



FLINT HOUSING COMMISSION

FHC 5-YEAR PHA PLAN 2026-2030

This Plan was approved on 4/14/2026 and was effective 07/1/2026



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01

Message from the CEO



FLINT HOUSING COMMISSION

David A. Northern Sr.
Chief Executive Officer
3820 Richfield Rd.
Flint, MI 48506
Phone: (810)736-3050

Board of Commissioners
President, Tredale Kennedy
Vice President, Dominique Strong
Commissioner, Sharon Reeves
Commissioner, Geraldine Redmond
Resident Commissioner, Marsu Hussey

Message From the Chief Executive Officer

Dear Residents, Partners, and Community Members,

It is with deep pride that I present our Five-Year Strategic Plan for 2025–2030—our shared promise to every family and individual who depends on us. Safe, stable housing is the foundation from which people build better lives, and expanding that foundation is our highest calling.

Over the next five years, we will grow our portfolio of affordable units to meet the urgent need in our community, while rehabilitating and preserving the homes that already exist. We will invest equally in the people within those homes—expanding resident services, workforce development, youth programs, and wellness resources that create pathways to lasting self-sufficiency.

None of this is possible alone. We will deepen our partnerships with local government, healthcare systems, nonprofits, and the private sector to align resources and multiply our impact. Together, we will build a community where opportunity is never out of reach.

The road ahead requires courage, creativity, and collaboration. I am confident in our team, our partners, and above all, our residents. This plan belongs to all of us—and together, we will make it a reality.

With optimism and unwavering commitment,

David A. Northern

David A. Northern Sr.
Chief Executive Officer

Flint Housing Commission Flint, MI 48506 | www.flinthc.org

02

Public Notice and Resolution

Flint Housing Commission

Public Notice: PHA Plan Process (Annual Plan)

The Flint Housing Commission (FHC) is beginning its Public Housing Agency (PHA) Plan process, as required by 24 CFR Part 903 (PHA Plans & Fair Housing Requirements). The PHA Plan is a comprehensive guide to PHA policies, programs, operations, and strategies for meeting local housing needs and goals. It centralizes key information so public housing residents, Housing Choice Voucher participants, and members of the public can easily access PHA policies and procedures regarding the administration of HUD-funded affordable housing programs.

What's Included in the PHA Plan

- **5-Year Plan** - Outlines FHC's local coordination, mission, goals, and objectives for serving low-income families in its jurisdiction over the next five (5) years. This plan is submitted to HUD once every fifth (5th) PHA fiscal year.

Note: The Five-Year Plan is different from the Five-Year Action Plan required by the Capital Fund Program.

- **Annual Plan** - Provides FHC's specific policies, programs, and operations that impact the delivery of affordable housing programs for the upcoming fiscal year. This plan is submitted to HUD every year.

Public Hearing - You're Invited

FHC will hold a public hearing to receive comments from residents, program participants, and the community.

Date	April 1, 2026
Location	Flint Housing Commission - Main Office
Hearing Times	10:00 AM and 5:00 PM
Who Should Attend	Residents, voucher participants, community members, and stakeholders

Review the Draft Plans and Share Recommendations

The current draft plans are linked below. The community can review the documents and make recommendations. Any changes the Flint Housing Commission proposes will be updated periodically.

If you would like to be notified when updates are posted, please email: mterry@flinthc.org (subject line suggestion: "PHA Plan Updates").

Thank you for your participation and continued partnership in serving the Flint community.

810-736-3050

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Flinthc.org

FLINT HOUSING COMMISSION

BOARD RESOLUTION #1616

Date: April 14, 2026

Board of Commissioners

President:
Tredale Kennedy

Vice President:
Dominique Strong

Commissioner:
Sharon Reeves

Commissioner:
Geraldine Redmond

Resident
Commissioner:
Marsu Hussey

Chief Executive
Officer:
David A. Northern Sr.

SUBMISSION OF THE FYE 2026 5 YEAR PHA PLAN AND ANNUAL PLAN

To obtain Board of Commissioners approval to submit the following PHA Plans for FY 2026

- Public Housing Annual Plan
- Public Housing & Continued Occupancy Policy
- Housing Choice Voucher Administrative Plan

The administration informs the Board as follows:

WHEREAS, the Flint Housing Commission ("FHC") is required by the U.S. Department of Housing and Urban Development (HUD) to prepare and submit an Annual Plan in accordance with the Code of Federal Regulations (24 CFR): Part 903, Section 1-25, deadline submission for Fiscal Year beginning July 1st – June 30th – the following plans included are (PH 5 Year, PH Annual, PH Admissions and Continued Occupancy Policy, HCV Administrative, & CFP Annual).

WHEREAS, the FHC has developed its Fiscal Year Ending 2026 Annual Plan in Accordance with the requirements of HUD, including consultation with the Resident Advisory Bord (RAB), publication of the plan for public review and comment, and the conducting of duty advertising public hearing held on **April 1st, 2026**.

WHEREAS, the administration recommends that it would be in the best interest of the Flint Housing Commission's (FHC) Board of Commissioners to adopt Resolution No. 1616, allowing FHC to meet the goals, objectives, and the mission set forth in the Annual Plan.

NOW, THEREFORE, BY THE BOARD OF COMMISSIONERS OF THE FLINT HOUSING COMMISSION hereby adopts Resolution No. 1616.

NOW THEREFORE BE IT RESOLVED: that the Board of Commissioners of the Flint Housing Commission hereby adopt Resolution #1616.

Commissioner Hussey MOVED that the forgoing resolution be adopted as introduced and read, which motion was SECONDED by Commissioner Reeves.

After discussion and upon roll call vote, the "ayes" and "nays" were as follows:

Ayes: 3 Nays: Abstentions: Absent: 2

The Chairman thereupon declared said motion carried and said Resolution adopted this day of 2026.

ATTEST:



Signed by: Tredale Kennedy
Tredale Kennedy
President
Board of Commissioners

David A. Northern Sr.
David A. Northern Sr.
Chief Executive Officer
Board Secretary/Treasurer

	Motion	Support	Ayes	Nays	Abstain
Commissioner Reeves	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Redmond	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Hussey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice President Strong	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
President Kennedy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

03

Public Housing 5 Year and Annual Plan

5-Year PHA Plan
(for All PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB No. 2577-0226
Expires: 09/30/2027

Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services. They also inform HUD, families served by the PHA, and members of the public of the PHA’s mission, goals, and objectives for serving the needs of low-, very low-, and extremely low- income families.

Applicability. The **Form HUD-50075-5Y** is to be completed once every 5 PHA fiscal years by all PHAs. PHAs with zero public housing units must continue to comply with the PHA Plan requirements until they closeout their Section 9 programs (ACC termination).

A.	PHA Information.
A.1	<p>PHA Name: _____ PHA Code: _____</p> <p>PHA Plan for Fiscal Year Beginning: (MM/YYYY): _____ The Five-Year Period of the Plan (i.e. 2019-2023): _____</p> <p>PHA Plan Submission Type: <input type="checkbox"/> 5-Year Plan Submission <input type="checkbox"/> Revised 5-Year Plan Submission</p> <p>Public Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA and should make documents available electronically for public inspection upon request. PHAs are strongly encouraged to post complete PHA Plans on their official websites and to provide each resident council with a copy of their PHA Plans.</p> <p>Flint Housing Commissions (FHC) PHA Plans are available for review on our website: https://www.flinthc.org</p> <p>The FHC is dedicated to reducing the use of paper, to that end there will be no printed copies of the PHA Plans. Instead, the DHC has computers available at the following locations for the general public to review the plans:</p> <ul style="list-style-type: none"> • The Flint Housing Commission, Main Administrative Office, 3820 Richfield Rd, Flint, MI 48206. • Flint Housing Commission Sites, River Park Apartments, Richert Manor <p>There are additional non-FHC sites where the public can access computers to review the plans</p> <ul style="list-style-type: none"> • Gloria Coles Flint Public Library, 1026 Kearsley St, Flint, MI 48503 • All public libraries in Genesee County

PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below.)

Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	
				PH	HCV
Lead PHA:					

B. Plan Elements. Required for all PHAs completing this form.

B.1 Mission. State the PHA’s mission for serving the needs of low-, very low-, and extremely low-income families in the PHA’s jurisdiction for the next 5 years.

Mission: Our mission of the Flint Housing Commission is to provide safe, decent, and affordable housing while empowering residents and families through supportive services, partnerships, and opportunities that promote self-sufficiency and community well-being to helping our community grow and our residents to prosper by providing housing in pleasant communities at sensible rents.

Vision: The Flint Housing Commission envisions a thriving Flint where every individual and family has access to stable housing, opportunity, and the resources needed to achieve a high quality of life.

B.2 Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income, very low-income, and extremely low-income families for the next 5 years.

Goal 1

Strengthening FHC's Internal Capacity for Performance

The Flint Housing Commission (FHC) has faced significant organizational challenges recently, including when the agency was threatened with receivership. Through resilience, leadership, and dedicated efforts, FHC has made notable progress in stabilizing operations. However, internal capacity building must remain a top priority to ensure continued improvement and build a stronger foundation for the future. By investing in employee training, professional development, and organizational systems, FHC will create a well-prepared, accountable workforce capable of delivering high-performing, client-centered service.

Performance Metrics

- Training & Cross-Training: 100% of housing program staff trained or cross trained by FFY 2026.
- Ongoing Education: Increased access to and participation in professional development opportunities for staff at all levels.
- Staffing Stability: Starting in Q1 2026, the vacancy rate has been reduced and maintained at 3% or below monthly.
- Capacity Building & Program Performance: Recognition as a Standard or High Performer in HUD evaluations across major programs.
- Efficiency & Effectiveness: Demonstrated improvements in service delivery, with measurable client outcomes tied to timeliness, quality, and effectiveness.

Goal 2

Advancing Sustainable External Relationships & Collaboration

The FHC will create an External Relationship & Collaboration Plan to foster and leverage partnerships, expand fundraising and grant opportunities, and strengthen relationships with government, nonprofit, and academic partners. This strategy ensures FHC expands its role as a trusted collaborator, convener, and leader in affordable housing and community development.

Performance Metrics

- Fundraising & Grants Management: Increased grant awards and philanthropic support aligned with FHC's mission.
- Community & Civic Engagement: Stronger presence in civic forums and structured community feedback loops.
- Institutional & Governmental Partnerships: Expanded collaboration with officials and universities to improve services for residents.

Goal 3

Creating a Positive Brand Image & Customer Experience

As part of its transformation, FHC will enhance communications, digital media, and outreach to shift public perceptions, combat NIMBY narratives, and reinforce trust with partners and residents. Through intentional storytelling and visibility, FHC will reshape its identity as a resilient, community-centered housing authority.

Performance Metrics

- Favorable Media Coverage: Increased frequency and quality of positive coverage on FHC initiatives.
- Public Perception Shifts: Tangible improvements in community sentiment and narratives regarding FHC's work.
- Reinstated Trust with Partners: Evidence of renewed collaboration with government and community stakeholders.
- Sustained Brand Visibility: Growth and engagement across social media and digital platforms.

B.2

Goal 4

Promoting Homeownership & Self-Sufficiency

FHC will expand pathways to homeownership and financial independence by streamlining processes, strengthening partnerships with lenders and CDFIs, and pursuing grants like YouthBuild and Choice Mobility. This strategy ensures clients can transition from rental assistance to long-term stability, building wealth and resilience.

Performance Metrics

- **New Homeowners:** Support the creation of at least five new homeowners annually through FHC's homeownership program.
- **Grant Applications & Awards:** Apply for at least two self-sufficiency grants each year to expand resources.
- **Client Outcomes:** Track measurable increases in resident income, financial literacy, and self-sufficiency participation.
- **Long-Term Success:** Monitor homeownership retention and reduced reliance on housing assistance.

Goal 5

Development Plan to Reposition Aging Housing Stock & Expand Affordable Access

FHC will reposition its aging housing stock while expanding affordable housing opportunities in Flint and Genesee County. This includes leveraging the Great Lakes Affordable Network (GLAN), grant-funded programs, and external resources to increase access in high-opportunity areas. The Development team will present a Transition Plan addressing housing repositioning and affordable production by FFY 2026.

Performance Metrics

- *Housing Production & Access:* Achieve a measurable increase in affordable housing units targeted to low AMI families by FFY 2027.
- *High-Opportunity Placement:* By FFY 2027, ensure a 2% increase in low-income families moving into high-opportunity areas through partnerships.
- *Repositioning Progress:* Present and begin implementation of a Transition Plan for aging housing stock within the next fiscal year.
- *Strategic Resource Utilization:* Demonstrate intentional use of partnerships and funding to maximize development and fiscal health.

Goal 6

Redesignate Senior Living Communities for Independent Senior Housing

FHC will redesignate and enhance senior living facilities to create age-specific communities that allow seniors to live independently while being separated from other population demographics. This strategic approach recognizes that seniors have unique housing needs, lifestyle preferences, and community dynamics that are best served through dedicated senior housing environments.

The importance of this redesignation lies in promoting aging in place, reducing social isolation among seniors, creating peer support networks, and ensuring housing designs and services are tailored specifically to older adults' physical and social needs. Independent senior living communities foster dignity, autonomy, and quality of life while providing appropriate support systems and accessibility features.

Performance Metrics

- *Senior Housing Inventory:* Successfully redesignate at least 2 properties as independent senior living communities by FFY 2027.
- *Occupancy & Satisfaction:* Achieve 90% occupancy rates in redesignated senior communities with resident satisfaction scores of 85% or higher by FFY 2028.
- *Community Integration:* Establish partnerships with at least 3 senior service organizations to provide on-site programming and support services within redesignated communities.
- *Accessibility Compliance:* Ensure 100% ADA compliance and age-friendly design features in all redesignated senior housing units, including grab bars, accessible bathways, and emergency response systems

B.3

Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.

During the previous 5-Year Plan period, the Flint Housing Commission undertook significant efforts to stabilize and improve operations amid serious organizational challenges, including the threat of HUD receivership. Key progress achieved includes:

- **Operational Stabilization:** FHC successfully avoided receivership through leadership restructuring, hiring of a new Chief Executive Officer, and implementation of corrective action plans across all major program areas.
- **SEMAP Performance Improvement:** FHC made measurable improvements in its Section Eight Management Assessment Program (SEMAP) scores, addressing deficiencies in key indicators including eligibility determinations, annual reexaminations, and housing quality standards (HQS) inspections.
- **Staffing Improvements:** FHC reduced vacancy rates in key operational positions and invested in cross-training programs to build organizational redundancy and resilience.
- **Resident Services:** FHC maintained housing assistance to low- and very low-income families throughout Flint and Genesee County, preserving housing stability for hundreds of households despite organizational challenges.
- **Financial Management:** FHC strengthened internal financial controls and improved compliance with HUD reporting requirements, including timely submission of financial data through FASS-PH and other HUD systems.
- **Community Partnerships:** FHC began cultivating new external partnerships with nonprofit organizations, local government entities, and service providers to expand supportive services available to residents.
- **ACCOP Updates:** FHC completed comprehensive updates to its Admissions and (FFY 2026) to ensure alignment with current HUD regulations and improve program integrity.

While significant progress has been made, FHC acknowledges that continued improvement is necessary. The goals and objectives set forth in this 5-Year Plan (2026–2031) build upon the foundation established during the previous plan period and chart a course toward sustained high performance.

D06

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The Flint Housing Commission is committed to protecting the housing rights of survivors of domestic violence, dating violence, sexual assault, and stalking in accordance with the Violence Against Women Act (VAWA) Reauthorization Act of 2013 and subsequent reauthorizations. FHC's VAWA goals, activities, and policies include: *Notification & Outreach.*

- FHC will provide all Housing Choice Voucher (HCV) applicants and participants with written notice of their rights under VAWA at the time of application, at annual reexamination, and upon issuance of any notice of denial, termination, or eviction.
- FHC will post VAWA information on its website (www.flinthc.org), including occupancy rights, definitions of covered offenses, and referrals to the National Domestic Violence Hotline (1-800-799-SAFE).
- VAWA rights information will be made available in accessible formats and languages as needed.

Documentation & Confidentiality

- FHC will accept HUD Form 5382 (Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking) or other alternate documentation from individuals seeking VAWA protections.
- All VAWA-related documentation submitted to FHC will be maintained in strict confidence and will not be entered into any shared database or disclosed to third parties except as required by applicable law or as expressly authorized by the individual.

Emergency Transfer Plan

- FHC maintains an Emergency Transfer Plan that allows participants who are survivors of VAWA-covered crimes to request an emergency transfer to another available unit or voucher, consistent with HUD requirements under 24 CFR Part 5, Subpart L.
- FHC will make reasonable efforts to facilitate emergency transfers in a timely manner and will document all transfer requests and outcomes.

Non-Discrimination & Housing Protections

- FHC will not deny, terminate, or evict any applicant or participant solely on the basis of their status as a victim of domestic violence, dating violence, sexual assault, or stalking.
- FHC may bifurcate a lease to remove an abuser from a household while allowing the remaining household members to retain housing assistance, in accordance with applicable law and FHC's Administrative Plan.

Training & Accountability

- FHC will ensure that all housing staff receive training on VAWA requirements, proper documentation procedures, and appropriate referrals to community resources.
- FHC will track and report on VAWA-related requests, transfers, and actions to ensure compliance and program effectiveness.

<p>B.5</p>	<p>Project-Based Activities. If a PHA intends to select one or more projects for project-based assistance without competition in accordance with 24 CFR 983.51(c), the PHA must include a statement of this intent.</p> <p>The Flint Housing Commission hereby provides notice that it may select one or more projects for project-based voucher (PBV) assistance without competition, in accordance with 24 CFR 983.51(c), during the 2026–2031 plan period. FHC intends to utilize this authority to support affordable housing development and preservation efforts consistent with its strategic goals, including repositioning aging housing stock, expanding access to high-opportunity areas, and supporting the creation of independent senior living communities.</p> <p>Any non-competitive project-based selections made by FHC will comply with all applicable HUD requirements, including site selection standards, subsidy layering reviews, and resident notification obligations. FHC will amend this 5-Year Plan as necessary to provide advance public notice of any specific non-competitive project-based selections prior to execution of an Agreement to enter into a Housing Assistance Payments (AHAP) contract.</p> <p><i>Demolition and/or Disposition — Section 18 Notice of Intent</i></p> <p>The Flint Housing Commission (FHC) hereby notifies residents, program participants, and the public of its intent to submit an application to the U.S. Department of Housing and Urban Development (HUD) under Section 18 of the U.S. Housing Act of 1937 for the demolition and/or disposition of certain public housing properties.</p> <p>FHC intends to seek HUD approval for the demolition and/or disposition of:</p> <ul style="list-style-type: none"> • Fifteen (15) scattered-site public housing dwelling units located throughout the City of Flint; and • One (1) vacant administrative building formerly used for FHC operations. <p>These properties have been identified as physically obsolete and/or operationally inefficient due to age, condition, and high ongoing maintenance costs, as well as their limited suitability for cost-effective rehabilitation. Disposition and/or demolition is expected to improve the overall quality, efficiency, and sustainability of FHC's housing portfolio.</p> <p>If the Section 18 application is approved by HUD, FHC will:</p> <p>Comply with all applicable resident consultation, relocation, and right-to-return requirements;</p> <ul style="list-style-type: none"> • Provide appropriate relocation assistance to affected residents in accordance with HUD regulations and FHC policies, including the offer of suitable replacement housing, which may include tenant-based Housing Choice Vouchers or other comparable housing opportunities; and • Seek to preserve and, where possible, expand the supply of affordable housing in Flint through redevelopment, repositioning strategies, and/or partnerships with public and private entities. <p>FHC will conduct all required resident and public consultations prior to submission of the Section 18 application, and will ensure continued compliance with HUD regulations at 24 CFR Part 970 and all other applicable federal, state, and local requirements.</p> <p>Residents and members of the public will have the opportunity to review and comment on the Section 18 application and related plans consistent with HUD requirements and the FHC's Resident Participation and Public Comment policies.</p>
<p>C.</p>	<p>Other Document and/or Certification Requirements.</p>
<p>C.1</p>	<p>Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.</p> <p>The Flint Housing Commission defines a significant amendment or modification to the 5-Year PHA Plan as any change that:</p> <ul style="list-style-type: none"> • Involves a change in the FHC's mission statement; • Substantially changes existing policies or programs that affect the terms, conditions, or eligibility of housing assistance to applicants or participants; • Adds a new program or substantially reduces services; • Affects the FHC's goals and objectives in a manner that is inconsistent with the approved 5-Year Plan; • Involves the demolition, disposition, conversion, or homeownership of public housing units that was not included in the original Plan; or • Any other change that HUD determines, by guidance or regulation, requires treatment as a significant amendment. <p>All significant amendments will be subject to the same resident advisory board review and public comment process required for the original Plan, including a minimum 45-day public comment period and at least one public hearing. Non-significant changes may be made administratively without following the full amendment process.</p>

<p>C.2</p>	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the 5-Year PHA Plan?</p> <p>Y N</p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p> <p>Overall, the feedback received at both the public hearings and the RAB meeting was overwhelmingly positive. Community members and RAB participants expressed renewed confidence in FHC's leadership and expressed optimism about the agency's future direction. No formal challenges or objections to any element of the Plan were raised.</p> <p>FHC's Response to RAB Recommendations:</p> <ul style="list-style-type: none"> • FHC will incorporate on-site financial literacy programming into its self-sufficiency service plan. • FHC commits to providing quarterly progress updates to the RAB and hosting at least one annual plan review session open to all residents. • FHC will actively seek partnerships with local social service agencies to expand wraparound services at FHC properties as part of Goal 2. • FHC affirms that all relocation activities related to the Section 18 application will be conducted with full resident participation, transparency, and compliance with HUD regulations.
<p>C.3</p>	<p>Certification by State or Local Officials.</p> <p>Form HUD-50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p> <p>Attached #04</p>
<p>C.4</p>	<p>Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N</p> <p>(b) If yes, include Challenged Elements.</p> <p>No elements of the Plan were challenged. No formal objections were received during the public comment period or at the public hearings held on April 1, 2025. All public feedback received was constructive and supportive of the Plan's goals and objectives.</p>

Instructions for Preparation of Form HUD-50075-5Y - 5-Year PHA Plan for All PHAs

A. PHA Information. All PHAs must complete this section (24 CFR 903.4).

A.1 Include the full **PHA Name**, **PHA Code**, **PHA Fiscal Year Beginning** (MM/YYYY), **Five-Year Period** that the Plan covers, i.e. 2019-2023, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table.

