOME

There is no minimum income requirement. Families who report zero income are required to **complete a written certification every month.**

Families that report zero income for more than 2 months will be required to provide information regarding their means of basic subsistence, such as food, utilities, transportation, etc. by completing the "Zero Income Checklist".

J. INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the PHA will calculate the Total Tenant Payment by:

Excluding the income of the person permanently confined to the nursing home and not giving the family deductions for medical expenses of the confined family member.

K. REGULAR CONTRIBUTIONS AND GIFTS [24 CFR 5.609(a)(7)]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the Total Tenant Payment.

Any contribution or gift received every **3** months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than **\$100.00** per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts. (See Chapter on "Verification Procedures," for further definition.)

If the family's expenses exceed their known income, the PHA will make inquiry of the family about contributions and gifts.

L. ALIMONY AND CHILD SUPPORT [24 CFR 5.609(a)(7)]

Regular alimony and child support payments are counted as income for calculation of Total Tenant Payment.

If the amount of child support or alimony received is less than the amount awarded by the court, the PHA must use the amount awarded by the court unless the family can verify that they are not receiving the full amount.

The PHA will accept as verification that the family is receiving an amount less than the award if:

The PHA receives verification from the family through the agency responsible for enforcement or collection.

The family furnishes documentation of child support or alimony collection action filed through a child support enforcement/collection agency, or has filed an enforcement or collection action through an attorney.

NBHA form TR-10 documenting payments received through local TANF agency.

Notarized 2nd party verification of amounts received.

It is the family's responsibility to supply a **certified** copy of the divorce decree.

M. LUMP-SUM RECEIPTS [24 CFR 5.609(b)(4 and 5), (c)(3 and 14)]

Lump-sum additions to Family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses, are not included in income but may be included in assets.

Lump-sum payments caused by delays in processing periodic payments (unemployment or welfare assistance) are counted as income. Lump sum payments from Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

In order to determine amount of retroactive tenant rent that the family owes as a result of the lump sum receipt:

The PHA will always calculate retroactively to date of receipt.

Retroactive Calculation Methodology

The PHA will go back to the date the lump-sum payment was received, or to the date of admission, whichever is closer.

The PHA will determine the amount of income for each certification period, including the lump sum, and recalculate the tenant rent for each certification period to determine the amount due the PHA.

The family has the choice of paying this "retroactive" amount to the PHA in a lump sum.

At the PHA's option, the PHA may enter into a Repayment Agreement with the family.

The amount owed by the family is a collectible debt even if the family becomes unassisted.

Attorney Fees

The family's attorney fees may be deducted from lump-sum payments when computing annual income if the attorney's efforts have recovered a lump-sum compensation, and the recovery paid to the family does not include an additional amount in full satisfaction of the attorney fees.

N. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS

Contributions to company retirement/pension funds are handled as follows:

While an individual is employed, count as assets only amounts the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

O. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE

The PHA must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. The PHA will count the difference between the market value and the actual payment received in calculating total assets. The difference will be included in calculating total assets for two years.

Assets disposed of as a result of foreclosure or bankruptcy are not considered to be assets disposed of for less than fair market value. Assets disposed of as a result of a divorce or separation are not considered to be assets disposed of for less than fair market value.

The PHA's minimum threshold for counting assets disposed of for less than Fair Market value is **\$10,000.00**. If the total value of assets disposed of within the two-year period is less than **\$10,000.00** they will not be considered an asset.

P. CHILD CARE EXPENSES

Unreimbursed child care expenses for children under 13 may be deducted from annual income if they enable an adult to work, actively seek work, attend school full time, or attend full-time vocational training.

In the case of a child attending private school, only before or after-hours care can be counted as child care expenses.

If a tenant is eligible for the earned income disallowance, the amount of deduction for child care expenses necessary to permit employment shall not exceed the amount of employment income that is included in annual income. Therefore, the disregarded or excluded amounts cannot be used in determining the cap for the child care expense deduction.

In cases where an adult family member is available to provide child care:

child care expenses will not be allowed as a deduction unless there is a documented reason that the family member is unable to care for the child.

Child care expenses must be reasonable. Reasonable is determined by what the average child care rates are in the PHA's jurisdiction.

Allowability of deductions for child care expenses is based on the following guidelines:

Child care to work: The maximum child care expense allowed must be less than the amount earned by the person enabled to work. **The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.**

Child care for school: The number of hours claimed for child care may not exceed the number of hours the family member is attending school (including one hour travel time to and from school).

Child care while on Maternity Leave/Medical Leaves of Absence: A working parent who takes maternity leave due to the birth of a child or a medical leave of absence due to illness of an immediate family member and must continue to pay to maintain their child care placement will be allowed the child care deduction. The amount allowable shall not exceed the income received during the leave of absence.

Q. MEDICAL EXPENSES [24 CFR 5.603]

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS Publication 502 will be used as a guide.

In the absence of third party anticipated medical expenses, the PHA will use the previous year's expenses as a basis to anticipate the upcoming medical expenses.

Nonprescription medicines must be prescribed by a doctor or licensed health professional in order to be considered a medical expense.

Chiropractic services will be considered allowable medical expenses.

R. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.520]

Applicability

Proration of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

"Mixed" families that were participants on June 19, 1995, and that do not qualify for continued assistance must be offered prorated assistance. (See Chapter titled "Recertifications.") Applicant mixed families are entitled to prorated assistance. Families that become mixed after June 19, 1995, by addition of an ineligible member are entitled to prorated assistance.

Prorated TTP Calculation for Mixed Families

Prorated assistance will be calculated by subtracting the Total Tenant Payment from the applicable Maximum Rent for the unit the family occupies to determine the Family Maximum Subsidy. The family's TTP will be calculated by:

Dividing the Family Maximum Subsidy by the number of persons in the family to determine Member Maximum Subsidy.

Multiplying the Member Maximum Subsidy by the number of eligible family members to determine Eligible Subsidy.

Subtracting the amount of Eligible Subsidy from the applicable Maximum Rent for the unit the family occupies to get the family's Revised Total Tenant Payment.

Prorated Flat Rent for Mixed Families

The PHA has no public housing units in which the applicable Maximum Rent is greater than the flat rent. Therefore, if the Mixed Family chooses flat rent, the family will pay the flat rent for the unit.

S. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS

The PHA will not reduce the public housing rent for families whose welfare assistance is reduced specifically because of:

fraud; or

failure to participate in an economic self-sufficiency program; or

noncompliance with a work activities requirement

However, the PHA will reduce the rent if the welfare assistance reduction is a result of:

The expiration of a lifetime time limit on receiving benefits; or

A situation where a family member has complied with welfare agency economic self-sufficiency or work activities requirements but cannot or has not obtained employment; or

A situation where a family member has not complied with other welfare agency requirements.

Imputed welfare income is the amount of annual income not actually received by a family as a result of a specified welfare benefit reduction that is included in the family's income for rental contribution.

Imputed welfare income is not included in annual income if the family was not an assisted resident at the time of sanction.

The amount of imputed welfare income is offset by the amount of additional income a family receives that begins after the sanction was imposed.

When additional income is at least equal to the imputed welfare income, the imputed welfare income is reduced to zero.

Verification Before Denying a Request to Reduce Rent

The PHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

The welfare agency, at the request of the PHA, will inform the PHA of:

- amount and term of specified welfare benefit reduction for the family;
- reason for the reduction; and
- subsequent changes in term or amount of reduction.

Cooperation Agreements

The PHA has an unwritten cooperation agreement in place with the local welfare agency that assists the PHA in obtaining the necessary information regarding welfare sanctions.

T. EXCESS UTILITY PAYMENTS

Residents in units where the PHA pays the utilities may be charged for excess utilities if additional appliances or equipment are used in the unit. This charge shall be applied as specified in the lease. [24CFR 966.4(b)(2)]

U. CEILING RENTS

The Quality Housing and Work Responsibility Act of 1998 (QHWRA) authorizes PHAs to adopt ceiling rents under the provisions of the QHWRA and all other preexisting laws, including the Balanced Budget Down Payment Act of 1996, also known as the Continuing Resolution. PHAs were authorized to establish ceiling rents that reflect the reasonable market value of the housing unit, but are not less than 75% of the monthly per-unit operating costs. The Continuing Resolution authorized a "Transition Rule" which PHAs could adopt before October 1, 1999. . If the PHA had adopted authorized ceiling rents before October 1, 1999, the PHA may retain ceiling rents instead of establishing flat rents for a period of 3 years from October 1, 1999. After this 3-year period, the PHA must adjust ceiling rents to the same level as flat rents.

The PHA acknowledges that there are several advantages to ceiling rents. Ceiling rents provide a “cap” or maximum rent which is advantageous to families of higher incomes. Establishing ceiling rents offers families of increasing or higher incomes an incentive for living in public housing. Ceiling rents help the PHA to attract higher income families and create a broad range of incomes and a more diverse tenant body, which is consistent with HUD’s affirmative fair housing goals. Ceiling rents serve to assist families transitioning from welfare to work and families that desire to obtain better jobs. Ceiling rents may also help the PHA to fill vacancies in some of its less desirable units or developments.

Ceiling rents are a function of income-based rent. For all units where ceiling rents are applied, the lower of the total tenant payment or the ceiling rent will be applied. The PHA will ensure that its ceiling rents will be unit based and not applied to certain families or certain categories of families.

NBHA established HUD- authorized ceiling rents for all of its public housing units before October 1, 1999.

V. FAMILY CHOICE IN RENTS

Authority for Family to Select

The PHA shall provide for each family residing in a public housing unit to elect annually whether the rent paid by such family shall be 1) determined based on family income or 2) the flat rent. The PHA may not at any time fail to provide both such rent options for any public housing unit owned, assisted or operated by the PHA.

Annual choice: The PHA shall provide for families residing in public housing units to elect annually whether to pay income-based or flat rent.

Allowable Rent Structures

Flat Rents

The PHA has established, for each dwelling unit in public housing, a flat rent amount for the dwelling unit, which:

Is based on the rental value of the unit, as determined by the PHA; and

Is designed so that the rent structures do not create a disincentive for continued residency in public housing by families who are attempting to become economically self-sufficient through employment or who have attained a level of self-sufficiency through their own efforts.

The rental policy developed by the PHA encourages and rewards employment and self-sufficiency.

The PHA's methodology used to establish flat rents is described in the PHA Plan.

The PHA shall review the income of families paying flat rent not less than once every three years. Family composition will be reviewed annually for all families, including those paying flat rent.

Income-Based Rents

The monthly Total Tenant Payment amount for a family shall be an amount, as verified by the PHA, that does not exceed the greatest of the following amounts:

30 percent of the family's monthly adjusted income;

10 percent of the family's monthly income; or

The PHA's Minimum TTP of **\$25.00**.

Switching Rent Determination Methods Because of Hardship Circumstances

In the case of a family that has elected to pay the PHA's flat rent, the PHA shall immediately provide for the family to pay rent in the amount determined under income-based rent, during the period for which such choice was made, upon a determination that the family is unable to pay the flat rent because of financial hardship, including:

Situations in which the income of the family has decreased because of changed circumstances, loss of or reduction of employment, death in the family, and reduction in or loss of income or other assistance;

An increase, because of changed circumstances, in the family's expenses for medical costs, child care, transportation, education, or similar items; and

Such other situations as may be determined by the PHA.

All hardship situations will be verified.

Once a family switches to income-based rent due to hardship, the family must wait until the next annual reexamination to elect whether to pay income-based rent or flat rent.

Annual Reexamination

90-120 days in advance of the annual reexamination, the family will be sent a form from the PHA, on which the family will indicate whether they choose flat rent or income-based rent. The PHA form will state what the flat rent would be, and an estimate, based on current information, what the family's income-based rent would be.

If the family indicates they choose flat rent, the family will fill out and return a PHA form to certify family composition. This form will be retained in the tenant file.

If the family indicates they choose income-based rent, a reexamination appointment will be scheduled according to PHA policy.

Chapter 7

VERIFICATION PROCEDURES

[24 CFR, Part 5, Subpart B; 24 CFR 960.259]

INTRODUCTION

HUD regulations require that the factors of eligibility and Total Tenant Payment be verified by the PHA. Applicants and program tenants must furnish proof of their statements whenever required by the PHA, and the information they provide must be true and complete. The PHA's verification procedures are designed to meet HUD's requirements and to maintain program integrity. This Chapter explains the PHA's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and when there are changes in family members. The PHA will ensure that proper authorization for release of information is always obtained from the family before making verification inquiries.

A. METHODS OF VERIFICATION AND TIME ALLOWED

The PHA will verify information through the four methods of verification acceptable to HUD in the following order:

1. **Up-Front income verification (UIV): The PHA will utilize up-front income verification tools, including TASS and the Work Number, whenever possible.**

When HUD announces the availability of the UIV system for our PHA, we will utilize additional tools, including a centralized computer matching system. The PHA will pursue other computer matching agreements with federal, state, and local government agencies.

2. **Third-Party Written:** The PHA's second choice is a written third party verification to substantiate claims made by an applicant or resident.
3. **Third-Party Oral:** The PHA may also use telephone verifications.
4. **Review of Documents:** The PHA will review documents, when relevant, to substantiate the claim of an applicant or resident.
5. **Family Certification:** A **notarized** family certification will be accepted when no other form of verification is available.

If third party verification is not received directly from the source, PHA staff will document the file as to why third party verification was impossible to obtain and another method was used (such as reviewing documents families provide.) (See Chapter on Applying for Admission.)

The PHA will not delay the processing of an application beyond two weeks because a third party information provider does not return the verification in a timely manner.

For applicants, verifications may not be more than **90 days** old at the time of a unit offer. For tenants, they are valid for **120 days** from date of receipt.

Regardless of these timeframes, Criminal History Reports will be useable as a valid verification for no longer than 90 calendar days.

Up-Front Income Verification

When HUD announces the availability of the UIV system for our PHA, we will utilize additional tools, including a centralized computer matching system. The PHA will pursue other computer matching agreements with federal, state, and local government agencies.

Third-Party Written Verification

Third-party verification is used to verify information directly with the source. Third-party written verification forms will be sent and returned via first class mail. The family will be required to sign an authorization for the information source to release the specified information.

Verifications received electronically directly from the source are considered third party written verifications.

Third-Party Oral Verification

Oral third-party verification will be used when written third-party verification is delayed or not possible. When third-party oral verification is used, staff will document in the file with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the PHA will compare the information to any documents provided by the Family. If provided by telephone, the PHA must originate the call.

Review of Documents

In the event that third-party written or oral verification is unavailable, or the information has not been verified by the third party within **two** weeks, the PHA will utilize documents provided by the family as the primary source if the documents provide complete information.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete a Certification of Document Viewed or Person Contacted form.

The PHA will accept the following documents from the family provided that the document is such that tampering would be easily noted:

Printed wage stubs

Computer printouts from the employer

Signed letters (provided that the information is notarized or confirmed by phone)

Other documents noted in this Chapter as acceptable verification

The PHA will accept faxed documents.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the PHA will investigate the discrepancy and use the most accurate and recent verification.

Self-certification/Self-declaration

When verification cannot be made by third-party verification or review of documents, families will be required to submit self-certification.

Self certification means **a notarized statement or affidavit/certification/statement under penalty of perjury.**

B. RELEASE OF INFORMATION

All adults, and head of house and spouse regardless of age, are required to sign HUD form 9886, Authorization for Release of Information/Privacy Act Notice.

In addition, the family will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886.

Each member requested to consent to the release of information will be provided with a copy of the appropriate forms for their review and signature.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of tenancy because it is a family obligation under tenancy to supply any information requested by the PHA or HUD.

C. COMPUTER MATCHING

When the PHA receives notification from HUD that a family has been sent an “income discrepancy” letter, the PHA will:

Wait 40 days after the date of notification before contacting tenant.

After 40 days following the date of notification, the PHA will contact the tenant by mail asking the family to promptly furnish any letter or other notice by HUD concerning the amount or verification of family income.

The PHA will fully document the contact in the tenant’s file, including **a copy of the letter to the family**. When the family provides the required information, the PHA will verify the accuracy of the income information received from the family, review the PHA’s interim recertification policy, will identify unreported income, will charge retroactive rent as appropriate, and change the amount of rent or terminate assistance, as appropriate, based on the information.

If tenant fails to respond to PHA:

The PHA will ask HUD to send a second letter.

After an additional 40 days, the PHA will ask HUD to send a third letter.

After an additional 40 days, the PHA will send a letter to the head of household, warning of the consequences if the family fails to contact the PHA within two weeks.

If the tenant claims a letter from HUD was not received:

The PHA will ask HUD to send a second letter with a verified address for the tenant.

After 40 days, the PHA will contact the tenant family.

If the tenant family still claims they have not received a letter, the PHA will ask HUD to send a third letter.

After an additional 40 days, the PHA will set up a meeting with the family to complete IRS forms 4506 and 8821.

If the tenant family fails to meet with the PHA or will not sign the IRS forms, the PHA will send a warning letter to the head of household, notifying the family that termination proceedings will begin within one week if the tenant fails to meet with the PHA and/or sign forms.

If tenant does receive a discrepancy letter from HUD:

The PHA will set up a meeting with the family.

If the family fails to attend the meeting, the PHA will reschedule the meeting.

If the family fails to attend the second meeting, the PHA will send a termination warning.

The family must bring the original HUD discrepancy letter to the PHA.

If tenant disagrees with the Federal tax data contained in the HUD discrepancy letter:

The PHA will ask the tenant to provide documented proof that the tax data is incorrect.

If the tenant does not provide documented proof, the PHA will obtain proof to verify the Federal tax data using third party verification.

D. ITEMS TO BE VERIFIED

All income not specifically excluded by the regulations.

Zero-income status of household.

Zero income applicants and residents will be required to complete the “Zero Income Checklist” at each certification or recertification interview.

Full-time student status including High School students who are 18 or over.

Current assets including assets disposed of for less than fair market value in preceding two years.

Child care expense where it allows an adult family member to be employed, seek employment or to further his/her education.

Total medical expenses of all family members in households whose head or spouse is elderly or disabled.

Total medical expenses of all family members in households that qualify for NBHA’s medical exclusion.

Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus that allow an adult family member to be employed.

Legal Identity

U.S. citizenship/eligible immigrant status.

Social Security Numbers for all family members 6 years of age or older or certification that a family member does not have a Social Security Number.

Preference status, based upon PHA preferences.

Marital status when needed for head or spouse definition.

Disability for determination of preferences, allowances or deductions.

E. VERIFICATION OF INCOME

This section defines the methods the PHA will use to verify various types of income.

Employment Income

Verification forms request the employer to specify the:

Dates of employment

Amount and frequency of pay

Date of the last pay increase

Likelihood of change of employment status and effective date of any known salary increase during the next 12 months

Year to date earnings

Estimated income from overtime, tips, bonus pay expected during next 12 months

Acceptable methods of verification include:

1. **Up-front income verification (UIV)**
2. Employment verification form completed by the employer.
3. Check stubs or earning statements that indicate the employee's gross pay, frequency of pay or year to date earnings.
4. W-2 forms plus income tax return forms.
5. **Self-certification** or income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.

In cases where there are questions about the validity of information provided by the family, the PHA will require the most recent federal income tax statements.

Social Security, Pensions, Supplemental Security Income (SSI), Disability Income

Acceptable methods of verification include:

1. **Up-front income verification (UIV)**
2. Computer report obtained electronically
3. Computer report obtained in hard copy.
4. Benefit verification form completed by agency providing the benefits
5. **Award or benefit notification letters prepared by the providing agency.**
6. **Bank statements for direct deposits.**

Unemployment Compensation

Acceptable methods of verification include:

1. Computer report electronically obtained or in hard copy, stating payment dates and amounts
2. Verification form completed by the unemployment compensation agency.
3. **Award letter/Payment Stubs**

Welfare Payments or General Assistance

Acceptable methods of verification include:

1. PHA verification form completed by payment provider.
2. **Written statement from payment provider indicating the amount of grant/payment.**
3. **Computer-generated Notice of Action.**
4. **Computer-generated list of recipients from Welfare Department.**

Alimony or Child Support Payments

Acceptable methods of verification include:

1. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
2. **Computer report from the collecting agency obtained in hard copy.**

3. **NBHA form TR-10 documenting payments received through local TANF agency.**
4. **A notarized letter from the person paying the support.**
5. **Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.**
6. If payments are irregular, the family must provide:

A copy of the separation or settlement agreement, or a divorce decree stating the amount and type of support and payment schedules.

A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.

A notarized affidavit from the family indicating the amount(s) received.

A welfare Notice of Action showing amounts received by the welfare agency for child support.

A written statement from an attorney certifying that a collection or enforcement action has been filed.

Net Income from a Business

In order to verify the net income from a business, the PHA will view IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months.

Acceptable methods of verification include:

1. IRS Form 1040, including:
 - Schedule C (Small Business)
 - Schedule E (Rental Property Income)
 - Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

2. Audited or unaudited financial statement(s) of the business.

- 3. Family's notarized statement as to net income realized from the business during previous years.**

Child Care Business

If an applicant/tenant is operating a licensed day care business, income will be verified as with any other business.

If the applicant/tenant is operating a "cash and carry" operation (licensed or not), the PHA will require the applicant/tenant to complete a form for each customer giving: name of person(s) whose child(ren) is/are being cared for, phone number, number of hours child is being cared for, method of payment (check/cash), amount paid, and signature of person.

If the family has filed a tax return, the family will be required to provide it.

If child care services were terminated, a third-party verification will be sent to the parent whose child was cared for.

Recurring Gifts

The family must furnish a **notarized** statement that contains the following information:

The person who provides the gifts

The value of the gifts

The regularity (dates) of the gifts

The purpose of the gifts

Zero Income Status

Families claiming to have no income will be required to execute verification forms to determine that forms of income such as unemployment benefits, AFDC, SSI, etc. are not being received by the household.

Families claiming to have no income for more than 2 months will be required to complete the "Zero Income Checklist".

Full-Time Student Status

Only the first \$480 of the earned income of full time students 18 years of age or older, other than head or spouse, will be counted towards family income.

Financial aid, scholarships and grants received by full time students is not counted towards family income.

Verification of full time student status includes:

Written verification from the registrar's office or other school official.

School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution.

Verification of Income Exclusions

The PHA will attempt third party verification of income exclusions wherever possible.

When third party verification of income exclusions are not possible or practical, a review of documents or notarized self-certification will be obtained.

Exclusions from income that must be verified and reported on the 50058 include the following:

Expenditures for business expansion.

Amortization of capital indebtedness as deductions in determining net income of a business.

Withdrawals of cash or assets from a professional or business operation if the withdrawal is a reimbursement for cash or assets invested in the operation by the family.

Allowance for business asset depreciation, based on straight line depreciation, as provided in the Internal Revenue Service (IRS) regulations.

Earnings in excess of \$480 for each full-time student 18 years old or older (excluding head of household and spouse).

Earned income disallowance.

Amounts earned by temporary Census employees; terms of employment may not exceed 180 days for the purposes of the exclusion.

Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by the resident for performing a service for the PHA, on a part-time basis, that enhances the quality of life in the development.

Stipends to reimburse residents for expenses for serving as members of the PHA governing board or commission.

The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

The full amount of military pay of any family member other than the head and spouse. If other family members are away from home in the military, the PHA may remove their name from the lease and exclude their income.

Other military pay specifically excluded by law (e.g. Desert Storm active duty).

Income of a live-in aide.

Earnings and benefits from employment training programs funded by HUD.

Reimbursement for out-of-pocket expenses while attending a public assisted training program.

Incremental earnings and benefits from participation in qualifying state and local employment programs.

Payments to volunteers under the Domestic Volunteer Services Act.

Payments received under programs funded in whole or in part under the Workforce Investment Act (WIA) (formerly known as the Job Training Partnership Act (JTPA)).

Earnings and benefits to any family member from an employment training and supportive services program during the exclusion period. The exclusion is applicable only if the family was admitted to the qualifying program prior to October 1, 1999.

Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.

Food stamps.

Annual Imputed Welfare Income if the family was not an assisted resident at the time of sanction.

Nonrecurrent, short-term benefits under TANF assistance that:

Are designed to deal with a specific crisis situation or episode of need;

Are not intended to meet recurrent or ongoing needs; and

Will not extend beyond four months.

Work subsidies under TANF assistance (i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training).

Supportive services under TANF assistance such as child care and transportation provided to families who are employed.

Refundable earned income tax credits.

Individual Development Accounts under TANF.

Services provided under TANF assistance such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement, and other employment-related services that do not provide basic income support.

Transportation benefits under TANF assistance provided under a Job Access or Reverse Commute project, pursuant to section 404(k) of the Act, to an individual who is not otherwise receiving assistance.

Lump-sum pension benefits payable as a death benefit.

Deferred periodic amounts from SSI benefits that the family member received in a lump sum amount or in prospective monthly amounts.

Amounts received by a person with a disability that are disregarded for a limited time for purposes of SSI eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS).

Deferred periodic amounts from Social Security benefits that the family member received in a lump sum amount or in prospective monthly amounts.

Child care arranged or provided under the Child Care and Development Block Grant Act.

Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.

Payments received under the Alaska Native Claims Settlement Act.

Income derived from certain submarginal land or the United States that is held in trust for certain Indian tribes.

Income derived from the disposition of funds of the Grand River Band of Ottawa Indians.

The first \$2000 of per capita shares from judgement funds awarded by Indian Claims.

Payments received under the Maine Indian Claims Settlement Act of 1980.

Payments received by Indian Claims Commission to the Confederate Tribes and Bands of the Yakima Indian Nation or the Apache Tribe of the Mescalero Reservation.

The first \$2000 of income received by individual Indians derived from interests or trust or restricted land.

Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone).

Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses.

Full amount of student financial assistance and paid directly to the student or to the educational institution.

Temporary, nonrecurring or sporadic income (including gifts).

Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.

Adoption assistance payments in excess of \$480 per adopted child.

Refunds or rebates under state or local law for property taxes paid on dwelling unit.

Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply.

Payments or allowances under DHHS' low-income home energy assistance program (LIHEAP).

Federal scholarships funded under Title IV of The Higher Education Act of 1965, including awards under the Federal work study program or under the Bureau of Indian Affairs student assistance program.

Payments received from programs funded under Title V of the Older Americans Act of 1965.

Payments received on or after January 1, 1989 from the Agent Orange Settlement Fund or any fund established pursuant to the settlement in the In Re Agent Orange product liability litigation.

Earned Income Tax Credit refund tax payments.

Any allowance paid under provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is a child of a Vietnam Veteran.

Any amount of crime victim compensation that the applicant (under the Victims Crime Act) receives through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims Crime Act because of the commission of a crime against the applicant.

F. INCOME FROM ASSETS

Acceptable methods of verification include:

Savings Account Interest Income and Dividends

Will be verified by:

1. Account statements, passbooks, certificates of deposit, or PHA verification forms completed by the financial institution.
2. Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification.
3. IRS Form 1099 from the financial institution, provided that the PHA must adjust the information to project earnings expected for the next 12 months.

Interest Income from Mortgages or Similar Arrangements

1. A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.)
2. Amortization schedule showing interest for the 12 months following the effective date of the certification or recertification.

Net Rental Income from Property Owned by Family

1. IRS Form 1040 with Schedule E (Rental Income).
2. Copies of latest rent receipts, leases, or other documentation of rent amounts.
3. Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.
4. Lessee's written statement verifying rent payments to the family and family's notarized statement as to net income realized.

G. VERIFICATION OF ASSETS

Family Assets

The PHA will require the necessary information to determine the current cash value, (the net amount the family would receive if the asset were converted to cash).

Verification forms, letters, or documents from a financial institution or broker.

Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.

Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.

Real estate tax statements if the approximate current market value can be deduced from assessment.

Financial statements for business assets.

Copies of closing documents showing the selling price and the distribution of the sales proceeds.

Appraisals of personal property held as an investment.

Family's Notarized Statement describing assets or cash held at the family's home or in safe deposit boxes.

Assets Disposed of for Less than Fair Market Value (FMV) during two years preceding effective date of certification or recertification.

For all Certifications and Recertifications, the PHA will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or recertification.

If the family certifies that they have disposed of assets for less than fair market value, verification [or certification] is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

H. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

Child Care Expenses

Written verification from the person who receives the payments is required. If the child care provider is an individual, s/he must provide a statement of the amount they are charging the family for their services.

Verifications must specify the child care provider's name, address, telephone number, the names of the children cared for, the number and schedule of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

Family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.

Medical and Disability Assistance Expenses

Families who claim medical expenses or expenses to assist a person(s) with disabilities will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:

Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.

Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

For attendant care:

A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.

Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.

Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.

Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.

Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. PHA may use this approach for "general medical expenses" such as non-prescription drugs and regular visits to doctors or dentists, but not for one-time, nonrecurring expenses from the previous year.

The PHA will use mileage at the **PHA's** rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

Assistance to Persons with Disabilities

In All Cases:

Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed.

Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.

Attendant Care:

Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided.

Certification of family and attendant and/or copies of canceled checks family used to make payments.

Auxiliary Apparatus:

Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.

In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

I. VERIFYING NON-FINANCIAL FACTORS

Verification of Legal Identity

In order to prevent program abuse, the PHA will require applicants to furnish verification of legal identity for all family members.

The documents listed below will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

Certificate of Birth, naturalization papers

Church issued baptismal certificate

Current, valid Driver's license

U.S. military discharge (DD 214)

U.S. passport

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

Certificate of Birth

Adoption papers

Custody agreement

School records

Verification of Marital Status

Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.

Verification of a separation may be a copy of court-ordered maintenance or other records.

Verification of marriage status is a marriage certificate.

Familial Relationships

Certification will normally be considered sufficient verification of family relationships. In cases where reasonable doubt exists, the family may be asked to provide verification.

The following verifications will be required if certification is insufficient:

New Bedford Housing Authority
134 So. Second Street
New Bedford, MA 02740

09/02/15ACO

Verification of relationship:

Official identification showing name

Birth Certificates

Baptismal certificates

Verification of guardianship is:

Court-ordered assignment

Affidavit of parent

Verification from social services agency

School records

Evidence of an established family relationship:

Joint bank accounts or other shared financial transactions

Leases or other evidence of prior cohabitation

Credit reports showing relationship

Split Households: Domestic Violence

Verification of domestic violence when assessing applicant split households includes:

Shelter for battered persons

Police reports

District Attorney's office

Verification of Permanent Absence of Adult Member

If an adult member who was formerly a member of the household is reported permanently absent by the family, the PHA will consider any of the following as verification:

Husband or wife institutes divorce action.

Husband or wife institutes legal separation.

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

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

Statements from other agencies such as social services that the adult family member is no longer living at that location.

If no other proof can be provided, the PHA will accept a Notarized Statement from the family.

If the adult family member is incarcerated, a document from the Court or prison should be obtained stating how long they will be incarcerated.

Verification of Change in Family Composition

The PHA may verify changes in family composition (either reported or unreported) **through letters, telephone calls, utility records, inspections, landlords, neighbors, school or DMV records, and other sources.**

Verification of Disability

Verification of disability must be receipt of SSI or SSA disability payments under 42 U.S.C. Section 423(d)(1)(A) of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(8) or verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehabilitation specialist, or licensed social worker, using the HUD language as the verification format.

Verification of Citizenship/Eligible Immigrant Status

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the PHA hearing is pending.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.

Eligible Immigrants who are 62 or over are required to sign a declaration of eligible immigration status and provide proof of age.

Noncitizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The PHA verifies the status through the

INS SAVE system. If this primary verification fails to verify status, the PHA must request within ten days that the INS conduct a manual search.

Family members who do not claim to be citizens or eligible immigrants must be listed on a statement of non-contending family members signed by the head of household or spouse.

Noncitizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of non-contending members.

Failure to Provide. If an applicant or tenant family member fails to sign required declarations and consent forms or provide documents, as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

Time of Verification. For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination. For tenant families, it is done at the first regular recertification after June 19, 1995. PHAs that previously elected to "opt out" must immediately commence verification of families for whom eligibility status has not been undertaken. For family members added after other members have been verified, the verification occurs at the first recertification after the new member moves in. Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial PHA does not supply the documents, the PHA must conduct the determination.

Extensions of Time to Provide Documents. The PHA **will** grant an extension of **30** days for families to submit evidence of eligible immigrant status.

Acceptable Documents of Eligible Immigration. The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

Resident Alien Card (I-551)

Alien Registration Receipt Card (I-151)

Arrival-Departure Record (I-94)

Temporary Resident Card (I-688)

Employment Authorization Card (I-688B)

Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five years.

The PHA will verify the eligibility of a family member at any time such eligibility is in question, without regard to the position of the family on the waiting list.

Verification of Social Security Numbers

Social security numbers must be provided as a condition of eligibility for all family members six and over if they have been issued a number. Verification of Social Security numbers will be done through a Social Security Card issued by the Social Security Administration.

If a family member cannot produce a Social Security Card, only the documents listed below showing his/her Social Security Number may be used for verification. The family is also required to certify in writing that the document(s) submitted in lieu of the Social Security Card information provided is/are complete and accurate:

Identification card issued by a Federal, State or local agency

Identification card issued by a medical insurance company or provider (including Medicare and Medicaid)

An identification card issued by an employer or trade union

An identification card issued by a medical insurance company

Earnings statements or payroll stubs

Bank Statements

IRS Form 1099

Benefit award letters from government agencies

Retirement benefit letter

Life insurance policies

Verification of benefits or SSN from Social Security Administration

New family members ages six and older will be required to produce their Social Security Card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in family composition is reported to the PHA.

If an applicant or tenant is able to disclose the Social Security Number but cannot meet the documentation requirements, the applicant or tenant must sign a certification to that effect provided by the PHA. The applicant/tenant or family member will have an additional 60 days to provide proof of the Social Security Number. If they fail to provide this documentation, the family's tenancy will be terminated.

In the case of an individual at least 62 years of age, the PHA may grant an extension for an additional **60** days up to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the family's tenancy will be terminated.

If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

Medical Need for Larger Unit

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable professional.

J. VERIFICATION OF SUITABILITY FOR ADMISSION

Sources to be used to determine suitability include but are not limited to:

Criminal History Reports

Prior landlord references

Physicians, social workers, and other health professionals

Credit Reports

New Bedford Housing Authority and Other PHAs (to whom the family may owe debt)

(See chapter on Eligibility)

Ability to meet financial obligations under the lease

All applicants will be subject to the following procedures to ensure their ability to meet financial obligations under the lease:

All applicants will be interviewed and asked questions about the basic elements of tenancy.

The PHA will determine if applicants owe any monies from previous tenancy or participation in any HUD housing program.

The PHA will independently verify the rent-paying history of all applicants for the previous 5 years directly with the landlord(s).

Drug-related or violent criminal activity

The PHA will complete a criminal background check of all applicants [including other adult members in the household], or any adult member for which criminal records are available.

Housekeeping

The PHA will obtain references from prior landlords for the previous 5 years to determine acceptable housekeeping standards.

The PHA will conduct a home visit prior to admission.

Applicants will be required to attend pre-occupancy classes as a condition of admission.

K. VERIFICATION OF WAITING LIST PREFERENCES [24 CFR 960.206]

Local Preferences

1. **Residency Preference:** For families who live, work or have been hired to work in the jurisdiction of the PHA.

In order to verify that an applicant is a resident, the PHA will require a minimum of 3 of the following documents: rent receipts, leases, utility bills, employer or agency records, school records, drivers licenses, statement from household with whom the family is residing.

For families who have been hired to work in jurisdiction of the PHA, a statement from the employer will be required.

2. **Working preference:** This preference is available for families with at least one member who is employed. The PHA will require a statement from the employer. The PHA will also give the benefit of this preference to families where the head of house or spouse is age 62 or older; and to families where the head of house or spouse meets the disability definition in CFR 5.403.
3. **Educational/Training tenants:** This preference is available for families who are graduates of or tenants in educational or training programs designed to prepare the individual for the job market. The PHA will require a statement from the agency or institution providing the education or training.

Chapter 8

TRANSFER POLICY

INTRODUCTION

The transferring of families is a very costly procedure, both to the PHA and to the families. However, it is the policy of the PHA to permit a resident to transfer within or between housing developments when it is necessary to comply with occupancy standards; or when it will help accomplish the Affirmative Housing goals of the PHA. The transfer policy will be carried out in a manner that does not violate fair housing.

For purposes of this transfer policy the "losing development" refers to the unit from which the family is moving and the "gaining development" refers to the unit to which the family is transferring.

A. GENERAL STATEMENT

It is the policy of the PHA to require or permit resident transfers, within and/or between PHA public housing developments for the following reasons:

To abate dangerous and/or substandard living conditions;

To abate emergency life-threatening living conditions caused by third-party criminal activity;

To accommodate verified physical conditions caused by long-term illness and/or disability; and

To accommodate resident families that are determined to be over- or under-housed by virtue of their family size.

A family may be request and may be approved to transfer for valid and certifiable reasons such as enabling the family to:

Live closer to a place of employment; or

Live closer to a relative who will care for children of a working parent; or

Live closer to a required medical treatment center; or

Live in areas providing more opportunity for economic self-sufficiency; or

**Move into a lower income public housing development (for a higher-income family);
or**

Move from an upstairs to a downstairs unit for medical or accessibility reasons; or

The PHA will always consider a request to transfer as a reasonable accommodation for a person with a disability.

B. ELIGIBILITY FOR TRANSFER

In order to be determined eligible to receive a transfer, residents must submit the requisite documentation to the PHA, to substantiate their request, and must be in good standing with the PHA.

Except in emergency situations, transfers will be avoided when the family is:

Delinquent in its rent;

In the process of reexamination to determine rent and eligibility; or

About to be asked to move for reasons other than non-payment of rent.

Not in good standing with the PHA due to rental history, poor housekeeping, or a history of disturbances.

The PHA will not grant a transfer request solely to accommodate neighbors who "cannot get along."

C. PRIORITY OF TRANSFERS

The Transfer Waiting list will be maintained in rank order according to the following priorities:

Emergency

Emergency transfers are initiated by the PHA and or written family request.

Medical hardship and accessibility

Transfer will be within the housing development unless appropriate unit is not available to meet the family's needs within the development.

Medical hardship and accessibility transfers are initiated by the PHA and/or written family request.

Underhoused (Overcrowded)

Executed when family's name reaches the top of transfer list and authorized unit available

Transfer will be within the housing development unless size and type of unit required does not exist within that development's inventory

Transfers are initiated by the PHA and/or written family request.

Overhoused

Executed when family's name reaches top of transfer list and authorized unit available.

Transfer will be within the housing development unless the size and type of unit required does not exist within that development's inventory.

Transfers are initiated by the PHA and/or written family request.

Family above the Established Income Range moving into a development below the Established Income Range, or vice versa

Executed when the first family on the transfer list above the EIR is needed to move into a development below the EIR, or vice versa.

The PHA will not take any adverse action against any transfer family above the EIR declining an offer by the PHA to move into a development below the EIR, and vice versa, except that the PHA has the right to uniformly limit the number of transfer offers.

D. EMERGENCY TRANSFER

The PHA will authorize an emergency transfer for a participant family if one of the following conditions occurs:

The resident's unit has been damaged by fire, flood, or other causes to such a degree that the unit is not habitable, provided the damage was not the result of an intentional act, carelessness / or negligence on the part of the resident or a member of the resident's household.

The resident's unit has been damaged by fire, flood or other causes to such a degree that the unit is not habitable, provided that, although the damage was a result of carelessness or negligence of the resident or a member of the resident's household, the resident has, in writing, accepted the responsibility for such damage and has agreed to make restitution to the PHA for the expense of repairing such damage.

VAWA – 2013: HUD will be adopting a model emergency transfer plan for use by NBHA, owners, and managers. Until such time NBHA will allow tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling. NBHA will incorporate reasonable confidentiality measure to ensure that NBHA, an owner, or a manager will not disclose the location of the new dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant. The tenant can be granted a transfer only if (1) the tenant requests a transfer, (2) either the tenant reasonably believes he or she is threatened with imminent harm from further violence if he or she remains in the unit or, if the tenant is a sexual assault victim, the sexual assault occurred on the premises during the 90-day period preceding the transfer request, and (3) the tenant has exhausted all reasonably available means of avoiding or alleviating the threat, including seeking assistance through the courts, administrative, and enforcement agencies. Any transfer is subject to the availability of other assisted housing and subject to all other HUD requirements being met.

If after the execution of an emergency transfer under the emergency transfer policy, the tenant or any member of the tenant household allows the perpetrator of the domestic violence, dating violence, sexual assault or stalking to reside in the unit, NBHA will begin lease/rental assistance termination immediately.

E. SPECIAL CIRCUMSTANCES TRANSFER

The PHA will authorize transfers under special circumstances for a participant family if one of the following conditions occurs:

The resident's unit is being modernized or significantly remodeled.

In such cases the family may only be offered temporary relocation if allowed under Relocation Act provisions and may be allowed to return to their unit once rehabilitation is complete.

There is a reasonable fear of direct violence against the resident. Such transfer requests may include a fear of retaliation for witnessing an incident, or providing testimony or evidence in an eviction or criminal proceeding, or fear of being the victim of a hate crime.

The PHA will seek input from local law enforcement regarding all requests for transfers due to threat of violence.

Transfers due to threat of violence shall have priority over other transfers except for emergency transfers.

The PHA has a need, at the discretion of the Executive Director's/ Supervisor of Tenant Selection's request to transfer the resident family to another unit and the resident voluntarily agrees to such transfer.

F. MANDATORY TRANSFERS

If there is a required change in the size of unit needed, it will be necessary for the resident to move to a unit of an appropriate size and a new lease will be executed.

If an appropriate unit is not available, the resident will be placed on a transfer list and moved to such unit when it does become available.

The PHA will place all families requiring a mandatory transfer due to occupancy standards on a transfer list, which will be reviewed for need-based transfers before any unit is offered to a family on the waiting list.

The family will be offered the next appropriately sized unit that becomes available after other such families already on the transfer list who are in need of the same size unit.

The PHA will consider the living area for occupancy standards so that the family may avoid losing their assistance.

G. NON-MANDATORY TRANSFERS

When a unit becomes available, and after the transfer list has been reviewed for families requiring a mandatory transfer based on occupancy standards, the transfer list will be reviewed for other families desiring a transfer.

If there is a participant family waiting for transfer to an available and appropriately sized unit, the participant family will be offered the unit.

If a family is on an inventory-wide transfer list and refuses an offered unit, they will be placed to the bottom of the transfer list unless the PHA determines that the refusal was made for good cause. If so, the family will be allowed to remain in their unit and will remain on the transfer list until another unit is offered.

Good cause may be any of the following reasons:

The new unit is more than 5 miles from the place of employment of at least one member of the family.

The new unit is more than 5 miles from the school or job training program that at least one adult member of the family is attending.

Travel for medical treatment from the new unit would create a hardship for an elderly or disabled person.

The inconvenience or undesirability of changing schools for any minor child will be considered good cause.

H. MOVING COSTS

The resident, except when the transfer is due to uninhabitability, through no fault of the resident, or when the transfer is due to the need of the PHA, will pay all moving costs related to the transfer.

I. SECURITY DEPOSITS

Security deposits will always be transferred from the losing development to the gaining development minus any damage or cleaning charges applicable to the losing unit.

The resident will be billed for any charges that occur as a result of the resident moving out of the apartment. The office of the losing development is responsible for collecting any maintenance charges due the PHA.

J. PROCESSING TRANSFERS

Transfers will be processed as follows.

The resident's records will show a continuous residence in public housing in one development or the other, but not in both projects at the same time.

Both losing and gaining developments involved must have a definite agreement as to when the losing development will move the resident out and the gaining development will move the resident in.

Losing Developments

Transfers to other developments will be processed in the same manner as move-outs. The name of the transferred resident and the name of the development s/he transferred to, with other required information, will be reported as a transfer move-out on the Project Daily Report.

Gaining Developments

Transfers from other developments will be processed in the same manner as move-ins, including a new lease. The name of the transferred resident and the name of the development s/he transferred from, with other required information, will be reported as a transfer move-in on the Project Daily Report.

K. TRANSFER REQUEST PROCEDURE

Residents requesting transfer to another unit or development will be required to submit a Request for Transfer form.

Residents applying for a transfer will have to complete a transfer request form stating the reason a transfer is being requested. The Supervisor of Tenant Selection will evaluate the request to determine if a transfer is justified.

The housing manager's endorsement is required before an offer of a suitable unit is made.

The approved request for transfer form will be kept in a file arranged in chronological order by bedroom size.

If the request is denied the family will be sent a letter stating the reason for denial, offering the family an opportunity for an informal conference **if they disagree with the decision.**

NOTE: A transfer will require good coordination and communication between the gaining and losing developments.

L. RENT ADJUSTMENTS OF TRANSFERRED RESIDENTS

Residents who have had a change in income since the last reexamination will have their rent set at the applicable amount beginning with the first day of the new lease.

The PHA will notify the resident at the time that a new lease is executed.

M. REEXAMINATION DATE

The date of the transfer does not change the reexamination date. All annual reexamination dates are unit based and therefore the resident's next annual reexamination will change to the new unit's date.

The losing development will send the family's file to the gaining development once they have been notified that the family has accepted the unit and before the family is leased up.

To reduce vacancy time, the losing development may fax the required information to the gaining office, if requested, while the family's file is enroute to the gaining development.

Chapter 9

LEASING [24 CFR 966.4]

INTRODUCTION

It is the PHA's policy that all units must be occupied pursuant to a dwelling lease agreement that complies with HUD's regulations [24 CFR Part 966]. This Chapter describes pre-leasing activities and the PHA's policies pertaining to lease execution, security deposits, other charges, and additions to the lease.

A. LEASE ORIENTATION

Upon execution of the lease a PHA representative will provide a lease orientation to the family head **or spouse**. The orientation may be conducted with more than one family.

The family must attend an orientation before taking occupancy of the unit.

Orientation Agenda

When families attend the lease orientation, they will be provided with:

- A copy of the Lease**
- Dwelling Unit Inspection Report – Initial Occupancy**
- Lead Paint Reports/ Lead Paint Disclosure Form**
- Residential Referral Form (if needed)**
- Domestic Violence Addendum (if needed)**
- Paint Ball/BB Gun Notice**
- Wading Pool Policy**
- Pesticide Fogger Notice**
- Refrigerator Maintenance**
- Parking Ban Instructions**
- Rubbish Removal**
- Roach Notice**
- Fire Plan**
- Pre-Moveout Instructions**
- HUD Things You Should Know**
- Emergency Maintenance**
- Residents Right to Organize**
- Smoke Detector Notice**
- Billing Statement Sample**
- Briefing Certificate (2)**
- Consent/Release of Information**
- Resident Information/Comment Sheet**

Topics to be discussed will include, but are not limited to:

Applicable deposits and other charges
Provisions of the Lease
Family Choice of Rents
Unit maintenance and work orders
Explanation of occupancy forms
Terms of occupancy
Community Service
Lead-based paint disclosure notice
Lead hazard information pamphlet

B. LEASE REQUIREMENTS

The initial term of the lease will be for **not more than** 12 months. The lease will renew automatically for 12-month terms except for noncompliance with the community service requirement, as described in the chapter on community service.

Because the lease automatically renews for terms of 12 months, an annual signing process is not required.

C. EXECUTION OF LEASE

The lease shall be executed by the head of household or spouse and by an authorized representative of the PHA, prior to admission.

The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

An appointment will be scheduled for the parties to execute the lease. One executed copy of the lease will be given to the tenant, and the PHA will retain one in the tenant's file. The lease is incorporated into this policy by reference. The lease document will reflect current PHA policies as well as applicable Federal, State and Local law.

The following provisions govern lease execution and amendments:

A lease is executed at the time of admission for all new tenants.

A new lease is executed at the time of the transfer of a tenant from one PHA unit to another.

If, for any reason, any **person named on** the lease ceases to be a member of the household, **a new lease will be executed.**

Lease signers must be persons legally eligible to execute contracts.