B. Plan Elements.

B.1 Mission. State the PHA's mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years (24 CFR 903.6(a)(1)).

B.2 Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years (24 CFR 903.6(b)(1)).

B.3 Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan (24 CFR 903.6(b)(2)).

B.4 Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of survivors of domestic violence, dating violence, sexual assault, or stalking (24 CFR 903.6(a)(3)).

B.5 Project-Based Activities. If a PHA intends to select one or more projects for project-based assistance without competition in accordance with § 983.51(c), the PHA must include a statement of this intent in its 5-Year Plan (or an amendment to the 5-Year Plan) in order to notify the public prior to making a noncompetitive selection (24 CFR 903.6(c)).

C. Other Document and/or Certification Requirements.

C.1 Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan (24 CFR 903.7(s)(2)(ii)). For modifications resulting from the Rental Assistance Demonstration (RAD) program, refer to the 'Sample PHA Plan Amendment' found in Notice PIH-2012-32, REV 2.

C.2 Resident Advisory Board (RAB) comments.

(a) Did the public or RAB have comments?

(b) If yes, submit comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations (24 CFR 903.17(b), 24 CFR 903.19).

C.3 Certification by State or Local Officials.

Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

C.4 Challenged Elements.

If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public (24 CFR 903.23(b)).

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year PHA Plan. The 5-Year PHA Plan provides the PHA's mission, goals, and objectives for serving the needs of low- income, very low- income, and extremely low- income families and the progress made in meeting the goals and objectives described in the previous 5-Year Plan.

Public reporting burden for this information collection is estimated to average 1.23 hours per year per response or 6.15 hours per response every five years, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

Annual PHA Plan <i>(Standard PHAs and Troubled PHAs)</i>	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 9/30/2027
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services. They also inform HUD, families served by the PHA, and members of the public of the PHA's mission, goals, and objectives for serving the needs of low-, very low-, and extremely low- income families.

Applicability. The Form HUD-50075-ST is to be completed annually by **STANDARD PHAs or TROUBLED PHAs**. PHAs that meet the definition of a High Performer PHA, Small PHA, HCV-Only PHA or Qualified PHA **do not** need to submit this form. Note: PHAs with zero public housing units must continue to comply with the PHA Plan requirements until they closeout their Section 9 programs (ACC termination).

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers (HCVs) and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, SEMAP for PHAs that only administer tenant-based assistance and/or project-based assistance, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or HCVs combined and is not PHAS or SEMAP troubled.

A.	PHA Information.
A.1	<p>PHA Name: _____ PHA Code: _____</p> <p>PHA Type: <input type="checkbox"/> Standard PHA <input type="checkbox"/> Troubled PHA</p> <p>PHA Plan for Fiscal Year Beginning: (MM/YYYY): _____</p> <p>PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)</p> <p>Number of Public Housing (PH) Units _____ Number of Housing Choice Vouchers (HCVs) _____</p> <p>Total Combined Units/Vouchers _____</p> <p>PHA Plan Submission Type: <input type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p>Public Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA and should make documents available electronically for public inspection upon request. PHAs are strongly encouraged to post complete PHA Plans on their official websites and to provide each resident council with a copy of their PHA Plans.</p> <p>Flint Housing Commissions (FHC) PHA Plans are available for review on our website: https://www.flinthc.org The FHC is dedicated to reducing the use of paper, to that end there will be no printed copies of the PHA Plans. Instead, the DHC has computers available at the following locations for the general public to review the plans:</p> <ul style="list-style-type: none"> • The Flint Housing Commission, Main Administrative Office, 3820 Richfield Rd, Flint, MI 48206. • Flint Housing Commission Sites, River Park Apartments, Richert Manor <p>There are additional non-FHC sites where the public can access computers to review the plans</p> <ul style="list-style-type: none"> • Gloria Coles Flint Public Library, 1026 Kearsley St, Flint, MI 48503 • All public libraries in Genesee County

PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)

Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	
				PH	HCV
Lead PHA:					

B. Plan Elements

B.1 Revision of Existing PHA Plan Elements.

(a) Have the following PHA Plan elements been revised by the PHA?

Y N

- Statement of Housing Needs and Strategy for Addressing Housing Needs.
- Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.
- Financial Resources.
- Rent Determination.
- Operation and Management.
- Grievance Procedures.
- Homeownership Programs.
- Community Service and Self-Sufficiency Programs.
- Safety and Crime Prevention.
- Pet Policy.
- Asset Management.
- Substantial Deviation.
- Significant Amendment/Modification.

(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):

This Annual Plan is the First year of FHC 5 Year Plan. No changes are anticipated this year for the housing commission.

(c) The PHA must submit its Deconcentration Policy for Field Office review.

Deconcentration Policy Attached #09

B.2 New Activities.

(a) Does the PHA intend to undertake any new activities related to the following in the PHA's applicable Fiscal Year?

Y N

- Choice Neighborhoods Grants.
- Modernization or Development.
- Demolition and/or Disposition.
- Designated Housing for Elderly and/or Disabled Families.
- Conversion of Public Housing to Tenant-Based Assistance.
- Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.
- Homeownership Program under Section 32, 9 or 8(Y)
- Occupancy by Over-Income Families.
- Occupancy by Police Officers.
- Non-Smoking Policies.
- Project-Based Vouchers.
- Units with Approved Vacancies for Modernization.
- Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

(b) If any of these activities are planned for the applicable Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project-based units and general locations, and describe how project basing would be consistent with the PHA Plan.

Demolition and/or Disposition — Section 18 Notice of Intent

The Flint Housing Commission (FHC) hereby notifies residents, program participants, and the public of its intent to submit an application to the U.S. Department of Housing and Urban Development (HUD) under Section 18 of the U.S. Housing Act of 1937 for the demolition and/or disposition of certain public housing properties.

FHC intends to seek HUD approval for the demolition and/or disposition of:

- Fifteen (15) scattered-site public housing dwelling units located throughout the City of Flint; and
- One (1) vacant administrative building formerly used for FHC operations.

These properties have been identified as physically obsolete and/or operationally inefficient due to age, condition, and high ongoing maintenance costs, as well as their limited suitability for cost-effective rehabilitation. Disposition and/or demolition is expected to improve the overall quality, efficiency, and sustainability of FHC's housing portfolio.

If the Section 18 application is approved by HUD, FHC will:

Comply with all applicable resident consultation, relocation, and right-to-return requirements;

- Provide appropriate relocation assistance to affected residents in accordance with HUD regulations and FHC policies, including the offer of suitable replacement housing, which may include tenant-based Housing Choice Vouchers or other comparable housing opportunities; and
- Seek to preserve and, where possible, expand the supply of affordable housing in Flint through redevelopment, repositioning strategies, and/or partnerships with public and private entities.

FHC will conduct all required resident and public consultations prior to submission of the Section 18 application, and will ensure continued compliance with HUD regulations at 24 CFR Part 970 and all other applicable federal, state, and local requirements.

Residents and members of the public will have the opportunity to review and comment on the Section 18 application and related plans consistent with HUD requirements and the FHC's Resident Participation and Public Comment policies.

Other Planned Activities

Upon receiving HUD approval, the Housing Commission will designate one or more properties as Elderly (Senior Citizen) only. The Homeownership Program will be implemented as outlined in PHA Plan Part #10 and in accordance with Sections 32, 9, and 8(y). Additionally, several modernization and rehabilitation projects are scheduled to commence this year, including siding upgrades and remediation, rehabilitation of scattered sites, and unit turns for properties that have been long-term vacant. Please refer to Capital Fund Projects Part #12 for a comprehensive list of planned projects.

B.3

Progress Report.

Provide a description of the PHA’s progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.

During the previous 5-Year Plan period, the Flint Housing Commission (FHC) navigated significant organizational challenges, including the threat of HUD receivership, while simultaneously advancing critical initiatives and achieving meaningful progress across all major program areas.

North East Planning Grant

FHC successfully expended the full \$500,000 North East Planning Grant, completing the planning phase of the Choice Neighborhood Initiative grant and funding beautification improvements at two community parks, including River Park at the FHC Family Site.

Choice Neighborhood Initiative

FHC successfully completed its Choice Neighborhood Initiative Implementation Grant. In partnership with the City of Flint, FHC developed 196 new housing units and invested \$5 million in neighborhood improvement projects — including the creation of a new pocket park, a residential rehabilitation program in the Choice-designated neighborhood, and the demolition of the Atherton East Apartments, a former public housing site.

Operational Stabilization

FHC averted the threat of HUD receivership through decisive leadership restructuring, the recruitment of a new Chief Executive Officer, and the implementation of corrective action plans across all major program areas restoring organizational stability and regulatory standing. FHC has also invested in new management software to strengthen internal controls and improve overall efficiency of our organization.

NSPIRE Inspection Score Improvement

FHC achieved consistent year-over-year improvement in its National Standards for the Physical Inspection of Real Estate (NSPIRE) scores, reflecting sustained investment in property maintenance, proactive unit inspections, and a stronger culture of physical standards compliance. These gains demonstrate FHC's commitment to ensuring that every resident lives in a safe, decent, and well-maintained home.

SEMAP Performance Improvement

FHC achieved measurable improvements in its Section Eight Management Assessment Program (SEMAP) scores, addressing previously identified deficiencies in eligibility determinations, annual reexaminations, and Housing Quality Standards (HQS) inspections.

Staffing & Organizational Resilience

FHC reduced vacancy rates in key operational positions and launched cross-training initiatives designed to build organizational redundancy, strengthen institutional knowledge, and improve service continuity.

Resident Services

FHC hired full time Resident Services Coordinator to maintain housing assistance to low- and very low-income families across Flint and Genesee County, preserving housing stability for hundreds of households despite ongoing organizational pressures. Seasonal resident engagement activities are regularly held as well as education, physical and financial wellness events.

Financial Management

FHC strengthened internal financial controls and improved compliance with HUD reporting requirements, including the timely submission of our Unaudited and Audited financial data through FASS-PH and other HUD systems.

Community Partnerships

FHC cultivated new external partnerships with nonprofit organizations, local government agencies, and community service providers — laying the groundwork for expanded supportive services and long-term collaborative impact.

While significant progress has been made, FHC acknowledges that continued improvement is necessary. The goals and objectives set forth in this 5-Year Plan (2026–2031) build upon the foundation established during the previous plan period and chart a course toward sustained high performance.

<p>B.4</p>	<p>Capital Improvements. Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p> <p>5 Year Action Plan 2024-2028 Approved 10/24/2024</p>
<p>B.5</p>	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p> <p>Finding 1: HCVP Housing Choice Voucher - Noncompliance Significant Deficiencies; Missing Information. During recertification some of the required information was missing.</p> <p>Finding 2: PIH Family Self-Sufficiency Program -Noncompliance Significant Deficiencies; Missing Information. Program tenant files missing required information during recertification</p> <p>Finding 3: PIH Resident Opportunity and Supportive Services Program -Noncompliance Significant Deficiencies; Missing Information. Program tenant files missing required information during recertification.</p> <p>Finding 4: Public Indian Housing - Low Rent Program; Violation of Ethical Responsibility; A current Board Member has broken their ethical responsibility and behavior of misconduct. This requires the Housing Commission to request removal of the Board Member immediately by the City Council of Flint.</p>
<p>C.</p>	<p>Other Document and/or Certification Requirements.</p>
<p>C.1</p>	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p> <p>The Flint Housing Commission Resident Advisory Board convened to review the Public Housing Five-Year Plan prior to submission to the U.S. Department of Housing and Urban Development (HUD). Resident representatives from River Park, Garland Chase, and Richert Manor were in attendance and provided formal feedback reflecting the experiences and priorities of their respective communities. All comments have been incorporated into this record and will inform the development and finalization of the Five-Year Plan. Full list of comments are included in part #13 of this document.</p> <p>Residents from River Park expressed overall satisfaction with site conditions and commended maintenance staff for their responsiveness and quality of work. Garland Chase residents raised concerns about security, deferred maintenance, and inequitable investment compared to other FHC properties — particularly regarding parking lot drainage, fence and door repairs, and gutter maintenance. Richert Manor residents identified several urgent building system issues, including recurring elevator outages, unreliable heating, a non-functional backup generator, and significant mold growth affecting indoor air quality — all flagged as priority health and safety concerns requiring immediate attention.</p> <p>FHC leadership acknowledged all feedback presented and affirmed that resident input is an essential component of the Five-Year Plan. Priority maintenance and safety concerns will be referred for expedited review, and capital improvement needs across all three sites will be incorporated into the plan submitted to HUD. FHC committed to providing the Resident</p> <p><i>Key Resident Requests Across All Sites:</i></p> <ul style="list-style-type: none"> Secured entry badge systems and gated access for improved site safety Parking lot replacement with proper drainage (Garland Chase) and continued parking lot repairs (River Park) Covered bus shelter, basketball court lighting, and playground equipment (River Park) Additional laundry facilities and unit renovations for long-term residents (Richert Manor) Designated weekly work order completion day and reinstatement of building sign-in/sign-out log (Richert Manor) Exterior window cleaning, radiator maintenance, and closure of abandoned trash chute doors (Richert Manor)

<p>C.2</p>	<p>Certification by State or Local Officials.</p> <p>Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p> <p>Attached # 04</p>
<p>C.3</p>	<p>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</p> <p>Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p> <p>Attached #05</p>
<p>C.4</p>	<p>Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, include Challenged Elements.</p>

C.5 Troubled PHA.

(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?

Y N N/A

(b) If yes, please describe:

The Flint Housing Commission is pleased to report the successful completion of its Recovery Agreement with the U.S. Department of Housing and Urban Development (HUD) during Fiscal Year 2025. This milestone reflects the Commission's sustained commitment to operational excellence, regulatory compliance, and responsible stewardship of public resources.

FHC maintains an active and collaborative relationship with its HUD Field Office representative through regular monthly meetings, which serve as a forum for ongoing progress reporting, technical assistance, and continued alignment with HUD priorities and expectations. These meetings underscore FHC's commitment to transparency and proactive communication with its federal partners.

The Flint Housing Commission enters this next chapter of its organizational journey with confidence and renewed purpose. The foundation established through the recovery process has positioned FHC to deliver high-quality housing and services to the residents and communities it serves, and the Commission looks forward to building upon this progress in the years ahead.

Instructions for Preparation of Form HUD-50075-ST Annual PHA Plan for Standard and Troubled PHAs

A. PHA Information. All PHAs must complete this section (24 CFR 903.4).

A.1 Include the full **PHA Name, PHA Code, PHA Type, PHA Fiscal Year Beginning** (MM/YYYY), **PHA Inventory, Number of Public Housing Units and Number of HCVs, PHA Plan Submission Type,** and the **Public Availability of Information,** specific location(s) of all information relevant to the public hearing and proposed PHA Plan. Note: The number of HCV's should include all special purpose vouchers (e.g. Mainstream Vouchers, etc.) (24 CFR 903.23(e)).

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table (24 CFR 943.128(a)).

B. Plan Elements. All PHAs must complete this section.

B.1 Revision of Existing PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the "yes" box. If an element has not been revised, mark "no" (24 CFR 903.7).

Statement of Housing Needs and Strategy for Addressing Housing Needs. Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA's strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location (24 CFR 903.7(a)(2)(i)). Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA's reasons for choosing its strategy (24 CFR 903.7(a)(2)(ii)).

Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions. PHAs must submit a Deconcentration Policy for Field Office review. For additional guidance on what a PHA must do to deconcentrate poverty in its development and comply with fair housing requirements, see 24 CFR 903.2 (24 CFR 903.23(b)). Describe the PHA's admissions policy for deconcentration of poverty and income mixing of lower-income families in public housing. The Deconcentration Policy must describe the PHA's policy for bringing higher income tenants into lower income developments and lower income tenants into higher income developments. The deconcentration requirements apply to general occupancy and family public housing developments. Refer to 24 CFR 903.2(b)(2) for developments not subject to deconcentration of poverty and income mixing requirements (24 CFR 903.7(b)). Describe the PHA's procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists (24 CFR 903.7(b)). A statement of the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV (24 CFR 903.7(b)). Describe the unit assignment policies for public housing (24 CFR 903.7(b)).

Financial Resources. A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA operating, capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program and state the planned use for the resources (24 CFR 903.7(c)).

Rent Determination. A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units, including applicable public housing flat rents, minimum rents, voucher family rent contributions, and payment standard policies (24 CFR 903.7(d)).

Operation and Management. A statement of the rules, standards, and policies of the PHA governing maintenance and management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA (24 CFR 903.7(e)).

Grievance Procedures. A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants (24 CFR 903.7(f)).

Homeownership Programs. A description of any Section 5h, Section 32, Section 8y, or HOPE I public housing or HCV homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval (24 CFR 903.7(k)).

Community Service and Self Sufficiency Programs. Describe how the PHA will comply with the requirements of (24 CFR 903.7(l)). Provide a description of: (1) Any programs relating to services and amenities provided or offered to assisted families; and (2) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs subject to Section 3 of the Housing and Urban Development Act of 1968 (24 CFR Part 135) and FSS (24 CFR 903.7(l)).

Safety and Crime Prevention (VAWA). Describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must provide development-by-development or jurisdiction wide-basis: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities (24 CFR 903.7(m)). Note: All coordination and activities must be consistent with federal civil rights obligations. A description of: (1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to survivors of domestic violence, dating violence, sexual assault, or stalking; (2) Any activities, services, or programs provided or offered by a PHA that helps survivors of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and (3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance survivor safety in assisted families (24 CFR 903.7(m)(5)).

Pet Policy. Describe the PHA's policies and requirements pertaining to the ownership of pets in public housing (24 CFR 903.7(n)).

Asset Management. State how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory (24 CFR 903.7(q)).

Substantial Deviation. PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan (24 CFR 903.7(s)(2)(i)).

Significant Amendment/Modification. PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan (24 CFR 903.7(s)(2)(ii)). For modifications resulting from the Rental Assistance Demonstration (RAD) program, refer to the 'Sample PHA Plan Amendment' found in Notice PIH 2019-23(HA), successor RAD Implementation Notices, or other RAD Notices.

If any boxes are marked "yes", describe the revision(s) to those element(s) in the space provided.

PHAs must submit a Deconcentration Policy for Field Office review. For additional guidance on what a PHA must do to deconcentrate poverty in its development and comply with fair housing requirements, see 24 CFR 903.2 (24 CFR 903.23(b)).

B.2 New Activities. If the PHA intends to undertake any new activities related to these elements in the current Fiscal Year, mark "yes" for those elements, and describe the activities to be undertaken in the space provided. If the PHA does not plan to undertake these activities, mark "no."

Choice Neighborhoods Grants. (1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for Choice Neighborhoods Grants; and (2) A timetable for the submission of applications or proposals. The application and approval process for Choice Neighborhoods is a separate process. See guidance on HUD's website at: <https://www.hud.gov/cn> (Notice PIH 2011-47).

Modernization or Development (Conventional & Mixed-Finance). (1) A description of any Public Housing (including name, project number (if known) and unit count) for which the PHA will apply for modernization or development; and (2) A timetable for the submission of applications or proposals. The application and approval process for modernization or development is a separate process. (See 24 CFR part 905 and guidance on HUD's website at: https://www.hud.gov/program_offices/public_indian_housing/programs/ph/hope6/mfph#4).

Demolition and/or Disposition. With respect to public housing only, (1) describe any public housing development(s), or portion of a public housing development projects, owned by the PHA and subject to ACCs (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition approval under section 18 of the 1937 Act (42 U.S.C. 1437p); and (2) a timetable for the demolition or disposition. This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed as described in the PHA's last Annual and/or 5-Year PHA Plan submission. The application and approval process for demolition and/or disposition is a separate process. Approval of the PHA Plan does not constitute approval of these activities. See guidance on HUD's website at: https://www.hud.gov/program_offices/public_indian_housing/centers/sac/demo_dispo/ and 24 CFR 903.7(h).

Designated Housing for Elderly and Disabled Families. Describe any public housing projects owned, assisted, or operated by the PHA (or portions thereof), in the upcoming fiscal year, that the PHA has continually operated as, has designated, or will apply for designation for occupancy by elderly and/or disabled families only. Include the following information: (1) development name and number; (2) designation type; (3) application status; (4) date the designation was approved, submitted, or planned for submission, (5) the number of units affected and (6) expiration date of the designation of any HUD approved plan. **Note:** The application and approval process for such designations is separate from the PHA Plan process, and PHA Plan approval does not constitute HUD approval of any designation (24 CFR 903.7(i)(c)).

Conversion of Public Housing under the Voluntary or Mandatory Conversion programs. Describe (1) any public housing building(s) (including project number and unit count) owned by the PHA that the PHA is required to convert or plans to voluntarily convert to tenant-based assistance; (2) an analysis of the projects or buildings required to be converted under Section 33; and (3) a statement of the amount of assistance received to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at the Special Applications Center (SAC) (<https://www.hud.gov/sac>) and 24 CFR 903.7(j).

Conversion of Public Housing under the Rental Assistance Demonstration (RAD) program (including Faircloth to RAD). Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA plans to voluntarily convert to Project-Based Rental Assistance or Project-Based Vouchers under RAD. Note that all PHAs shall be required to provide the information listed in Attachment ID of Notice PIH 2019-23(HA) as a significant amendment or its successor notice. See additional guidance on HUD's website at: <https://www.hud.gov/RAD/library/notices>.

Homeownership Programs. A description of any Section 5h, Section 32, Section 8y, or HCV homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval (24 CFR 903.7(k)).

Occupancy by Over-Income Families. A PHA that owns or operates fewer than two hundred fifty (250) public housing units, may lease a unit in a public housing development to an over-income family (a family whose annual income exceeds the limit for a low income family at the time of initial occupancy), if all the following conditions are satisfied: (1) There are no eligible low income families on the PHA waiting list or applying for public housing assistance when the unit is leased to an over-income family; (2) The PHA has publicized availability of the unit for rental to eligible low income families, including publishing public notice of such availability in a newspaper of general circulation in the jurisdiction at least thirty days before offering the unit to an over-income family; (3) The over-income family rents the unit on a month-to-month basis for a rent that is not less than the PHA's cost to operate the unit; (4) The lease to the over-income family provides that the family agrees to vacate the unit when needed for rental to an eligible family; and (5) The PHA gives the over-income family at least thirty day notice to vacate the unit when the unit is needed for rental to an eligible family. The PHA may incorporate information on occupancy by over-income families into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. (See additional guidance on HUD's website at: Notice PIH-2021-35 (24 CFR 960.503) (24 CFR 903.7(b)).

Occupancy by Police Officers. The PHA may allow police officers who would not otherwise be eligible for occupancy in public housing, to reside in a public housing dwelling unit. The PHA must include the number and location of the units to be occupied by police officers, and the terms and conditions of their tenancies; and a statement that such occupancy is needed to increase security for public housing residents. A "police officer" means a person determined by the PHA to be, during the period of residence of that person in public housing, employed on a full-time basis as a duly licensed professional police officer by a Federal, State or local government or by any agency of these governments. An officer of an accredited police force of a housing agency

may qualify. The PHA may incorporate information on occupancy by police officers into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. See additional guidance on HUD's website at: Notice PIH 2021-35. (24 CFR 960.505) (24 CFR 903.7(b))
NOTE: All activities must be consistent with civil rights laws – including ensuring that it does not have a disparate impact on protected class groups based on race, color, religion, national origin, sex (including sexual orientation), familial status, and disability.

Non-Smoking Policies. The PHA may implement non-smoking policies in its public housing program and incorporate this into its PHA Plan statement of operation and management and the rules and standards that will apply to its projects. See additional guidance on HUD's website at: Notice PIH 2009-21 and Notice PIH-2017-03 (24 CFR 903.7(e)).

Project-Based Vouchers. Describe any plans to use HCVs for new project-based vouchers, which must comply with PBV goals, civil rights requirements, Housing Quality Standards (HQS) and deconcentration standards, as stated in 24 CFR 983.55(b)(1) and set forth in the PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. If using project-based vouchers, provide the projected number of project-based units and general locations (including if PBV units are planned on any former or current public housing units or sites), and describe how project-basing would be consistent with the PHA Plan (24 CFR 903.7(b)(3), 24 CFR 903.7(r)).

Units with Approved Vacancies for Modernization. The PHA must include a statement related to units with approved vacancies that are undergoing modernization in accordance with 24 CFR 990.145(a)(1).

Other Capital Grant Programs (i.e., Capital Fund Lead Based Paint, Housing Related Hazards, At Risk/Receivership/Substandard/Troubled Program, and/or Emergency Safety and Security Grants).

For all activities that the PHA plans to undertake in the applicable Fiscal Year, provide a description of the activity in the space provided.

B.3 Progress Report. For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan (24 CFR 903.7(s)(1)).

B.4 Capital Improvements. PHAs that receive funding from the Capital Fund Program (CFP) must complete this section (24 CFR 903.7 (g)). To comply with this requirement, the PHA must reference the most recent HUD approved Capital Fund 5 Year Action Plan in EPIC and the date that it was approved. PHAs can reference the form by including the following language in the Capital Improvement section of the appropriate Annual or Streamlined PHA Plan Template: "See Capital Fund 5 Year Action Plan in EPIC approved by HUD on XX/XX/XXXX."

B.5 Most Recent Fiscal Year Audit. If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided (24 CFR 903.7(p)).

C. Other Document and/or Certification Requirements.

C.1 Resident Advisory Board (RAB) comments. If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations (24 CFR 903.13(c), 24 CFR 903.19).

C.2 Certification by State of Local Officials. Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. (24 CFR 903.15). **Note:** A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of 24 CFR 5.150 et. seq., 24 CFR 903.7(o)(1), and 903.15.

C.4 Challenged Elements. If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public (24 CFR 903.23(b)).

C.5 Troubled PHA. If the PHA is designated troubled, and has a current MOA, improvement plan, or recovery plan in place, mark "yes," and describe that plan. Include dates in the description and most recent revisions of these documents as attachments. If the PHA is troubled, but does not have any of these items, mark "no." If the PHA is not troubled, mark "N/A" (24 CFR 903.9).

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year and Annual PHA Plan.

Public reporting burden for this information collection is estimated to average 5.64 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

04

Certification by State or Local Official PHA

Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan (All PHAs)	U. S Department of Housing and Urban Development
	Office of Public and Indian Housing
	OMB No. 2577-0226
	Expires 09/30/2027

**Certification by State or Local Official of PHA Plans
 Consistency with the Consolidated Plan or State Consolidated Plan**

I, Sheldon A. Neeley, the City of Flint, Mayor
Official's Name Official's Title

certify that the 5-Year PHA Plan for fiscal years 2026-2030 and/or Annual PHA Plan for fiscal year 2026 of the MI009 - Flint Housing Commission is consistent with the City of Flint
PHA Name

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or strategies to:

City of Flint

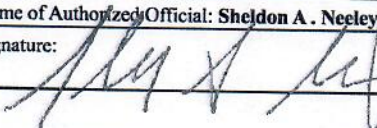
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The Flint Housing Commission's programs are designed to assist low-income individuals through housing supportive services, financial literacy, self-sufficiency, and employment attainment. Housing, workforce development, and job training for low-income individuals are explicitly included in the City's Consolidated Plan. Additionally, the Housing Commission's Annual Plan aligns with the highest priorities identified in the community needs survey, which lists services such as housing, job training, and workforce development (see page 126). These areas are also identified as priority needs on page 134 of the Consolidated Plan.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official: <u>Sheldon A. Neeley</u>	Title: <u>City of Flint, Mayor</u>
Signature: 	Date: <u>4/15/26</u>

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

Form identification: MI009 - Flint Housing Commission form HUD-50077-SL (Form ID - 6975) printed by David Northerrn in HUD Secure Systems/Public Housing Portal at 04/17/2026 11:55AM EST

05

Certifications of Compliance with PHA, Civil Rights, and Related Laws and Regulations

**Certifications of Compliance with
PHA Plan and Related Regulations
(Standard, Troubled, HCV-Only, and
High Performer PHAs)**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires: 09/30/2027

**PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations
including PHA Plan Elements that Have Changed**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 2026-2031_ 5-Year and/or_2026__ Annual PHA Plan, hereinafter referred to as “the Plan,” of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning _2026_____, in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a signed certification by the appropriate State or local official (form HUD-50077-SL) that the Plan is consistent with the applicable Consolidated Plan, which includes any applicable fair housing goals or strategies, for the PHA's jurisdiction and a description of the way the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the Resident Advisory Board (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the way the Plan addresses these recommendations.
4. The PHA provides assurance as part of this certification that:
 - i. The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - ii. The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - iii. The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours. Where possible, PHAs should make documents available electronically, for public inspection upon request.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment. The PHA ensured all notices and meetings provided effective communication with persons with disabilities and further provided meaningful language access for persons with Limited English Proficiency (LEP).
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d—4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), Title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), the Violence Against Women Act (34 U.S.C. § 12291 et seq.), and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of all HUD programs. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Violence Against Women Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of all HUD programs.
7. The PHA will affirmatively further fair housing, in compliance with the Fair Housing Act, 24 CFR § 5.150 et seq., 24 CFR § 903.7(o), and 24 CFR § 903.15, which means that it will take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering

fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws (24 CFR § 5.151). Pursuant to 24 CFR § 903.15(c)(2), a PHA's policies should be designed to reduce the concentration of tenants and other assisted persons by race, national origin, and disability. PHA policies should include affirmative steps stated in 24 CFR § 903.15(c)(2)(i) and 24 CFR § 903.15(c)(2)(ii). Furthermore, under 24 CFR § 903.7(o), a PHA must submit a civil rights certification with its Annual and 5-year PHA Plans, except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document. The PHA certifies that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing.

8. For PHA Plans that include a policy for site-based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module and/or its successor system: the Housing Information Portal (HIP) in an accurate, complete and timely manner (as specified in PIH Notice 2011-65);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination based on age pursuant to the Age Discrimination Act of 1975.
10. In accordance with the Fair Housing Act, the PHA will not base a determination of eligibility for housing on actual or perceived sexual orientation, or marital status and will not otherwise discriminate because of sex (including sexual orientation).
11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, 'Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped' for people with physical disabilities.
12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
13. The PHA will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implement the regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 2 CFR 200.302 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.

20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to always be available at all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA and, where possible, should be made available for public inspection in an electronic format.
22. The PHA certifies that it is following all applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

Flint Housing Commission

MI009


PHA Name

PHA Number/HA Code

Annual PHA Plan for Fiscal Year 2026 _____

5-Year PHA Plan for Fiscal Years 2026 - 2031 _____

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014, 31 U.S.C. §3729, 3802)

Name of Executive Director: David A. Northern Sr.	Name Board Chairman: Tredale Kennedy
Signature:  Date: 4/14/26	Signature:  Date: 4/16/26

This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

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06

Statement of Financial Resources

Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants		
a) Public Housing Operating Fund	\$1,538,133	Operating Expenses
b) Public Housing Capital Fund '26	\$1,972,971	Physical Work
c) HOPE VI Revitalization	\$0	
d) HOPE VI Demolition	\$0	
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$6,048,703	Housing Assistance Payments for HCVP
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	\$0	
g) Resident Opportunity and Self-Sufficiency Grants	\$40,080	Project Coordinator
h) Community Development Block Grant	\$800,000	Structural Improvements and Scattered Site Demolition
i) Family Self-Sufficiency (FSS)	\$70,030	Program Coordinator
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)		
2025 Capital Fund Grant	\$1,117,565	Physical needs
3. Public Housing Dwelling Rental Income	\$2,001,650	Operating Expenses
4. Other income (list below)		
Developer Fees MACH 1 (RAD)	\$671,877	Developer Fees
Choice Neighborhoods Developer Fees (Clark Commons)	\$375,000	Developer Fees
5. Non-federal sources (list below)		
Tenant Charges	\$136,000	Operating Expenses
Non-Dwelling Rental	\$ 25,375	Operating Expenses
Miscellaneous	\$ 47,925	Operating Expenses
Total resources	\$14,845,309	

07

Public Housing Admissions and Continued Occupancy (ACOP)



FLINT HOUSING COMMISSION

ADMISSIONS AND CONTINUED OCCUPANCY PLAN (ACOP)

This Plan was approved on 4/14/2026 and was effective 07/1/2026



ACOP Schedule of Revisions

- 3-IB. FAMILY AND HOUSEHOLD
- 3-II.D Family Consent to Release of Information
- 4-II.F Updating the Waiting List
- 4-III.B Local Preferences
- 4-III.E Final Eligibility Determination
- 6-I.E Earned Income Disallowance
- 6-I.H Periodic Payments Social Security
- 6-I.I Nonrecurring Income
- 6-I.L Civil Rights Settlements

- 6-I.M Additional Exclusions from Annual Income: Incremental Earnings and Benefits
- 6-II.B Assets Disposed of for Less than Fair Market Value: Family Declaration
Asset Inclusions and Exclusions: Non-necessary Personal Property, Lump Sum Additions to
Net Family Assets, Jointly Owned Assets
- 6-II.C Net Family Assets, Jointly Owned Assets
- 6-II.D Determining Income from Assets: Assets under \$50,000
- 6-III-A Anticipating Expenses
- 6-III-C Elderly or Disabled Family Deduction
Health and Medical Care Expenses Deduction, Families that Qualify for both Medical and
Disability Assistance Expenses
- 6-III-D Disability Assistance Expenses Deduction: Necessary and Reasonable Expenses, Families
that Qualify for both
- 6-III.E that Qualify for both
- 6-III.F Child Care Expenses Deduction: Qualifying for the Deduction
- 6-III.G Hardship Exemptions
- 6-IV.C Utility Allowances
- 7-I.A Family Consent to Release of Information: HUD Form and Penalties
- 7-I.B Use of Other Programs' Income Determinations: Safe Harbor
- 7-I.C Streamlined Income Determinations
Verification Hierarchy: EIV and New Hires Reports, HHS or SSA Report, Deceased Tenants
Reports
- 7-I.D Reports
- 7-I.F Level 4 Verification
- 7-I.G Level 3 Verification: Written, Third Party Form
- 7-I.H Level 2 Verification: Oral Third Party
- 7-I.I Level 1 Verification: Non Third Party Technique (Self Certification)
- 7-II.F Documentation of Disability
- 7-III.F Assets and Income from Assets
- 7-III.L Zero Income Reviews
- 7-IV.B Health and Medical Care Expenses Deduction
- Ch. 8 Introduction: HUD Requirement
- 8-I.B Lease Orientation
- 8-I.C Execution of Lease
- 8-I.D Modifications to the Lease
- 8-I.F Payments Under the Lease: Late Fees and Nonpayment
- 8-II.A Inspection Overview
- 8-II.B PHA Conducted Inspections
- 8-II.C NSPIRE Inspections
- Exhibit 8-I Smoke Free Policy
- 9-I.B Scheduling Annual Reexaminations

ACOP Schedule of Revisions

- 9-I.C Conducting Annual Reexaminations
- 9-I.D Calculating Annual Income at Annual Reexamination
- 9-I.E Other Considerations
- 9-I.F Effective Dates
- 10-I.B Approval of Assistance Animals: General Considerations
- 10-I.C Care and Handling
- 11-I.C Determination of Exemption Status and Compliance
- 11-II.A Implementation of Community Service: PHA Program Design
- 12-II.B Types of PHA Required Transfers: Section 8 Vouchers for VAWA
- 12-IV.F Reexamination Policies for Transfers
- 13-II.B Termination: Failure to Provide Consent
- 13-II.C Failure to Document Citizenship
- 13-II.D Failure to Disclose and Document Social Security Numbers
- 13-II.H Noncompliance with community Service Requirements
- 13-II.J Over Income Families
- 13-III.B Mandatory Lease Provisions
- 13-III.D Alternatives to Termination of Tenancy
- 13-III.E Criteria for Deciding to Terminate Tenancy
- 13-III.F Terminations Related to Domestic Violence, Dating Violence, Sexual Assault, Stalking or Human Trafficking
- 13-IV.B Conducting Criminal Records Checks
- 13-IV.C Disclosure of Criminal Records to Family
- 13-IV.D Lease Termination Notice: Timing of Notice
- 13-IV.E Eviction
- 14-I.B Informal Hearing Process
- 14-III.C Applicability of Grievances
- 14-III.D Informal Settlement of Grievance
- 14-III.E Procedures to Obtain a Hearing
- 14-III.G Remote Hearings
- 14-III.H Procedures Governing the Hearing
- 15-I.A Preventing Errors and Program Abuse
- 15-I.B Detecting Errors and Program Abuse
- 15-I.C Investigating Errors and Program Abuse
- 15-II.A Under or Over Payment: Increases or Decreases in Rent
- 15-II.B Family Caused Errors and Program Abuse
- 15-II.C PHA Caused Errors or Program Abuse
- 15-II.D Criminal Prosecution
- 16-I.B Utility Allowances
- 16-I.C Surcharges for PHA Furnished Utilities
- 16-III.A Family Debts to the PHA
- 16-III.B Repayment Policy
- 16-V.B Record Retention
- 16-V.C Records Management
- 16-VI.A Reporting Requirements for Children with Elevated Blood Lead Level
- 16-VII.C Notification (VAWA)
- 16-VII.D Documentation (VAWA)
- 16-VII.E Confidentiality (VAWA)

Admissions and Continued Occupancy Policy (ACOP)

FLINT HOUSING COMMISSION

Approved by the FHC Board of Commissioners:

Submitted to HUD:

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PART I: DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS

3-I.A. OVERVIEW

Some eligibility criteria and program rules vary depending upon the composition of the family requesting assistance. In addition, some requirements apply to the family as a whole and others apply to individual persons who will live in the public housing unit. This part provides information that is needed to correctly identify family and household members and explains HUD's eligibility rules.

3-I.B. FAMILY AND HOUSEHOLD [24 CFR 5.105(a)(2), 24 CFR 5.403, FR Notice 02/03/12, Notice PIH 2014-20, Notice PIH 2023-27, and FR Notice 2/14/23]

The terms *family* and *household* have different meanings in the public housing program.

Family

To be eligible for admission, an applicant must qualify as a family. *Family* as defined by HUD, includes but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status, a single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; **an otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age and who has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C. 675(5)(H)), and is homeless or is at risk of becoming homeless at age 16 or older;** or a group of persons residing together. Such group includes, but is not limited to, 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), an elderly family, a near-elderly family, a disabled family, a displaced family, and the remaining member of a tenant family. The PHA has the discretion to determine if any other group of persons qualifies as a family.

Gender Identity means actual or perceived gender characteristics.

Sexual orientation means homosexuality, heterosexuality, or bisexuality.

PHA Policy

A family also includes two or more individuals who are not related by blood, marriage, adoption, or other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family.

Each family must identify the individuals to be included in the family at the time of application and must update this information if the family's composition changes.

Household

Household is a broader term that includes additional people who, with the PHA's permission, live in a public housing unit, such as live-in aides, foster children, and foster adults.

3-II.D. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230]

HUD requires each adult family member, and the head of household, spouse, or cohead, regardless of age, to sign form HUD-9886, Authorization for the Release of Information Privacy Act Notice, the form HUD-52675, Debts Owed to Public Housing Agencies and Terminations, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance. Chapter 7 provides detailed information concerning the consent forms and verification requirements. **The consent form remains effective until the family is denied assistance, assistance is terminated, or the family provides written notification to revoke consent.**

The PHA must deny admission to the program if any member of the applicant family fails to sign and submit consent forms which allow the PHA to obtain information that the PHA has determined is necessary in administration of the public housing program [24 CFR 960.259(a) and (b) **and 24 CFR 5.232(a)**].

However, this does not apply if the applicant or participant, or any member of their family, revokes their consent with respect to the ability of the PHA to access financial records from financial institutions, unless the PHA establishes a policy that revocation of consent to access financial records will result in denial or termination of assistance or admission [24 CFR 5.232(c)].

PHA Policy

The PHA has established a policy that the family's revocation of consent to allow the PHA to access records from financial institutions will result in denial of admission.

4-II.F. UPDATING THE WAITING LIST

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

Purging the Waiting List

The decision to remove an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to the PHA's request for information or updates because of the family member's disability, the PHA must, upon the family's request, reinstate the applicant family to their former position on the waiting list as a reasonable accommodation [24 CFR 8.4(a), 24 CFR 100.204(a), and PH Occ GB, p. 39 and 40]. See Chapter 2 for further information regarding reasonable accommodations.

PHA Policy

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

To update the waiting list, the PHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program.

As part of the initial pre-application or application, the PHA will ask the family for their preferred methods of communication, which may include mail, phone, text message, email, or contact through a representative or service provider.

This update request will be sent to the last address that the PHA has on record for the family as well as any additional contact methods identified by the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

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

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

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent. If the family fails to respond within this time frame, the family will be removed from the waiting list without further notice.

4-III.B. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the PHA will use.

Local Preferences [24 CFR 960.206]

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

PHA Policy

Local preferences will be aggregated using a system in which each preference will receive an allocation of points. The more preference points an applicant has, the higher the applicant's place on the waiting list.

The PHA will use the following local preferences:

Domestic Violence Preference (two points): The PHA will offer a preference to families that include victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking who have either been referred by a partnering service agency or consortia or who are seeking an emergency transfer under VAWA from the PHA's Housing Choice Voucher program or other covered housing program operated by the PHA.

The PHA will work with the following partnering service agencies:

Catholic Charities, Flint, MI

Carriage Town Ministries, Flint, MI

YWCA SAFE House Flint, MI

The applicant must certify that the abuser will not reside with the applicant unless the PHA gives prior written approval.

Working Family Preference (one point): In order to bring higher income families into public housing, the PHA will establish a preference for "working" families, where the head, spouse, cohead, or sole member is currently working at least 20 hours per week. As required by HUD, families where the head and spouse, or sole member is a person age 62 or older, or is a person with disabilities, will also be given the benefit of the working preference [24 CFR 960.206(b)(2)].

Example 1: Head of household is elderly, but does not work. There is no spouse or cohead. This family receives benefit of the working preference.

Example 2: Head of household is 64, spouse is disabled. Neither work. This family receives benefit of the working preference.