The names of all household members are listed on the lease at initial occupancy and on the Application for Continued Occupancy each subsequent year. Only those persons listed on the most recent certification shall be permitted to occupy a dwelling unit.

Changes to tenant rents are made upon the preparation and execution of a "Notice of Rent Adjustment" by the PHA, which becomes an attachment to the lease. Documentation will be included in the tenant file to support proper notice.

Households that include a Live-In Attendant will contain file documentation that the Live-In Attendant is not a party to the lease and is not entitled to PHA assistance, with the exception of occupancy while serving as the attendant for the participant family member.

The PHA may modify its form of lease from time to time, giving tenants an opportunity to comment on proposed changes and advance notice of the implementation of any changes. A tenant's refusal to accept permissible and reasonable lease modifications, or those modifications required by HUD, is grounds for termination of tenancy.

D. ADDITIONS TO THE LEASE

Requests for the addition of a new member of the household must be approved by the PHA, prior to the actual move-in by the proposed new member.

Following receipt of a family's request for approval, the PHA will conduct a pre-admission screening, including the Criminal History Report, of the proposed new member. Only new members approved by the PHA will be added to the household.

Factors determining household additions:

1. Household additions subject to screening:

Resident plans to marry;

Resident is awarded custody of a child over the age for which juvenile justice records are available;

Resident desires to add a new family member to the lease, employ a live-in aide, or take in a foster child(ren).

A unit is occupied by a remaining family member(s) under age 18 (not an emancipated minor) and an adult who was not a member of the original household requests permission to take over as the head of household.

2. Factors determining household additions that are not subject to screening:

Children born to a family member or whom a family member legally adopts are exempt from the pre-screening process.

3. Factors determining household additions that may be subject to screening, depending on PHA discretion:

Children below the age under which juvenile justice records are made available, who are added through a kinship care arrangement are not exempt from the pre-screening process.

4. **In such cases where the addition of a new member who has not been born, married, or legally adopted into the family, and the addition will affect the bedroom size required by the family, according to the PHA occupancy standards, the PHA will not approve the addition.**

6. Residents who fail to notify the PHA of additions to the household, or who permit persons to join the household without undergoing screening, are in violation of the lease. Such persons are considered to be unauthorized occupants by the PHA, and the entire household will be subject to eviction [24 CFR 966.4(f)(2 and 3)].

7. Family members age 18 and over who move from the dwelling unit to establish new households shall be removed from the lease. The tenant must notify the PHA of the move-out within **10** days of its occurrence.

8. **The resident may not allow visitors to stay overnight more than 21 days in a twelve-month period.**

Visitors who remain beyond this period shall be considered trespassers, and their presence constitutes a breach of the lease.

If an individual other than a leaseholder is representing to an outside agency that they are residing in the lessee's unit, the person will be considered an unauthorized member of the household.

9. Roomers and lodgers are not permitted to occupy a dwelling unit, nor are they permitted to move in with any family occupying a dwelling unit.

Residents are not permitted to allow a former tenant of the PHA who has been evicted to occupy the unit for any period of time.

Residents must advise the PHA when they will be absent from the unit for more than 30 days and provide a means for the PHA to contact the resident in the event of an emergency. Failure to advise the PHA of extended absences is grounds for termination of the lease.

E. LEASING UNITS WITH ACCESSIBLE OR ADAPTABLE FEATURES

[24 CFR 8.27(a)(1)(2) and (b)]

Before offering a vacant accessible unit to a non-disabled applicant, the PHA will offer such units:

First, to a current occupant of another unit of the same development, or other public housing developments under the PHA's control, who has a disability that requires the special features of the vacant unit.

Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.

The PHA will require a non-disabled applicant to agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of the unit and there is another unit available for the applicant. This requirement will be a provision of the lease agreement.

F. UTILITY SERVICES

Tenants responsible for direct payment of utilities must abide by any and all regulations of the specific utility company, including regulations pertaining to advance payments of deposits.

Failure to maintain utility services during tenancy is a lease violation and grounds for eviction.

Non-payment of excess utility charge payments to the PHA is a violation of the lease and is grounds for eviction.

G. SECURITY DEPOSITS

Security Deposit

New tenants must pay a security deposit to the PHA at the time of admission.

The amount of the security deposit required is the Total Tenant Payment.

The PHA will hold the security deposit for the period the tenant occupies the unit.

The PHA will refund to the Tenant the amount of the security deposit, less any amount needed to pay the cost of:

Unpaid Rent;

Damages listed on the Move-Out Inspection Report that exceed normal wear and tear;

Other charges under the Lease.

The PHA will refund the Security Deposit less any amounts owed, within **30** calendar days after move out and tenant's notification of new address.

The PHA will provide the tenant or the person designated by the former tenant in the event of the former tenant's incapacitation or death with a written list of any charges against the security deposit. If the tenant disagrees with the amount charged to the security deposit, the PHA will provide a meeting to discuss the charges.

The resident must leave the dwelling unit in a clean and undamaged (beyond normal wear and tear) condition and must furnish a forwarding address to the PHA. All keys to the unit must be returned to the Management upon vacating the unit.

The PHA will not use the security deposit for payment of rent or other charges while the tenant is living in the unit.

If the tenant transfers to another unit, the PHA will transfer the security deposit to the new unit. The tenant will be billed for any maintenance or other charges.

Pet Deposit

See chapters on pet policy.

H. RENT PAYMENTS

The tenant rent is due **on the first of each month and payable by the fifth**. If the **fifth** falls on a weekend or holiday, the rent is due and payable on the first business day thereafter.

If the PHA does not receive payment by the agreed-upon date, a delinquent rent notice will be sent.

I. FEES AND NONPAYMENT PENALTIES

If the tenant fails to make payment by the 5th day of the month, and the PHA has not agreed to accept payment at a later date, a Notice to Vacate will be issued to the tenant with a 14 day notice period for failure to pay rent, demanding payment in full or the surrender of the premises.

A charge of \$5.00 will be assessed against the tenant for checks which are returned for non-sufficient funds (NSF), or checks written on a closed account

The PHA will always consider the rent unpaid when a check is returned as NSF or a check is written on a closed account.

Any rent payment received will be applied to the oldest rent charges in the resident's account.

J. SCHEDULES OF SPECIAL CHARGES

Schedules of special charges for services, repairs, utilities and rules and regulations which are required to be incorporated into the lease by reference shall be publicly posted in a conspicuous manner in the project office, and they will be provided to applicants and tenants upon request.

K. MODIFICATIONS TO THE LEASE

Schedules of special charges and rules and regulations are subject to modification or revision. Residents and resident organizations will be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and they will be given an opportunity to present written comments. Comments will be taken into consideration before any proposed modifications or revisions become effective.

A copy of such notice shall be posted in the central office, and:

Posted in Property Offices in which tenants affected by the modifications or revisions are located.

After the proposed changes have been incorporated into the lease and approved by the Board, each family will be notified of the effective date of the new lease.

Any modifications of the lease must be accomplished by a written addendum to the lease and signed by both parties.

L. CANCELLATION OF THE LEASE

Cancellation of the tenant's lease is to be in accordance with the provisions contained in the lease agreement and as stated in this policy.

M. INSPECTIONS OF PUBLIC HOUSING UNITS

Initial Inspections

The PHA and the family will inspect the premises prior to occupancy of the unit in order to determine the condition of the unit and equipment in the unit. A copy of the initial inspection, signed by the PHA and the tenant, will be kept in the tenant file.

Vacate Inspections

The PHA will perform a move-out inspection when the family vacates the unit, and will encourage the family to participate in the move-out inspection.

The purpose of this inspection is to determine necessary maintenance and whether there are damages that exceed normal wear and tear. The PHA will determine if there are tenant caused damages to the unit. Tenant caused damages may affect part or all of the family's security

deposit.

The move-out inspection also assists the PHA in determining the time and extent of the preparation and repairs necessary to make the unit ready for the next tenant.

Annual Inspections

The PHA will inspect all units annually using HUD's Uniform Physical Condition Standards (UPCS) as a guideline.

The unit will be considered to have failed HUD's Uniform Physical Condition Standards if there are any *life-threatening* Health and Safety deficiencies.

If a unit fails inspection due to housekeeping or tenant-caused damages, the resident will be given an appropriate amount of time to correct noted items, after which a follow-up inspection will be conducted.

Residents will be issued a copy of the inspection report with required corrections.

If necessary to bring the unit into UPCS compliance, needed repairs will be completed by the PHA.

Damages beyond "normal wear and tear" will be billed to the tenant.

Residents who repeatedly "fail" the inspection or cause excessive damage to the unit will be in violation of their lease.

Residents who are in violation of their lease due to repeated failed inspection will be scheduled for a lease violation conference.

Quality Control Inspections

The housing management staff will conduct periodic quality control inspections to determine the condition of the unit and to identify problems or issues in which the PHA can be of service to the family.

PHA staff will conduct quality control inspections on **all** units

where repairs were made to vacant units generated by move-out inspections

that are under general contract maintenance or contracted out to low bid contractors

The purpose of these quality control inspections is to assure that repairs were completed at an acceptable level of craftsmanship and within an acceptable time frame.

The property manager will conduct periodic inspections to determine the condition of the unit and to identify problems or issues in which the PHA can be of service to the family.

Special Inspections

Housing management staff may request the City of New Bedford's Department of Inspection Services to conduct a special inspection for housekeeping, unit condition, or suspected lease violation.

HUD representatives or local government officials may review PHA operations periodically and as a part of their monitoring, may inspect a sampling of the PHA's inventory.

Other Inspections

PHA staff will periodically conduct windshield and/or walk-through inspections to determine whether there may be lease violations, adverse conditions or local code violations.

Building exterior and grounds inspections are conducted at all Public Housing properties to determine hazardous conditions as well as to assist in budget preparation.

Emergency Inspections

Housing management staff, including PHA inspectors may initiate an emergency inspection report to generate a work order if they believe that an emergency exists in the unit or on a Public Housing site. In addition, the inspector may conduct an emergency inspection without a work order and generate a work order after the inspection has been conducted (see Entry of Premises Notice in this chapter.) Repairs are to be completed within 24 hours from the time the work order is issued.

Emergency Repairs to be Completed in Less than 24 Hours

The following items are to be considered emergency in nature and require immediate (less than 24 hour) response:

Passenger stuck in elevator.

Resident locked out of unit.

No heat throughout the entire apartment when outside temperatures are below 32 degrees Fahrenheit or apartment temperature is below 65 degrees Fahrenheit.

Blocked sewer line where there is a continuous back up or flooding of the apartment.

Broken water line where there is a continuous back up or flooding of the apartment.

No electricity throughout the entire apartment.

Gas leak.

Broken window.

Broken smoke detectors.

Residents who disengage smoke detectors for convenience purposes will be cited. (See "Housekeeping Citations" in this chapter.)

Entry of Premises Notices

The PHA will give prior written notice for non-emergency inspections. Non-emergency entries to the unit will be made during reasonable hours of the day.

The PHA will provide the family with 48 hour notice prior to entering the unit for non-emergency reasons other than the annual inspection.

If no person is at home, PHA staff will enter the unit and conduct the inspection.

If no one is in the unit, the person(s) who enters the unit will leave a written notice to the resident explaining the reason the unit was entered and the date and time.

A written notice specifying the purpose for non-emergency entry into the unit will be delivered to the premises at least 48 hours before entry.

Where the PHA is conducting regular annual examinations of its housing units, the family will receive 48 hour notice of the inspection to allow the family to prepare and be able to pass the inspection.

Reasons the PHA will enter the unit are:

Inspections and maintenance

To make improvements and repairs

To show the premises for leasing

In cases of emergency

The family must call the PHA at least 24 hours prior to the scheduled date of inspection to

reschedule the inspection, if necessary.

Repairs requested by the family will not require prior notice to the family. Residents are asked when they request repairs whether NBHA has permission to enter.

Non-Inspection Emergency Entry

The PHA staff will allow access to the unit to proper authorities when issues of health or safety of the tenant are concerned.

Family Responsibility to Allow Inspection

The PHA must be allowed to inspect the unit at reasonable times with reasonable notice. 48 -hour written notice will be considered reasonable in all cases.

The resident is notified of the inspection appointment in writing. The family must call the PHA at least 24 hours before the inspection date to reschedule the inspection, if necessary.

If the resident refuses to allow the inspection, the resident will be in violation of the lease and the PHA will schedule a lease violation conference for the family.

If the resident refuses to allow the inspection, the resident will be in violation of the lease.

Housekeeping Citations

Residents who "fail" an inspection due to housekeeping will be issued a Housekeeping Citation, and a reinspection will be conducted within an **appropriate number of** working days by housing management staff.

If the family fails to comply with the reinspection it can result in lease termination. **Or if the family is issued another Housekeeping Citation, the family will be summoned for a lease violation conference.**

A \$100.00 fine will be charged to residents who purposely and for convenience disengage the unit's smoke detector.

Repeated citations will be considered a violation of the lease.

Tenant Damages

Repeated failed inspections or damages to the unit beyond normal wear and tear may constitute serious or repeated lease violations.

"Beyond normal wear and tear" is defined as items that could be charged against the tenant's security deposit under state law or court practice.

Chapter 10

PET POLICY

[24 CFR Part 5, Subpart C]

The following regulations governing animals on NBHA property (Federal) have been developed in compliance with the Quality Housing and Work Responsibility Act of 1998. Also considered, are the safe and humane treatment of pets and the quality of life issues of NBHA residents and neighbors.

Residents of the NBHA who wish to keep common household pets must notify the Property Management Office in writing. A **NBHA Pet Policy AGREEMENT** (*on page 4*) must be signed by the **Resident** and approved by the **Senior Property Manager** before animals are allowed on Housing Authority property.

Each Resident Pet Owner must provide the name, address, and phone number of the veterinarian responsible for the pet's health care, along with a photo of the pet, pet license, rabies tag, and proof of spaying or neutering. A pet must be at least six months of age with all stated requirements satisfied before the pet is approved / allowed on NBHA property. A personal liability insurance policy is strongly recommended by the NBHA for all pet owners.

A. SECURITY DEPOSIT

A pet security deposit of \$160.00 or one months rent (whichever amount is less) is required from each Resident Pet Owner to be kept in an escrow account for damage caused by a pet. Any unused portion will be refunded plus the accrued interest. A non-refundable fee for operating cost of \$50.00 will be charged to the Resident Pet Owner's account each year.

B. RESIDENT RESPONSIBILITIES

Resident Pet Owner's responsibilities include but are not limited to:

- Maintaining his/her pet responsibly and in accordance with applicable state and local public health, animal control, and animal anti-cruelty laws and regulations and in accordance with the NBHA Pet Policy.
- Providing adequate care for the pet at all times.
 - Registering his/her pet with the Property Management Office along with an identifying description of the animal and the adult household member who will be primarily responsible for the animal's care.
 - Assuring his/her pet is at least six months old and does not exceed eighteen (18) pounds

by adulthood. Cats are exempt from this requirement.

- Immediately cleaning up the animal feces of his/her pet inside the apartment or on any other NBHA property.
- Keeping pets restrained on a leash **at all times** when outside of the housing unit and on NBHA property. Pets are not to be leashed or tied to any NBHA fences, buildings, railings, clothesline poles, or the like. A pet leash is not to exceed seven (7) feet in length.
- Assuring his/her pet does not annoy other tenants or neighbors by excessive barking or other noise.
- Keeping his/her pet free of pests, such as ticks or fleas. A Resident Pet Owner will be responsible for any extermination required as a result of his/her pet.
- Having a current license, rabies tag, and the NBHA color tag on his/her pet's collar at all times.
- Assuring his/her pet is not left unattended outside of an apartment on NBHA property at any time. Pets are not to be left unattended in an apartment for more than a twelve-hour period.
- Providing the name of the household member who can and will return home if the animal experiences distress or causes a disturbance when left alone. The Resident Pet Owner is responsible for providing adequate care for the pet at all times.
- Reporting **all** animal bites to the Property Management Office and Police Department immediately.
- The regular removal and replacement of litter used in litter boxes or in portable animal enclosures within the dwelling unit so as to comply with all health requirements.

C. **PET RESTRICTIONS**

Common household pets **do not** include:

- Animals who would be allowed to produce offspring for sale.
- Wild animals, feral animals, and any other animals who are unamenable to routine human handling or who pose a threat to children and the elderly, such as ferrets, foxes, skunks, squirrels, coyotes and groundhogs. These animals are not to be fed or welcomed

on NBHA property.

- Reptiles, such as snakes, turtles, lizards, and iguanas who pose a significant risk of salmonella to those who handle them.
- Animals of species commonly used or found on farms, such as ducks, baby chicks, chickens or pot-bellied pigs.
- Non-human primates, such as monkeys.
- Pigeons, doves, mynah birds, psittacine birds, and birds of other species that are host to the organisms causing psittacosis in humans. Pigeons, doves, seagulls are not to be fed on NBHA property.
 - Vicious animals as defined by city ordinance, state law, and/or insurance providers.
 - Dogs such as Pit Bulls/Staffordshire Terriers, Rottweiler, Chow, Boxer breeds, German Shepherd, and Doberman Pinscher, and/or dogs of similar temperament. These **are not** allowed on NBHA property.

D. QUALITY OF LIFE

The responsibilities of Management in dealing with quality-of-life issues for public housing residents include but are not limited to:

- Protecting the health, safety, and quiet enjoyment of public housing residents in a relatively dense housing environment where a companion animal may be allowed.

E. VIOLATIONS

- Informing a Resident Pet Owner, in writing, of any allegations of violations of the NBHA Pet Policy.
 - Prohibiting the keeping of any animal on NBHA property by any resident who is charged with or has been convicted of cruelty to an animal.
 - The strict enforcement of the NBHA Pet Policy up to and including the right of Management to seek impoundment and sheltering of any animal found to be in violation of NBHA rules, pending resolution of any dispute regarding such violation.
 - Enforcing the prohibition of keeping any dog in any dwelling unit contained in a building structure that is not contiguous with an outdoor common area measuring at least four hundred (400) square feet in area.

- Accepting a written request for a second animal only if the animal is compatible with the first and only if the dwelling unit has an area spanning at least eleven hundred (1100) square feet.

F. ANNUAL REVIEW

- The annual review by each respective Property Manager with the Resident Pet Owner of:
 - each animal's registration, if applicable, including a copy of the annual veterinary examination.
 - documentation of current rabies vaccination
 - copy of the license issued by the City of New Bedford
 - name and telephone number of the veterinarian who provides care to the animal

G. THREATS TO HEALTH OR SAFETY

If a pet constitutes an immediate, serious threat to health or safety, Management may have the pet removed immediately.

Whenever it is reasonably determined that a pet constitutes a **non-immediate threat** to the health or safety of public housing residents, or otherwise creates a nuisance which disturbs the rights, comfort, peace, and quiet enjoyment of other residents, or if the owner of the pet becomes incapacitated or unable to care for the pet, after receipt of a written demand from Management, the Resident Pet Owner may request a meeting with the Pet Committee.

If the Pet Committee, for whatever reason, is unable or unwilling to reach a decision in the matter within forty-five (45) days of the request for a meeting by the Resident, Management may make a reasonable determination as to whether the pet is a threat to the health or safety of the public housing residents or causes a nuisance which disturbs the rights, comfort, peace, and quiet enjoyment of public housing residents and take appropriate remedial action. Management may also make the reasonable determination whether the Resident is able to care for the pet.

The Pet Committee shall be comprised of five members selected by the Resident Advisory Board and shall include at least one member of the NBHA staff, one member of the NBHA Resident Advisory Board, one NBHA Resident Pet Owner, one NBHA non-pet owner, and one member with veterinary and/or pet obedience training experience.

Please see attached PET POLICY AGREEMENT to be signed by Resident and NBHA Senior Property Manager.

NEW BEDFORD HOUSING AUTHORITY

PET POLICY AGREEMENT

To be attached to lease

I _____ do hereby agree to comply with all rules and regulations of the New Bedford Housing Authority Pet Policy, Operations Release No. 76.
(Resident)

1. Both parties have read and signed the Pet Policy. If the resident’s pet ownership deposit does not cover damages caused by the pet, the resident will be responsible for any additional charges under terms of the housing lease.
2. Management will inform a resident of any complaints or violations it receives concerning a resident’s pet and reserves the right to enter a dwelling unit when there is evidence that an animal left alone is in danger or distress.
3. An animal shall be removed from a dwelling unit and impounded in the event of a maintenance emergency that requires immediate attention and the resident pet owner is not present or when scheduled maintenance work cannot be performed because of the animal.
4. The resident is responsible for providing adequate care for the pet at all times.
5. The resident is responsible for maintaining the pet responsibly and in accordance with applicable state and local public health, animal control, and animal anti-cruelty laws and regulations, and in accordance with the NBHA Pet Policy.
6. Failure to comply with the NBHA Pet Policy will be cause for eviction of the resident for violation of the Lease.
7. It is fully understood that each and every rule and regulation contained in the Pet Policy of the NBHA will be strictly enforced to ensure the safe and humane treatment of pets, while providing for the quality of life issues of our residents and neighbors.

DATE

RESIDENT

DATE

NEW BEDFORD HOUSING AUTHORITY

BY: _____
SIGNATURE

SENIOR PROPERTY MANAGER

Chapter 11

REEXAMINATIONS

[24 CFR 5.613, 24 CFR 5.61524 CFR Part 960 Subpart C]

INTRODUCTION

HUD requires that the PHA offer all families the choice of paying income-based rent or flat rent at least annually. Families who choose to pay flat rent are required to complete a reexamination of income, deductions and allowances at least once every three years. To determine the amount of income-based rent, it is necessary for the PHA to perform a reexamination of the family's income. At the annual reexamination, families who choose to pay income-based rent must report their current household composition, income, deductions and allowances. Between regular annual reexaminations, HUD requires that families report all changes in household composition, but the PHA decides what other changes must be reported and the procedures for reporting them. This Chapter defines the PHA's policy for conducting annual reexaminations. It also explains the interim reporting requirements for families, and the standards for timely reporting.

A. ELIGIBILITY FOR CONTINUED OCCUPANCY

Residents who meet the following criteria will be eligible for continued occupancy:

Qualify as a family as defined in this policy;

Are in full compliance with the obligations and responsibilities described in the dwelling lease;

Whose family members, age 6 and older, each have submitted their Social Security numbers or have certifications on file that they do not have a Social Security number;

Whose family members have submitted required citizenship/eligible immigration status/noncontending documents.

B. ANNUAL REEXAMINATION

The terms *annual recertification* and *annual reexamination* are synonymous.

In order to be recertified, families are required to provide current and accurate information on income, assets, allowances and deductions, and family composition.

Families who choose flat rent are to be recertified every three years.

Annual recertifications are done by building in each development. In some instances, families may be recertified less than 12 months after they have moved in. In no cases shall a family go more than 12 months without an annual recertification.

When families move to another dwelling unit:

An annual recertification will be conducted on the effective date of the new building. In some instances, families may be recertified less than 12 months after they have moved. In no cases shall a family go more than 12 months without an annual recertification.

Reexamination Notice to the Family

All families will be notified of their obligation to recertify by first class mail. The notification shall be sent at least **90** days in advance of the anniversary date. If requested as an accommodation by a person with a disability, the PHA will provide the notice in an accessible format. The PHA will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

The notification shall explain family choice of income-based or flat rent, with an estimate of what the income-based rent would be and a statement of what the flat rent is.

The family will indicate whether the family chooses income-based or flat rent by checking the appropriate box on the document, signing the document, and returning the document to the PHA.

If the family chooses flat rent, the family will fill out a Continued Occupancy form, describing family composition and sources of income.

The Continued Occupancy form will be signed by the head of household.

If the family chooses flat rent, no reexamination appointment will be necessary.

Methodology

If the family chooses income-based rent, or if the family has paid the flat rent for three (3) years, the PHA will use the following methodology for conducting annual recertifications:

To notify the family of their obligation to recertify.

To permit the family to come in anytime at their convenience during certain time periods.