Example 3: Head of household is 63, spouse is neither elderly nor disabled. Neither work. This family does NOT receive benefit of the working preference

Applicants qualifying for both preferences will thus be assigned a total of three points. Among applicants with the same preference points, date and time of application will be used to determine placement on the waiting list.

Income Targeting Requirement [24 CFR 960.202(b)]

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

If a PHA also operates a housing choice voucher (HCV) program, admissions of extremely low-income families to the PHA's HCV program during a PHA fiscal year that exceed the 75 percent minimum target requirement for the voucher program, shall be credited against the PHA's basic targeting requirement in the public housing program for the same fiscal year. However, under these circumstances the fiscal year credit to the public housing program must not exceed the lower of: (1) ten percent of public housing waiting list admissions during the PHA fiscal year; (2) ten percent of waiting list admissions to the PHA's housing choice voucher program during the PHA fiscal year; or (3) the number of qualifying low-income families who commence occupancy during the fiscal year of PHA public housing units located in census tracts with a poverty rate of 30 percent or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.

PHA Policy

The PHA will monitor progress in meeting the ELI requirement throughout the fiscal year. ELI families will be selected ahead of other eligible families on an as-needed basis to ensure that the income targeting requirement is met.

Mixed Population Developments [24 CFR 960.407]

A mixed population development is a public housing development or portion of a development that was reserved for elderly families and disabled families at its inception (and has retained that character) or the PHA at some point after its inception obtained HUD approval to give preference in tenant selection for all units in the development (or portion of a development) to elderly and disabled families [24 CFR 960.102]. Elderly family means a family whose head, spouse, cohead, or sole member is a person who is at least 62 years of age. Disabled family means a family whose head, spouse, cohead, or sole member is a person with disabilities [24 CFR 5.403]. The PHA must give elderly and disabled families equal preference in selecting these families for admission to mixed population developments. The PHA may not establish a limit on the number of elderly or disabled families that may occupy a mixed population development. In selecting elderly and disabled families to fill these units, the PHA must first offer the units that have accessibility features for families that include a person with a disability and require the accessibility features of such units. The PHA may not discriminate against elderly or disabled families that include children (Fair Housing Amendments Act of 1988).

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

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

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

PHA Policy

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

The PHA will expedite the administrative process for determining eligibility to the extent possible for applicants who are admitted to the public housing program as a result of an emergency transfer from another PHA program.

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

PHA Policy

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

If the PHA uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before the PHA can move to deny the application. See Section 3-III.G for the PHA's policy regarding such circumstances.

The PHA must provide the family a notice of VAWA rights (form HUD-5380) as well as the HUD VAWA self-certification form (form HUD-5382) in accordance with the Violence against Women Act, and as outlined in 16-VII.C, at the time the applicant is provided assistance or at the time the applicant is denied assistance. This notice must be provided in both of the following instances: (1) when a family actually begins receiving assistance (lease execution); or (2) when a family is notified of its ineligibility.

6-I.E. EARNED INCOME DISALLOWANCE [24 CFR 960.255; Streamlining Final Rule (SFR) Federal Register 3/8/16; Notice PIH 2023-27]

HOTMA removed the statutory authority for the EID. The EID is available only to families that are eligible for and participating on the program as of December 31, 2023, or before; no new families may be added on or after January 1, 2024. If a family is receiving the EID prior to or on the effective date of the HOTMA final rule, they are entitled to the full amount of the benefit for a full 24-month period. The policies below are applicable only to such families. No family will still be receiving the EID after December 31, 2025. The EID will sunset on January 1, 2026, and the PHA policies below will no longer be applicable as of that date or when the last qualifying family exhausts their exclusion period, whichever is sooner.

Calculation of the Disallowance

Calculation of the earned income disallowance for an eligible member of a qualified family begins with a comparison of the member's current income with their "baseline income." The family member's baseline income is their income immediately prior to qualifying for the EID. The family member's baseline income remains constant throughout the period that they are participating in the EID.

Calculation Method

Initial 12-Month Exclusion

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

PHA Policy

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

Second 12-Month Exclusion

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

PHA Policy

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

Social Security Benefits [Notice PIH 2023-27]

The PHA is required to use the gross benefit amount to calculate annual income from Social Security benefits.

Annually in October, the Social Security Administration (SSA) announces the cost-of-living adjustment (COLA) by which federal Social Security and SSI benefits are adjusted to reflect the increase, if any, in the cost of living. The federal COLA does not apply to state-paid disability benefits. Effective the day after the SSA has announced the COLA, PHAs are required to factor in the COLA when determining Social Security and SSI annual income for all annual reexaminations and interim reexaminations of family income that have not yet been completed and will be effective January 1 or later of the upcoming year [Notice PIH 2023-27].

PHA Policy

Annual income includes “all amounts received,” not the amount that a family may be legally entitled to receive but which they do not receive. When the SSA overpays an individual, resulting in a withholding or deduction from their benefit amount until the overpayment is paid in full, the PHA will use the reduced benefit amount after deducting only the amount of the overpayment withholding from the gross benefit amount. Further, if a family’s social security income is garnished for any reason, the PHA will use the net amount after the garnishment in order to calculate the family’s income.

6-I.I. NONRECURRING INCOME [24 CFR 5.609(b)(24) and Notice PIH 2023-27]

Nonrecurring income, which is income that will not be repeated beyond the coming year (e.g., 12 months following the effective date of the certification) based on information provided by the family, is excluded from annual income. The PHA may accept a self-certification from the family stating that the income will not be repeated in the coming year. See Chapter 7 for PHA policies related to verification of nonrecurring income.

Income received as an independent contractor, day laborer, or seasonal worker is not excluded from income as nonrecurring income, even if the source, date, or amount of the income varies.

Income that has a discrete end date and will not be repeated beyond the coming year during the family's upcoming annual reexamination period will be excluded from a family's annual income as nonrecurring income. This does not include unemployment income and other types of periodic payments that are received at regular intervals (such as weekly, monthly, or yearly) for a period of greater than one year that can be extended.

Income amounts excluded under this category may include, but are not limited to:

- Nonrecurring payments made to the family or to a third party on behalf of the family to assist with utilities;
- Payments for eviction prevention;
- Security deposits to secure housing;
- Payments for participation in research studies (depending on the duration); and
- General one-time payments received by or on behalf of the family.

Nonrecurring income that is excluded under the regulations includes:

- Payments from the U.S. Census Bureau for employment (relating to decennial census or the American Community Survey) lasting no longer than 180 days and not culminating in permanent employment [24 CFR 5.609(b)(24)(i)].
- Direct federal or state payments intended for economic stimulus or recovery [24 CFR 5.609(b)(24)(ii)].
- Amounts directly received by the family as a result of state refundable tax credits or state or federal tax refunds at the time they are received [24 CFR 5.609(b)(24)(iii) and (iv)].
- Gifts for holidays, birthdays, or other significant life events or milestones (e.g., wedding gifts, baby showers, anniversaries) [24 CFR 5.609(b)(24)(v)].
- Non-monetary, in-kind donations, such as food, clothing, or toiletries, received from a food bank or similar organization [24 CFR 5.609(b)(24)(vi)]. When calculating annual income, PHAs are prohibited from assigning monetary value to non-monetary in-kind donations received by the family [Notice PIH 2023-27]. Non-recurring, non-monetary in-kind donations from friends and family are excluded as non-recurring income.
- Lump-sum additions to net family assets, including but not limited to lottery or other contest winnings [24 CFR 5.609(b)(24)(vii)].

6-I.K. STATE PAYMENTS TO ALLOW INDIVIDUALS WITH DISABILITIES TO LIVE AT HOME [24 CFR 5.609(b)(19)]

Payments made by or authorized by a state Medicaid agency (including through a managed care entity) or other state or federal agency to an assisted family to enable a member of the assisted family who has a disability to reside in the family's assisted unit are excluded.

Authorized payments may include payments to a member of the assisted family through state Medicaid-managed care systems, other state agencies, federal agencies or other authorized entities.

The payments must be received for caregiving services a family member provides to enable another member of the assisted family who has a disability to reside in the family's assisted unit. Payments to a family member for caregiving services for someone who is not a member of the assisted family (such as for a relative that resides elsewhere) are not excluded from income.

Furthermore, if the agency is making payments for caregiving services to the family member for an assisted family member and for a person outside of the assisted family, only the payments attributable to the caregiving services for the caregiver's assisted family member would be excluded from income.

6-I.L. CIVIL RIGHTS SETTLEMENTS [24 CFR 5.609(b)(25); FR Notice 2/14/23]

Regardless of how the settlement or judgment is structured, civil rights settlements or judgments, including settlements or judgments for back pay, are excluded from annual income. This may include amounts received because of litigation or other actions, such as conciliation agreements, voluntary compliance agreements, consent orders, other forms of settlement agreements, or administrative or judicial orders under the Fair Housing Act, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act (Section 504), the Americans with Disabilities Act, or any other civil rights or fair housing statute or requirement.

While these civil rights settlement or judgment amounts are excluded from income, the settlement or judgment amounts will generally be counted toward the family's net family assets (e.g., if the funds are deposited into the family's savings account or a revocable trust under the control of the family or some other asset that is not excluded from the definition of *net family assets*). Income generated on the settlement or judgment amount after it has become a net family asset is not excluded from income. For example, if the family received a settlement or back pay and deposited the money in an interest-bearing savings account, the interest from that account would be income at the time the interest is received.

Furthermore, if a civil rights settlement or judgment increases the family's net family assets such that they exceed \$50,000 (as annually adjusted by an inflationary factor), then income will be imputed on the net family assets pursuant to 24 CFR 5.609(a)(2). If the imputed income, which HUD considers unearned income, increases the family's annual adjusted income by 10 percent or more, then an interim reexamination of income will be required unless the addition to the family's net family assets occurs within the last three months of the family's income certification period and the PHA or owner chooses not to conduct the examination.

- Amounts received by participants in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred e.g., special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program [24 CFR 5.609(c)(12)(ii)].
- Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS) [(24 CFR 5.609(b)(12)(i)].
- Amounts received under a resident service stipend not to exceed \$200 per month. A resident service stipend is a modest amount received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development [24 CFR 5.600(b)(12)(iii)].
- Incremental earnings and benefits to any family member resulting from participation in qualifying training program funded by HUD or in qualifying federal, state, tribal, or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff are excluded from annual income. 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 training program unless those amounts are excluded under 24 CFR 5.609(b)(9)(i) [24 CFR 5.609(b)(12)(iv)].

PHA Policy

The PHA defines *training program* as “a learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period of time. It is designed to lead to a higher level of proficiency, and it enhances the individual’s ability to obtain employment. It may have performance standards to measure proficiency. Training may include but is not limited to: (1) classroom training in a specific occupational skill, (2) on-the-job training with wages subsidized by the program, or (3) basic education” [expired Notice PIH 98-2, p. 3].

The PHA defines *incremental earnings and benefits* as the difference between (1) the total amount of welfare assistance and earnings of a family member prior to enrollment in a training program and (2) the total amount of welfare assistance and earnings of the family member after enrollment in the program [expired Notice PIH 98-2, pp. 3–4].

In calculating the incremental difference, the PHA will use as the pre-enrollment income the total annualized amount of the family member’s welfare assistance and earnings reported on the family’s most recently completed HUD-50058.

End of participation in a training program must be reported in accordance with the PHA’s interim reporting requirements (see Chapter 11).

Family Declaration

PHA Policy

Families must sign a declaration form at initial certification and each annual recertification identifying all assets that have been disposed of for less than fair market value or declaring that no assets have been disposed of for less than fair market value. The PHA may verify the value of the assets disposed of if other information available to the PHA does not appear to agree with the information reported by the family.

Necessary Personal Property	Non-Necessary Personal Property
<p>Car(s)/vehicle(s) that a family relies on for transportation for personal or business use (e.g., bike, motorcycle, skateboard, scooter)</p> <p>Furniture, carpets, linens, kitchenware</p> <p>Common appliances</p> <p>Common electronics (e.g., radio, television, DVD player, gaming system)</p> <p>Clothing</p> <p>Personal effects that are not luxury items cultural value, or which does not hold family (e.g., toys, books) significance</p> <p>Wedding and engagement rings</p> <p>Jewelry used in religious/cultural celebrations and ceremonies</p> <p>Religious and cultural items</p> <p>Medical equipment and supplies</p> <p>Health care–related supplies</p> <p>Musical instruments used by the family</p> <p>Personal computers, phones, tablets, and related equipment</p> <p>Professional tools of trade of the family, for example professional books</p> <p>Educational materials and equipment used by the family, including equipment to accommodate persons with disabilities</p> <p>Equipment used for exercising (e.g., treadmill, stationary bike, kayak, paddleboard, ski equipment)</p>	<p>Recreational car/vehicle not needed for day-to-day transportation for personal or business use (campers, motorhomes, traveling trailers, all-terrain vehicles (ATVs))</p> <p>Bank accounts or other financial investments (e.g., checking account, savings account, stocks/bonds)</p> <p>Recreational boat/watercraft</p> <p>Expensive jewelry without religious or cultural value, or which does not hold family significance</p> <p>Collectibles (e.g., coins/stamps)</p> <p>Equipment/machinery that is not used to generate income for a business</p> <p>Items such as gems/precious metals, antique cars, artwork, etc.</p>

PHA Policy

In determining the value of non-necessary personal property, the PHA will use the family’s estimate of the value. The PHA may obtain an appraisal if there is reason to believe that the family’s estimated value is off by \$50 or more. The family must cooperate with the appraiser but cannot be charged any costs related to the appraisal.

Lump-Sum Additions to Net Family Assets [24 CFR 5.609(b)(24(viii)); Notice PIH 2023-27]

The regulations exclude income from lump-sum additions to family assets, including lottery or other contest winnings as a type of nonrecurring income.

In addition, lump sums from insurance payments, settlements for personal or property losses, and recoveries from civil actions or settlements based on claims of malpractice, negligence, or other breach of duty owed to a family member arising out of law that resulted in a member of the family becoming a family member with a disability are excluded from income.

Further, deferred periodic amounts from Supplemental Security Income (SSI) and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts are also excluded from income.

However, these amounts may count toward net family assets. The PHA must consider any actual or imputed returns from assets as income at the next applicable income examination. In the case where the lump sum addition to assets would lead to imputed income, which is unearned income, that increases the family's annual adjusted income by 10 percent or more, then the addition of the lump sum to the family's assets will trigger an immediate interim reexamination of income in accordance with Chapter 9. This reexamination of income must take place as soon as the lump sum is added to the family's net family assets unless the addition takes place in the last three months of family's income certification period and the PHA chooses not to conduct the examination.

For a discussion of lump-sum payments that represent the delayed start of a periodic payment, most of which are counted as income, see sections 6-I.H and 6-I.I.

PHA Policy

Any lump-sum receipts are only counted as assets if they are retained by a family in a form recognizable as an asset. [RHIP FAQs]. For example, if the family receives a \$1,000 lump sum for lottery winnings, and the family immediately spends the entire amount, the lump sum will not be counted toward net family assets.

Jointly Owned Assets [Notice PIH 2023-27]

For assets owned jointly by the family and one or more individuals outside of the assisted family, the PHA must include the total value of the asset in the calculation of net family assets, unless:

- The asset is otherwise excluded;
- The family can demonstrate that the asset is inaccessible to them; or
- The family cannot dispose of any portion of the asset without the consent of another owner who refuses to comply.

If the family demonstrates that they can only access a portion of an asset, then only that portion's value is included in the calculation of net family assets for the family.

Any income from a jointly owned asset must be included in annual income, unless:

- The income is specifically excluded;
- The family demonstrates that they do not have access the income from that asset; or
- The family only has access to a portion of the income from that asset.

PHA Policy

If the family demonstrates that they can only access a portion of the income from an asset, then only that portion's value is included in the calculation of income from assets.

If an individual is a beneficiary who is entitled to access the account's funds only upon the death of the account's owner, and may not otherwise withdraw funds from an account, then the account is not an asset to the assisted family, and the family should provide proper documentation demonstrating that they are only a beneficiary on the account.

Trusts [24 CFR 5.609(b)(2) and 5.603(b)(4)]

A *trust* is a legal arrangement generally regulated by state law in which one party (the creator or grantor) transfers property to a second party (the trustee) who holds the property for the benefit of one or more third parties (the beneficiaries).

The following types of trust distributions are excluded from annual income:

- Distributions of the principal or corpus of the trust; and
- Distributions of income from the trust when the distributions are used to pay the costs of health and medical care expenses for a minor.

The basis for determining how to treat trusts relies on information about who has access to either the principal in the account or the income from the account. There are two types of trusts, *revocable* and *irrevocable*.

When the creator sets up an *irrevocable trust*, the creator has no access to the funds in the account. Irrevocable trusts not under the control of any member of the family or household are not assets. Typically, special needs trusts are considered irrevocable. The value of the trust is not included in net family assets, so long as the fund continues to be held in a trust that is not revocable by, or under the control of, any member of the family or household [24 CFR 5.603(b)(4)]. Where an irrevocable trust is excluded from net family assets, the PHA must not

The PHA may not calculate or include any imputed income from assets when net family assets total \$50,000 or less [24 CFR 5.609(b)(1)]. The actual income from assets must be included on the Form HUD-50058.

Imputed Income from Assets

When net family assets exceed \$50,000 (adjusted annually by HUD), the PHA may not rely on self-certification. If actual returns can be calculated, the PHA must include actual income from the asset on the Form HUD-50058 (for example, a savings account or CD where the rate of return is known). If actual returns cannot be calculated, the PHA must calculate imputed returns using the HUD-determined passbook rate (for example, real property or a non-necessary item of personal property such as a recreational boat). If the PHA can compute actual income from some but not all assets, the PHA must compute actual returns where possible and use the HUD-determined passbook rate for assets where actual income cannot be calculated [24 CFR 5.609(a)(2)].

An asset with an actual return of \$0 (such as a non-interest-bearing checking account), is not the same as an asset for which an actual return cannot be computed (such as non-necessary personal property). If the asset is a financial asset and there is no income generated (for example, a bank account with a zero percent interest rate or a stock that does not issue cash dividends), then the asset generates zero actual asset income, and imputed income is not calculated. When a stock issues dividends in some years but not others (e.g., due to market performance), the dividend is counted as the actual return when it is issued, and when no dividend is issued, the actual return is \$0. When the stock never issues dividends, the actual return is consistently \$0.

PART III: ADJUSTED INCOME

6-III.A. INTRODUCTION

Overview

HUD regulations require PHAs to deduct from annual income any of five mandatory deductions for which a family qualifies and allow the PHA to deduct other permissive deductions in accordance with PHA policy. The resulting amount is the family's adjusted income. Mandatory deductions are found in 24 CFR 5.611.

5.611 *Adjusted income* means annual income (as determined under § 5.609) of the members of the family residing or intending to reside in the dwelling unit, after making the following deductions:

(a) *Mandatory deductions*

- (1) \$480 for each dependent (adjusted annually by HUD, rounded to the next lowest multiple of \$25);
- (2) \$525 for any elderly family or disabled family (adjusted annually by HUD, rounded to the next lowest multiple of \$25);
- (3) The sum of the following, to the extent the sum exceeds ten percent of annual income:
 - (i) Unreimbursed health and medical care expenses of any elderly family or disabled family;
 - (ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed; and
- (4) Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.

This part covers policies related to these mandatory deductions. Verification requirements related to these deductions are found in Chapter 7.

Anticipating Expenses

PHA Policy

Generally, the PHA will use current circumstances to anticipate expenses. When possible, for costs that are expected to fluctuate during the year (e.g., child care during school and non-school periods and cyclical medical expenses), the PHA will estimate costs based on historic data and known future costs.

If a family has an accumulated debt for medical or disability assistance expenses, the PHA will include as an eligible expense the portion of the debt that the family expects to pay during the period for which the income determination is being made. However, amounts previously deducted will not be allowed even if the amounts were not paid as expected in a preceding period. The PHA may require the family to provide documentation of payments made in the preceding year.

When calculating health and medical care expenses, the PHA will include those expenses anticipated to be incurred during the 12 months following the certification date which are not covered by an outside source, such as insurance. The allowance is not intended to give a family an allowance equal to last year's expenses, but to anticipate regular ongoing and anticipated expenses during the coming year. Since these expenses are anticipated, the *PH Occupancy Guidebook* states "it is likely that actual expenses will not match what was anticipated. Typically, this would not be considered an underpayment as long as at the time of the annual reexamination, the expenses were calculated based on the appropriate verification" [New PH OCC GB, *Income Determinations*, p. 30]. For annual reexaminations, the PHA will use information for the previous 12-month period.

6-III.B. DEPENDENT DEDUCTION

An allowance of \$480 is deducted from annual income for each dependent (which amount will be adjusted by HUD annually in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers, rounded to the next lowest multiple of \$25) [24 CFR 5.611(a)(1)]. *Dependent* is defined as any family member other than the head, spouse, or cohead who is under the age of 18 or who is 18 or older and is a person with disabilities or a full-time student. Foster children, foster adults, and live-in aides are never considered dependents [24 CFR 5.603(b)].

6-III.C. ELDERLY OR DISABLED FAMILY DEDUCTION

A single deduction of \$525 is taken for any elderly or disabled family (which amount will be adjusted by HUD annually in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers, rounded to the next lowest multiple of \$25) [24 CFR 5.611(a)(2)].

An *elderly family* is a family whose head, spouse, cohead, or sole member is 62 years of age or older, and a *disabled family* is a family whose head, spouse, cohead, or sole member is a person with disabilities [24 CFR 5.403].

6-III.D. HEALTH AND MEDICAL CARE EXPENSES DEDUCTION [24 CFR 5.611(a)(3)(i)]

Unreimbursed health and medical care expenses may be deducted to the extent that, in combination with any disability assistance expenses, they exceed ten percent of annual income.

This deduction is permitted only for families in which the head, spouse, or cohead is at least 62 or is a person with disabilities. If a family is eligible for a medical expense deduction, the medical expenses of all family members are counted.

Definition of *Medical Expenses*

HUD regulations define *health and medical care expenses* at 24 CFR 5.603(b) to mean “any costs incurred in the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affecting any structure or function of the body. Health and medical care expenses include medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed.” Medical insurance premiums continue to be eligible health and medical care expenses. Health and medical care expenses may be deducted from annual income only if they are eligible and not otherwise reimbursed and may only be deducted for elderly or disabled families.

Although HUD revised the definition of *health and medical care expenses* to reflect the Internal Revenue Service (IRS) general definition of medical expenses, HUD is not permitting PHAs to specifically align their policies with IRS Publication 502 for determining which expenses are included in HUD’s mandatory deduction for health and medical care expenses. PHAs must review each expense to determine whether it is eligible in accordance with HUD’s definition of *health and medical care expenses*.

Families That Qualify for Both Medical and Disability Assistance Expenses

PHA Policy

This policy applies only to families in which the head, spouse, or cohead is 62 or older or is a person with disabilities.

When expenses anticipated by a family could be defined as either a health and medical care or disability assistance expenses, the PHA will consider them health and medical care expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

Payments to Family Members

No disability assistance expenses may be deducted for payments to a member of an assisted family [24 CFR 5.603(b)]. However, expenses paid to a relative who is not a member of the assisted family may be deducted if they are not reimbursed by an outside source.

Necessary and Reasonable Expenses

The family determines the type of care or auxiliary apparatus to be provided and must describe how the expenses enable a family member to work. The family must certify that the disability assistance expenses are necessary and are not paid or reimbursed by any other source.

PHA Policy

The PHA determines the reasonableness of the expenses based on typical costs of care or apparatus in the locality. To establish typical costs, the PHA will collect information from organizations that provide services and support to persons with disabilities. A family may present, and the PHA will consider, the family's justification for costs that exceed typical costs in the area.

Families That Qualify for Both Medical and Disability Assistance Expenses

PHA Policy

This policy applies only to families in which the head or spouse is 62 or older or is a person with disabilities.

When expenses anticipated by a family could be defined as either health and medical care or disability assistance expenses, the PHA will consider them health and medical care expenses unless it is clear that the expenses are incurred exclusively to enable a person with disabilities to work.

6-III.F. CHILD CARE EXPENSE DEDUCTION

HUD defines *child care expenses* at 24 CFR 5.603(b) as “amounts anticipated to be paid by the family for the care of children under 13 years of age (including foster children) during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.”

Clarifying the Meaning of *Child* for This Deduction

Child care expenses do not include child support payments made to another on behalf of a minor who is not living in an assisted family’s household [VG, p. 26]. However, child care expenses for foster children that are living in the assisted family’s household are included when determining the family’s child care expenses [HCV GB, p. 5-29].

Qualifying for the Deduction

Determining Who Is Enabled to Pursue an Eligible Activity

PHA Policy

The family must identify the family member(s) enabled to pursue an eligible activity. The term *eligible activity* in this section means any of the activities that may make the family eligible for a child care deduction (seeking work, pursuing an education, or being gainfully employed).

In evaluating the family’s request, the PHA will consider factors such as how the schedule for the claimed activity relates to the hours of care provided, the time required for transportation, the relationship of the family member(s) to the child, and any special needs of the child that might help determine which family member is enabled to pursue an eligible activity.

Seeking Work

PHA Policy

If the child care expense being claimed is to enable a family member to seek employment, the family must provide evidence of the family member’s efforts to obtain employment at each reexamination. The deduction may be reduced or denied if the family member’s job search efforts are not commensurate with the child care expense being allowed by the PHA.

6-III.G. HARDSHIP EXEMPTIONS [24 CFR 5.611(c), (d), and (e)]

Health and Medical Care and Disability Assistance Expenses [24 CFR 5.611(c); Notice PIH 2023-27]

The regulations provide for two types of hardship exemption categories for families that qualify for unreimbursed health and medical care expenses and/or disability assistance expenses. A family will benefit from this hardship exemption only if the family has eligible expenses that can be deducted in excess of five percent of annual income. In order to claim unreimbursed health and medical care expenses, the family must have a head, cohead, or spouse that is elderly or a person with a disability. In order to claim unreimbursed reasonable attendant care and auxiliary apparatus expenses, the family must include a person with a disability, and the expenses must enable any member of the family (including the member who is a person with a disability) to be employed.

Families may be eligible for relief under one of two categories; phased-in relief or general relief, as defined below.

Phased-In Relief

The first category is applicable to all families who received a deduction for unreimbursed health and medical care and/or reasonable attendant care or auxiliary apparatus expenses based on their most recent income review prior to January 1, 2024. The family must receive phased-in relief if they are determined to be eligible as of January 1, 2024. These families will begin receiving a 24-month phased-in relief at their next annual or interim reexamination, whichever occurs first.

For these families, the threshold amount is phased-in as follows:

- The family is eligible for a deduction totaling the sum of expenses that exceeds 5 percent of annual income for the first 12 months.
- At the conclusion of 12 months, the family is eligible for a deduction totaling the sum of their expenses that exceed 7.5 percent of annual income for another 12 months.
- At the conclusion of 24 months, the standard threshold amount of 10 percent would be used, unless the family qualifies for relief under the general hardship relief category.
 - When an eligible family's phased-in relief begins at an interim reexamination, the PHA will need to process another transaction one year later to move the family along to the next phase. The transaction can be either an interim reexamination if triggered, or a non-interim reexamination transaction.

Prior to the end of the 24-month period, the family may request a hardship exemption under the second category as described below. If the family is found eligible under the second category, the hardship exemption under the first category ends, and the family's hardship is administered in accordance with the requirements listed below. Once a family requests general relief, the family may no longer receive phased-in relief.

PHAs must track the 24-month phase-period for each eligible family, even if a family's expenses go below the appropriate phase-in percentage, during the first or second 12-month phase-in period. The phase-in must continue for families who move to another public housing unit at the same PHA. When the family is treated as a new admission under a different property/program (e.g., the family moves from public housing to the HCV program), unless the PHA has a written policy to continue the phased-in relief upon admission, the family's expense deduction will be calculated using the 10-percent threshold unless request for general relief is approved by the PHA.

PHA Policy

The PHA will not continue the phased-in relief for families who move from HCV to public housing. These families will be treated as new admissions and the sum of expenses that exceeds 10 percent of annual income will be used to calculate their adjusted income.

General Relief

The second category is for families that can demonstrate:

- Their health and medical and/or disability assistance expenses increased (other than the transition to the higher threshold); or
- The family's financial hardship is a result of a change in circumstances (as defined in PHA policy) that would not otherwise trigger an interim reexamination.

The family may request a hardship exemption under the second category regardless of whether the family previously received the health and medical and/or disability assistance deductions or are currently or were previously receiving relief under the phased-in relief category above. HUD requires that PHAs develop policies defining what constitutes a hardship for purposes of this exemption.

The PHA must obtain third-party verification of the hardship or must document in the file the reason third-party verification was not available. PHAs must attempt to obtain third-party verification prior to the end of the 90-day hardship exemption period.

PHA Policy

To qualify for a hardship exemption, a family must submit a request in writing. The request must show that the family's health and medical and/or disability assistance expenses have increased (other than the transition to the higher threshold) and that the family's financial hardship is a result of a change in circumstances. The PHA defines *a change in circumstances* as a decrease in income or increase in other expenses that has resulted in the family's financial hardship but does not, on its own, trigger an interim reexam in accordance with PHA policies.

Examples of circumstances constituting a financial hardship may include the following situations:

- The family is awaiting an eligibility determination for a federal, state, or local assistance program, such as a determination for unemployment compensation or disability benefits;
- The family's income decreased because of a loss of employment, death of a family member, or due to a natural or federal/state declared disaster; or
- Other circumstances as determined by the PHA.

The family must provide third-party verification of the hardship with the request. If third-party verification is not available, the PHA will document the file with the reason and will attempt to obtain third-party verification prior to the end of the 90-day hardship exemption period.

The PHA must promptly notify the family in writing of the change in the determination of adjusted income and the family's rent resulting from hardship exemptions. The notice must inform the family of when the hardship exemption will begin and expire [24 CFR 5.611(e)(2)].

PHA Policy

The PHA will make a determination of whether the family qualifies within 30 calendar days and will notify the family in writing of the result within 10 business days of the determination.

If the PHA denies the hardship exemption request, the PHA notice will also state that if the family does not agree with the PHA determination, the family may request a hearing.

If the family qualifies for an exemption, the PHA will include the date the hardship exemption will begin and the date it will expire as well as information on how to request a 90-day extension based on family circumstances.

If the family qualifies, the family will receive a deduction for the sum of eligible expenses that exceed five percent of annual income.

The family's hardship relief ends when the circumstances that made the family eligible for the relief are no longer applicable or after 90 days, whichever is earlier. However, the PHA may, at its discretion, extend the relief for one or more additional 90-day periods while the family's hardship condition continues. PHAs are not limited to a maximum number of 90-day extensions. PHAs must establish written policies regarding the types of circumstances that will allow a family to qualify for a financial hardship and when such deductions may be eligible for additional 90-day extensions. PHAs must develop policies requiring families to report if the circumstances that made the family eligible for the hardship exemption are no longer applicable.

PHA Policy

The family may request an extension either orally or in writing prior to the end of the hardship exemption period. The PHA will extend relief for an additional 90-days if the family demonstrates to the PHA's satisfaction that the family continues to qualify for the hardship exemption based on circumstances described above. The PHA will require updated verification based on the family's current circumstances. Additional extension may be granted on a case-by-case basis provided the family continues to request extensions prior to the end each hardship exemption period. Families must report if the circumstances that made the family eligible for the hardship exemption are no longer applicable. At any time, the PHA may terminate the hardship exemption if the PHA determines that the family no longer qualifies for the exemption.

Child Care Expenses [24 CFR 5.611(d) and Notice PIH 2023-27]

A family whose eligibility for the child care expense deduction is ending may request a financial hardship exemption to continue receiving the deduction. If the family demonstrates to the PHA's satisfaction that the family is unable to pay their rent because of the loss of the child care expense deduction, and that the child care expense is still necessary even though the family member is not working, looking for work, or seeking to further their education, the PHA must recalculate the family's adjusted income and continue the child care deduction.

The PHA must develop a policy to define what constitutes a hardship, which includes the family's inability to pay rent. The PHA must obtain third-party verification of the hardship or must document in the file the reason third-party verification was not available. PHAs must attempt to obtain third-party verification prior to the end of the 90-day hardship exemption period.

PHA Policy

For a family to qualify, they must demonstrate that their inability to pay rent would be as a result of the loss of this deduction. The PHA defines this hardship as a potential decrease in income or increase in other expenses that would result from the loss of the child care expense and such loss would impact the family's ability to pay their rent.

Some factors to consider when determining if the family is unable to pay rent may include determining that the rent, utility payment, and applicable expenses (child care expenses or health and medical expenses) is more than 40 percent of the family's adjusted income, or verifying whether the family has experienced unanticipated expenses, such as large medical bills, that have affected their ability to pay their rent.

The family must also demonstrate that the child care expense is still necessary even though the family member is no longer employed or furthering their education. The PHA will consider qualification under this criterion on a case-by case basis (for example, if the family member who was employed has left their job in order to provide uncompensated care to an elderly friend or family member who is severely ill and lives across town).

The family must provide third-party verification of the hardship with the request. If third-party verification is not available, the PHA will document the file with the reason and will attempt to obtain third-party verification prior to the end of the 90-day hardship exemption period.

The PHA must promptly notify the family in writing of the change in the determination of adjusted income and the family's rent resulting from hardship exemptions.

If the PHA denies the request, the notice must specifically state the reason for the denial. PHAs must provide families 30 days' notice of any increase in rent.

If the PHA approves the request, the notice must inform the family of when the hardship exemption will begin and expire [24 CFR 5.611(e)(2)]. The notice must also state the requirement for the family to report to the PHA if the circumstances that made the family eligible for relief are no longer applicable and that the family's adjusted income and tenant rent will be recalculated upon expiration of the hardship exemption [Notice PIH 2023-27].

PHA Policy

The PHA will make a determination of whether the family qualifies within 30 calendar days and will notify the family in writing of the result within 10 business days of the determination.

If the PHA denies the hardship exemption request, the PHA notice will also state that if the family does not agree with the PHA determination, the family may request a grievance hearing.

If the family qualifies for an exemption, the PHA will include all required information listed above as well as information on how to request a 90-day extension based on family circumstances.

If the family qualifies, the hardship exemption and the resulting alternative adjusted income calculation must remain in place for a period of up to 90 days.

The PHA may, at its discretion, extend the hardship exemptions for additional 90-day periods based on family circumstances and as stated in PHA policies. PHAs are not limited to a maximum number of 90-day extensions. PHAs must develop policies requiring families to report if the circumstances that made the family eligible for the hardship exemption are no longer applicable.

PHAs must promptly notify families in writing if they are denied either an initial hardship exemption or an additional 90-day extension of the exemption. If the PHA denies the request, the notice must specifically state the reason for the denial.

PHAs must notify the family if the hardship exemption is no longer necessary and will be terminated because the circumstances that made the family eligible for the exemption are no longer applicable. The notice must state the termination date and provide 30 days' notice of rent increase, if applicable.

PHA Policy

The family may request an extension either orally or in writing prior to the end of the hardship exemption period. The PHA will extend relief for an additional 90-days if the family demonstrates to the PHA's satisfaction that the family continues to qualify for the hardship exemption. The PHA will require updated verification based on the family's current circumstances. Additional extension may be granted on a case-by-case basis provided the family continues to request extensions prior to the end each hardship exemption period. Families must report if the circumstances that made the family eligible for the hardship exemption are no longer applicable. At any time, the PHA may terminate the hardship exemption if the PHA determines that the family no longer qualifies for the exemption.

PHA Policy

The family must request the higher allowance and provide the PHA with information about the amount of additional allowance required.

The PHA will consider the following criteria as valid reasons for granting individual relief:

The family's consumption was mistakenly portrayed as excessive due to defects in the meter or errors in the meter reading.

The excessive consumption is caused by a characteristic of the unit or owner-supplied equipment that is beyond the family's control, such as a particularly inefficient refrigerator or inadequate insulation. The allowance should be adjusted to reflect the higher consumption needs associated with the unit until the situation is remedied. The resident should be granted individual relief until the allowance is adjusted.

The excessive consumption is due to special needs of the family that are beyond their control, such as the need for specialized equipment in the case of a family member who is ill, elderly, or who has a disability.

In determining the amount of the reasonable accommodation or individual relief, the PHA will allow a reasonable measure of additional usage as necessary. To arrive at the amount of additional utility cost of specific equipment, the family may provide information from the manufacturer of the equipment, or the family or PHA may conduct an internet search for an estimate of usage or additional monthly cost.

Information on reasonable accommodation and individual relief for charges in excess of the utility allowance will be provided to all residents at move-in and with any notice of proposed allowances, schedule surcharges, and revisions. The PHA will also provide information on utility relief programs or medical discounts (sometimes referred to as "Medical Baseline discounts") that may be available through local utility providers.

The family must request the higher allowance and provide the PHA with information about the amount of additional allowance required.

At its discretion, the PHA may reevaluate the need for the increased utility allowance as a reasonable accommodation at any regular reexamination.

If the excessive consumption is caused by a characteristic of the unit or PHA-supplied equipment that is beyond the family's control, such as a particularly inefficient refrigerator or inadequate insulation, the individual relief to the resident will cease when the situation is remedied.

Chapter 7

VERIFICATION

[24 CFR 960.259, 24 CFR 5.230, Notice PIH 2023-27]

INTRODUCTION

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

The PHA must follow the verification guidance provided by HUD in Notice PIH 2023-27 and any subsequent guidance issued by HUD. This chapter summarizes those requirements and provides supplementary PHA policies.

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

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

PART I: GENERAL VERIFICATION REQUIREMENTS

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

[24 CFR 960.259; 24 CFR 5.230; and Notice PIH 2023-27]

Consent Forms

The family must supply any information that the PHA or HUD determines is necessary to the administration of the program and must consent to PHA verification of that information [24 CFR 960.259(a)(1)]. All adult family members must sign consent forms as needed to collect information relevant to the family's eligibility and level of assistance. While PHAs must use form HUD-9886, this form does not release all the information necessary to the administration of the program. The PHA must also develop its own release forms to cover all other necessary information.

Form HUD-9886 [24 CFR 5.230(b)(1), (b)(2), (c)(4), and (c)(5); Notice PIH 2023-27]

All adult applicants and tenants must sign form HUD-9886, Authorization for Release of Information. All adult family members (and the head and spouse/cohead regardless of age) are required to sign the Form HUD-9886 at admission. **Participants, prior to January 1, 2024, signed and submitted Form HUD-9886 at each annual reexamination. HOTMA eliminated this requirement and instead required that the Form HUD-9886 be signed only once. On or after January 1, 2024 (regardless of the PHA's HOTMA compliance date), current program participants must sign and submit a new Form HUD-9886 at their next interim or annual**

reexamination. This form will only be signed once. Another Form HUD-9886 will not be submitted to the PHA except under the following circumstances:

- When any person 18 years or older becomes a member of the family;
- When a current member of the family turns 18; or
- As required by HUD or the PHA in administrative instructions.

The PHA has the discretion to establish policies around when family members must sign consent forms when they turn 18. PHAs must establish these policies stating when family members will be required to sign consent forms at intervals other than at reexamination.

PHA Policy

Family members turning 18 years of age between annual recertifications will be notified in writing that they are required to sign the required Consent to the Release of Information Form HUD-9886 at the family's next annual or interim reexamination, whichever is earlier.

The purpose of form HUD-9886 is to facilitate automated data collection and computer matching from specific sources and provides the family's consent only for the specific purposes listed on the form. HUD and the PHA may collect information from State Wage Information Collection Agencies (SWICAs) and current and former employers of adult family members. Only HUD is authorized to collect information directly from the Internal Revenue Service (IRS) and the Social Security Administration (SSA).

The PHA may obtain any financial record from any financial institution, as the terms financial record and financial institution are defined in the Right to Financial Privacy Act ([12 U.S.C. 3401](#)), whenever the PHA determines the record is needed to determine an applicant's or participant's eligibility for assistance or level of benefits [24 CFR 5.230(c)(4)].

The executed form will remain effective until the family is denied assistance, assistance is terminated, or the family provides written notification to the PHA to revoke consent.

Penalties for Failing to Consent [24 CFR 5.232]

If any family member who is required to sign a consent form fails to do so, the PHA must deny admission to applicants and terminate the lease of tenants [24 CFR 5.232(a)]. The family may request a hearing in accordance with the PHA's grievance procedures.

However, this does not apply if the applicant, participant, or any member of their family, revokes their consent with respect to the ability of the PHA to access financial records from financial institutions, unless the PHA establishes a policy that revocation of consent to access financial records will result in denial or termination of assistance or admission [24 CFR 5.232(c)]. PHAs may not process interim or annual reexaminations of income without the family's executed consent forms.

PHA Policy

The PHA has established a policy that revocation of consent to access financial records will result in denial of admission or termination of assistance in accordance with PHA policy.

In order for a family to revoke their consent, the family must provide written notice to the PHA.

Within 10 business days of the date the family provides written notice, the PHA will send the family a notice acknowledging receipt of the request and explaining that revocation of consent will result in denial or termination of assistance, as applicable. At the same time, the PHA will notify the local HUD office.

When families present multiple verifications from the same or different acceptable Safe Harbor programs, the PHA will use the most recent income determination, unless the family presents acceptable evidence that the PHA should consider an alternative verification from a different Safe Harbor source.

When the PHA uses a Safe Harbor income determination from another program, and the family's income subsequently changes, the family is required to report the change to the PHA. Depending on when the change occurred, the change may or may not impact the PHA's calculation of the family's total annual income. Changes that occur between the time the PHA receives the Safe Harbor documentation and the effective date of the family's annual reexam will not be considered. If the family has a change in income that occurs after the annual reexam effective date, the PHA will conduct an interim reexam if the change meets the requirements for performing an interim reexamination as outlined in Chapter 9. In this case, the PHA will use third-party verification to verify the change.

7-I.C. STREAMLINED INCOME DETERMINATIONS [24 CFR 960.257(c); Notice PIH 2023-27]

HUD permits PHAs to streamline the income determination process for family members with fixed sources of income. While third-party verification of all income sources must be obtained during the intake process and every three years thereafter, in the intervening years, the PHA may determine income from fixed sources by applying a verified cost of living adjustment (COLA) or other inflationary adjustment factor. Streamlining policies are optional. The PHA may, however, obtain third-party verification of all income, regardless of the source. Further, upon request of the family, the PHA must perform third-party verification of all income sources.

Fixed sources of income include Social Security and SSI benefits, pensions, annuities, disability or death benefits, and other sources of income subject to a COLA or rate of interest. The determination of fixed income may be streamlined even if the family also receives income from other non-fixed sources.

Two streamlining options are available, depending upon the percentage of the family's income that is received from fixed sources.