Persons with Disabilities

Persons with disabilities, who are unable to come to the PHA's office will be granted an accommodation of conducting the interview **either at the person's home or by mail**, upon verification that the accommodation requested meets the need presented by the disability.

Collection of Information

The family is required to complete the Continued Occupancy form.

If the family is unable to complete the Continued Occupancy form, a PHA representative will interview the family and enter the information provided by the family on the Continued Occupancy form.

Requirements to Attend

The following family members will be required to attend the recertification interview and sign the application for continued occupancy:

The head of household or spouse

Failure to Respond to Notification to Recertify

The written notification will explain which family members are required to attend the recertification interview. The family may call to request another appointment date prior to the interview.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the PHA, the PHA will not reschedule a second appointment. The PHA will inform the family of their failure to appear for recertification and send a written notice of “Lease Renewal Non-Compliance”.

The “Lease Renewal Non-Compliance” notice will inform the family that the PHA will: (1) require them to pay the ceiling rent for the particular bedroom size starting on the first rent period following this notice; and (2) implement any increase resulting from recertification without a thirty (30) day advance notice.

Exceptions to these policies may be made by the PHA if the family is able to document an emergency situation that prevented them from canceling or attending the appointment.

Documents Required From the Family

In the notification letter to the family, the PHA will include instructions for the family to bring the following:

Documentation of income for all family members

Documentation of liquid and non-liquid assets

Documentation to substantiate any deductions or allowances

Continued Occupancy Form completed by head of household

Documentation to verifying compliance with community service by all non-exempt adults

Verification of Information

All information which affects the family's continued eligibility for the program, and the family's Total Tenant Payment (TTP) will be verified in accordance with the verification procedures and guidelines described in this Policy. Verifications used for recertification must be less than **120** days old. All verifications will be placed in the file, which has been established for the family.

When the information has been verified, it will be analyzed to determine:

the continued eligibility of the resident as a *family* or as the *remaining member* of a family;

the unit size required by the family;

the amount of rent the family should pay.

Changes In The Tenant Rent

If there is any change in rent, including change in family's choice in rent, the lease will be amended, or a new lease will be executed, or a Notice of Rent Adjustment will be issued [24 CFR 966.4(c)].

Tenant Rent Increases

All tenants will receive a thirty-day notice mailed to the family prior to the anniversary date.

If less than thirty days are remaining before the anniversary date, the tenant rent increase will be effective on the first of the second month following the thirty-day notice.

If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the reexamination processing, there will be a retroactive increase in rent to the anniversary date.

Tenant Rent Decreases

If tenant rent decreases, it will be effective on the anniversary date.

If the family causes a delay so that the processing of the reexamination is not complete by the anniversary date, rent change will be effective on the first day of the month following completion of the reexamination processing by the PHA.

If tenant rent decreases and the change occurred within a month prior to the recertification appointment, but the family did not report the change as an interim adjustment, the decrease will be effective on the recertification anniversary date.

If the tenant rent decreases and the tenant reported the change within a month prior to the annual recertification anniversary date or between the annual recertification anniversary date and the effective date of the annual recertification, the change will be treated as an interim. The change will be effective the first of the following month that the family reported the change. If necessary, the PHA will run another HUD 50058 as an annual recertification.

C. REPORTING INTERIM CHANGES

Families must report all changes in household composition to the PHA between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain PHA approval prior to all other additions to the household.

When there is a change in head of household or a new adult family member is added, the PHA will complete an application for continued occupancy and reverify, using the same procedures the PHA staff would use for an annual reexamination, except for effective dates of changes. In such case, the Interim Reexamination Policy would be used.

The annual reexamination date will not change as a result of this action.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified prior to the approval by the PHA of the family member being added to the lease.

Interim Reexamination Policy

New Bedford Housing Authority
134 So. Second Street
New Bedford, MA 02740

09/02/15 ACO

Increases in Income to be Reported

Families paying flat rent are not required to report any increases in income or assets.

Families must report all increases in income/assets of all household members to the PHA in writing within 10 working days of the occurrence.

Increases In Income and Rent Adjustments

The PHA will process rent adjustments for all increases in income, which are reported between regularly scheduled recertifications.

Rent increases (except those due to misrepresentation) require 30 days notice.

Decreases in Income and Rent Adjustments

Residents may report a decrease in income and other changes, such as an increase in allowances or deductions that would reduce the amount of the total tenant payment.

The PHA will process the rent adjustment unless the PHA confirms that the decrease in income will last less than 30 calendar days.

The PHA will not process rent adjustments when the decrease in income results in less than a 5% reduction in tenant rent.

D. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS

The PHA will not reduce the public housing rent for families whose welfare assistance is reduced due to a "specified welfare benefit reduction," which is a reduction in welfare benefits due to:

Fraud by a family member in connection with the welfare program; or

Noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program

A "specified welfare benefit reduction" does not include a reduction of welfare benefits due to:

The expiration of a lifetime time limit on receiving benefits; or

A situation where the family has complied with welfare program requirements but cannot or has not obtained employment, such as:

the family has complied with welfare program requirements, but the durational time limit, such as a cap on the length of time a family can receive benefits, causes the family to lose their welfare benefits.

Noncompliance with other welfare agency requirements.

Definition of Covered Family:

A household that receives benefits for welfare or public assistance from a State or public agency program which requires, as a condition of eligibility to receive assistance, the participation of a family member in an economic self-sufficiency program.

Definition of "Imputed Welfare Income":

The amount of annual income, not actually received by a family, as a result of a specified welfare benefit reduction, that is included in the family's income for purposes of determining rent.

The amount of imputed welfare income is determined by the PHA, based on written information supplied to the PHA by the welfare agency, including:

The amount of the benefit reduction

The term of the benefit reduction

The reason for the reduction

Subsequent changes in the term or amount of benefit reduction

Imputed welfare income will be included at annual and interim reexaminations during the term of reduction of welfare benefits.

The amount of imputed welfare income will be offset by the amount of additional income a family receives that begins after the sanction was imposed. When additional income is at least equal to the imputed welfare income, the imputed income will be reduced to zero.

If the family was not an assisted resident of public housing when the welfare sanction began, imputed welfare income will not be included in annual income.

Verification Before Denying a Request to Reduce Rent

The PHA will obtain written verification from the welfare agency stating that the family's benefits have been reduced for fraud or noncompliance *before* denying the family's request for rent reduction.

The PHA will rely on the welfare agency's written notice to the PHA regarding welfare sanctions.

Cooperation Agreements

The PHA has an **unwritten** cooperation agreement in place with the local welfare agency that assists the PHA in obtaining the necessary information regarding welfare sanctions.

The PHA has taken a proactive approach to culminating an effective working relationship between the PHA and the local welfare agency for the purpose of targeting economic self-sufficiency programs throughout the community that are available to public housing residents.

The PHA and the local welfare agency have mutually agreed to notify each other of any economic self-sufficiency and/or other appropriate programs or services that would benefit public housing residents.

Family Dispute of Amount of Imputed Welfare Income

If the family disputes the amount of imputed income and the PHA denies the family's request to modify the amount, the PHA will provide the tenant with a notice of denial, which will include:

An explanation for the PHA's determination of the amount of imputed welfare income.

A statement that the tenant may request a grievance hearing.

If the tenant requests a grievance hearing, the tenant is not required to pay an escrow deposit pursuant to 966.55(e) for the portion of tenant rent attributable to the imputed welfare income.

E. OTHER INTERIM REPORTING ISSUES

Any changes reported by residents other than those listed in this section **will be noted in the file by the staff person, but** will not be processed between regularly scheduled annual recertifications.

PHA Errors

If the PHA makes a calculation error at admission to the program or at an annual or interim reexamination, an interim reexamination will be conducted to correct the error, but the family will not be charged retroactively.

F. TIMELY REPORTING OF CHANGES IN INCOME (AND ASSETS)

Standard for Timely Reporting of Changes

The PHA requires that families report interim changes to the PHA within **ten** working days of when the change occurs. Any information, document or signature needed from the family that is needed to verify the change must be provided within **ten** working days of the change.

An exception will be made for TANF recipients who obtain employment. In such cases, families will have to report within five days of receipt of the Notice of Action from TANF that shows the full adjustment for employment income.

If the change is not reported within the required time period, or if the family fails to provide signatures, certifications or documentation, (in the time period requested by the PHA), it will be considered untimely reporting.

Procedures When the Change is Reported in a Timely Manner

The PHA will notify the family of any changes in Tenant Rent to be effective according to the following guidelines:

Increases in the Tenant Rent are effective on the first of the month following at least thirty days' notice.

Decreases in the Tenant Rent are effective the first of the month following the month in which the change is reported.

The change may be implemented based on documentation provided by the family, pending third-party written verification.

Procedures when the Change is not Reported by the Tenant in a Timely Manner

If the family does not report the change as described under Timely Reporting, the family will have caused an unreasonable delay in the interim reexamination processing and the following guidelines will apply:

Increase in Tenant Rent will be effective retroactive to the date it would have been effective had it been reported on a timely basis. The family will be liable for any underpaid rent, and may be required to **sign a Repayment Agreement or make a lump sum payment.**

Decrease in Tenant Rent will be effective on the first of the month following completion of processing by the PHA and not retroactively.

Procedures when the Change is not Processed by the PHA in a Timely Manner

"Processed in a timely manner" means that the change goes into effect on the date it should when the family reports the change in a timely manner. If the change cannot be made effective on that date, the change is not processed by the PHA in a timely manner.

Therefore, an increase will be effective after the required thirty days' notice prior to the first of the month after completion of processing by the PHA.

If the change resulted in a decrease, the overpayment by the family will be calculated retroactively to the date it should have been effective, and the family will be credited for the amount.

G. REPORTING OF CHANGES IN FAMILY COMPOSITION

The members of the family residing in the unit must be approved by the PHA. The family must inform the PHA and request approval of additional family members other than additions due to birth, adoption, marriage, court-awarded custody before the new member occupies the unit.

The PHA will not approve the addition of family members other than by birth, adoption, marriage or court-awarded custody where the occupancy standards would require a larger size unit.

An exception will be granted if the family has submitted a "Self-Certification of Physical Custody of Minor Child/Children" or an "Appointment of Temporary Guardian" to the PHA. If either of these forms have been submitted the PHA will also require that the family has initiated legal proceedings for guardianship or legal custody or other special circumstances.

All changes in family composition must be reported within **ten** working days of the occurrence in writing.

If an adult family member is declared permanently absent by the head of household, the notice must contain a certification by the head of household **or spouse** that the member (who may be the head of household) removed is permanently absent.

Increase in Family Size

The PHA will consider a unit transfer (if needed under the Occupancy Guidelines) for additions to the family in the following cases:

Addition by marriage/or marital-type relation.

Addition of a minor who is a member of the nuclear family who had been living elsewhere.

Addition of a PHA-approved live-in attendant.

Addition of any relation of the Head or Spouse.

Addition due to birth, adoption or court-awarded custody.

If a change due to birth, adoption, court-awarded custody, or need for a live-in attendant requires a larger size unit due to overcrowding, the change in unit size shall be made effective upon availability of an appropriately sized unit.

Definition of Temporarily/Permanently Absent

The PHA must compute all applicable income of every family member who is on the lease, including those who are temporarily absent.

Income of persons permanently absent will not be counted. If the spouse is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. The PHA will evaluate absences from the unit in accordance with this policy.

Absence of Entire Family

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. In cases where the family has moved out of the unit, the PHA will terminate tenancy in accordance with the appropriate lease termination procedures contained in this Policy.

Families are required to notify the PHA before they move out of a unit in accordance with the lease and to give the PHA information about any family absence from the unit.

Families must notify the PHA if they are going to be absent from the unit for more than **30** consecutive days. A person with a disability may request an extension of time as an accommodation.

"Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, the PHA may:

Conduct home visit

Write letters to the family at the unit

Post letters on exterior door

Telephone the family at the unit

Interview neighbors

Check with Post Office for forwarding address

Contact emergency contact

If the entire family is absent from the unit, without PHA permission, for more than **30** consecutive days, the unit will be considered to be vacant and the PHA will terminate tenancy.

As a reasonable accommodation for a person with a disability, the PHA may approve an extension. (See Absence Due to Medical Reasons for other reasons to approve an extension.) During the period of absence, the rent and other charges must remain current.

If the absence which resulted in termination of tenancy was due to a person's disability, and the PHA can verify that the person was unable to notify the PHA in accordance with the lease provisions regarding absences, and if a suitable unit is available, the PHA may reinstate the family as an accommodation if requested by the family.

Absence of Any Member

Any member of the household will be considered permanently absent if s/he is away from the unit for **3** consecutive months except as otherwise provided in this Chapter.

Absence due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the PHA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than **180** consecutive days, the family member will not be considered permanently absent, as long as rent and other charges remain current.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the PHA's "Absence of Entire Family" policy.

Absence due to Incarceration

If the sole member is incarcerated for more than **30** consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for **30** consecutive days. The rent and other charges must remain current during this period.

The PHA will determine if the reason for incarceration is for drug-related or criminal activity which would threaten the health, safety and right to peaceful enjoyment of the dwelling unit by other residents.

Foster Care and Absences of Children

If the family includes a child or children temporarily absent from the home due to placement in foster care, the PHA will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than **12** months from the date of removal of the child(ren), the family **may** be required to move to a smaller size unit. If all children are removed from the home permanently, the unit size will be reduced in accordance with the PHA's occupancy guidelines.

Absence of Adult

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the PHA will treat that adult as a visitor for the first **30** calendar days.

If by the end of that period, court-awarded custody or legal guardianship has been awarded to the caretaker, and the caretaker qualifies under Tenant Suitability criteria, the lease will be transferred to the caretaker.

If the court has not awarded custody or legal guardianship, but the action is in process, the PHA will secure verification from social services staff or the attorney as to the status.

The PHA will transfer the lease to the caretaker, in the absence of a court order, if the caretaker qualifies under the Tenant Suitability criteria and has been in the unit for more than 30 days and it is reasonable to expect that custody will be granted.

When the PHA approves a person to reside in the unit as caretaker for the child(ren), the income of the caretaker should be counted pending a final disposition. The PHA will work with the appropriate service agencies to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than **30** days, the person will be considered permanently absent.

If an adult child goes into the military and leaves the household, they will be considered permanently absent.

Full time students who attend school away from the home will be treated in the following manner:

A student (other than head of household or spouse) who attends school away from home but lives with the family during school recesses may, at the family's choice, be considered either temporarily or permanently absent. If the family decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of unit size.

If the student is considered temporarily absent from the household, applicable income for that person will be appropriately counted.

Visitors (See Chapter on Leasing)

Any adult not included on the HUD 50058 who has been in the unit more than **seven** consecutive days, or a total of **fifteen** cumulative days in the month, **who has not received permission from the Property Office as stated in the lease**, will be considered to be living in the unit as an **unauthorized** household member.

Statements from neighbors and/or PHA staff will be considered in making the determination.

The PHA will consider:

Statements from neighbors and/or PHA staff

Vehicle license plate verification

Post Office records

Driver's license verification

Law enforcement reports

Credit reports

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

The burden of proof that the individual is a visitor rests on the family. In the absence of such proof, the individual will be considered an unauthorized member of the family and the PHA will terminate the family's lease since prior approval was not requested for the addition.

Minors and college students who were part of the family but who now live away from home during the school year and are not considered members of the household may visit for up to **30**

days per year without being considered a member of the household.

In a joint custody arrangement, if the minor is in the household less than **100** days per year, the minor will be considered to be an eligible visitor and not a family member. If both parents reside in Public Housing, only one parent would be able to claim the child for deductions and for determination for the occupancy standards.

H. REMAINING MEMBER OF TENANT FAMILY - RETENTION OF UNIT

To be considered the remaining member of the tenant family, the person must have been previously approved by the PHA to be living in the unit.

A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the Family.

A reduction in family size may require a transfer to an appropriate unit size per the Occupancy Standards.

I. CHANGES IN UNIT SIZE

The PHA shall grant exceptions from the occupancy standards if the family requests and the PHA determines the exceptions are justified according to this policy.

The PHA will consider the size of the unit and the size of the bedrooms, as well as the number of bedrooms, when an exception is requested.

When an approvable change in the circumstances in a tenant family requires another unit size, the family must apply for a Transfer to the appropriate size unit and will be placed on the Transfer List.

(Reference chapter on Occupancy Standards)

J. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

"Mixed" families who were participants on June 19, 1995, shall continue receiving full assistance if they meet the following criteria:

The head of household, co-head or spouse is a U.S. citizen or has eligible immigrant status; AND

The family does not include any ineligible immigrants other than the head or spouse, or parents or children of the head, co-head or spouse.

Mixed families who qualify for continued assistance after 11/29/96 may receive prorated assistance only.

If they do not qualify for continued assistance, the member(s) that cause the family to be ineligible for continued assistance may move, or the family may choose prorated assistance (See Chapter titled "Factors Related to Total Tenant Payment Determination"). The PHA may no longer offer temporary deferral of termination (See Chapter on "Lease Terminations").

Chapter 12

LEASE TERMINATIONS

[24 CFR 966.4]

INTRODUCTION

The PHA may terminate tenancy for a family because of the family's action or failure to act in accordance with HUD regulations [24 CFR 966.4 (1)(2)], and the terms of the lease. This Chapter describes the PHA's policies for notification of lease termination and provisions of the lease.

A. TERMINATION BY TENANT

The tenant may terminate the lease by providing the PHA with a written **30 day** advance notice as defined in the lease agreement.

B. TERMINATION BY PHA

Termination of tenancy will be in accordance with the PHA's lease.

The public housing lease is automatically renewable, EXCEPT the public housing lease shall have a 12-month term for community service and will not be renewed in the case of noncompliance with the community service requirements. See Chapter 15 on Community Service.

The lease may be terminated by the PHA at any time by giving written notice for serious or repeated violation of material terms of the lease, such as, but not limited to the following:

Nonpayment of rent or other charges due under the Lease, or repeated chronic late payment of rent;

Failure to provide timely and accurate statements of income, assets, expenses and family composition at Admission, Interim, Special or Annual Rent Recertifications;

Assignment or subleasing of the premises or providing accommodation for boarders or lodgers;

Use of the premises for purposes other than solely as a dwelling unit for the Tenant and Tenant's household as identified in this Lease, or permitting its use for any other purposes;

Failure to abide by necessary and reasonable rules made by the PHA for the benefit and well being of the housing project and the Tenants;

Failure to abide by applicable building and housing codes materially affecting health or safety;

Failure to dispose of garbage waste and rubbish in a safe and sanitary manner;

Failure to use electrical, plumbing, sanitary, heating, ventilating, air conditioning and other equipment, including elevators, in a safe manner;

Acts of destruction, defacement or removal of any part of the premises, or failure to cause guests to refrain from such acts;

Failure to pay reasonable charges (other than for normal wear and tear) for the repair of damages to the premises, project buildings, facilities, equipment, or common areas; or

The Tenant, any member of the Tenant's household, or a guest shall not engage in criminal activity, including drug-related criminal activity, *on or off* public housing premises (as defined in the lease), while the Tenant is a Tenant in public housing, and such criminal activity shall be cause for termination of tenancy. The term "drug-related criminal activity" means the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute, or use, a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

Any other person under the tenant's control shall not engage in such activity on public housing premises.

Alcohol abuse that the PHA determines interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

Any violation of the NBHA's "Zero Tolerance Policy"

Non-compliance with Non-Citizen Rule requirements.

Failure of a family member to comply with community service provisions, as grounds only for non-renewal of the lease and termination of tenancy at the end of the 12-month lease term;

Discovery after admission of facts that made the tenant ineligible;

Discovery of material false statements or fraud by the tenant in connection with an application for assistance or with reexamination of income;

Failure to accept the PHA's offer of a lease revision to an existing lease that is on a form adopted by the PHA in accordance with HUD regulations, with written notice of the offer of the revision at least 60 calendar days before the lease revision is scheduled to take effect; and with the offer specifying a reasonable time limit within that period for acceptance by the family.

Other good cause.

C. NOTIFICATION REQUIREMENTS

The PHA's written Notice of Lease Termination will state the reason for the proposed termination, the date that the termination will take place, and it will offer the resident all of the rights and protections afforded by the regulations and this policy. (See Chapter on Complaints, Grievances and Hearings.)

Notices of lease termination shall be in writing and delivered to tenant or adult member of the household or sent by first class mail properly addressed to tenant.

Disclosure of Criminal Records to Family

Before the PHA terminates the lease based on a criminal conviction record, the tenant and subject of record will be provided with a copy of the criminal record. Tenants may dispute the accuracy and relevance of that record at the grievance hearing or court hearing.

Timing of the Notice

If the PHA terminates the lease, written notice will be given as follows:

At least 14 calendar days prior to termination in the case of failure to pay rent;

A reasonable time, **according to State law**, considering the seriousness of the situation:

If the health or safety of other residents, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or

If any member of the household has engaged in any drug-related criminal activity or violent criminal activity; or

If any member of the household has been convicted of a felony.

At least thirty days prior to termination in all other cases.

The PHA shall notify the Post Office that mail should no longer be delivered to the person who was evicted for criminal activity, including drug-related criminal activity.

Criminal Activity

The PHA will immediately terminate tenancy of persons convicted of manufacturing or producing methamphetamine on the premises of the assisted housing project in violation of any Federal or State law. "Premises" is defined as the building or complex in which the dwelling unit is located, including common areas and grounds.

The PHA will terminate assistance of participants in cases where the PHA determines there is reasonable cause to believe that the person is illegally using a controlled substance or engages in drug-related or other criminal activity. The same will apply if it is determined that the person abuses alcohol in a way that interferes with the health, safety or right to peaceful enjoyment of the premises by other residents. This includes cases where the PHA determines that there is a pattern of illegal use of controlled substances or a pattern of alcohol abuse.

The PHA will consider the use of a controlled substance or alcohol to be a *pattern* if there is more than one incident during the previous 6 months.

"Engaged in or engaging in or recent history of" drug related criminal activity means any act within the past 3 years by applicants or participants, household members, or guests which involved drug-related criminal activity including, without limitation, drug-related criminal activity, possession and/or use of narcotic paraphernalia, which did or did not result in the arrest and/or conviction of the applicant or participant, household members, or guests.

"Engaged in or engaging in or recent history of" criminal activity means any act within the past 3 years by applicants or participants, household members, or guests which involved criminal activity that would threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the PHA, which did or did not result in the arrest and/or conviction of the applicant or participant, household members, or guests.

D. RECORD KEEPING

A "Notice of Intent to Vacate" of every termination and/or eviction shall be maintained by the PHA at the development where the family was residing, and shall contain the name, address, forwarding address, vacate date, vacate reason, rent amount, vacating charges and any other pertinent remarks regarding recommendations for future tenancy.

E. TERMINATIONS DUE TO INELIGIBLE IMMIGRATION STATUS

[24CFR5.514]

If the PHA determines that a family member has knowingly permitted an ineligible individual to reside in the family's unit on a permanent basis, the family's assistance will be terminated for **24 months**. This provision does not apply to a family if the eligibility of the ineligible individual was considered in calculating any proration of assistance provided for the family.

F. VIOLENCE AGAINST WOMEN ACT (VAWA): NOTIFICATION, DOCUMENTATION, CONFIDENTIALITY

A. OVERVIEW

The Violence against Women Act of 2013 (VAWA) provides special protections for victims of domestic violence, dating violence, sexual assault, and stalking who are applying for or receiving assistance under the public housing program. If your state or local laws provide greater protection for such victims, those laws take precedence over VAWA.

In addition to definitions of key terms used in VAWA, this part contains general VAWA requirements and PHA policies in three areas: notification, documentation, and confidentiality.

B. DEFINITIONS [24 CFR 5.2003]

As used in VAWA:

- The term *bifurcate* means, with respect to a public housing or Section 8 lease, to divide a lease as a matter of law such that certain tenants can be evicted or removed while the remaining family members' lease and occupancy rights are allowed to remain intact.
- The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship

- The term *domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- The term sexual assault means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.
- The term *affiliated individual* means, with respect to a person:
 - A spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in loco parentis; or
 - Any individual, tenant, or lawful occupant living in the household of that individual.
- The term *stalking* means:
 - To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or
 - To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and
 - In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) an affiliated individual of that person, or (3) the spouse or intimate partner of that person.