When 90 percent or more of a family's unadjusted income is from fixed sources, the PHA may apply the inflationary adjustment factor to the family's fixed-income sources, provided that the family certifies both that 90 percent or more of their unadjusted income is fixed and that their sources of fixed income have not changed from the previous year. Sources of non-fixed income are not required to be adjusted and must not be adjusted by a COLA, but PHAs may choose to adjust sources of non-fixed income based on third-party verification. PHAs have the discretion to either adjust the non-fixed income or carry over the calculation of non-fixed income from the first year to years two and three.

When less than 90 percent of a family's unadjusted income consists of fixed income, PHAs may apply a COLA to each of the family's sources of fixed income. PHAs must determine all other income using standard verification requirements as outlined in Notice PIH 2023-27.

PHA Policy

When the PHA does not use a Safe Harbor income determination from a federal assistance program to determine the family's annual income as outlined above, then PHA will use a streamlined income determinations where applicable.

If 90 percent or more of a family's unadjusted income is from fixed income sources:

- The PHA will streamline the annual reexamination process by applying the verified inflationary adjustment factor to fixed-income sources.
- The family will be required to sign a self-certification stating that 90 percent or more of their unadjusted income is fixed income and that their sources of fixed income have not changed from the previous year.
- The PHA will document in the file how the determination that a source of income was fixed was made.
- Third-party verification of non-fixed income will be obtained annually regardless of the percentage of family income received from fixed sources.
- If the family's sources of fixed income have changed from the previous year, the PHA will obtain third-party verification of any new sources of fixed income.

When less than 90 percent of a family's unadjusted income consists of fixed income:

- The PHA will apply a COLA to each of the family's sources of fixed income.
- All other income will be verified using third-party verification as outlined in Notice PIH 2023-27 and Chapter 7 of this policy.

In the following circumstances, regardless of the percentage of income received from fixed sources, the PHA will obtain third-party verification as outlined in Notice PIH 2023-27 and Chapter 7 of this policy:

- Of all assets when net family assets exceed \$50,000;
- Of all deductions and allowances from annual income;
- If a family member with a fixed source of income is added;
- If verification of the COLA or rate of interest is not available;
- During the intake process and at least once every three years thereafter.

7-I.D. VERIFICATION HIERARCHY [Notice PIH 2023-27]

When the PHA does not use a streamlined determination of income or an income determination from a means-tested federal assistance program, HUD requires the PHA to obtain third-party verification of:

- Reported family annual income;
- The value of net family assets when the net value exceeds \$50,000 (as adjusted annually);
- Expenses related to deductions from annual income; and
- Other factors that affect the determination of adjusted income.

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

HUD developed a hierarchy that described verification documentation from most acceptable to least acceptable. The PHA must demonstrate efforts to obtain third party verification prior to accepting self-certification except instances when self-certification is explicitly allowed.

In order of priority, the hierarchy is:

- Highest: Level 6: Up-front Income Verification (UIV) using HUD’s Enterprise Income Verification (EIV) system
- Highest: Level 5: Up-front Income Verification (UIV) using a non-EIV system
- High: Level 4:
 - Written third-party verification from the source, also known as “tenant-provided verification”
 - Or EIV plus self-certification
- Medium: Level 3: Written third-party verification form
- Medium: Level 2: Oral third-party verification
- Low: Level 1: Self-certification (not third-party verification)

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

File Documentation

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

7-I.E. LEVEL 5 AND 6 VERIFICATION: UP-FRONT INCOME VERIFICATION (UIV)

Up-front income verification (UIV) refers to the PHA's use of the verification tools available from independent sources that maintain computerized information about earnings and benefits for a number of individuals. PHAs may use UIV sources before or during a family reexamination.

UIV will be used to the extent that these systems are available to the PHA.

There may be legitimate differences between the information provided by the family and UIV-generated information. If the family disputes the accuracy of UIV data, no adverse action can be taken until the PHA has independently verified the UIV information and the family has been granted the opportunity to contest any adverse findings through the PHA's informal review/hearing processes.

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

PHAs must use HUD's EIV system in its entirety as a third-party source to verify tenant employment and income information during annual and streamlined reexaminations of family composition and income in accordance with 24 CFR 5.236 and Notice PIH 2023-27.

HUD's EIV system contains data showing earned income, unemployment benefits, social security benefits, and SSI benefits for participant families.

The income validation tool (IVT) in EIV provides projections of discrepant income for wages, unemployment compensation, and SSA benefits pursuant to HUD's data sharing agreements with other departments.

The following policies apply to the use of HUD's EIV system.

EIV Income and IVT Reports

PHAs are required to obtain an EIV Income and IVT report for each family any time the PHA conducts an annual reexamination. However, PHAs are not required to use the EIV Income and IVT reports:

- At annual reexamination if the PHA used Safe Harbor verification from another means-test federal assistance program to determine the family's income; or
- During any interim reexaminations.

The EIV Income and IVT Reports are also not available for program applicants at admission.

When required to use the EIV Income Report, in order for the report to be considered current, the PHA must pull the report within 120 days of the effective date of the annual reexamination.

The EIV Income Report may be used to verify and calculate income at annual reexamination if the family self-certifies that the amount is accurate and representative of current income. The family must be provided with the information in EIV.

PHA Policy

Except for when Safe Harbor verification from another means-tested federal assistance program is used to determine the family's annual income, the PHA will obtain EIV Income and IVT reports for all annual reexaminations for all families on a monthly basis. Reports will be generated as part of the regular reexamination process. The PHA will ensure that all EIV Income Reports are pulled within 120 days of the effective date of the annual reexamination.

Income and IVT reports will only be used for interim reexaminations as necessary. For example, EIV may be used to verify that families claiming zero income are not receiving income from any sources listed in EIV.

Income and IVT reports will be retained in resident files with the applicable annual documents or interim reexamination documents (if applicable) for the duration of tenancy.

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

New Hires Report [Notice PIH 2023-27]

The New Hires Report identifies participants families who have new employment within the last six months. The report is updated monthly.

PHAs must review this information at annual reexamination except when the PHA uses Safe Harbor verification from another means-tested federal assistance program to determine the family's income.

PHAs that do not require families to undergo interim reexaminations for earned income increases after an interim decrease are not required to review this report between a family's annual reexamination. If the PHA requires an interim for increases in earned income after an interim decrease, then the PHA must review the report quarterly after the family's interim decrease.

PHA Policy

In accordance with PHA policies in Chapter 9, the PHA does not process interim reexaminations for families who have increases in earned income. Except for instances in which the PHA uses Safe Harbor income determinations to determine a family's annual income, the PHA will only review the New Hires Report at annual reexamination.

No Income Reported by HHS or SSA Report

This report is a tool for PHAs to identify participants who passed the SSA identity test, but no income information was reported by either HHS or SSA records. This scenario does not mean that they tenant does not have any income. PHAs obtain written, third-party verification of any income reported by the tenant. The PHA must identify in its policies and procedures when this report will be pulled [Notice PIH 2023-27].

PHA Policy

The PHA will generate the No Income Reported by HHS or SSA Report quarterly and will retain the report.

The PHA will re-verify the status of tenants identified on the report quarterly. Based on the information provided by the family and in EIV, the PHA may require that family members provide verifications or sign release forms in order to obtain additional verification.

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

EIV Identity Verification Report

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

PHAs are required to use EIV's *Identity Verification Report* on a monthly basis to improve the availability of income information in EIV [Notice PIH 2023-27].

When identity verification for a resident fails, a message will be displayed within the EIV system and no income information will be displayed.

PHA Policy

The PHA will identify residents whose identity verification has failed by reviewing EIV's *Identity Verification Report* on a monthly basis. The PHA will attempt to resolve discrepancies by obtaining appropriate documentation from the tenant. When the PHA determines that discrepancies exist as a result of PHA errors, such as spelling errors or incorrect birth dates, it will correct the errors promptly.

Deceased Tenants Reports [Notice PIH 2012-4 and Notice PIH 2023-27]

The Deceased Tenant Report identifies residents that have been reported by the SSA as deceased. The PHA is required to review the report at least quarterly.

PHA Policy

The PHA will review the Deceased Tenants Report on a monthly basis.

When the Deceased Tenants Report identifies an individual as being deceased, PHAs must immediately send a letter to the head of household or emergency contact person (if the head of household is deceased and there is no other adult household member) to confirm the death of the listed household member. The PHA must conduct a home visit to determine if anyone is residing in the unit.

PHAs are required to list the move-out date for the family as of the date on which the family or designee of the deceased tenant's estate returned the keys and signed a vacate notice; the date the public housing lease was terminated; or the date the PHA legally regained possession of the unit, whichever occurs first.

When the only remaining household member is the live-in aide, the live-in aide is not entitled or eligible for continued occupancy. The PHA may not designate the live-in aide as the new head of household or change the relation code on the Form HUD-50058.

Other EIV Reports [Notice PIH 2023-27]

The PHA is required to review the Multiple Subsidy Report at least quarterly and the Failed EIV Pre-Screening and Failed Verification (Failed SSA Identity Test) reports at least monthly.

Upfront Income Verification Using Non-HUD Systems

HUD encourages PHAs to utilize other upfront verification sources such as the Work Number and web-based state benefits systems.

PHA Policy

The PHA will inform all applicants and residents of its use of the following UIV resources:

EIV, IVT, DHS and Equifax Work Number

7-I.F. LEVEL 4 VERIFICATION [Notice PIH 2023-27]

HUD identifies two types of Level 4 verification: written-third party verification from the source and EIV + self-certification.

EIV + Self-Certification

EIV may be used as written third-party verification and may be used to calculate income if the family agrees with the information in EIV and self-certifies that the amount is accurate and representative of current income. This practice is known as *EIV + self-certification*. When calculating income using this method, the PHA may use its discretion to determine which method of calculation is reasonable: the last four quarters combined or an average of any number of quarters. The family must be provided with the information from EIV.

PHA Policy

At annual reexamination, if the PHA is unable to use a determination of income from a means-tested federal assistance program and if there are no reported changes to an income source, the PHA will use EIV + self-certification as verification of employment income, provided the family agrees with the amounts listed in EIV.

The PHA will use an average of the last two quarters of income listed in EIV to determine income from employment. The PHA will provide the family with the information in EIV. The family will be required to sign a self-certification stating that the amount listed in EIV is accurate and representative of current income. If the family disagrees with the amount in EIV, the amount is not reflective of current income, or if less than two quarters are available in EIV, the PHA will use written third-party verification from the source as outlined below.

The PHA will not use this method of verification at new admission since EIV is not available for applicant families or at interim reexamination since the income information in EIV is not current.

Written Third-Party Verification from the Source

Written, third-party verification from the source is also known as “tenant-provided verification.” In order to qualify as written-third party verification from the source, the documents must be original or authentic and (generally) dated within 120 days of the date received by the PHA. For fixed-income sources, a statement dated within the appropriate benefit year is acceptable documentation. Documents may be supplied by the family or received from a third-party source.

Examples of acceptable tenant-provided documents include, but are not limited to pay stubs, payroll summary reports, employer notice or letters of hire and termination, SSA benefit verification letters, bank statements, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices. Income tax returns with corresponding official tax forms and schedules attached and including third-party receipt of transmission for income tax return filed (i.e., tax preparer’s transmittal receipt, summary of transmittal from online source, etc.) are an acceptable form of written, third-party verification.

The PHA is required to obtain, at minimum, two current and consecutive pay stubs when calculating income using third-party verification from the source. For new income sources or when two pay stubs are not available, the PHA should determine income based on the information from a traditional written, third-party verification form or the best available information.

When the family disputes EIV-reported employment income, the PHA uses written third-party verification.

When verification of assets is required, PHAs are required to obtain a minimum of one statement that reflects the current balance of banking/financial accounts.

PHA Policy

In general, the PHA will use third-party verification from the source in the following circumstances:

- At annual reexamination when EIV + self-certification is not used;
- For all new admissions; and
- For all interim reexaminations.

The PHA will not use this method if the PHA is able to use an income determination from a means-tested federal assistance program or if the PHA uses EIV + self-certification as outlined above.

In general, third-party documents provided by the family or the source must be dated within 120 days of the date received by the PHA. However, for fixed-income sources, a statement dated within the appropriate benefit year is acceptable documentation.

The PHA may reject documentation provided by the family if the document is not an original, if the document appears to be forged, or if the document is altered, mutilated, or illegible. If the PHA determines that third-party documents provided by the family are not acceptable, the PHA will explain the reason to the family and request additional documentation from the family or will use a lower form of verification such as a written third-party verification form.

When verification of assets held by a banking or financial institution is required, the PHA will obtain one statement that reflects the current balance of the account.

When pay stubs are used, the PHA will require the family to provide the two most current, consecutive pay stubs. At the PHA's discretion, if additional paystubs are needed due to the family's circumstances (e.g., sporadic income, fluctuating schedule, etc.), the PHA may request additional paystubs or a payroll record.

7-I.G. LEVEL 3 VERIFICATION: WRITTEN, THIRD-PARTY FORM [Notice PIH 2023-27]

This type of verification is a form developed by the PHA and used uniformly for all families when needed to collect information from a third-party source. This is known as “traditional third-party verification.” PHAs send a PHA-developed form directly to the third-party source by mail, fax, or email and the source completes the form by hand (in writing or typeset).

The PHA may use this method when higher forms are unavailable or are rejected by the PHA or when the family is unable to provide acceptable verification. The PHA may skip this level of verification and may instead substitute oral third-party verification before moving to self-certification.

PHA Policy

Typically, the PHA will attempt to send written third-party verification forms to the verification source whenever higher forms of verification are unavailable.

However, on a case-by-case basis, the PHA may choose to obtain oral third-party verification without first attempting, and in lieu of, a written-third party verification form.

7-I.H. LEVEL 2: ORAL THIRD-PARTY VERIFICATION [Notice PIH 2023-27]

For third-party oral verification, PHAs contact sources, identified by UIV techniques or by the family, by telephone or in person.

Third-party oral verification may be used when requests for written third-party verification forms have not been returned within a reasonable time—e.g., 10 business days.

PHAs must document in the file the date and time of the telephone call or visit, the name of the person contacted, the telephone number, as well as the information confirmed.

The PHA may skip this level of verification if they attempted written third-party verification via a form and the source did not respond and move directly to self-certification.

PHA Policy

In general, the PHA will attempt to obtain written third-party verification via a form from the verification source. If written third-party verification forms are not returned within 10 business days, the PHA will accept self-certification from the family without attempting to obtain oral third-party verification.

However, when PHA obtains oral third-party verification, the PHA will document in the file the date and time of the telephone call or visit, the name of the person contacted and the telephone number, as well as the information confirmed.

When Third-Party Verification is Not Required [Notice PIH 2023-27]

Third-party verification may not be available in all situations. HUD has acknowledged that it may not be cost-effective or reasonable to obtain third-party verification of income, assets, or expenses when these items would have a minimal impact on the family's total tenant payment.

PHA Policy

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

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

Primary Documents

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

7-I.I. LEVEL 1: NON-THIRD-PARTY VERIFICATION TECHNIQUE: SELF-CERTIFICATION [Notice PIH 2023-27]

Non-third-party verification consists of a signed statement of reported income and/or expenses. This verification method should be used as a last resort when the PHA has not been successful in obtain information via all other required verification techniques.

Self-certification, however, is an acceptable form of verification when:

- A source of income is fully excluded;
- Net family assets total \$50,000 or less and the PHA has adopted a policy to accept self-certification;
- The family declares that they do not have any present ownership in any real property;
- A family states that they have non-recurring income that will not be repeated in the coming year; and/or
- The PHA has adopted a policy to implement streamlined annual recertifications for fixed sources of income.

When the PHA was required to obtain third-party verification but instead relies on self-certification, the family's file must be documented to explain why third-party verification was not available.

HUD does not require that a self-certification be notarized; however, HUD recommends including language on any self-certification to ensure the certifier understands the consequences of knowingly providing false information.

PHA Policy

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

The PHA may require a family to certify that a family member does not receive a particular type of income or benefit.

The self-certification must be made in a format acceptable to the PHA and must be signed by the family member whose information or status is being verified.

All self-certifications will include the following language:

“I/We, the undersigned, certify under penalty of perjury that the information provided here is true and correct, to the best of my knowledge and recollection. **WARNING:** Anyone who knowingly submits a false claim or knowingly makes a false statement is subject to criminal and/or civil penalties, including confinement for up to five years, fines, and civil and administrative penalties (18 U.S.C. 287, 1001, 1010, 1012; 31 U.S.C. 3279, 3802).”

7-II.E. VERIFICATION OF STUDENT STATUS

PHA Policy

The PHA requires families to provide information about the student status of all students who are 18 years of age or older. This information will be verified only if:

The family claims full-time student status for an adult other than the head, spouse, or cohead, or

The family claims a child care deduction to enable a family member to further their education.

7-II.F. DOCUMENTATION OF DISABILITY

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

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

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

Family Members Receiving SSA Disability Benefits

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

PHA Policy

For family members claiming disability who receive disability payments from the SSA, the PHA will attempt to obtain information about disability benefits through HUD's Enterprise Income Verification (EIV) system. If documentation is not available through HUD's EIV system, the PHA will request a current (dated within the last 60 days) SSA benefit verification letter from each family member claiming disability status. If a family member is unable to provide the document, the PHA will ask the family to obtain a benefit verification letter either by calling SSA at 1-800-772-1213 or by requesting one from www.ssa.gov. Once the family receives the benefit verification letter, they will be required to provide the letter to the PHA.

Family Members Not Receiving SSA Disability Benefits

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

PHA Policy

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

When verification of assets is required, PHAs are required to obtain a minimum of one statement that reflects the current balance of banking/financial accounts.

PHA Policy

For families with net assets totaling \$50,000 or less, the PHA will accept the family's self-certification of the value of family assets and anticipated asset income. The family's declaration must show each asset and the amount of income expected from that asset. All family members 18 years of age and older must sign the family's declaration. The PHA reserves the right to require additional verification in situations where the accuracy of the declaration is in question. Any income the family expects to receive from assets will be included in the family's annual income. The family will be required to provide third-party verification of net family assets every three years.

When verification is required, in determining the value of checking or savings accounts, the PHA will use the current balance.

In determining the anticipated income from an interest-bearing checking or savings account when verification is required and the rate of return is known, the PHA will multiply the current balance of the account by the current rate of interest paid on the account. If a checking account does not bear interest, the anticipated income from the account is zero.

Self-Certification of Real Property Ownership [24 CFR 5.618(b)(2)]

The PHA must determine whether a family has present ownership in real property that is suitable for occupancy for purposes of determining whether the family is compliant with the asset limitation described in Chapters 3 and 13. At admission and reexam, the PHA may accept a self-certification from the family that the family does not have any present ownership in any real property that is suitable for occupancy. If the family declares they have present ownership in real property, the PHA must obtain third-party verification.

PHA Policy

Both at admission and reexam, the PHA will accept self-certification from the family that the family does not have any present ownership in any real property. The certification will state that the family does not have any present ownership interest in any real property and must be signed by all family members 18 years of age and older. The PHA reserves the right to require additional verification in situations where the accuracy of the declaration is in question.

If the family declares they have a present ownership in real property, the PHA will obtain third-party verification of the following factors: whether the family has the legal right to reside in the property; whether the family has effective legal authority to sell the property; and whether the property is suitable for occupancy by the family as a residence. However, in cases where a family member is a victim of domestic violence, dating violence, sexual assault, or stalking, the PHA will comply with confidentiality requirements under 24 CFR 5.2007 and will accept a self-certification.

7-III.L. ZERO INCOME REVIEWS [Notice PIH 2023-27]

A *zero income review* is an assessment, sometimes periodic, performed by the PHA of the income of a family who claims that they do not receive income from any source, including from assets. During such reviews, it is common for PHAs to request that families complete and sign a worksheet explaining how they pay for the household's expenses. HUD does not require PHAs to conduct periodic zero income reviews. In calculating annual income, PHAs must not assign monetary value to nonmonetary in-kind donations from a food bank or similar organization received by the family [24 CFR 5.609(b)(24)(vi)]. PHAs that perform zero income reviews must update local discretionary policies, procedures, and forms. Families who begin receiving income which does not trigger an interim reexamination should no longer be considered zero income even though the family's income is not reflected on the Form HUD-50058.

PHA Policy

The PHA will check UIV sources and/or may request information from third-party sources to verify that certain forms of income such as unemployment benefits, TANF, SS, SSI, earned income, child support, etc. are not being received by families claiming to have zero annual income.

The PHA will also require that each family member who claims zero income status complete a zero income form. If any sources of income are identified on the form, the PHA will verify the income in accordance with the policies in this chapter prior to including the income in the family's annual income.

The PHA will only conduct interims in accordance with PHA policy in Chapter 9.

7-IV.B. HEALTH AND MEDICAL CARE EXPENSE DEDUCTION

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

The PHA must comply with the Health Insurance Portability and Accountability Act (HIPAA) ([Pub. L. 104-191](#), 110 Stat. 1936) and the Privacy Act of 1974 (Pub. L. 93-579, 88 Stat. 1896) when requesting documentation to determine unreimbursed health and medical care expenses. The PHA may not request documentation beyond what is sufficient to determine anticipated health and medical care costs. Before placing bills and documentation in the tenant file, the PHA must redact all personally identifiable information [FR Notice 2/14/23].

Amount of Expense

PHA Policy

Medical expenses will be verified through:

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

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

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

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

Before placing bills and documentation in the tenant file, the PHA will redact all personally identifiable information.

If the PHA receives documentation from a verification source that contains the individual's specific diagnosis, information regarding the individual's treatment, and/or information regarding the nature or severity of the person's disability, the PHA will immediately dispose of this confidential information; this information will never be maintained in the individual's file. If the information needs to be disposed of, the PHA will note in the individual's file that verification was received, the date received, and the name and address of the person/organization that provided the verification. Under no circumstances will PHA include an applicant's or resident's medical records in the file [Notice PIH 2010-26].

In addition, the PHA must verify that:

- The household is eligible for the deduction.
- The costs to be deducted are qualified health and medical care expenses.
- The expenses are not paid for or reimbursed by any other source.
- Costs incurred in past years are counted only once.

Chapter 8

LEASING AND INSPECTIONS

[24 CFR 5, Subpart G; 24 CFR 966, Subpart A]

INTRODUCTION

Public housing leases are the contractual basis of the legal relationship between the PHA and the tenant. All units must be occupied pursuant to a dwelling lease agreement that complies with HUD regulations.

HUD regulations require the PHA to inspect each dwelling unit prior to move-in, at move-out, and annually during the period of occupancy. In addition, the PHA may conduct additional inspections in accordance with PHA policy.

This chapter is divided into two parts as follows:

Part I: Leasing. This part describes pre-leasing activities and the PHA's policies pertaining to lease execution, lease modification, and payments under the lease.

Part II: Inspections. This part describes the PHA's policies for inspecting dwelling units and notifying families of HUD REAC NSPIRE inspections.

PART I: LEASING

8-I.A. OVERVIEW

An eligible family may occupy a public housing dwelling unit under the terms of a lease. The lease must meet all regulatory requirements and must also comply with applicable state and local laws and codes.

The term of the lease must be for a period of 12 months. The lease must be renewed automatically for another 12-month term, except that the PHA may not renew the lease if the family has violated the community service requirement and if the family is determined to be over income for 24 consecutive months [24 CFR 966.4(a)(2)].

PHAs must adopt smoke-free policies, which HUD required to be implemented no later than July 30, 2018. The policy is attached as Exhibit 8-1.

Part I of this chapter contains regulatory information on leasing, where applicable, as well as the PHA's leasing policies.

For policies on lease requirements for families whose incomes have exceeded the over-income limit for 24 consecutive months, see 13-III.C., Over-Income Families.

8-I.B. LEASE ORIENTATION

PHA Policy

After unit acceptance but prior to occupancy, a PHA representative will conduct a lease orientation with the family. The head of household or spouse is required to attend.

Orientation Agenda

PHA Policy

When families attend the lease orientation, they will be provided with:

- A copy of the lease

- A copy of the PHA's grievance procedure

- A copy of the house rules

- A copy of the PHA's schedule of maintenance charges

- A copy of "Is Fraud Worth It?" (form HUD-1141-OIG), which explains the types of actions a family must avoid and the penalties for program abuse

- A copy of "What You Should Know about EIV," a guide to the Enterprise Income Verification (EIV) system published by HUD as an attachment to Notice PIH 2017-12

- A copy of the form HUD-5380, VAWA Notice of Occupancy Rights

- A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

- A copy of the PHA's smoke free policy

- A notice that includes the procedures for requesting relief and the PHA's criteria for granting requests for relief for excess utility surcharges

- The HUD pamphlet on lead-based paint entitled, "Protect Your Family from Lead in Your Home."

Topics to be discussed and explained to all families include:

- Applicable deposits and all other charges

- Review and explanation of lease provisions

- Unit maintenance requests and work orders

- The PHA's interim reporting requirements

- Review and explanation of occupancy forms

- Community service requirements

- Family choice of rent

- VAWA protections

- Smoke-free policies

8-I.C. EXECUTION OF LEASE

The lease must be executed by the tenant and the PHA, except for automatic renewals of a lease [24 CFR 966.4(a)(3)].

A lease is executed at the time of admission for all new residents. A new lease is also executed at the time of transfer from one PHA unit to another.

The lease must state the composition of the household as approved by the PHA (family members and any PHA-approved live-in aide) [24 CFR 966.4(a)(1)(v)]. See Section 8-I.D. for policies regarding changes in family composition during the lease term.

PHA Policy

The head of household, spouse or cohead, and all other adult members of the household will be required to sign the public housing lease prior to admission. An appointment will be scheduled for the parties to execute the lease. The head of household will be provided a copy of the executed lease and the PHA will retain a copy in the resident's file.

Files for households that include a live-in aide will contain file documentation signed by the live-in aide, that the live-in aide is not a party to the lease and is not entitled to PHA assistance. The live-in aide is only approved to live in the unit while serving as the care attendant for the family member who requires the care.

8-I.D. MODIFICATIONS TO THE LEASE

The lease may be modified at any time by written agreement of the tenant and the PHA [24 CFR 966.4(a)(3)].

Modifications to the Lease Form

The PHA may modify its lease from time to time. However, the PHA must give residents at least thirty (30) days advance notice of the proposed changes and an opportunity to comment on the changes. The PHA must also consider any comments before formally adopting a new lease [24 CFR 966.3].

After proposed changes have been incorporated into the lease and approved by the Board, each family must be notified at least 60 days in advance of the effective date of the new lease or lease revision. A resident's refusal to accept permissible and reasonable lease modifications that are made in accordance with HUD requirements, or are required by HUD, is grounds for termination of tenancy [24 CFR 966.4(l)(2)(iii)(E)].

PHA Policy

The family will have 30 days to accept the revised lease. If the family does not accept the offer of the revised lease within that 30 day timeframe, the family's tenancy will be terminated for other good cause in accordance with the policies in Chapter 13.

Schedules of special charges and rules and regulations are subject to modification or revision. Because these schedules are incorporated into the lease by reference, residents and resident organizations must be provided at least thirty days written notice of the reason(s) for any proposed modifications or revisions, and must be given an opportunity to present written comments. The notice must be delivered directly or mailed to each tenant; or posted in at least three conspicuous places within each structure or building in which the affected dwelling units are located, as well as in a conspicuous place at the project office, if any, or if none, a similar central business location within the project. Comments must be taken into consideration before any proposed modifications or revisions become effective [24 CFR 966.5].

After the proposed revisions become effective they must be publicly posted in a conspicuous manner in the project office and must be furnished to applicants and tenants on request [24 CFR 966.5].

PHA Policy

When the PHA proposes to modify or revise schedules of special charges or rules and regulations, the PHA will post a copy of the notice in the central office, and will mail a copy of the notice to each resident family. Documentation of proper notice will be included in each resident file.

Other Modifications

PHA Policy

The lease will be amended to reflect all changes in family composition.

If, for any reason, any member of the household ceases to reside in the unit, the lease will be amended by drawing a line through the person's name. The head of household and PHA will be required to initial and date the change.

If a new household member is approved by the PHA to reside in the unit, the person's name and birth date will be added to the lease. The head of household and PHA will be required to initial and date the change. If the new member of the household is an adult, they will also be required to sign and date the lease.

Policies governing when and how changes in family composition must be reported are contained in Chapter 9, Reexaminations.

Late Fees and Nonpayment [24 CFR 966.4(b)(3); Notice PIH 2021-29]

At the option of the PHA, the lease may provide for payment of penalties when the family is late in paying tenant rent [24 CFR 966.4(b)(3)].

The lease must provide that late payment fees are not due and collectible until two weeks after the PHA gives written notice of the charges. The written notice is considered an adverse action and must meet the requirements governing a notice of adverse action [24 CFR 966.4(b)(4)].

The notice of proposed adverse action must identify the specific grounds for the action and inform the family of their right for a hearing under the PHA grievance procedures. The PHA must not take the proposed action until the time for the tenant to request a grievance hearing has expired, or (if a hearing was requested within the required timeframe,) the grievance process has been completed [24 CFR 966.4(e)(8)].

PHA Policy

If the family fails to pay their rent by the fifth day of the month, and the PHA has not agreed to accept payment at a later date, a 30-day Notice to Vacate (Michigan emergency orders, made permanent) will be issued to the resident for failure to pay rent, demanding payment in full or the surrender of the premises.

In addition, if the resident fails to make payment by the end of office hours on the fifth day of the month, a late fee of \$30.00 will be charged. Notices of late fees will be in accordance with requirements regarding notices of adverse action. Charges are due and payable 14 calendar days after billing. If the family requests a grievance hearing within the required timeframe, the PHA may not take action for nonpayment of the fee until the conclusion of the grievance process. If the resident can document financial hardship, the late fee may be waived on a case-by-case basis.

When a check is returned for insufficient funds or is written on a closed account, the rent will be considered unpaid and a returned check fee of \$25.00 will be charged to the family. The fee will be due and payable 14 days after billing.

PART II: INSPECTIONS

8-II.A. OVERVIEW

The PHA is obligated to maintain safe and habitable dwelling units and to make necessary repairs to dwelling units [24 CFR 966.4(e)]. The National Standards for the Inspection Physical Inspection of Real Estate (NSPIRE) are the standard under which HUD housing units, including those under the public housing program, are inspected. NSPIRE ensures that residents of public housing live in safe, habitable dwellings, and the items and components located inside, outside, and within the units are functionally adequate, operable, and free of health and safety hazards [24 CFR 5.703(a)]. Further, units must comply with state and local code requirements (such as fire, mechanical, plumbing, carbon monoxide, property maintenance, and residential code) [24 CFR 5.703(f)] as well as with all requirements related to the evaluation and control of lead-based paint hazards [24 CFR 5.703(e)(2)].

Under NSPIRE, public housing units are subject to three types of inspections: annual self-inspections, NSPIRE Inspections (which are used to assess and score the PHA under the Public Housing Assessment System (PHAS)), and NSPIRE Plus Inspections (which are triggered by poor property conditions). HUD regulations also require the PHA to inspect each public housing unit prior to move-in and at move-out. The PHA may require additional inspections, in accordance with PHA policy. This part contains the PHA's policies governing inspections by the PHA and HUD, notification of unit entry, and inspection repair timelines. This section discusses inspections conducted by the PHA (including annual self-inspections) and inspections conducted by HUD REAC.

8-II.B. PHA-CONDUCTED INSPECTIONS

The PHA is obligated to maintain dwelling units and the project in safe and habitable condition and to make necessary repairs to dwelling units [24 CFR 966.4(e)].

Types of PHA-Conducted Inspections

Move-In Inspections [24 CFR 966.4(i)]

The lease must require the PHA and the family to inspect the dwelling unit prior to occupancy 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, must be provided to the tenant and retained in the resident file.

PHA Policy

Any adult family member may attend the initial inspection and sign the inspection form for the head of household.

Move-Out Inspections [24 CFR 966.4(i)]

The PHA must inspect the unit at the time the resident vacates the unit and must allow the resident to participate in the inspection if they wish, unless the tenant vacates without notice to the PHA. The PHA must provide to the tenant a statement of any charges to be made for maintenance and damage beyond normal wear and tear.

The difference between the condition of the unit at move-in and move-out establishes the basis for any charges against the security deposit so long as the work needed exceeds that for normal wear and tear.

PHA Policy

When applicable, the PHA will provide the tenant with a statement of charges to be made for maintenance and damage beyond normal wear and tear, within 10 business days of conducting the move-out inspection.

Self-Inspections [24 CFR 5.707]

Annually all PHAs are required to self-inspect their properties, including all units, to ensure units are maintained in accordance with NSPIRE standards in 24 CFR 5.703. As part of the self-inspection process, PHAs must ensure that deficiencies previously cited and repaired as a result of an NSPIRE inspection have not subsequently failed.

The PHA must maintain the results of self-inspections for three years and must provide the results to HUD upon request.

Quality Control Inspections

The purpose of quality control inspections is to assure that all defects were identified in the original inspection, and that repairs were completed and within an acceptable time frame.

PHA Policy

Supervisory quality control inspections will be conducted in accordance with the PHA's maintenance plan.

Special Inspections

PHA Policy

PHA staff may conduct a special inspection for any of the following reasons:

Housekeeping

Unit condition

Suspected lease violation

Preventive maintenance

Routine maintenance

There is reasonable cause to believe an emergency exists

Other Inspections

PHA Policy

Building exteriors, grounds, common areas and systems will be inspected according to the PHA's maintenance plan.

Notice of Entry

Non-emergency Entries [24 CFR 966.4(j)(1)]

The PHA may enter the unit, with reasonable advance notification to perform routine inspections and maintenance, make improvements and repairs, or to show the unit for re-leasing. A written statement specifying the purpose of the PHA entry delivered to the dwelling unit at least two days before such entry is considered reasonable advance notification.

PHA Policy

The PHA will notify the resident in writing at least 48 hours prior to any non-emergency inspection.

For regular annual self-inspections, the family will receive at least two weeks written notice of the inspection to allow the family to prepare the unit for the inspection.

Entry for repairs requested by the family will not require prior notice. Resident-requested repairs presume permission for the PHA to enter the unit.

Except for emergencies, management will not enter the dwelling unit to perform inspections where an Emotional Support Animal resides unless accompanied for the entire duration of the inspection by the owner or responsible person designated by the owner in accordance with the Emotional Support Animal policies.

Emergency Entries [24 CFR 966.4(j)(2)]

The PHA may enter the dwelling unit at any time without advance notice when there is reasonable cause to believe that an emergency exists. If no adult household member is present at the time of an emergency entry, the PHA must leave a written statement showing the date, time and purpose of the entry prior to leaving the dwelling unit.

Scheduling of PHA-Conducted Inspections

PHA Policy

Inspections will be conducted during business hours. If a family needs to reschedule an inspection, they must notify the PHA at least 24 hours prior to the scheduled inspection. The PHA will reschedule the inspection no more than once unless the resident has a verifiable good cause to delay the inspection. The PHA may request verification of such cause.

Attendance at Inspections

Residents are required to be present for move-in inspections [24 CFR 966.4(i)]. There is no such requirement for other types of inspections.

PHA Policy

While the resident is required to be present for move-in inspections, the resident is not required to be present for other types of inspections. The resident may attend the inspection if they wish.

If no one is at home, the inspector will enter the unit, conduct the inspection and leave a copy of the inspection report in the unit.

Repairs

Correction timeframes differ depending on whether repairs are considered emergency or non-emergency repairs.

Emergency Repairs [24 CFR 966.4(h)]

If the unit is damaged to the extent that conditions are created which are hazardous to the life, health, or safety of the occupants, the tenant must immediately notify the PHA of the damage, and the PHA must make repairs within a reasonable time frame. Under NSPIRE, the PHA must correct all Life-Threatening and Severe deficiencies within 24 hours.

If the damage was caused by a household member or guest, the PHA must charge the family for the reasonable cost of repairs. The PHA may also take lease enforcement action against the family.

If the PHA cannot make repairs quickly, the PHA must offer the family standard alternative accommodations. If the PHA can neither repair the defect within a reasonable time frame nor offer alternative housing, rent shall be abated in proportion to the seriousness of the damage and loss in value as a dwelling. Rent shall not be abated if the damage was caused by a household member or guest, or if the resident rejects the alternative accommodations.

Non-emergency Repairs

PHA Policy

The PHA will correct deficiencies resulting in a non-emergency work order identified during a PHA conducted inspection within 15 business days of the inspection date. If the PHA is unable to make repairs within that period due to circumstances beyond the PHA's

control (e.g., required parts or services are not available, weather conditions, etc.) the PHA will notify the family of an estimated date of completion.

The family must allow the PHA access to the unit to make repairs.

Except for emergencies, management will not enter the dwelling unit to perform repairs where a pet resides unless accompanied for the entire duration of the repair by the pet owner or responsible person designated by the pet owner in accordance with the pet policies in Section 10-II.D.

Resident-Caused Damages

PHA Policy

Damages to the unit beyond wear and tear will be billed to the tenant in accordance with the policies in 8-I.F., Maintenance and Damage Charges.

Repeated or excessive damages to the unit beyond normal wear and tear will be considered a serious or repeated violation of the lease and may lead to termination of the lease.

Housekeeping

PHA Policy

Residents whose housekeeping habits pose a non-emergency health or safety risk, encourage insect or rodent infestation, or cause damage to the unit are in violation of the lease. In these instances, the PHA will provide proper notice of a lease violation and the lease may be terminated.

A reinspection will be conducted within 30 days to confirm that the resident has complied with the requirement to abate the problem. Failure to abate the problem or allow for a reinspection is considered a violation of the lease and may result in termination of tenancy in accordance with Chapter 13.

Notices of lease violation will also be issued to residents who purposely disengage the unit's smoke detector and/or carbon monoxide alarm. Only one warning will be given. A second incidence will result in lease termination.

8-II.C. NSPIRE INSPECTIONS [24 CFR 5.705(c); Notice PIH 2023-16]

During an NSPIRE inspection, REAC inspectors will inspect areas and associated items or components that are listed in the regulations as affirmative requirements and those included within the NSPIRE standards. For most properties, the frequency of NSPIRE inspections is determined by the date of the prior inspection and the score received.

Notice to Residents [Notice PIH 2023-16]

The PHA must provide notice to all residents as described in 24 CFR 5.711(h) and the lease.

PHA Policy

The PHA will provide all residents with 30 days' notice of an NSPIRE inspection. Notice will be provided through multiple communication methods, including by posted notice on each resident's door and through email where applicable. All materials, notices, and communications to families regarding the inspection will be clearly communicated and provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities consistent with Section 504 of the Rehabilitation Act (Section 504) and HUD's Section 504 regulation, and Titles II or III of the Americans with Disabilities Act (ADA) and implementing regulations.

24-Hour Corrections [24 CFR 5.711(c); Notice PIH 2023-16]

At the conclusion of the NSPIRE inspection, or at the end of the day on multi-day inspections, HUD provides the PHA with a list of Life-Threatening and Severe deficiencies. The PHA must correct all Life-Threatening and Severe deficiencies within 24 hours, with certification of correction submitted to HUD within two business days of receipt of notification of the deficiency.

If permanent repair will take longer than the allowable time in the relevant standard for the deficiency, the PHA must provide HUD with a timeframe for completing permanent repairs and submit evidence that the repair is in progress. Any extension to the allowable time for rectifying the deficiency is allowed only upon HUD approval for good cause.

PHA Policy

The PHA will correct all Life-Threatening and Severe deficiencies within 24 hours. Correcting the deficiency means the PHA will resolve or sufficiently address the deficiency in a manner that it no longer poses a severe health or safety risk to residents or the hazard is blocked until permanent repairs can be completed. A correction could include controlling or blocking access to the hazard by performing a temporary relocation of the resident while repairs are made.

While the PHA will complete all repairs expeditiously, if a permanent repair is not possible within 24-hours, the PHA will correct the deficiency by performing an interim repair to remove the health and safety hazard. If the correction is temporary or professional services or materials are unavailable within 24 hours, the PHA will provide a target date for permanent correction. Such interim repairs will be fully completed within a reasonable timeframe approved by HUD.

The family must allow the PHA access to the unit to make repairs.

Non-emergency Repairs

Under NSPIRE, the PHA must correct Moderate deficiencies within 30 days and Low deficiencies within 60 days, or as otherwise provided in the NSPIRE standards. Repairs should be permanent fixes, unless otherwise approved by HUD in writing. HUD may also prescribe timelines in Corrective Action Plans as defined in 24 CFR 902.3 or Corrective Action Agreements as described in 24 CFR 902.105.

PHA Policy

If the PHA is unable to make repairs within the periods identified in the NSPIRE standards due to circumstances beyond the PHA's control (e.g., required parts or services are not available, weather conditions, etc.), the PHA will provide HUD with a timeframe for completing permanent repairs and obtain HUD approval. The PHA will also notify the family of an estimated date of completion.

The family must allow the PHA access to the unit to make repairs.

Except for emergencies, management will not enter the dwelling unit to perform repairs where a pet resides unless accompanied for the entire duration of the repair by the pet owner or responsible person designated by the pet owner in accordance with the pet policies in Section 10-II.D.

EXHIBIT 8-1: SMOKE-FREE POLICY

In accordance with HUD regulations, the Housing Authority has adopted these smoke-free policies. The policies are effective as of Board approval date.

Due to the increased risk of fire, increased maintenance costs, and the known health effects of secondhand smoke, smoking is prohibited in all living units and interior areas, including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures. Smoking is also prohibited in outdoor areas within 25 feet from public housing and administrative office buildings.

This policy applies to all employees, residents, household members, guests, and service persons. Residents are responsible for ensuring that household members and guests comply with this rule.

The term “smoking” means any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other prohibited tobacco product in any manner or any form. Prohibited tobacco products include water pipes or hookahs.

Violation of the smoke-free policy constitutes a violation of the terms of the public housing lease. Consequences of lease violations include termination of tenancy.

PHA POLICIES

Designated Smoking Areas (DSA)

The PHA has not designated any smoking areas on any PHA property. Residents may not discard smoking products on the property.

Electronic Nicotine Delivery Systems (ENDS)

Electronic nicotine delivery systems (ENDS) include e-cigarettes, nicotine inhalers, and vaping devices.

Use of ENDS is not permitted in public housing units, common areas, or in outdoor areas within 25 feet from housing and administrative buildings.

Effective Date

The PHA's effective date(s) of this smoke-free policy is/are as follows:

The smoke-free policy is effective for all residents, household members, employees, guests, and service persons as of (July 1, 2017)

Residents must execute a smoke-free lease addendum as part of the annual lease renewal process. All residents must have been in compliance with the smoke-free policy as of July 1, 2017.