C. NOTIFICATION [24 CFR 5.2005(a)]

Notification to Public

The PHA adopts the following policy to help ensure that all actual and potential beneficiaries of its public housing program are aware of their rights under VAWA.

PHA Policy

The PHA will post the NBHA VAWA Policy in its offices and on its Web site. It will also make the information readily available to anyone who requests it.

A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking

A statement of the PHA's obligation to keep confidential any information that it receives from a victim unless (a) the PHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information.

The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY)

Contact information for local victim advocacy groups or service providers

Notification to Applicants and Tenants [24 CFR 5.2005(a)(1)]

PHAs are required to inform public housing tenants of their rights under VAWA, including their right to confidentiality and the limits thereof. Since VAWA provides protections for applicants as well as tenants, NBHA will provide the same information to applicants.

PHA Policy

The PHA will provide applicants with information about VAWA in all notices of denial of assistance.

The PHA will provide all tenants with information about VAWA at the time of admission. The PHA will also include such information in lease termination notices.

The VAWA information provided to applicants and tenants will consist of the NBHA VAWA Policy and a copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, Sexual Assault and Stalking.

PHA Policy

Whenever the PHA has reason to suspect that providing information about VAWA to a public housing tenant might place a victim of domestic violence at risk, it will attempt to deliver the information by hand directly to the victim.

D. DOCUMENTATION [24 CFR 5.2007]

A PHA presented with a claim for initial or continued assistance based on status as a victim of domestic violence, dating violence, sexual assault, stalking, or criminal activity related to any of these forms of abuse may—but is not required to—request that the individual making the claim document the abuse. Any request for documentation must be in writing, and the individual must be allowed at least 14 business days after receipt of the request to submit the documentation. The PHA may extend this time period at its discretion. [24 CFR 5.2007(a)]

The individual may satisfy the PHA’s request by providing any one of the following three forms of documentation [24 CFR 5.2007(b)]:

- (1) A completed and signed HUD-approved certification form (HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking), which must include the name of the perpetrator
- (2) A federal, state, tribal, territorial, or local police report or court record
- (3) Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical professional. The person signing the documentation must attest under penalty of perjury to the person’s belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

The PHA may not require third-party documentation (forms 2 and 3) in addition to certification (form 1), except as specified below under “Conflicting Documentation,” nor may it require certification in addition to third-party documentation [VAWA final rule].

PHA Policy

Any request for documentation of domestic violence, dating violence, sexual assault, or stalking will specify a deadline of 14 business days following receipt of the request, will describe the three forms of acceptable documentation, will provide explicit instructions on where and to whom the documentation must be submitted, and will state the consequences for failure to submit the documentation or request an extension in writing by the deadline.

The PHA may, in its discretion, extend the deadline for 10 business days. Any extension granted by the PHA will be in writing.

Conflicting Documentation [24 CFR 5.2007(e)]

In cases where the PHA receives conflicting certification documents from two or more members of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, the PHA may determine which is the true victim by requiring each to provide acceptable third-party documentation, as described above (forms 2 and 3). The PHA must honor any court orders issued to protect the victim or to address the distribution of property.

PHA Policy

If presented with conflicting certification documents (two or more forms HUD-50066) from members of the same household, the PHA will attempt to determine which is the true victim by requiring each of them to provide third-party documentation in accordance with 24 CFR 5.2007(b)(2) or (3) and by following any HUD guidance on how such determinations should be made.

Discretion to Require No Formal Documentation [24 CFR 5.2007(d)]

The Executive Director has the discretion to provide benefits to an individual based solely on the individual's statement or other corroborating evidence—i.e., without requiring formal documentation of abuse in accordance with 24 CFR 5.2007(b).

PHA Policy

If the PHA accepts an individual's statement or other corroborating evidence of domestic violence, dating violence, sexual assault, or stalking, the PHA will document acceptance of the statement or evidence in the individual's file.

Failure to Provide Documentation [24 CFR 5.2007(c)]

In order to deny relief for protection under VAWA, a PHA must provide the individual requesting relief with a written request for documentation of abuse. If the individual fails to provide the documentation within 14 business days from the date of receipt, or such longer time as the PHA may allow, the PHA may deny relief for protection under VAWA.

16-VII.E. CONFIDENTIALITY [24 CFR 5.2007(b)(4)]

All information provided to the PHA regarding domestic violence, dating violence, sexual assault or stalking, including the fact that an individual is a victim of such violence, assault or stalking, must be retained in confidence. This means that the PHA (1) may not enter the information into any shared database, (2) may not allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know the information for purposes of their work, and (3) may not provide the information to any other entity or individual, except to the extent that the disclosure is (a) requested or consented to by the individual in writing, (b) required for use in an eviction proceeding, or (c) otherwise required by applicable law.

PHA Policy

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the PHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

Chapter 13

COMPLAINTS, GRIEVANCES AND APPEALS

[24 CFR Part 966 Subpart B]

INTRODUCTION

The informal hearing requirements defined in HUD regulations are applicable to participating families who disagree with an action, decision, or inaction of the PHA. This Chapter describes the policies to be used when families disagree with a PHA decision. It is the policy of the PHA to ensure that all families have the benefit of all protections due to them under the law.

Grievances shall be handled in accordance with the PHA's approved Grievance Procedures. The written grievance procedure is incorporated into this document by reference and is the guideline to be used for grievances and appeals.

GRIEVANCE AND HEARING PROCEDURE

A. Purpose and Scope

This Grievance Procedure is established and implemented by the New Bedford Housing Authority to assure that New Bedford Housing Authority residents are afforded an opportunity for a hearing if a resident disputes, within a reasonable time, any New Bedford Housing Authority action or failure to act involving the resident's lease with the New Bedford Housing Authority, excluding section 7(a) 1 & 2 of the lease, or New Bedford Housing Authority regulations, which adversely affect the individual resident's rights, duties, welfare or status. The grievance procedure outlined in this document is incorporated in the dwelling lease.

B. Applicability

1. The New Bedford Housing Authority grievance procedure is applicable to all individual grievances as specified in Section III of this document between the resident and the Authority provided that, if a resident uses a hearing in court containing the elements of due process, the New Bedford Housing Authority excludes from the procedure:

- a. Any grievance concerning an eviction or lease termination for drug/alcohol activity on or off NBHA property or any activity that threatens the health or safety of other residents or New Bedford Housing Authority staff.
- b. This grievance procedure shall not be applicable to disputes between residents not involving the New Bedford Housing Authority or to class grievances.
- c. The grievance procedure is not intended as a forum for initiating or negotiating policy changes between a group or groups of residents and the New Bedford Housing Authority Board of Commissioners.

C. Definitions

For the Purpose of this document, the following definitions are applicable:

- 1. "Grievance" shall mean any dispute which a resident may have with respect to New Bedford Housing Authority action or failure to act in accordance with the individual resident's lease or New Bedford Housing Authority regulations which adversely affect the individual resident's rights, duties, welfare, or status, except for Section 7(1) 1 & 2 of the lease.
- 2. "Complainant" shall mean any resident whose grievance is presented to the New Bedford Housing Authority or the property management office in accordance with Section IV or Section V of this document.
- 3. "Elements of Due Process shall mean an eviction action or a termination of residency in a State or local court in which the following safeguards are required:
 - a. Adequate notice to the tenant of the grounds for terminating the residency and for evictions;
 - b. Right of the resident to be represented by counsel;
 - c. Opportunity for the resident to refute the evidence presented by the NBHA, including the right to confront and cross-examine witnesses and to present any affirmative legal or equitable defense which the resident may have.
 - d. A decision on the merits.
- 4. "Hearing Officer" shall mean a person selected in accordance with Section V of this document to hear grievances and render a decision with respect thereto.

5. "Hearing Panel" shall mean a panel selected in accordance with Section V of this document to hear grievances and render a decision with respect thereto.
6. "Resident" shall mean the adult person (or persons) (other than a live-in aide):
 - a. Who resides in the unit and who executed the lease with the New Bedford Housing Authority as lessee of the dwelling unit, or, if no such person now resides in the unit,
 - b. Who resides in the unit, and who is the remaining head of household of the resident family residing in the dwelling unit.
7. "Resident Organization" includes a resident management corporation.

D. Informal Settlement of Grievance

Any grievance shall be personally presented, either orally or in writing, to the New Bedford Housing Authority office or to the office of the development in which the complainant resides so that the grievance may be discussed informally and settled without a hearing. A summary of such discussion shall be prepared within five (5) working days, and one copy shall be given to the resident and one retained in the New Bedford Housing Authority's resident file. The summary shall specify the names of the participants, dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefore, and shall specify the procedures by which a hearing under Section V may be obtained if the complainant is not satisfied.

E. Procedure to Obtain a Hearing

1. Request for Hearing

The New Bedford Housing Authority shall make readily available grievance forms at the New Bedford Housing Authority's main office, all property offices, and all recognized resident's organizations. A grievance shall not have standing and a complaint will not be granted a hearing before the Hearing Panel prior the compliance with SECTION 1V, INFORMAL SETTLEMENT OF GRIEVANCE. The complainant shall submit a written request; i.e., grievance form, for a hearing to the New Bedford Housing Authority or the property office within five (5) days working days after receipt of the summary discussion pursuant to SECTION IV.

2. Selection of Hearing Officer or Hearing Panel

Grievances shall be presented before a hearing panel. A hearing panel shall be selected as follows:

- a. The hearing panel shall have three members: one representative and one alternate chosen by the Housing Authority, one representative and alternate chosen by the local resident's organization, and one impartial member and one alternate impartial member who shall be chosen jointly by the local residents' organization and the Housing Authority. The impartial member and his/her alternate may not be officers, employees, agents, or residents of the Local Housing Authority.

3. Failure to Request a Hearing

If the complainant does not request a hearing in accordance with Section V-A of this document, then the New Bedford Housing Authority's disposition of the grievance under Section IV shall become final, provided that failure to request a hearing shall not constitute a waiver by the complainant of his right to contest the New Bedford Housing Authority's action in disposing of the complaint in an appropriate judicial proceeding.

4. Hearing Pre-requisite

All grievances shall be personally presented, either orally or in writing, pursuant to the informal procedure prescribed in Section IV as a condition precedent to a hearing under this section, provided that, if the complainant shall show good cause why he failed to proceed in accordance with Section IV to the hearing officer or hearing panel, the provisions of the prerequisite may be waived by the hearing officer or hearing panel.

5. Escrow Deposit

Before a hearing is scheduled in any grievance involving the amount of rent as defined in the payments due under the lease which the New Bedford Housing Authority claims is due, the complainant shall pay to the New Bedford Housing Authority an amount equal to the amount of the rent due and payable as of the first of the month preceding the month in which the act failure to act took place. The complainant shall thereafter deposit the same amount of the monthly rent in an escrow account monthly until the complaint is resolved by the decision of hearing officer or hearing panel. These requirements may be waived by the NBHA in extenuating circumstances. Unless so waived, the failure to make such payments shall result in a termination of the grievance procedure: Provided, that failure to make payment shall not constitute a waiver of any right the complainant may have to contest the NBHA's disposition of his/her grievance in any appropriate judicial proceeding.

6. Scheduling of Hearings

Upon complainant's compliance with paragraphs (A) (B) (C) (D) (E) of this section, a hearing shall be scheduled by the Hearing Officer or hearing panel promptly for a time and place reasonable and convenient to both the complainant and the New Bedford Housing Authority. The Hearing Panel convenes the third Thursday of each month. A written notification specifying the time, place, and the procedures governing the hearing shall be delivered to the complainant and the Social Services Coordinator of the New Bedford Housing Authority.

F. Procedures Governing the Hearing

1. The hearing shall be held before a hearing officer or hearing panel as appropriate.
2. The complainant shall be afforded a fair hearing providing the basic safeguards of due process which shall include:
 - a. The opportunity to examine before the hearing and, at the expense of the complainant, to copy all documents, records, and regulations of the New Bedford Housing Authority that are relevant to the hearing. Any document not so made available after request therefore by the complainant may not be relied on by the New Bedford Housing Authority at the hearing.
 - b. The right to be presented by counsel or other person chosen as his or her representative.
 - c. The right to a private hearing unless the complainant requests a public hearing.
 - d. The right to present evidence and arguments in support of his or her complaint, to controvert evidence relied on by the New Bedford Housing Authority or property management, and to confront and cross-examine all witnesses on whose testimony or information the New Bedford Housing Authority or property management relies; and
 - e. A decision based solely and exclusively upon the facts presented at the hearing.
3. The hearing officer or hearing panel may render a decision without proceeding with the hearing if the hearing officer or hearing panel determines that the issue has been previously decided in another proceeding.

4. If the complainant or the New Bedford Housing Authority fails to appear at a scheduled hearing, the hearing officer or hearing panel may make a determination to postpone the hearing for a period of time not to exceed five (5) business days or may make a determination that the party has waived his right to a hearing. Both the complainant and the New Bedford Housing Authority shall be notified of the determination by the hearing officer or hearing panel, provided that a determination that the complainant has waived his right to a hearing shall not constitute a waiver of any right the complainant may have to contest the New Bedford Housing Authority's disposition of the grievance in an appropriate judicial proceeding.
5. At the hearing, the complainant must first make a showing of an entitlement to the relief sought; and, thereafter, the New Bedford Housing Authority must sustain the burden of justifying the New Bedford Housing Authority's action or failure to act against which the complaint is directed.
6. The hearing shall be conducted informally by the hearing officer or hearing panel, and oral or documentary evidence pertinent to the facts and issues raised by the complainant may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings. The hearing officer or hearing panel shall require the New Bedford Housing Authority, the complainant, counsel, and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the hearing officer or hearing panel 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.
7. The complainant or the New Bedford Housing Authority may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing. Any interested party may purchase a copy of such transcript.

G. Decision of the Hearing Officer or Hearing Panel

1. The hearing officer or hearing panel shall prepare a written decision, together with the reasons therefore, within ten (10) working days after the hearing. A copy of the decision shall be sent to the complainant and the New Bedford Housing Authority.

The New Bedford Housing Authority shall retain a copy of the decision in the resident's folder. A copy of such decision, with all names and identifying references deleted, shall also be maintained on file by the New Bedford Housing Authority and made available for inspection by a prospective complainant, his representative, or the hearing panel or hearing officer.

2. The decision of the hearing officer or hearing panel shall be binding on the New Bedford Housing Authority, which shall take all actions, or refrain from any actions, necessary to carry out the decision unless the New Bedford Housing Authority Board of Commissioners determines at its next regular meeting and promptly notifies the complainant of its determination, that
 - a. The grievance does not concern New Bedford Authority action or failure to act in accordance with or involving the complainant's lease on New Bedford Housing Authority regulations which adversely affect the complainant's rights, duties, welfare or status;
 - b. The decision of the hearing officer or hearing panel is contrary to applicable Federal, State or local law, HUD regulations or requirements of the annual contributions contract between HUD and the New Bedford Housing Authority.
3. A decision by the hearing officer, hearing panel, or Board of Commissioners in favor of the New Bedford Housing Authority or which denies the relief requested by the complainant in whole or in part shall not constitute a waiver of, nor affect in any manner whatever, any rights the complainant may have to a trial de novo or judicial review in any judicial proceedings which may thereafter be brought in the matter.

H. New Bedford Housing Authority Eviction Actions

If a resident has requested a hearing in accordance with Section V of this document, or a complaint involving a New Bedford Housing Authority notice of termination of the residency and the hearing officer or hearing panel upholds the New Bedford Housing Authority's action to terminate the residency, the New Bedford Housing Authority shall not commence an eviction action in a State or local court until it has served a notice to vacate on the resident; and in no event shall the matter be entered into Summary Process prior to the decisions of the hearing officer or hearing panel having been mailed or delivered to the complainant. Such notice to vacate must be in writing and specify that if the resident fails to quit the premises within the applicable statutory period or on the termination date stated in the notice of termination, whichever is later, appropriate action will be brought against him; and he may be required to pay court cost and attorney fees.

Chapter 14

FAMILY DEBTS TO THE PHA

INTRODUCTION

This Chapter describes the PHA's policies for the recovery of monies that have been underpaid by families. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is the PHA's policy to meet the informational needs of families, and to communicate the program rules in order to avoid family debts. Before a debt is assessed against a family, the file must contain documentation to support the PHA's claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the family or other interested parties.

When families owe money to the PHA, the PHA will make every effort to collect it. The PHA will use a variety of collection tools to recover debts including, but not limited to:

Requests for lump sum payments

Civil suits

Payment agreements

A. PAYMENT AGREEMENT FOR FAMILIES

A Payment Agreement as used in this Plan is a document entered into between the PHA and a person who owes a debt to the PHA. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of payment, any special provisions of the agreement, and the remedies available to the PHA upon default of the agreement.

Late Payments

A payment will be considered to be in arrears if:

The payment has not been received by the close of the business day on which the payment was due. If the due date is on a weekend or holiday, the due date will be at the close of the next business day.

If the family's payment agreement is in arrears, the PHA will:

Pursue civil collection of the balance due on vacated families

Terminate tenancy on residents as set forth in the Lease agreement

If the family requests a transfer to another unit and has a payment agreement in place and the payment agreement is not in arrears:

The family will be required to pay the balance in full prior to the unit transfer.

Guidelines for Payment Agreements

Payment agreements will be executed between the PHA and the head of the household or spouse.

Monthly payments may be decreased in cases of hardship with the prior notice of the family, verification of the hardship, and the approval of the Property Manager.

No transfer will be approved until the debt is paid in full unless the transfer is the result of a natural disaster and the payment agreement is current.

Additional Monies Owed

If the family has a payment agreement in place and incurs an additional debt to the PHA:

Additional amounts owed by the family will be added to the existing payment agreement.

B. DEBTS DUE TO FRAUD/NON-REPORTING OF INFORMATION

INSTRUCTION: There are many differences in the ways that PHAs treat the collection of monies due to misrepresentations and program fraud versus the collection of monies due to the untimely reporting of increases in income. We are offering the option here of either treating all monies owed in the same manner, or treating them differently depending on the reason the money is owed.

HUD's definition of program fraud and abuse is a single act or pattern of actions that constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead.

Family Error/Late Reporting

Families who owe money to the PHA due to the family's failure to report increases in income will be required to repay in accordance with the guidelines in the Payment Section of this Chapter.

Program Fraud

Families who owe money to the PHA due to program fraud will be required to repay in accordance with the guidelines in Section A of this Chapter.

C. WRITING OFF DEBTS

Debts will be written off if:

The debtor's whereabouts are unknown and the debt is more than 6 months old.

A determination is made that the debtor is judgment proof.

The debtor is deceased.

Chapter 15

COMMUNITY SERVICE

[24 CFR Part 960 Subpart F and 24 CFR 903.7(i)]

INTRODUCTION

IMPORTANT NOTICE

The community service requirement was suspended for Federal Fiscal Year 2002, for all developments except HOPE VI developments (Department of Veteran Affairs and Housing and Urban Development, and Independent Agencies Appropriation Act, 2002, at Section 432). The requirement has been reinstated for Federal fiscal year 2003.

A. REQUIREMENT

Each adult resident of the PHA shall:

Contribute 8 hours per month of community service (not including political activities) within the community in which that adult resides; or

Participate in an economic self-sufficiency program (defined below) for 8 hours per month; or

Perform 8 hours per month of combined activities (community service and economic self-sufficiency program)

B. EXEMPTIONS

The PHA shall provide an exemption from the community service requirement for any individual who:

Is 62 years of age or older;

Is a blind or disabled individual, as defined under section 216[i][1] or 1614 of the Social Security Act, and who is unable to comply with this section, or is a primary caretaker of such individual;

Is engaged in a work activity as defined in section 407[d] of the Social Security Act;

Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is located, including a State-administered welfare-to-work program; or

Is in a family receiving assistance under a State program funded under part A of title IV of the Social Security Act, or under any other welfare program of the State in which the public housing agency is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such program.

The PHA will re-verify exemption status annually except in the case of an individual who is 62 years of age or older.

The PHA will permit residents to change exemption status during the year if status changes.

C. DEFINITION OF ECONOMIC SELF-SUFFICIENCY PROGRAM

For purposes of satisfying the community service requirement, participating in an economic self-sufficiency program is defined, in addition to the exemption definitions described above, by HUD as: Any program designed to encourage, assist, train or facilitate economic independence of assisted families or to provide work for such families.

These economic self-sufficiency programs can include job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, or any other program necessary to ready a participant to work (such as substance abuse or mental health treatment).

In addition to the HUD definition above, the PHA definition includes any of the following:

Participating in the Family Self-Sufficiency Program and being current in the steps outlined in the Individual Training and Services Plan.

Other activities as approved by the PHA on a case-by-case basis.

The PHA will give residents the greatest choice possible in identifying community service opportunities.

The PHA will consider a broad range of self-sufficiency opportunities.

D. ANNUAL DETERMINATIONS

For each public housing resident subject to the requirement of community service, the PHA shall, at least 30 days before the expiration of each lease term, review and determine the compliance of the resident with the community service requirement.

Such determination shall be made in accordance with the principles of due process and on a nondiscriminatory basis.

The PHA will verify compliance annually. If qualifying activities are administered by an organization other than the PHA, the PHA will obtain verification of family compliance from such third parties.

Family members will not be permitted to self-certify that they have complied with community service requirements.

E. NONCOMPLIANCE

If the PHA determines that a resident subject to the community service requirement has not complied with the requirement, the PHA shall notify the resident of such noncompliance, and that:

The determination of noncompliance is subject to the administrative grievance procedure under the PHA's Grievance Procedures; and

Unless the resident enters into an agreement to comply with the community service requirement, the resident's lease will not be renewed, and

The PHA may not renew or extend the resident's lease upon expiration of the lease term and shall take such action as is necessary to terminate the tenancy of the household, unless the PHA enters into an agreement, before the expiration of the lease term, with the resident providing for the resident to cure any noncompliance with the community service requirement, by participating in an economic self-sufficiency program for or contributing to community service as many additional hours as the resident needs to comply in the aggregate with such requirement over the 12-month term of the lease.

The head of household and the noncompliant adult must sign the agreement to cure.

Ineligibility for Occupancy for Noncompliance

The PHA shall not renew or extend any lease, or provide any new lease, for a dwelling unit for any household that includes an adult member who was subject to the community service requirement and failed to comply with the requirement.

F. PHA RESPONSIBILITY

The PHA will ensure that all community service programs are accessible for persons with disabilities.

The PHA will ensure that:

The conditions under which the work is to be performed are not hazardous;

The work is not labor that would be performed by the PHA's employees responsible for essential maintenance and property services; or

The work is not otherwise unacceptable.

G. PHA IMPLEMENTATION OF COMMUNITY SERVICE REQUIREMENT

The PHA's Community Service program is described in the PHA Plan.

The PHA will administer its own community service program, with cooperative relationships with other entities.

The PHA will provide to residents a list of community service and volunteer opportunities available throughout the community.

Chapter 16

NOTIFICATION TO APPLICANTS AND TENANTS REGARDING PROTECTIONS UNDER THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)

A. OVERVIEW

The Violence against Women Reauthorization Act of 2013 (VAWA) requires PHAs to inform public housing tenants of their rights under this law, including their right to confidentiality and the limits thereof. Since VAWA provides protections for applicants as well as tenants, PHAs may elect to provide the same information to applicants.

This part describes the steps that the PHA will take to ensure that all actual and potential beneficiaries of its public housing program are notified about their rights under VAWA.

B. VAWA NOTIFICATION

PHA Policy

The PHA will post the following information regarding VAWA in its offices and on its Web site. It will also make the information readily available to anyone who requests it. A summary of the rights and protections provided by VAWA to public housing applicants and residents who are or have been victims of domestic violence, dating violence, sexual assault or stalking (see sample notice in Exhibit 16-1) The definitions of *domestic violence*, *dating violence*, *sexual assault*, and *stalking* provided in VAWA (included in Exhibit 16-1)

An explanation of the documentation that the PHA may require from an individual who claims the protections provided by VAWA (included in Exhibit 16-1)

A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

A statement of the PHA's obligation to keep confidential any information that it receives from a victim unless (a) the PHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibit 16-1)

The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibit 16-1) Contact information for local victim advocacy groups or service providers

C. NOTIFICATION TO APPLICANTS

PHA Policy

The PHA will provide all applicants with notification of their protections and rights under VAWA at the time of application and when their application has been denied for housing assistance.

The notice will explain the protections afforded under the law, inform each applicant of PHA confidentiality requirements, and provide contact information for local victim advocacy groups or service providers.

D. NOTIFICATION TO TENANTS [Pub.L. 109-162]

VAWA requires PHAs to notify tenants assisted under public housing of their rights under this law, including their right to confidentiality and the limits thereof.

PHA Policy

The PHA will provide all tenants with notification of their protections and rights under VAWA at the time of admission and at annual reexamination.

The notice will explain the protections afforded under the law and inform the tenant of PHA confidentiality requirements,.

The PHA will also include in all lease termination notices a statement explaining the protection against termination or eviction provided by VAWA (see Section 13-IV.D).

EXHIBIT 16-1: NBHA VAWA POLICY AND SAMPLE NOTICES TO PUBLIC HOUSING APPLICANTS AND RESIDENTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)

NEW BEDFORD HOUSING AUTHORITY

Violence Against Women Act (VAWA) Policy - 2013

I. Purpose and Applicability

The purpose of this policy (herein called “Policy”) is to implement the applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2013 (Pub. L. 113-4, 127 Stat. 54) and more generally to set forth the New Bedford Housing Authority’s (herein called NBHA) policies and procedures regarding domestic violence, dating violence, sexual assault, and stalking, as hereinafter defined.

This Policy shall be applicable to the administration by the NBHA of all federally subsidized public housing and Section 8 rental assistance under the United States Housing Act of 1937 (42 U.S.C. §1437 et seq.). Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, sexual assault, or stalking as well as female victims of such violence.

II. Goals and Objectives

This Policy has the following principal goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- B. Insuring the physical safety of victims of actual or threatened domestic violence, dating violence, sexual assault, or stalking who are assisted by the NBHA;
- C. Providing and maintaining housing opportunities for victims of domestic violence dating violence, sexual assault, or stalking;
- D. Creating and maintaining collaborative arrangements between the NBHA, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence, sexual assault, and stalking, who are assisted by the NBHA; and
- E. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, sexual assault, or stalking, affecting individuals assisted by the NBHA.

III. Other NBHA Policies and Procedures

This Policy shall be referenced in and attached to the NBHA’s Five-Year Public Housing Agency Plan and shall be incorporated in and made a part of the NBHA’s Admissions and Continued Occupancy Policy. The NBHA’s annual public housing agency plan shall also contain information concerning the NBHA’s activities, services or programs relating to domestic violence, dating violence, sexual assault, and stalking.

To the extent any provision of this policy shall vary or contradict any previously adopted policy or procedure of the NBHA, the provisions of this Policy shall prevail.

IV. Definitions

As used in this Policy:

- A. ***Domestic Violence*** – The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”
- B. ***Dating Violence*** – means: violence committed by a person:
- a. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - b. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - i. The length of the relationship.
 - ii. The type of relationship.
 - iii. The frequency of interaction between the persons involved in the relationship.
- C. ***Sexual Assault*** – means:
- a. The term *sexual assault* means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.
- D. ***Stalking*** – means:
- a. to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (b) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and
 - b. in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to:
 - i. that person;
 - ii. a member of the immediate family of that person; or the spouse or intimate partner of that person;
- E. ***Affiliated Individual*** - means, with respect to a person:
- a. a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or

- b. any individual, tenant, or lawful occupant living in the household of that individual.

F. **Perpetrator** – means person who commits an act of domestic violence, dating violence, sexual assault, or stalking against a victim.

V. Admissions and Screening

- A. **Non-Denial of Assistance.** The NBHA will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, provided that such person is otherwise qualified for such admission.
- B. **Mitigation of Disqualifying Information.** When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, dating violence, and stalking, the NBHA, may but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such as poor credit history or previous damage to a dwelling. If requested by an applicant to take such mitigating information into account, the NBHA shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. The NBHA will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

VI. Termination of Tenancy or Assistance

- A. **VAWA Protections.** Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by the NBHA:
 - a. An incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking will not be considered to be a “serious or repeated” violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.
 - b. In addition to the foregoing, tenancy or assistance will not be terminated by the NBHA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence, sexual assault, or stalking engaged in by a member of the assisted household, a guest or another person under the tenant’s control, and the tenant or an affiliated individual is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:
 - i. Nothing contained in this paragraph shall limit any otherwise available authority of the NBHA or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, sexual assault, or stalking in question against the tenant or a member of the tenant’s household. However, in taking any such action, neither the NBHA nor a Section 8

manager or owner may apply a more demanding standard to the victim of domestic violence, dating violence, sexual assault, or stalking than that applied to other tenants.

- ii. Nothing contained in this paragraph shall be construed to limit the authority of the NBHA or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or the NBHA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. Removal of Perpetrator. Further, notwithstanding anything in paragraph VI or Federal, State or local law to the contrary, the NBHA or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by the NBHA. Leases used for all public housing operated by the NBHA and, at the option of Section 8 owners or managers, leases for dwelling units occupied by families assisted with Section 8 rental assistance administered by the NBHA, shall contain provisions setting forth the substance of this paragraph.

C. Eligibility of Remaining Tenant(s). In the event of lease bifurcation and the removed tenant or lawful occupant was the sole tenant eligible to receive assistance under a covered housing program, NBHA shall provide any remaining tenant the opportunity to establish eligibility for the covered housing program, If the remaining tenant cannot establish eligibility, the NBHA will provide a reasonable time to find new housing or to establish eligibility under another covered housing program.

VII. Verification of Domestic Violence, Dating Violence or Stalking

A. Requirement for Verification. The law allows, but does not require, the NBHA or a Section 8 owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph VII. C., the NBHA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by the NBHA. Section 8 owners or managers receiving rental assistance administered by the NBHA may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence,

dating violence, sexual assault, or stalking may be accomplished in one of the following three ways:

- a. **HUD-approved form** - by providing to the NBHA or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence, sexual assault, or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.
- b. **Other documentation** - by providing to the NBHA or to the requesting Section 8 owner or manager 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 the domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest 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 meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence, sexual assault, or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.
- c. **Police or court record** – by providing to the NBHA or to the requesting Section 8 owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

If there is reason to believe that verification is incomplete or inaccurate, the NBHA may require additional documentation of the incident(s). Such documentation requirement shall not place the victim in danger. As necessary, the NBHA shall work with the victim to identify appropriate sources of documentation.

- B. **Time allowed to provide verification/ failure to provide.** An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking, and who is requested by the NBHA, or a Section 8 owner or manager to provide verification, must provide such verification within 14 business days (i.e., 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.
- C. **Waiver of verification requirement.** The Executive Director of the NBHA, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in

writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

- D. **Conflicting Information.** If the NBHA receives documentation containing conflicting information, the NBHA will require an applicant or tenant to submit third party documentation.

VIII. Confidentiality

- A. **Right of confidentiality.** All information (including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking) provided to the NBHA or to a Section 8 owner or manager in connection with a verification required under section VII of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:

- a. requested or consented to by the individual in writing, or
- b. required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or
- c. otherwise required by applicable law.

- B. **Notification.** All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by the NBHA shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

IX. Emergency Transfers

HUD will be adopting a model emergency transfer plan for use by NBHA, owners, and managers. Until such time NBHA will allow tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling. NBHA will incorporate reasonable confidentiality measure to ensure that NBHA, an owner, or a manager will not disclose the location of the new dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant. The tenant can be granted a transfer only if (1) the tenant requests a transfer, (2) either the tenant reasonably believes he or she is threatened with imminent harm from further violence if he or she remains in the unit or, if the tenant is a sexual assault victim, the sexual assault occurred on the premises during the 90-day period preceding the transfer request, and (3) the tenant has exhausted all reasonably available means of avoiding or alleviating the threat, including seeking assistance through the courts, administrative, and enforcement agencies. Any transfer is subject to the availability of other assisted housing and subject to all other HUD requirements being met.

If after the execution of an emergency transfer under the emergency transfer policy, the tenant or any member of the tenant household allows the perpetrator of the domestic violence, dating violence, sexual assault or stalking to reside in the unit during the initial twenty-four (24) month period following the transfer without NBHA approval, NBHA will begin lease/rental assistance termination immediately.

If after twenty-four (24) months the family requests to add the perpetrator to the lease, the family must provide documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under the penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.

X. Court Orders/Family Breakup

Court orders. It is the NBHA's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by the NBHA and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.

XI. Relationships with Service Providers

It is the policy of the NBHA to cooperate with organizations and entities, both private and governmental, which provide shelter and/or services to victims of domestic violence. If NBHA staff become aware that an individual assisted by the NBHA is a victim of domestic violence, dating violence, sexual assault, or stalking, the NBHA will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring the NBHA either to maintain a relationship with any particular provider of shelter or services to victims of domestic violence or to make a referral in any particular case. The NBHA's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which the NBHA has referral or other cooperative relationships.

XII. Notification

The NBHA shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

XIII. Relationship with Other Applicable Laws

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

XIV. Amendment

This policy may be amended from time to time by the NBHA as approved by the NBHA's Board of Commissioners.

This sample notice was adapted from a notice prepared by the National Housing Law Project.

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your rights under VAWA. **Protections for Victims**

If you are eligible for public housing, the housing authority cannot refuse to admit you to the public housing program solely because you are a victim of domestic violence, dating violence, sexual assault, or stalking.

If you are the victim of domestic violence, dating violence, sexual assault, or stalking, the housing authority cannot evict you based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, sexual assault, or stalking that are caused by a member of your household or a guest can't be the reason for evicting you if you were the victim of the abuse.

Reasons You Can Be Evicted

The housing authority can still evict you if the housing authority can show there is an *actual* and *imminent* (immediate) threat to other tenants or housing authority staff if you are not evicted. Also, the housing authority can evict you for serious or repeated lease violations that are not related to the domestic violence, dating violence, sexual assault or stalking against you. The housing authority cannot hold you to a more demanding set of rules than it applies to tenants who are not victims.

Removing the Abuser from the Household

The housing authority may bifurcate the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the public housing unit. If the housing authority chooses to remove the abuser, it may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, the housing authority must follow federal, state, and local eviction procedures.

Proving that You Are a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking

The housing authority can ask you to prove or "certify" that you are a victim of domestic violence, dating violence, sexual assault or stalking. In cases of termination or eviction, the housing authority must give you at least 14 business days (i.e. Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority is free to extend the deadline. There are three ways you can prove that you are a victim:

- Complete the certification form given to you by the housing authority. The form will ask for your name, the name of your abuser if it is safe to do so, the abuser's relationship to you, the date, time, and location of the incident of violence, and a description of the violence.
- Provide a statement from a victim service provider, attorney, or medical professional who has helped you address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing "under penalty of perjury."
- Provide a police or court record, such as a protective order.

If you fail to provide one of these documents within the required time, the housing authority may evict you.

Confidentiality

The housing authority must keep confidential any information you provide about the violence against you, unless:

- You give written permission to the housing authority to release the information.
- The housing authority needs to use the information in an eviction proceeding, such as to evict your abuser.
- A law requires the housing authority to release the information.

If release of the information would put your safety at risk, you should inform the housing authority.

VAWA and Other Laws

VAWA does not limit the housing authority's duty to honor court orders about access to or control of a public housing unit. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

For Additional Information

If you have any questions regarding VAWA, please contact _____ at

For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

Definitions

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines **domestic violence** to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

VAWA defines **dating violence** as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

VAWA defines **sexual assault** any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

VAWA defines **stalking** as (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person OR (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person AND (B) in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person, (ii) a member of the immediate family of that person, or (iii) the spouse or intimate partner of that person.

TENANTS KNOW YOUR RIGHTS

PROHIBITION AGAINST TERMINATING TENANCY OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

The Violence Against Women Reorganization Act of 2013 (VAWA), provides that "criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking, engaged in by a member of the tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of the tenancy or occupancy rights, if the tenant or immediate family member of the tenant's family is the victim or threatened victim of that abuse." VAWA further provides that incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking may not be construed either as serious or repeated violations of the lease by the victim of such violence or as good cause for terminating the tenancy or occupancy rights of the victim of such violence.

VAWA does not limit the Housing Authority's authority to terminate the tenancy of any tenant if the Housing Authority can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property.

In circumstances when the Housing Authority can demonstrate an actual or imminent threat to other participants or those employed at or providing services to the property if the participant's (including the victim's) tenancy is not terminated, the Housing Authority will bypass the standard process and proceed with the immediate termination of the family's assistance.

XIV. Termination of Tenancy or Assistance

C. VAWA Protections. Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by the NBHA:

- a. An incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking will not be considered to be a "serious or repeated" violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.
- b. In addition to the foregoing, tenancy or assistance will not be terminated by the NBHA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence sexual assault, or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an affiliated individual is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:

- i. Nothing contained in this paragraph shall limit any otherwise available authority of the NBHA or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, sexual assault, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither the NBHA nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence, dating violence, sexual assault, or stalking than that applied to other tenants.
- ii. Nothing contained in this paragraph shall be construed to limit the authority of the NBHA or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or the NBHA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

D. Removal of Perpetrator. Further, notwithstanding anything in paragraph VI or Federal, State or local law to the contrary, the NBHA or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by the NBHA. Leases used for all public housing operated by the NBHA and, at the option of Section 8 owners or managers, leases for dwelling units occupied by families assisted with Section 8 rental assistance administered by the NBHA, shall contain provisions setting forth the substance of this paragraph.

Housing Authority Policy

When the actions of a tenant or other family member result in a determination by the Housing Authority to terminate the family's lease and another family member claims that the actions involve criminal acts of physical violence against family members or others, the Housing Authority will request that the victim submit the above required certification and supporting documentation within 14 days. If the certification and supporting documentation are submitted within the required time frame, or any approved extension period, the Housing Authority will bifurcate the lease and evict or terminate the occupancy rights of the perpetrator. If the victim does not provide the certification and supporting documentation, as required, the Housing Authority will proceed with termination of the family's lease.

If the Housing Authority can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if the tenant's tenancy is not terminated, the Housing Authority will bypass the standard process and proceed with the immediate termination of the family.

Housing Authority Confidentiality Requirements

All information provided to the Housing Authority regarding domestic violence, dating violence, or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

Contact Information for Local Service Providers

Domestic Violence & Sexual Assault Hotline (New Bedford) 508-999-6636 GNB

Women's Center, 252 County St., New Bedford, MA 02740 508-996-3343

CHHS/Home of Hope, 1287 Acushnet Ave., New Bedford, MA 02746 508-996-0546
Complete outreach services for women at risk.

For Additional Information

For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

APPLICANTS KNOW YOUR RIGHTS

PROTECTIONS UNDER THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

The Violence Against Women Reauthorization Act of 2013 (VAWA) prohibits denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. Specifically, Section 607(2) of VAWA adds the following provision to Section 6 of the U.S. Housing Act of 1937, which lists contract provisions and requirements for the public housing program:

Every contract for contributions or application for public housing shall provide that...the public housing agency shall not deny admission to the project to any applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant otherwise qualifies for assistance or admission, and that nothing in this section shall be construed to supersede any provision of any Federal, State or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

Notification and Victim Documentation

The Housing Authority acknowledges that a victim of domestic violence, dating violence, sexual assault, or stalking may have an unfavorable history that may warrant denial under the Housing Authority's policy. Therefore, if the Housing Authority makes a determination to deny admission to an applicant family on the basis of an unfavorable history, the Housing Authority will include in its notice of denial a statement of the protection against denial provided by VAWA and will offer the applicant the opportunity to provide documentation affirming that the cause of the unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, sexual assault or stalking.

The documentation may be accomplished in one of the following three ways:

- a. HUD-approved form** - by providing to the NBHA or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence, sexual assault, or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator if known and safe to do so.

- b. Other documentation** - by providing to the NBHA or to the requesting Section 8 owner or manager 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 the domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest 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 meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence sexual assault, or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.
 - c. Police or court record** - by providing to the NBHA or to the requesting Section 8 owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.
- D. Time allowed to provide verification/failure to provide.** An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence. Sexual assault, or stalking, and who is requested by the NBHA, or a Section 8 owner or manager to provide verification, must provide such verification within 14 business days (i.e., 14 calendar days, excluding Saturdays, Sundays, and federally- recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.
- E. Waiver of verification requirement.** The Executive Director of the NBHA, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

Perpetrator Removal or Documentation of Rehabilitation

In cases where an applicant family includes the perpetrator as well as the victim of domestic violence, dating violence, sexual assault, or stalking, the Housing Authority will proceed as above but will require, in addition, either (a) that the perpetrator be removed from the applicant household and not reside in the public housing unit or (b) that the family provide documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment.

If the family elects the second option, the documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable

professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under the penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.

This additional documentation must be submitted within the same time frame as the documentation required above from the victim.

PHA Confidentiality Requirements

All information provided to the Housing Authority regarding domestic violence, dating violence, sexual assault, or stalking, including the fact that an individual is a victim of such violence, assault or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by an individual in writing, (b) is required for use in eviction proceedings, or (c) is otherwise required by applicable law.

Contact Information for Local Service Providers

Domestic Violence & Sexual Assault Hotline (New Bedford) 508-999-6636 GNB

Women's Center, 252 County St., New Bedford, MA 02740 508-996-3343

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Complete outreach services for women at risk.

For Additional Information

For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

GLOSSARY

I. TERMS USED IN DETERMINING RENT

ANNUAL INCOME (24 CFR 5.609)

Annual income is the anticipated total income from all sources. This includes net income derived from assets, received by the family head and spouse (even if temporarily absent) and by each additional family member for the 12 month period following the effective date of initial determination or reexamination of income. It does not include income that is temporary, non-recurring, or sporadic as defined in this section, or income that is specifically excluded by other federal statute. Annual income includes:

The full amount before any payroll deductions, of wages and salaries, overtime pay, commissions fees, tips and bonuses, and other compensation for personal services.

The net income from operation of a business or profession, including any withdrawal of cash or assets from the operation of the business. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining the net income from a business. An allowance for the straight line depreciation of assets used in a business or profession may be deducted as provided in IRS regulations. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the business.

Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for the straight line depreciation of real or personal property is permitted. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the property.

When the family has net family assets in excess of \$5,000, Annual Income shall include the greater of the actual income derived from all net family assets, or a percentage of the value of such assets based on the current passbook savings rate as determined by HUD.

The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts.

NOTE: Treatment of lump sum payments for delayed or deferred periodic payment of social security or SSI benefits is dealt with later in this section.

Payments in lieu of earnings, such as unemployment and disability compensation, workers' compensation, and severance pay.

All welfare assistance payments received by or on behalf of any family member. (24 CFR 913.106(b)(6) contains rules applicable to "as-paid" States).

Periodic and determinable allowances, such as alimony and child care support payments, and regular cash contributions or gifts received from persons not residing in the dwelling.

All regular pay, special pay and allowances of a member of the Armed Forces (except special pay to a family member serving the Armed Forces who is exposed to hostile fire).

EXCLUSIONS FROM ANNUAL INCOME (24 CFR 5.609)

Annual income does not include the following:

Income from the employment of children (including foster children) under the age of 18 years;

Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the resident family, who are unable to live alone);

Lump sum additions to family assets, such as inheritances, insurance payments (including payments under health, and accident insurance and workers' compensation) capital gains, and settlement for personal property losses;

Amounts received by the family that are specifically for, or in reimbursement of the cost of medical expenses for any family member.

Income of a live-in aide, provided the person meets the definition of a live-in aide.

The full amount of student financial assistance paid directly to the student or the educational institution.

The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

Amounts received under HUD funded training programs (e.g. Step-up program); excludes stipends, wages, transportation payments and child care vouchers for the duration of the training.

Amounts received by a person with disabilities that are disregarded for a limited time for purposes of Supplemental Security Income and benefits that are set aside for use under a Plan to Attain Self Sufficiency (PASS).

Amounts received by a participant in other publicly assisted programs that are specifically for, or in reimbursement of, out of pocket expenses incurred for items such as special equipment, clothing, transportation and childcare, to allow participation in a specific program.

Amount received as a Resident services stipend. A modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for the PHA, on a part-time basis, that enhances the quality of life in public housing. Such services may include but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as the resident member of the PHA governing Board. No resident may receive more than one such stipend during the same period of time.

Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of family members as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program.

Temporary, non-recurring, or sporadic income (including gifts).

Reparation payments paid by foreign governments pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era. (For all initial determinations and reexaminations of income on or after April 23, 1993.)

Earnings in excess of \$480 for each full-time student 18 years old or older, (excluding the head of household and spouse).

Adoption assistance payments in excess of \$480 per adopted child.

The earnings and benefits to any resident resulting from the participation in a program providing employment training and supportive services in accordance with the Family Support Act of 1988 (42 U.S.C. 1437 et seq.), or any comparable Federal, State or local law during the exclusion period. For purposes of this paragraph the following definitions apply:

Comparable Federal, State or local law means a program providing employment training and supportive services that: (1) is authorized by a Federal, State or local law; (2) is funded by the Federal, State or local government; (3) is operated or administered by a public agency; and (4) has as its objective to assist participants in acquiring job skills.

Exclusion period means the period during which the resident participates in a program as described in this section plus 18 months from the date the resident begins the first job acquired by the resident after completion of such program that is not funded by public housing assistance under the U.S. Housing Act of 1937. If the resident is terminated from employment without good cause, the exclusion period shall end.

Earnings and benefits means the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.

Deferred periodic payments from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.

Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit.

Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.

Amounts specifically excluded by any other Federal Statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937.(A notice will be published by HUD in the Federal Register identifying the benefits that qualify for this exclusion.

The following benefits are excluded by other Federal Statute as of August 3, 1933:

The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977;

Payments to volunteers under the Domestic Volunteer Service Act of 1973; examples of programs under this Act include but are not limited to:

The Retired Senior Volunteer Program (RSVP)

Foster Grandparent Program (FGP)

Senior Companion Program (SCP)

Older American Committee Service Program

National Volunteer Antipoverty Programs such as:

VISTA

Peace Corps

Service Learning Program

Special Volunteer Programs

Small Business Administration Programs such as:

National Volunteer Program to Assist Small Businesses

Service Corps of Retired Executives

Payments received under the Alaska Native Claims Settlement Act. [43 USC 1626 (a)]

Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes. [25 USC 459e]

Payments or allowances made under the Department of HHS' Low Income Home Energy Assistance Program. [42 USC 8624 (f)]

Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 USC 1552 (b))

Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Pub. L. 94-540).

The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 USC. 1407-08), or from funds held in trust for an Indian Tribe by the Secretary of Interior.

Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs. [20 USC 1087 uu] Examples: Basic Educational Opportunity Grants (Pell Grants), Supplemental Opportunity Grants, State Student Incentive Grants, College-Work Study, and Byrd Scholarships.

Payments received under programs funded under Title V of the Older Americans Act of 1965 [42 USC 3056 (f)] Examples include Senior Community Services Employment Program, National Caucus Center on the Black Aged, National Urban League; Association National Pro Personas Mayores, National Council on Aging, American Association of Retired Persons, National Council on Senior Citizens, and Green Thumb.

Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established in the In-Re Orange Product Liability litigation.

The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs of incurred in such care) under the Child Care and Development Block Grant Act of 1990. (42 USC 9858q)

Earned income tax credit refund payments received on or after January 1, 1991. (26 USC 32)(j).

Living allowances under Americorps Program (Nelson Diaz Memo to George Latimer 11/15/94)

ADJUSTED INCOME

Annual income, less allowable HUD deductions.

Note: Under the Continuing Resolution, PHAs are permitted to adopt other adjustments to earned income for residents of Public Housing, but must absorb any resulting loss in rental income.

All Families are eligible for the following:

Child Care Expenses: A deduction of amounts anticipated to be paid by the family for the care of children under 13 years of age for the period for which the Annual Income is computed. Child care expenses are only allowable when such care is necessary to enable a family member to be gainfully employed or to further his/her education. Amounts deducted must be unreimbursed expenses and shall not exceed: (1) The amount of income earned by the family member released to work, or (2) an amount determined to be reasonable by the PHA when the expense is incurred to permit education.

Dependent Deduction. An exemption of \$480 for each member of the family residing in the household (other than the head or spouse, live-in aide, foster child) who is under eighteen years of age or who is eighteen years of age or older and disabled, handicapped, or a full-time student.

Handicapped Expenses. A deduction of unreimbursed amounts paid for attendant care or auxiliary apparatus expenses for handicapped family members where such expenses are necessary to permit a family member(s), including the handicapped/disabled member to be employed. In no event may the amount of the deduction exceed the employment income earned by the family member(s) freed to work.

Equipment and auxiliary apparatus may include but are not limited to: wheelchairs, lifts, reading devices for visually handicapped, and equipment added to cars and vans to permit use by the handicapped or disabled family member.

For non-elderly families and elderly families without medical expense: The amount of the deduction equals the cost of all unreimbursed expenses for handicapped care and equipment less three percent of Annual Income, provided the amount so calculated does not exceed the employment income earned.

For elderly families with medical expenses: The amount of the deduction equals the cost of all unreimbursed expenses for handicapped care and equipment less three percent of Annual Income, (provided the amount does not exceed earnings) plus medical expenses as defined below.

For Elderly and Disabled Families Only:

Medical Expenses: A deduction of unreimbursed medical expenses, including insurance premiums anticipated for the period for which Annual Income is computed. Medical expenses include, but are not limited to: services of physicians and other health care professionals, services of health care facilities; insurance premiums, including the cost of Medicare), prescription and non-prescription medicines, transportation to and from treatment, dental expenses, eyeglasses, hearing aids and batteries, attendant care (unrelated to employment of family members), and payments on accumulated medical bills. To be considered by the PHA for the purpose of determining a deduction from the income, the expenses claimed must be verifiable.

For elderly families without handicapped expenses: The amount of the deduction shall equal total medical expenses less 3% of annual income.

For elderly families with both handicapped and medical expenses: The amount of handicapped assistance is calculated first, then medical expenses are added.

Elderly/Disabled Household Exemption: An exemption of \$400 per household.

II. GLOSSARY OF HOUSING TERMS

ACCESSIBLE DWELLING UNITS. When used with respect to the design, construction or alteration of an individual dwelling unit, means that the unit is located on an accessible route, and when designed, constructed, or altered, can be approached, entered, and used by individuals with physical handicaps. A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in 24 CFR 8.32 & 40, (the Uniform Federal Accessibility Standards) is "accessible" within the meaning of this paragraph.

ACCESSIBLE FACILITY. All or any portion of a facility other than an individual dwelling unit used by individuals with physical handicaps.

ACCESSIBLE ROUTE. For persons with a mobility impairment, a continuous, unobstructed path that complies with space and reach requirements of the Uniform Federal Accessibility Standards (UFAC). For persons with hearing or vision impairments, the route need not comply with requirements specific to mobility.

ADAPTABILITY. Ability to change certain elements in a dwelling unit to accommodate the needs of handicapped and non-handicapped persons; or ability to meet the needs of persons with different types and degrees of disability.

ADMISSION. Admission to the program is the effective date of the lease. The point at which a family becomes a resident.

ALLOCATION PLAN. The plan submitted by the PHA and approved by HUD under which the PHA is permitted to designate a building, or portion of a building, for occupancy by Elderly Families or Disabled Families.

ANNUAL INCOME AFTER ALLOWANCES. The Annual Income (described above) less the HUD-approved allowances.

APPLICANT (or applicant family). A family that has applied for admission to a program, but is not yet a participant in the program.

"AS-PAID" STATES. States where the welfare agency adjusts the shelter and utility component of the welfare grant in accordance with actual housing costs.

ASSETS. (See Net Family Assets.)

AUXILIARY AIDS. Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in and enjoy the benefits of programs and activities.

CEILING RENT. An amount that reflects the reasonable market value of the housing unit, but not less than the sum of the monthly per-unit operating costs and a deposit to a replacement reserve. The family pays the lower of the ceiling rent or the formula tenant rent.

CO-HEAD. An individual in the household who is equally responsible for the lease with the Head of Household. A family may have a Co-head or Spouse, but not both. A co-head never qualifies as a dependent.

COVERED FAMILIES. The statutory term "covered families" designates the universe of families who are required to participate in a welfare agency economic self-sufficiency program and may, therefore, be the subject of a welfare benefit sanction for noncompliance with this obligation. "Covered families" means families who receive welfare assistance or other public assistance benefits from a State or other public agency under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for the assistance.

DEPENDENT. A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person or Handicapped Person, or is a full-time student 18 years of age or older.

DESIGNATED FAMILY. The category of family for whom the PHA elects to designate a project (e.g. elderly family in a project designated for elderly families) in accordance with the 1992 housing Act. (24 CFR 945.105)

DISABILITY ASSISTANCE EXPENSE. Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and or auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

DISABLED FAMILY. A family whose head, spouse, or sole member is a person with disabilities. A disabled family may include two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides

DISABLED PERSON. See Person with Disabilities.

DISABLED FAMILY. A family whose head, spouse, or sole member is a person with disabilities; or two or more persons with disabilities living together or one or more persons with disabilities living with one or more live-in aides.

DISALLOWANCE. Exclusion from annual income.

DISPLACED FAMILY. A family in which each member, or whose sole member, is a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster relief laws.

DOMICILE. The legal residence of the household head or spouse as determined in accordance with State and local law.

DRUG-RELATED CRIMINAL ACTIVITY. Term means:

Drug-trafficking; or

Illegal use, or possession for personal use of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

DRUG TRAFFICKING. The illegal manufacture, sale, distribution or the possession with intent to manufacture, sell, or distribute a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

ECONOMIC SELF-SUFFICIENCY PROGRAM. Any program designed to encourage, assist, train, or facilitate the economic independence of assisted families or to provide work for such families. Economic self-sufficiency programs can include job training, employment counseling, work placement, basic skills training, education, English proficiency, Workfare, financial or household management, apprenticeship, any other program necessary to ready a participant to work (such as: substance abuse or mental health treatment. Economic self-sufficiency program includes any work activities as defined in the Social Security Act (42 U.S.C. 607(d)). See the definition of work activities at Sec. 5.603(c). The new definition of the term "economic self-sufficiency program" is used in the following regulatory provisions, pursuant to the Public Housing Reform Act: family income includes welfare benefits reduced because of family failure to comply with welfare agency requirements to participate in an economic self-sufficiency program; and the requirement for public housing residents to participate in an economic self-sufficiency program or other eligible activities.

ELDERLY FAMILY. A family whose head or spouse or whose sole member is at least 62 years, or two or more persons who are at least 62 years of age or a disabled person. It may include two or more elderly, disabled persons living together or one or more such persons living with one or more live-in aides.

ELDERLY PERSON. A person who is at least 62 years old.

ELIGIBLE FAMILY (Family). A family is defined by the PHA in the Admission and Continued Occupancy Plan.

EXCEPTIONAL MEDICAL OR OTHER EXPENSES. Prior to the regulation change in 1982, this meant medical and/or unusual expenses as defined in Part 889 which exceeded 25% of the Annual Income. It is no longer used.

EXCESS MEDICAL EXPENSES. Any medical expenses incurred by elderly families only in excess of 3% of Annual Income which are not reimbursable from any other source.

EXTREMELY LOW-INCOME FAMILY. A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes.

FAMILY. The applicant must qualify as a family as defined by the PHA.

The term “family” includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

- (1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person or any other single person; or
- (2) A group of persons residing together and such group includes, but is not limited to:
 - (i) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
 - (ii) An elderly family;
 - (iii) A near-elderly family;
 - (iv) A disabled family;
 - (v) A displaced family; and
 - (vi) The remaining member of a tenant family.

In addition, for categorizing family as defined above, the terms disabled family, elderly family and near-elderly family (per 24 CFR 5.403) are:

Disabled family means a family whose head (including co-head), spouse or sole member is a person with a disability.

Elderly family means a family whose head (including co-head), spouse or sole member is a person who is at least 62 years of age.

Near elderly family means a family whose head (including co-head), spouse or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons, who are at least 50 years of age but below the age of 62, living together.

FAMILY OF VETERAN OR SERVICEPERSON. A family is a "family of veteran or serviceperson" when:

The veteran or serviceperson (a) is either the head of household or is related to the head of the household; or (b) is deceased and was related to the head of the household, and was a family member at the time of death.

The veteran or serviceperson, unless deceased, is living with the family or is only temporarily absent unless s/he was (a) formerly the head of the household and is permanently absent because of hospitalization, separation, or desertion, or is divorced; provided, the family contains one or more persons for whose support s/he is legally responsible and the spouse has not remarried; or (b) not the head of the household but is permanently hospitalized; provided, that s/he was a family member at the time of hospitalization and there remain in the family at least two related persons.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM). The program established by a PHA to promote self-sufficiency of assisted families, including the provision of supportive services.

FLAT RENT. Rent for a public housing dwelling unit that is based on the market rent. The market rent is the rent charged for comparable units in the private, unassisted rental market at which the PHA could lease the public housing unit after preparation for occupancy.

FOSTER CHILD CARE PAYMENT. Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT. A person who is attending school or vocational training on a full-time basis.

HANDICAPPED ASSISTANCE EXPENSES. Anticipated costs for care attendants and auxiliary apparatus for handicapped or disabled family members which enable a family member (including the handicapped family member) to work.

HANDICAPPED PERSON. [Referred to as a Person with a Disability]. A person having a physical or mental impairment which is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently; and is of such a nature that such ability could be improved by more suitable housing conditions.

HEAD OF HOUSEHOLD. The person who assumes legal and financial responsibility for the household and is listed on the application as head.

HOUSING AGENCY. A state, country, municipality or other governmental entity or public body authorized to administer the program. The term "PHA" includes an Indian housing authority (IHA). ("PHA" and "PHA" mean the same thing.)

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. The Act in which the U.S. Housing Act of 1937 was recodified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PLAN. A Housing Assistance Plan submitted by a local government participating in the Community Development Block Program as part of the block grant application, in accordance with the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD. A Housing Assistance Plan meeting the requirements of 570.303(c) submitted by a local government not participating in the Community Development Block Grant Program and approved by HUD.

HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the Public Housing and Section 8 programs.

HUD. The Department of Housing and Urban Development or its designee.

HUD REQUIREMENTS. HUD requirements for the Section 8 programs. HUD requirements are issued by HUD headquarters as regulations. Federal Register notices or other binding program directives.

HURRA. The Housing and Urban/Rural Recovery Act of 1983 legislation that resulted in most of the 1984 HUD Regulation changes to the definition of income, allowances, and rent calculations.

IMPUTED ASSET. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED INCOME. HUD passbook rate times the total cash value of assets, when assets exceed \$5,000.

IMPUTED WELFARE INCOME. The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income. This amount is included in family annual income and, therefore, reflected in the family rental contribution based on this income.

INCOME. Income from all sources of each member of the household as determined in accordance with criteria established by HUD.

INCOME-BASED RENT. The tenant rent paid to the PHA that is based on family income and the PHA rental policies. The PHA uses a percentage of family income or some other reasonable system to set income-based rents. The PHA has broad flexibility in deciding how to set income-based rent for its tenants. However, the income-based tenant rent plus the PHA's allowance for tenant paid utilities may not exceed the "total tenant payment" as determined by a statutory formula.

INCOME FOR ELIGIBILITY. Annual Income.

INCOME TARGETING. The HUD admissions requirement that PHAs not admit less than the number required by law of families whose income does not exceed 30% of the area median income in a fiscal year.

INDIAN. Any person recognized as an Indian or Alaska Native by an Indian Tribe, the federal government, or any State.

INDIAN HOUSING AUTHORITY (IHA). A housing agency established either by exercise of the power of self-government of an Indian Tribe, independent of State law, or by operation of State law providing specifically for housing authorities for Indians.

INTEREST REDUCTION SUBSIDIES. The monthly payments or discounts made by HUD to reduce the debt service payments and, hence, rents required on Section 236 and 221 (d)(3) BMIR projects. Includes monthly interest reduction payments made to mortgagees of Section 236 projects and front-end loan discounts paid on BMIR projects.

INVOLUNTARILY DISPLACED PERSON. Involuntarily Displaced Applicants are applicants who meet the HUD definition for the local preference, formerly known as a federal preference.

LANDLORD. Either the legal owner of the property, or the owner's representative or managing agent as designated by the owner.

LEASE. A written agreement between an owner and an eligible family for the leasing of a housing unit.

LIVE-IN AIDE. A person who resides with an elderly person or disabled person and who:

Is determined to be essential to the care and well-being of the person.

Is not obligated for the support of the person.

Would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the PHA to select among applicant families without regard to their date and time of application.

LOW-INCOME FAMILY. This definition replaces a previous statutory reference. Generally, "low-income" designates a family whose income does not exceed 80 percent of area median income, with certain adjustments.

MARKET RENT. The rent HUD authorizes the owner of FHA insured/subsidized multi-family housing to collect from families ineligible for assistance. For unsubsidized units in an FHA-insured multi-family project in which a portion of the total units receive project-based rental assistance, under the Rental Supplement or Section 202/Section 8 Programs, the Market Rate Rent is that rent approved by HUD and is the Contract Rent for a Section 8 Certificate holder. For BMIR units, Market Rent varies by whether the project is a rental or cooperative.

MEDICAL EXPENSES. Those total medical expenses anticipated during the period for which Annual Income is computed, and which are not covered by insurance. (Only Elderly Families qualify) The allowances are applied when medical expenses exceed 3% of Annual Income.

MINIMUM RENT. An amount established by the PHA between zero and \$50.00.

MINOR. A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

MONTHLY ADJUSTED INCOME. 1/12 of the Annual Income after Allowances.

MONTHLY INCOME. 1/12 of the Annual Income before allowances.

NEAR-ELDERLY FAMILY. A family whose head, spouse, or sole member is at least 50, but less than 62 years of age. The term includes two or more near-elderly persons living together and one or more such persons living with one or more live-in aides.

NET FAMILY ASSETS. The net cash value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition.

OCCUPANCY STANDARDS. [Now referred to as **Subsidy Standards**] Standards established by a PHA to determine the appropriate number of bedrooms for families of different sizes and compositions.

PARTICIPANT. A family that has been admitted to the PHA program, and is currently assisted in the program.

PERSON WITH DISABILITIES.

1. 1. A person who has a disability, as defined in 42 U. S. C. 423, and is determined, under HUD regulations, to have a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration, substantially impedes the ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.
2. A person who has a developmental disability as defined in 42 U.S.C. 6001.
3. An "individual with handicaps", as defined in 24 CFR 8.3, for purposes of reasonable accommodation and program accessibility for persons with disabilities
4. Does not exclude persons who have AIDS or conditions arising from AIDS
5. Does not include a person whose disability is based solely on any drug or alcohol dependence (for low income housing eligibility purposes)

PREMISES. The building or complex in which the dwelling unit is located including common areas and grounds.

PREVIOUSLY UNEMPLOYED. includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

PUBLIC HOUSING AGENCY (PHA). A state, county, municipality, or other governmental entity or public body authorized to administer the programs. The term "PHA" includes an Indian housing authority (IHA). ("PHA" and "IHA" mean the same thing.)

QUALIFIED FAMILY. A family residing in public housing whose annual income increases as a result of employment of a family member who was unemployed for one or more years previous to employment; or increased earnings by a family member during participation in any economic self-sufficiency or on the job training program; or new employment or increased earnings of a family member, during or within 6 months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the PHA in consultation with the local TANF agency and Welfare to Work programs. TANF includes income and benefits & services such as one time payments, wage subsidies & transportation assistance, as long as the total amount over a 6-month period is at least \$500.

QUALITY HOUSING AND WORK RESPONSIBILITY ACT OF 1998. The Act which amended the U.S. Housing Act of 1937 and is known as the Public Housing Reform Bill. The Act is directed at revitalizing and improving HUD's Public Housing and Section 8 assistance programs.

RECERTIFICATION. Sometimes called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if no interim changes are reported by the family.

REMAINING MEMBER OF TENANT FAMILY. Person left in assisted housing after other family members have left and become unassisted.

RESIDENCY PREFERENCE. A local preference for admission of persons who reside in a specified geographic area.

RESPONSIBLE ENTITY. For the public housing, Section 8 tenant-based assistance, project-based certificate assistance and moderate rehabilitation program, the responsible entity means the PHA administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

SECRETARY. The Secretary of Housing and Urban Development.

SECURITY DEPOSIT. A dollar amount which can be collected from the family by the owner upon termination of the lease and applied to unpaid rent, damages or other amounts owed to the owner under the lease according to State or local law.

SERVICEPERSON. A person in the active military or naval service (including the active reserve) of the United States.

SINGLE PERSON. A person living alone or intending to live alone who is not disabled, elderly, or displaced, or the remaining member of a tenant family.

SPECIFIED WELFARE BENEFIT REDUCTION. Those reductions of welfare agency benefits (for a covered family) that may not result in a reduction of the family rental contribution. "Specified welfare benefit reduction" means a reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program.

SPOUSE. The marriage partner of the head of the household.

SUBSIDIZED PROJECT. A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or

Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or

Direct loans pursuant to Section 202 of the Housing Act of 1959; or

Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;

Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing and Community Development Act unless the project is owned by a Public Housing Agency;

A Public Housing Project.

SUBSIDY STANDARDS. Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

TENANT. (Synonymous with resident) The person or persons who executes the lease as lessee of the dwelling unit.

TENANT RENT. The amount payable monthly by the family as rent to the PHA.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

UNIT/HOUSING UNIT. Residential space for the private use of a family. The size of a unit is based on the number of bedrooms contained within the unit and generally ranges from zero bedrooms to six bedrooms.

UTILITIES. Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE. The PHA's estimate of the average monthly utility bills for an energy-conscious household. If all utilities are included in the rent, there is no utility allowance. The utility allowance will vary by unit size and type of utilities.

UTILITY REIMBURSEMENT PAYMENT. The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

VERY LARGE LOWER-INCOME FAMILY. Prior to the change in the 1982 regulations this meant a lower-income family which included eight or more minors. (Term no longer used)

VERY LOW INCOME FAMILY. A Low-Income Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released therefrom under conditions other than dishonorable.

VIOLENT CRIMINAL ACTIVITY. Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

WAITING LIST. A list of families organized according to HUD regulations and PHA policy who are waiting for subsidy to become available.

WELFARE ASSISTANCE. Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, state, or local governments. **"Welfare assistance" means income assistance from Federal or State welfare programs, and includes only cash maintenance payments designed to meet a family's ongoing basic needs.** The definition borrows from the Department of Health and Human Services' TANF definition of "assistance" and excludes nonrecurring short-term benefits designed to address individual crisis situations. **For FSS purposes, the following do not constitute welfare assistance: food stamps; emergency rental and utilities assistance; and SSI, SSDI, and Social Security.**

III. GLOSSARY OF TERMS USED IN THE NONCITIZENS RULE

CHILD. A member of the family other than the family head or spouse who is under 18 years of age.

CITIZEN. A citizen or national of the United States.

EVIDENCE. Evidence of citizenship or eligible immigration status means the documents which must be submitted to evidence citizenship or eligible immigration status.

PHA. A housing authority- either a public housing agency or an Indian housing authority or both.

HEAD OF HOUSEHOLD. The adult member of the family who is the head of the household for purpose of determining income eligibility and rent.

HUD. Department of Housing and Urban Development.

INS. The U.S. Immigration and Naturalization Service.

MIXED FAMILY. A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NONCITIZEN. A person who is neither a citizen nor national of the United States.

PHA. A housing authority who operates Public Housing.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status (the PHA).

SECTION 214. Section 214 restricts HUD from making financial assistance available for noncitizens unless they meet one of the categories of eligible immigration status specified in Section 214.

SPOUSE. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant others, or "co-heads." "Co-head" is a term recognized by some HUD programs, but not by public and Indian housing programs.

Jennifer Clarke

From: Jennifer Clarke
Sent: Tuesday, September 29, 2015 2:57 PM
To: Jennifer Clarke
Subject: COC COMPETITION RFP
Attachments: FY15 RENEWAL APP.Final.docx

COC COMPETITION REQUEST FOR PROPOSALS

The U.S. Department of Housing and Urban Development (HUD) released the 2015 Notice of Funding Availability (NOFA) on September 17, 2015 <https://www.hudexchange.info/resource/4688/fy-2015-coc-program-nofa/>. The deadline for submitting applications to HUD for the FY 2015 Continuum of Care (CoC) Program Competition is 7:59:59 p.m. eastern time, November 20, 2015.

Approximately \$1.89 billion is available in this 2015 CoC Program NOFA. HUD may add to this amount any available funds that have been carried over or recaptured from previous fiscal years. Although the available amount of funding is expected to be sufficient to fund anticipated eligible renewal projects in 2015, HUD will continue to require Collaborative Applicants to rank all projects, except CoC planning and UFA Costs, in two tiers.

- Tier 1 is equal to 85% of the CoC's FY 2015 Annual Renewal Demand (ARD).
- Tier 2 is the difference between Tier 1 and the CoC's ARD plus any amount available for the permanent housing bonus.

The purpose of this two-tiered approach is for CoCs to clearly indicate to HUD which projects are prioritized for funding (Tier 1, which is 85% of the CoC's ARD).

The City of New Bedford, acting by and through its Department of Planning, Housing and Community Development (DPHCD), issues this Request for Proposal (RFP) for Continuum of Care renewal projects and new projects created through reallocation.

The deadline for submission of renewal and new project proposals for the New Bedford CoC (HSPN) is October 9, 2015 using the attached RFP form.

All applications for funding will be vetted, evaluated, and ranked by the Homeless Service Provider's Network's (HSPN) Performance Review Committee (PRC), ratified by the HSPN membership and eventually submitted to HUD via the E-SNAPS system. Any new projects selected for inclusion in the city's application will be given the opportunity to develop and complete applications for funding once the NOFA has been published and relevant guidance issued. The DPHCD will act as the Collaborative Applicant and submit an application for funds on behalf of the New Bedford Continuum of Care for renewal projects and any new projects identified through the Request for Proposal (RFP).

Agencies desiring to participate in the FY2015 New Bedford Continuum of Care Homeless Assistance application to HUD will need to respond to this RFP process in order to be eligible and prepared for this year's application submission. **This year we are requiring renewal projects to submit a summary application [RFP attached to this email] on or before OCTOBER 9, 2015 at 3:00pm**

If you intend to submit a project derived from a **reallocation of an existing Renewal Project** for 2015, please contact Patrick J. Sullivan, Director of the City of New Bedford Department of Planning, Housing and Community Development via e-mail patrick.sullivan@newbedford-ma.gov or by telephone 508.979.1500 **on or before SEPTEMBER 30, 2015 at 3pm.**

FUNDING AVAILABILITY

NOFA link: <https://www.hudexchange.info/resources/documents/FY-2015-CoC-Program-NOFA.pdf>

COC EMAIL ANNOUNCEMENT OF RANKINGS

Message: COC COMPETITION - FINAL RANKING RESULTS - Message (HTML)

To: Jennifer Clarke;
Cc: Patrick Sullivan;
Bcc: HSPN Membership;
Subject: COC COMPETITION - FINAL RANKING RESULTS!

COC COMPETITION ANNOUNCEMENT - FINAL RANKINGS

THE RESULTS ARE IN!

The membership of the HSPN voted yesterday at its October 22nd meeting and unanimously ratified the recommendation of its Performance Review Committee [PRC]. All applications received were accepted and ranked using the prescribed performance review measures; no applications were denied. The following results, ranking projects into two tiers, is also available online at the HSPN's website at: www.nhhsnp.com.

FY2015 Final Coc Rank and Order of Projects

Rank	Project Name	Project Type	Amount	Priority
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 100 POINTS				
1	THE DIAL - CATHOLIC SOCIAL SERVICES	MEMORANDUM	\$ 48,700	40
2	FAITH NEW BEDFORD	MSO	\$ 28,314	40
3	FAITH - BOSTON	MSO	\$ 25,170	40
4	TRANSITIONS TO STABILITY - CATHOLIC SOCIAL SERVICES	MSO	\$ 188,400	40
5	HOPE FOR BRIDGE	MSO	\$ 152,880	40
6	HOPE FOR - CATHOLIC SOCIAL SERVICES	MSO	\$ 137,800	40
7	HOPE FOR BRIDGE - STEPPINGSTONE	MSO	\$ 102,880	40
8	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 8,400,000	40
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 80 POINTS				
9	FAITH - CATHOLIC SOCIAL SERVICES	MSO	\$ 100,470	37
10	HOPE FOR BRIDGE - STEPPINGSTONE	MSO	\$ 80,310	35
11	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 40,410	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 60 POINTS				
12	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 48,474	35
13	HOPE FOR BRIDGE - STEPPINGSTONE	MSO	\$ 40,410	35
14	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 30,414	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 40 POINTS				
15	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 2,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 20 POINTS				
16	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
17	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
18	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
19	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
20	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
21	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
22	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
23	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
24	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
25	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
26	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
27	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
28	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
29	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
30	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
31	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
32	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
33	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
34	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
35	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
36	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
37	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
38	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
39	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
40	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
41	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
42	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
43	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
44	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
45	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
46	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
47	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
48	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
49	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
50	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
51	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
52	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
53	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
54	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
55	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
56	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
57	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
58	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
59	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
60	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
61	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
62	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
63	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
64	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
65	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
66	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
67	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
68	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
69	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
70	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
71	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
72	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
73	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
74	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
75	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
76	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
77	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
78	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
79	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
80	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
81	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
82	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
83	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
84	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
85	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
86	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
87	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
88	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
89	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
90	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
91	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
92	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
93	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
94	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
95	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
96	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
97	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
98	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
99	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				
100	HOPE FOR BRIDGE - CATHOLIC SOCIAL SERVICES	MSO	\$ 1,844,000	35
RECOMMENDED FOR FUNDING PROJECTS AND RANKED ON A SCALE OF 0 POINTS				

NOTES:

- The projects ranked 1 - 10 above were ranked and rated according to the City of New Bedford's Ranking and Review process.
- One new program - THE DIAL (the CoC's designated entry program) was created by Catholic Social Services through the re-assignment of project funds. Both new and existing programs were ranked on the same scale.
- MSO requires the MRF Project, completed, to be listed in Tier 1.
- Results of the ranking and review process (MSO) can be located in each Tier 1 and Tier 2 MSO's governing each "Ranking" this year under the MSO.
- The review process plan for Tier 1 and Tier 2 entries available includes the MSO's amount being requested for Tier 1.
- For some projects for one permanent support in funding was published and both were ranked by the Performance Review Committee.
- Per MRF guidelines, a separate Bid Planning Sheet will be sought but does not have to be ranked within this tiered ranking system.

This FY15 Final Rank and Order of Projects was generated by the New Bedford CoC's (Performance Review Committee) Ranking System. The ranking system is available on the City of New Bedford's website at: www.nhhsnp.com. The ranking system is available on the City of New Bedford's website at: www.nhhsnp.com.

Please contact me should you have any questions concerning this information.

JENNIFER CLARKE, AICP
Deputy Director of Planning & Community Development
JClarke@nbdn.com, 508.245.3111, 508.245.3111

Continuum of Care Written Standards for City of New Bedford

Preamble

The Continuum of Care (CoC) is responsible for coordinating and implementing a system to meet the needs of the population and subpopulations experiencing homelessness within the geographic area of the City of New Bedford. Both the Emergency Solution Grant Rules and Regulations (ESG) and the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Continuum of Care Program Interim Rules state that the Continuum of Care (CoC), in consultation with recipients of Emergency Solutions Grants program funds within the geographic area, (1) establish and consistently follow written standards for providing Continuum of Care assistance, (2) establish performance targets appropriate for population and program type, and (3) monitor recipient and sub-recipient performance.

All programs that receive ESG or CoC funding are required to abide by these written standards. The CoC strongly encourages programs that do not receive either of these sources of funds to accept and utilize these written standards.

The written standards have been established to ensure that persons experiencing homelessness who enter programs throughout the CoC will be given similar information and support to access and maintain permanent housing.

The Continuum of Care Written Standards will:

- Assist with the coordination of service delivery across the geographic area and will be the foundation of the coordinated entry system;
- Assist in assessing individuals and families consistently to determine program eligibility;
- Assist in administering programs fairly and methodically;
- Establish common performance measurements for all CoC components; and
- Provide the basis for the monitoring of all CoC and ESG funded projects.

These written standards have been developed in conjunction with ESG recipients and with service providers to allow for input on standards, performance measures and the process for full implementation of the standards throughout the CoC from the prospective of those organizations that are directly providing homeless housing and services, Emergency Shelter (ES), Transitional Housing (TH), Permanent Supportive Housing (PSH), Rapid Re-Housing (RRH) and Supportive Service Only (SSO). Service providers were invited to attend a series of meetings to establish the standards for each component.

PROGRAM REQUIREMENTS FOR ALL PROGRAMS

- Programs must coordinate with other targeted homeless services within the CoC
- Programs must coordinate with mainstream resources in the CoC including housing, social services, employment, education and youth programs for which participants may be eligible
- Programs must have written policies and procedures and must consistently apply them to all participants
- Programs that serve households with children:
 - ✓ A staff person must be designated as the educational liaison that will ensure that children are enrolled in school, connected to appropriate services in the community, including early childhood program such as Head Start, Part C of the Individuals with Disabilities Education Act, and the McKinney Vento education services.
 - ✓ The age and gender of a child under age 18 must not be used as a basis for denying any family's admission to a project that provides shelter for families with children
- Programs receiving ESG and CoC funding must participate in HMIS (Homeless Management Information System), however all homeless programs are strongly encouraged to participate in HMIS.
 - ✓ Programs must meet minimum HMIS data quality standards
 - ✓ Programs providing Domestic Violence or Legal Services may opt out of HMIS participation but must utilize a comparable database to collect HUD required data elements
- Programs must conduct an initial evaluation to determine eligibility and the amount and type of assistance needed to regain stability in permanent housing (in the future this will be the role of coordinated entry system)
- Program rules and regulations should be designed in the spirit of inclusion rather than as grounds for denial or termination. Programs should exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination so that a program participant's assistance is terminated only in the most severe cases.
- Programs must have a formal procedure for terminating assistance to a participant that recognizes the rights of the participant(s) involved.
 - ✓ Programs must use judgment and examine all extenuating circumstances in determining that a violation should result in termination.
 - ✓ Every effort should be made to allow the participant to remain in the program; termination should only be exercised in the most severe cases.
 - ✓ Termination does not necessarily preclude assistance at a future date.
- Programs must make known that use of the facilities and services are available to all on a nondiscriminatory basis
- Programs may not engage in inherently religious activities such as worship, religious instruction or proselytization as part of the programs or services funded under the CoC or ESG. These activities can be conducted but must be separate and voluntary for program participants.

RECORD KEEPING REQUIREMENTS FOR ALL PROGRAMS

- Participant Recordkeeping Requirements include:
 - ✓ All records containing personally identifying information must be kept secure and confidential
 - Programs must have written confidentiality/privacy notice a copy of which should be made available to participants if requested
 - ✓ Documentation of homelessness (following HUDs guidelines)
 - ✓ A record of services and assistance provided to each participant
 - ✓ Documentation of any applicable requirements for providing services/assistance
 - ✓ Documentation of use of coordinated assessment system
 - ✓ Documentation of use of HMIS
 - ✓ Records must be retained for the appropriate amount of time as prescribed by HUD

- Financial Recordkeeping Requirements include:
 - ✓ Documentation for all costs charged to the grant
 - ✓ Documentation that funds were spent on allowable costs
 - ✓ Documentation of the receipt and use of program income
 - ✓ Documentation of compliance with expenditure limits and deadlines
 - ✓ Retain copies of all procurement contracts as applicable
 - ✓ Documentation of amount, source and use of resources for each match contribution

OCCUPANCY STANDARDS FOR ALL PROGRAMS

- All housing units, including scattered site programs owned and managed by private landlords, must meet applicable state or local government health and safety codes and have current certificate of occupancy for the current use and meet or exceed the following minimum standards: (For more detail refer to ESG regulations 576.403 (b) Minimum Standards)
 - ✓ Buildings must be structurally sound to protect from the elements and not pose any threat to health and safety of the residents
 - ✓ Must be accessible in accordance with Section 504 of the Rehabilitation Act, the Fair Housing Act and the Americans with Disabilities Act where applicable
 - ✓ Must provide an acceptable place to sleep and adequate space and security for themselves and their belongings
 - ✓ Each room must have a natural or mechanical means of ventilation
 - ✓ Must provide access to sanitary facilities that are in operating condition, private and clean
 - ✓ Water supply must be free of contamination
 - ✓ Heating/cooling equipment must be in working condition
 - ✓ Must have adequate natural or artificial illumination and adequate electrical resources to permit safe use of electrical appliances
 - ✓ Food preparation areas must have suitable space and equipment to store, prepare and serve food in safe and sanitary manner
 - ✓ Building must be maintained in a sanitary condition
 - ✓ Must be at least one smoke detector in each occupied unit of the program; and where possible near sleeping areas. The fire alarm system must be designed for hearing-impaired participants. There must be a second means of exiting the building in case of fire or other emergency.

The Program, Record Keeping and Occupancy Standards as represented above apply to all programs regardless of the type of services/housing that they provide. Below are the minimum standards that apply to each specific component of the homeless system in addition to the above.

EMERGENCY SHELTERS

Eligibility Criteria:

- Participants must meet the HUD definition of homelessness

Currently, each individual shelter/program has its own eligibility criteria. At entry, this may be based on the sub-population served, i.e. – age, gender, family composition, severity of behavioral health issues, etc. Once Coordinated Entry System is established all referrals to shelters and assessment for type and level of services will come through that system.

DV programs will be exempt from participating in the coordinated entry system due to issues of confidentiality and homeless youth (12 – 18 yrs. of age).

Minimum Standards:

- Minimum hours of operation 8PM – 7AM
- Staff supervision whether paid or volunteer must be provided during hours of operation of program
- Provide a minimum of one meal per day
- A minimal amount of personal information must be collected to establish a daily client roster to be kept in case of emergency and/or building needs to be evacuated
 - ✓ At intake each participant shall be informed of evacuation procedures.
 - ✓ Maps/diagrams of exits should be prominently placed throughout the facility

Standard Outcomes

GOALS	PERFORMANCE STANDARD
1. Housing Stability - Households exit shelter timely. Goal: 85%	% of persons who’s length of stay is no longer than 40 days
2. Increase Total Income - Persons will maintain or increase earned and unearned income. Goal 54% <i>(Includes wages and mainstream resources)</i>	The % of persons age 18 or older who increased their total(from all sources) as of the end of the operating year or program exit
3. Exit to Permanent Housing Goal 20%	The % of persons age 18-61 who exit to permanent housing as of the end of the operating year or program exit.
4. Utilization Rate - Program operates at full capacity, with low vacancy rate, and quickly fills vacancies. Goal 90%	Average daily utilization rate during the operating year.
5. HMIS - Program maintains adequate data quality in HMIS	See Data Quality Report

RAPID RE-HOUSING PROGRAMS (RRH)

Rapid Re-Housing Programs (RRH) provide housing relocation and stabilization services and short or medium term rental assistance as needed to help a homeless individual or family move as quickly as possible to permanent housing and achieve stability in that housing.

Shared Eligibility Criteria:

- Participants must meet the HUD definition of homelessness
- Participants must be in an emergency shelter or residing in a place not meant for human habitation
- Participants will generally have a minimum of 4-7 identified barriers to accessing/retaining permanent housing
- Income <50% AMI
- Produce required documents at intake or within 90 days:
- Eligibility screening: Assess for placement based on Coordinated Intake Procedures.
- Comprehensive Assessment: All RRH providers will use most recent version of Assessment Tool.

Minimum Standards

- Maximum participation in a rapid rehousing program cannot exceed 24 months
- Services that must be provided include landlord outreach, assessment of housing barriers, financial assistance, and case management
- Support services must be provided throughout the duration of stay in housing
- In accordance with HUD regulations 24 CFR Part 578, participants may receive eligible supportive services for no longer than 6 months after rental assistance stops.

Length of rental assistance, amount limits, amount of assistance, limits on assistance

- Typical length of assistance: 12 months
- Extensions may be approved up to 24 months
- Length of assistance - After program exit for at least 6 months, participants can re-enroll once.
- All participants receiving rental assistance subsidies must contribute a minimum of 30% of their monthly adjusted household income towards their monthly rent. This tenant rent contribution may be adjusted at any time based on changes to household income, including, but not limited to at each 90 day reassessment. There is no minimum rent requirement and tenant rent contribution may be zero, for households with no income.
- Maximum amount of assistance Determined by Fair Market Rent of appropriate-sized unit for Household
 - Fair Market Rent x 24 months lifetime maximum
 - Maximum number of months the program participant receives assistance
 - Assistance approved in 3-month increments, with reassessment every 90 days.
 - Average rental assistance to be 12 months.
 - Extensions can be approved up to 24 months
- Maximum number of times the program participant may receive assistance
 - Twice, the original enrollment and no more than one return enrollment.

GOALS	PERFORMANCE STANDARD
1. Housing Stability - Persons residing in rapid rehousing will remain in this housing for a minimum of 1 year or exit to other permanent housing. Goal 85%	The % of persons who remain in the PH program as of the end of the operating year or exited to PH during the operating year.
2. Increase Total Income - Persons will maintain or increase earned and unearned income. Goal 85% <i>(Includes wages and mainstream resources)</i>	The % of persons age 18 and older who maintain or increased their total income(from all sources) as of the end of the operating year or program exit.
3. Increase earned Income - Adults will obtain or maintain employment income. Goal 20%	The % of persons age 18 – 61 who maintained or increased their income(i.e. employment income) as of the end of the operating year or program exit.
5. Utilization Rate - Program operates at full capacity, with low vacancy rate, and quickly fills vacancies. Goal 90%	Average daily utilization rate during the operating year.
7. Program maintains adequate data quality in HMIS	See Data Quality Report

TRANSITIONAL HOUSING PROGRAMS

Transitional Housing (TH) facilitates the movement of homeless individuals and families to permanent housing within 24 months of entering TH.

Shared Eligibility Criteria: Currently, each individual shelter/program has its own eligibility criteria. At entry, this may be based on the sub-population served, i.e. – age, gender, family composition, severity of behavioral health issues, etc.

- Participants must meet the HUD definition of homelessness
- Participants will generally have a minimum of 6-9 identified barriers to accessing/retaining permanent housing

Once Coordinated Entry System is established all referrals to shelters and assessment for type and level of services will come through that system.

Minimum Standards

- Maximum length of stay cannot exceed 24 months
- Assistance in transitioning to permanent housing must be provided
- Support services must be provided throughout the duration of stay in transitional housing
- Program participants in transitional housing must enter into a lease agreement for a term of at least one month. The lease must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum term of 24 months

Accessing Transitional Housing Programs (until Coordinated Entry System is in place)

- TH programs will screen potential participants using the common assessment form

Accessing Transitional Housing Programs (when Coordinated Entry System is in place)

- All referrals for TH programs will come through the Coordinated Entry System
- Each TH program in the CoC will provide accurate and up-to-date information on eligibility criteria for the program; ie. – gender specific, individuals/families

GOALS	PERFORMANCE STANDARD
1. Housing Stability - Households exiting transitional housing will move directly to permanent housing. Goal: 75%	% of persons who exited to permanent housing(subsidized or unsubsidized) during the operating year
2. Increase Total Income - Persons will maintain or increase earned and unearned income. Goal 54% <i>(Includes wages and mainstream resources)</i>	The % of persons age 18 or older who increased their total(from all sources) as of the end of the operating year or program exit
3. Increased Earned Income – Persons who increased employment income. Goal 20%	The % of persons age 18-61 who increased their income(i.e. employment income) as of the end of the operating year or program exit.
4. Utilization Rate - Program operates at full capacity, with low vacancy rate, and quickly fills vacancies. Goal 90%	Average daily utilization rate during the operating year.
5. HMIS - Program maintains adequate data quality in HMIS	See Data Quality Report

PERMANENT SUPPORTIVE HOUSING AND SAFE HAVEN

Under the HEARTH Interim Rule Permanent Housing (PH) is one of the eligible program components. Permanent housing is community-based housing, the purpose of which is to provide housing without a designated length of stay. Permanent Supportive Housing is one of the two types of Permanent Housing eligible for CoC Homeless Assistance Program funding.

Shared Eligibility Criteria:

- Participants must meet the HUD definition of homelessness
- PSH can only provide assistance to individuals with disabilities and families in which at least one adult or child has a disability
- Participants will generally have a minimum of 9-12 identified barriers to accessing/retaining permanent housing

Minimum Standards

- There can be no predetermined length of stay for a PSH program
- Supportive services designed to meet the needs of the program participants must be made available to the program participants throughout the duration of stay in PSH
- Program participants in PSH must enter into a lease agreement for an initial term of at least one year. The lease must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum term of 24 months
- Turnover beds in PSH projects will be prioritized for the chronically homeless
- PSH programs will utilize housing first approaches

Accessing PSH Programs (when Coordinated Entry System is in place)

- All referrals for PSH programs will come through the Coordinated Entry System and/or SPOE?
- Each PSH program in the CoC will provide accurate and up-to-date information on eligibility criteria for the program; ie. – gender specific, individuals/families

GOALS	PERFORMANCE STANDARD
1. Housing Stability - Persons residing in permanent housing will remain in this housing for a minimum of 1 year or exit to other permanent housing. Goal 85%	The % of persons who remain in the PH program as of the end of the operating year or exited to PH during the operating year.
2. Increase Total Income - Persons will maintain or increase earned and unearned income. Goal 85% <i>(Includes wages and mainstream resources)</i>	The % of persons age 18 and older who maintain or increased their total income(from all sources) as of the end of the operating year or program exit.
3. Increase earned Income - Adults will obtain or maintain employment income. Goal 20%	The % of persons age 18 – 61 who maintained or increased their income(i.e. employment income) as of the end of the operating year or program exit.
5. Utilization Rate - Program operates at full capacity, with low vacancy rate, and quickly fills vacancies. Goal 90%	Average daily utilization rate during the operating year.
7. Program maintains adequate data quality in HMIS	See Data Quality Report

Prioritizing Permanent Supportive Housing and Chronic Homeless

The New Bedford Continuum of Care's Coordinated Entry System - THE CALL [Coordinated Assessment to Local Links] includes prioritization for Permanent Supportive Housing (PSH) beds. Using the VI-SPDAT to evaluate the severity of service needs and length of time homeless, the CALL uses this data to prioritize PSH beds for the most vulnerable chronically homeless persons in the service area.

The CoC has adopted HUD's recommendations below and when presented with two individuals who match for one unit, always using the tie-breaker of matching the individual with the highest medical vulnerability.

HUD's "Order of Priority in CoC Program-funded Permanent Supportive Housing" is as follows:

- First Priority—Chronically Homeless Individuals and Families with the Longest History of Homelessness and with the Most Severe Service Needs.
- Second Priority—Chronically Homeless Individuals and Families with the Longest History of Homelessness.
- Third Priority—Chronically Homeless Individuals and Families with the Most Severe Service Needs.
- Fourth Priority—All Other Chronically Homeless Individuals and Families.

HUD's "Order of Priority in Permanent Supportive Housing Beds Not Dedicated or Prioritized for Persons Experiencing Chronic Homelessness" is as follows:

- First Priority—Homeless Individuals and Families with a Disability with the Most Severe Service Needs.
- Second Priority—Homeless Individuals and Families with a Disability with a Long Period of Continuous or Episodic Homelessness.
- Third Priority—Homeless Individuals and Families with Disability Coming from Places Not Meant for Human Habitation, Safe Havens, or Emergency Shelters.
- Fourth Priority—Homeless Individuals and Families with a Disability Coming from Transitional Housing.

Recipient Recordkeeping Requirements

All funded agencies will keep record of the following to support following the written standards of the New Bedford CoC.

1. Documentation in HMIS of the VI-SPDAT score of the individual matched for housing.
2. Agency policies and procedures will include use of VI-SPDAT and following the CES protocol for filling vacant PSH beds.
 - Written Intake Procedures;
 - Verification of client income;
 - Verification of residency;
 - Verification of annual assessment
 - Evidence of Chronically Homeless Status
 - Evidence of homeless status
 - Evidence of the duration of the homelessness:
 - Evidence that the homeless occasion was continuous, for at least one year; or
 - Evidence that the household experienced at least four separate homeless occasions over 3 years;
 - Evidence of diagnosis with one or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in Section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 (42 U.S.C. 15002), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability.

For all no dedicated/prioritized CH PSH/TH units, participants must meet the homeless definition and have a long term disability.

Coordinated Intake and Assessment

THE CALL [Coordinated Assessment to Local Links] is a process set up for the three Continuums of Care [CoC] within Bristol County— New Bedford’s CoC [Homeless Service Providers Network—HSPN], Fall River’s CoC [Homeless Service Providers Coalition], and the Greater Bristol County/Attleboro/Taunton/Coalition to End Homelessness’ CoC [GBCATCH]. The participating programs within each of these CoCs will work cooperatively to provide a single point of intake and initial assessment. This will assist residents in the continuums by meeting their housing needs with more efficiency. THE CALL will also comply with the goals and regulations of the Emergency Solutions Grant (ESG) and the HEARTH (Homeless Emergency Assistance and Rapid Transition to Housing) Act.

Referrals to housing services and providers will be completed through a single source coordinated throughout each CoC. CSS (Catholic Social Services) is responsible for the operations of THE CALL which will be the initial source for intake and initial assessment. All agencies receiving CoC funding for housing related programs will be required to participate. Other programs within the CoCs are encouraged to participate. Oversight of the program process will be provided by an advisory committee comprised of representatives of the three Continuums of Care. Each Continuum may conduct their own monitoring of the program.

PROCESS.

THE CALL consists of three distinct components:

- Telephone entry into homeless systems and completion of vulnerability index
- Placement in housing, either emergency, transitional, or permanent and placement on waiting list for housing within participating agencies
- Monitoring and evaluation to ensure efficacy of the process

1. CALL CENTER

Telephone calls

THE CALL shall be accessible by dialing 1-800-HOMELESS. All calls coming into the call center will be handled as follows: a client in need of housing assistance will immediately be referred to THE CALL staff. If no staff is available, the caller will be prompted to leave contact information and THE CALL staff will return their call. Once THE CALL staff is connected with the caller, they will undergo an initial client assessment and basic information will be entered into HMIS (Homeless Management Information Systems) by THE CALL including: name, contact phone number or email address and other core information: date of birth, social security number and mother’s maiden name.

Subpopulations

If the client is under extreme life threatening duress or involved in a domestic violence situation, they will immediately be connected with appropriate resources including: police, Safelink, local domestic violence shelters.

If the client is a veteran, the client will be referred to the appropriate veteran’s agencies. The client will also be placed in an emergency shelter if needed and the receiving agency will refer for appropriate veteran services.

All clients will be served on a case by case basis with the goal being to locate resources for the client. Additional information is detailed in the Operational Standards of the CALL.

Changes to forms: The Continuum of Care Program Standards Group will meet quarterly. Proposed changes to forms will be brought to this quarterly meeting. Changes will be considered and agreed to by working consensus. Any conflicts will be discussed and resolved in person. The relevant Emergency Solutions Grants or Continuum of Care regulations will rule first. On other issues working consensus will be the required process for resolving disputes. If no consensus can be found within a reasonable length of time, the majority will rule.