Enforcement

The PHA must enforce smoke-free policies when a resident violates this policy. When enforcing the lease, the PHA will provide due process and allow residents to exercise their right to an informal settlement and formal hearing. The PHA will not evict a resident for a single incident of smoking in violation of this policy. As such, the PHA will implement a graduated enforcement framework that includes escalating warnings. Prior to pursuing eviction for violation of smoke-free policies, the PHA will take specific, progressive monitoring and enforcement actions, while at the same time educating tenants and providing smoking cessation information. The lease will identify the actions that constitute a policy violation, quantify the number of documented, verified violations that warrant enforcement action, state any disciplinary actions that will be taken for persistent non-responsiveness or repeated noncompliance, and state how many instances of noncompliance will constitute a violation. Tenancy termination and eviction will be pursued only as a last resort. The PHA may terminate tenancy at any time for violations of the lease and failure to otherwise fulfill household obligations if resident behavior disturbs other residents' peaceful enjoyment and is not conducive to maintaining the property in a decent, safe, and sanitary condition.

Upon issuance of a written warning from the property manager and/or a documented complaint, the PHA will increase the frequency of unit inspections for a suspected policy violator to every 60 days

The PHA will provide information and resources on smoking cessations.

If the resident does not have any new violations for one (1) year, 12 months, the resident will be considered to have a clear record, and no further enforcement action will be taken.

Repeated violation of the smoke-free policy may rise to the level of other good cause for termination of tenancy. Three (3) violations in a 12 month period will result in a 30 Day Notice to vacate.

Reasonable Accommodation

While addiction to nicotine or smoking is not a disability, the PHA will provide reasonable accommodation to persons with disabilities who smoke that are in compliance with the requirements of this smoke-free policy.

9-I.B. SCHEDULING ANNUAL REEXAMINATIONS

The PHA must establish a policy to ensure that the annual reexamination for each family paying an income-based rent is completed within a 12-month period [24 CFR 960.257(a)(1)].

PHA Policy

The PHA will schedule annual reexaminations to coincide with the family's anniversary date. The PHA will begin the annual reexamination process approximately 120 days in advance of the scheduled effective date.

Anniversary date is defined as 12 months from the effective date of the family's last annual reexamination or, during a family's first year in the program, from the effective date of the family's initial examination (admission).

The PHA may also schedule an annual reexamination for completion prior to the anniversary date for administrative purposes.

Notification of and Participation in the Annual Reexamination Process

The PHA is required to obtain information needed to conduct annual reexaminations. How that information will be collected is left to the discretion of the PHA. However, PHAs should give tenants who were not provided the opportunity to provide contact information at the time of admission the option to complete Form HUD-92006 at this time. The PHA should provide the family with the opportunity to update, change, or remove information from the HUD-92006 at the time of the annual reexamination [Notice PIH 2009-36].

PHA Policy

Families generally are required to participate in an annual reexamination interview, which must be attended by the head of household, spouse, (or cohead). If participation in an in-person interview poses a hardship because of a family member's disability, the family should contact the PHA to request a reasonable accommodation (See Chapter 2).

Notification of annual reexamination interviews will be sent by first-class mail and will contain the date, time, and location of the interview. In addition, it will inform the family of the information and documentation that must be brought to the interview.

If the family is unable to attend a scheduled interview, the family should contact the PHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend the scheduled interview the PHA will send a second notification with a new interview appointment time.

If a family fails to attend two scheduled interviews without PHA approval, the family will be in violation of their lease and may be terminated in accordance with the policies in Chapter 13.

An advocate, interpreter, or other assistant may assist the family in the interview process.

9-I.C. CONDUCTING ANNUAL REEXAMINATIONS

The terms of the public housing lease require the family to furnish information regarding income and family composition as may be necessary for the redetermination of rent, eligibility, and the appropriateness of the housing unit [24 CFR 966.4(c)(2)].

PHA Policy

Families will be asked to bring all required information (as described in the reexamination notice) to the reexamination appointment. The required information will include a PHA-designated reexamination form as well as supporting documentation related to the family's income, expenses, and family composition.

Any required documents or information that the family is unable to provide at the time of the interview or any stated deadline must be provided within 10 business days of the interview. If the family is unable to obtain the information or materials within the required time frame, the family may request an extension.

If the family does not provide the required documents or information within the required time frame (plus any extensions), the family will be in violation of their lease and may be terminated in accordance with the policies in Chapter 13.

The information provided by the family generally must be verified in accordance with the policies in Chapter 7. Unless the family reports a change, or the agency has reason to believe a change has occurred in information previously reported by the family, certain types of information that are verified at admission typically do not need to be re-verified on an annual basis. These include:

- Legal identity
- Age
- Social security numbers
- A person's disability status
- Citizenship or immigration status

Step 3: If there were changes in annual income not processed by the PHA since the last reexamination, the PHA must use current income. The family will be required to report their income for the prior year and whether there have been permanent changes.

If there are no reported changes to an income source, the PHA may use documentation of prior-year income to calculate the annual income. For example, the PHA may use the following documentation:

- EIV + self-certification (wages, Supplemental Security Income (SSI), Social Security, and unemployment)
- Current written third-party verification from the source verifying prior-year income that is dated within 120 days of receipt by the PHA, for example:
 - Year-end statements
 - Paycheck with year-to-date amounts
 - Tax forms (Form 1040, W2, 1099, etc.)

If there are reported changes by the family or the PHA notes discrepancies between EIV and what the family reports, the PHA must follow the verification hierarchy (described in Chapter 7) to document and verify income. Exhibit 9-1 provides detailed examples of how the PHA calculates income from different sources at annual reexamination using the above method.

PHA Policy

When income is calculated using a streamlined income determination or Safe Harbor determination from a means-tested federal public assistance program in accordance with PHA policies in Chapter 7, the above is not applicable. However, where the family disagrees with the PHA or other agency's determination of income or the PHA has other reason to use third-party verification in these circumstances, then the above will apply.

9-I.E. OTHER CONSIDERATIONS

Change in Unit Size

Changes in family or household composition may make it appropriate to consider transferring the family to comply with occupancy standards. The PHA may use the results of the annual reexamination to require the family to move to an appropriate size unit [24 CFR 960.257(a)(4)]. Policies related to such transfers are located in Chapter 12.

Criminal Background Checks

Information obtained through criminal background checks may be used for lease enforcement and eviction [24 CFR 5.903(e)(1)(ii)]. Criminal background checks of residents will be conducted in accordance with the policy in Section 13-IV.B.

PHA Policy

Each household member age 18 and over will be required to execute a consent form for a criminal background check as part of the annual reexamination process.

Additionally, HUD recommends that at annual reexaminations PHAs ask whether the tenant, or any member of the tenant's household, is subject to a lifetime sex offender registration requirement in any state [Notice PIH 2012-28].

PHA Policy

At the annual reexamination, the PHA will ask whether the tenant, or any member of the tenant's household, is subject to a lifetime sex offender registration requirement in any state. The PHA will use the Dru Sjodin National Sex Offender database to verify the information provided by the tenant.

If the PHA proposes to terminate based on lifetime sex offender registration information, the PHA must notify the household of the proposed action and must provide the subject of the record and the tenant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to termination. [24 CFR 5.903(f) and 5.905(d)]. (See Chapter 13.)

Compliance with Community Service

For families who include nonexempt individuals, the PHA must determine compliance with community service requirements once each 12 months [24 CFR 960.257(a)(3)].

See Chapter 11 for the PHA's policies governing compliance with the community service requirement.

9-I.F. EFFECTIVE DATES

As part of the annual reexamination process, the PHA must make appropriate adjustments in the rent after consultation with the family and upon verification of the information [24 CFR 960.257(a)(1)].

PHA Policy

In general, an *increase* in the tenant rent that results from an annual reexamination will take effect on the family's anniversary date, and the family will be notified at least 30 days in advance.

If less than 30 days remain before the scheduled effective date, the increase will take effect on the first of the month following the end of the 30-day notice period.

If the PHA chooses to schedule an annual reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date will be determined by the PHA, but will always allow for the 30-day notice period.

If the family causes a delay in processing the annual reexamination, *increases* in the tenant rent will be applied retroactively, to the scheduled effective date of the annual reexamination. The family will be responsible for any underpaid rent and may be offered a repayment agreement in accordance with the policies in Chapter 16.

In general, a *decrease* in the tenant rent that results from an annual reexamination will take effect on the family's anniversary date.

If the PHA chooses to schedule an annual reexamination for completion prior to the family's anniversary date for administrative purposes, the effective date will be determined by the PHA.

If the family causes a delay in processing the annual reexamination, *decreases* in the tenant rent will be applied prospectively, from the first day of the month following completion of the reexamination processing.

Delays in reexamination processing are considered to be caused by the family if the family fails to provide information requested by the PHA by the date specified, and this delay prevents the PHA from completing the reexamination as scheduled.

- If the person has an observable disability, the PHA already has information giving them reason to believe the person has a disability, or the person has provided information supporting that they have a disability, then has the person provided information that reasonably supports that the animal does work, performs tasks, provides assistance, and/or provides therapeutic emotional support with respect to the individual’s disability?
- If yes, is the animal commonly kept in households? An *animal commonly kept in households* would be a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes. For purposes of this assessment, reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals are not considered common household animals.

If the individual is requesting to keep a unique animal not commonly kept in households, then the requestor has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal. Such individuals are encouraged to submit documentation from a health care professional.

General Considerations

A person with a disability is not automatically entitled to have an assistance animal. Reasonable accommodation requires that there is a relationship between the person’s disability and their need for the animal [PH Occ GB, p. 179].

Before denying a reasonable accommodation request due to lack of information confirming an individual’s disability or disability-related need for an animal, the PHA is encouraged to engage in a good-faith dialog with the requestor called the “interactive process” [FHEO 2020-01].

A PHA may not refuse to allow a person with a disability to have an assistance animal merely because the animal does not have formal training. Some, but not all, animals that assist persons with disabilities are professionally trained. Other assistance animals are trained by the owners themselves and, in some cases, no special training is required. The question is whether or not the animal performs the assistance or provides the benefit needed by the person with the disability [PH Occ GB, p. 178].

A PHA’s refusal to permit persons with a disability to use and live with an assistance animal that is needed to assist them, would violate Section 504 of the Rehabilitation Act and the Fair Housing Act unless [PH Occ GB, p. 179]:

- There is reliable objective evidence that the animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable accommodation
- There is reliable objective evidence that the animal would cause substantial physical damage to the property of others

The Fair Housing Act does not require a dwelling to be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others. A PHA may therefore refuse a reasonable accommodation for an assistance animal if the specific animal poses a direct threat that cannot be eliminated or reduced to an acceptable level through the actions the individual takes to maintain or control the animal (e.g., keeping the animal in a security enclosure).

While most requests for reasonable accommodations involve one animal, requests sometimes involve more than one animal (for example, a person has a disability-related need for both animals, or two people living together each have a disability-related need for a separate assistance animal). The decision-making process in Notice FHEO 2020-01 should be used in accordance with the reasonable accommodation policies in Chapter 2 for all requests for exceptions or modifications to the PHA's rules, policies, practices, and procedures so that persons with disabilities can have assistance animals in the housing where they reside.

PHAs have the authority to regulate service animals and assistance animals under applicable federal, state, and local law [24 CFR 5.303(b)(3); 960.705(b)(3)].

PHA Policy

For an animal to be excluded from the pet policy and be considered a service animal, it must be a trained dog, and there must be a person with disabilities in the household who requires the dog's services.

For an animal to be excluded from the pet policy and be considered a support animal, there must be a person with disabilities in the household, there must be a disability-related need for the animal, and the family must request and the PHA approve a reasonable accommodation in accordance with the criteria outlined in Notice FHEO 2020-01 and the policies contained in Chapter 2.

10-I.C. CARE AND HANDLING

HUD regulations do not affect any authority a PHA may have to regulate assistance animals, including service animals, under federal, state, and local law [24 CFR 5.303; 24 CFR 960.705].

PHA Policy

Residents are responsible for feeding, maintaining, providing veterinary care, and controlling their assistance animals. A resident may do this on their own or with the assistance of family, friends, volunteers, or service providers.

Residents must care for assistance animals in a manner that complies with state and local laws, including anti-cruelty laws.

Residents must ensure that assistance animals do not pose a direct threat to the health or safety of others, or cause substantial physical damage to the development, dwelling unit, or property of other residents.

When a resident's care or handling of an assistance animal violates these policies, the PHA will consider whether the violation could be reduced or eliminated by a reasonable accommodation. If the PHA determines that no such accommodation can be made, the PHA may withdraw the approval of a particular assistance animal.

11-I.C. DETERMINATION OF EXEMPTION STATUS AND COMPLIANCE [24 CFR 960.605(c)(3)]

The PHA must review and verify family compliance with service requirements annually at least thirty days before the end of the twelve month lease term. The policy for documentation and verification of compliance with service requirements may be found at Section 11-I.D., Documentation and Verification.

PHA Policy

Where the lease term does not coincide with the effective date of the annual reexamination, the PHA will change the effective date of the annual reexamination to coincide with the lease term. In making this change, the PHA will ensure that the annual reexamination is conducted within 12 months of the last annual reexamination.

Annual Determination

Determination of Exemption Status

An exempt individual is excused from the community service requirement [24 CFR 960.603(a)].

PHA Policy

At least 60 days prior to lease renewal, the PHA will review and verify the exemption status of all adult family members. This verification will only be done on an annual basis unless the family reports a change or the PHA has reason to believe that an individual's exemption status has changed. For individuals who are exempt because they are 62 years of age and older, verification of exemption status will be done only at the initial examination.

Upon completion of the verification process, the PHA will notify the family of its determination in accordance with the policy in Section 11-I.B., Notification Requirements.

Determination of Compliance

The PHA must review resident family compliance with service requirements annually at least 30 days before the end of the twelve month lease term [24 CFR 960.605(c)(3)]. As part of this review, the PHA must verify that any family member that is not exempt from the community service requirement has met their service obligation.

PHA Policy

Approximately 60 days prior to the end of the lease term, the PHA will provide written notice requiring the family to submit documentation that all subject family members have complied with the service requirement. The family will have 10 business days to submit the PHA required documentation form(s).

If the family fails to submit the required documentation within the required timeframe, or PHA approved extension, the subject family members will be considered noncompliant with community service requirements, and notices of noncompliance will be issued pursuant to the policies in Section 11-I.E., Noncompliance.

Change in Status between Annual Determinations

PHA Policy

Exempt to Nonexempt Status

If an exempt individual becomes nonexempt during the 12-month lease term, it is the family's responsibility to report this change to the PHA within 10 business days.

Within 10 business days of a family reporting such a change, or the PHA determining such a change is necessary, the PHA will provide written notice of the effective date of the requirement, a list of agencies in the community that provide volunteer and/or training opportunities, as well as a documentation form on which the family member may record the activities performed and number of hours contributed.

The effective date of the community service requirement will be the first of the month following 30-day notice.

Determination of Initial Compliance

When an adult family member becomes subject to community service, they must perform 8 hours of community service for the months they are subject to the requirement before the end of the lease term (anniversary date).

Example 1: Alberto Jones turns 18 on 5/10/15 and is not exempt from the community service requirement. His community service requirement begins on 6/1/15, and his initial compliance is reviewed before the end of the lease term (anniversary date), which is 11/30/15.

- Alberto must perform 6 months of community service in his initial compliance period, before the end of the lease term (anniversary date).

Example 2: Lisa Dewhurst leaves her job on 9/20/14 and is not exempt from the community service requirement. Her community service requirement begins on 10/1/14, and her initial compliance is reviewed before the end of the lease term (anniversary date), which is 6/30/15.

- Ms. Dewhurst must perform 9 months of community service in her initial compliance period, before the end of the lease term (anniversary date).

PHA Program Design

The PHA may administer qualifying community service or economic self-sufficiency activities directly, or may make community service activities available through a contractor, or through partnerships with qualified organizations, including resident organizations, and community agencies or institutions [24 CFR 960.605(b)].

PHA Policy

The PHA will attempt to provide the broadest choice possible to residents as they choose community service activities.

The PHA's goal is to design a service program that gives residents viable opportunities to become involved in the community and to gain competencies and skills. The PHA will work with resident organizations and community organizations to design, implement, assess and recalibrate its community service program.

The PHA will make every effort to identify volunteer opportunities throughout the community, especially those in proximity to public housing developments. To the greatest extent possible, the PHA will provide names and contacts at agencies that can provide opportunities for residents, including persons with disabilities, to fulfill their community service obligations.

Any written agreements or partnerships with contractors and/or qualified organizations, including resident organizations, are described in the PHA Plan.

The PHA will provide in-house opportunities for volunteer work or self-sufficiency programs when possible.

When the PHA has a ROSS program, a ROSS Service Coordinator, or an FSS program, the PHA will coordinate individual training and service plans (ITSPs) with the community service requirement. Regular meetings with PHA coordinators will satisfy community service activities and PHA coordinators will verify community service hours within individual monthly logs.

Demolition, Disposition, Revitalizations, or Rehabilitation, Including Rental Assistance Demonstration (RAD) Conversions Transfers

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

PHA Policy

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

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

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

Section 8, HCV, will keep in their Administration Plan, a set number of vouchers available for use when a resident needs to be moved out of a Flint Housing Commission site due to VAWA.

12-IV.E. DECONCENTRATION

PHA Policy

If subject to deconcentration requirements, the PHA will consider its deconcentration goals when transfer units are offered. When feasible, families above the Established Income Range will be offered a unit in a development that is below the Established Income Range, and vice versa, to achieve the PHA's deconcentration goals. A deconcentration offer will be considered a "bonus" offer; that is, if a resident refuses a deconcentration offer, the resident will receive one additional transfer offer.

12-IV.F. REEXAMINATION POLICIES FOR TRANSFERS

PHA Policy

The reexamination date will be changed to the first of the month in which the transfer took place.

PART II: TERMINATION BY PHA – MANDATORY

13-II.A. OVERVIEW

HUD requires mandatory termination of the lease for certain actions or inactions of the family. There are other actions or inactions of the family that constitute *grounds* for lease termination, but the lease termination is not mandatory. The PHA must establish policies for termination of the lease in these cases where termination is optional for the PHA.

For those tenant actions or failures to act where HUD requires termination, the PHA has no such option. In those cases, the family's lease must be terminated. This part describes situations in which HUD requires the PHA to terminate the lease.

13-II.B. FAILURE TO PROVIDE CONSENT [24 CFR 960.259(a) and (b)]

The PHA must terminate the lease if any family member fails to sign and submit any consent form s/he is required to sign for any reexamination. See Chapter 7 for a complete discussion of consent requirements.

13-II.C. FAILURE TO DOCUMENT CITIZENSHIP [24 CFR 5.514(c) and (d) and 24 CFR 960.259(a)]

The PHA must terminate the lease if (1) a family fails to submit required documentation within the required timeframe concerning any family member's citizenship or immigration status; (2) a family submits evidence of citizenship and eligible immigration status in a timely manner, but United States Citizenship and Immigration Services (USCIS) primary and secondary verification does not verify eligible immigration status of the family, resulting in no eligible family members; or (3) a family member, as determined by the PHA, has knowingly permitted another individual who is not eligible for assistance to reside (on a permanent basis) in the unit. For (3), such termination must be for a period of at least 24 months. This does not apply to ineligible noncitizens already in the household where the family's assistance has been prorated.

See Chapter 7 for a complete discussion of documentation requirements.

13-II.D. FAILURE TO DISCLOSE AND DOCUMENT SOCIAL SECURITY NUMBERS [24 CFR 5.218(c), 24 CFR 960.259(a)(3), Notice PIH 2018-24]

The PHA must terminate assistance if a participant family fails to disclose the complete and accurate social security numbers of each household member and the documentation necessary to verify each social security number.

However, if the family is otherwise eligible for continued program assistance, and the PHA determines that the family's failure to meet the SSN disclosure and documentation requirements was due to circumstances that could not have been foreseen and were outside of the family's control, the PHA may defer the family's termination and provide the opportunity to comply with the requirement within a period not to exceed 90 calendar days from the date the PHA determined the family to be noncompliant.

PHA Policy

The PHA will defer the family's termination and provide the family with the opportunity to comply with the requirement for a period of 90 calendar days for circumstances beyond the participant's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency, if there is a reasonable likelihood that the participant will be able to disclose an SSN by the deadline.

See Chapter 7 for a complete discussion of documentation and certification requirements.

13-II.E. FAILURE TO ACCEPT THE PHA'S OFFER OF A LEASE REVISION [24 CFR 966.4(l)(2)(ii)(E)]

The PHA must terminate the lease if the family fails to accept the PHA's offer of a lease revision to an existing lease, provided the PHA has done the following:

- The revision is on a form adopted by the PHA in accordance with 24 CFR 966.3 pertaining to requirements for notice to tenants and resident organizations and their opportunity to present comments.
- The PHA has made written notice of the offer of the revision at least 60 calendar days before the lease revision is scheduled to take effect.
- The PHA has specified in the offer a reasonable time limit within that period for acceptance by the family.

See Chapter 8 for information pertaining to PHA policies for offering lease revisions.

13-II.F. METHAMPHETAMINE CONVICTION [24 CFR 966.4(l)(5)(i)(A)]

The PHA must immediately terminate the lease if the PHA determines that any household member has ever been convicted of the manufacture or production of methamphetamine on the premises of federally assisted housing.

See Part 13-III.B. below for the HUD definition of *premises*.

13-II.G. LIFETIME REGISTERED SEX OFFENDERS [Notice PIH 2012-28]

Should a PHA discover that a member of an assisted household was subject to a lifetime registration requirement at admission and was erroneously admitted after June 25, 2001, the PHA must immediately terminate assistance for the household member.

In this situation, the PHA must offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, the PHA must terminate assistance for the household.

13-II.H. NONCOMPLIANCE WITH COMMUNITY SERVICE REQUIREMENTS [24 CFR 966.4(l)(2)(ii)(D), 24 CFR 960.603(b) and 24 CFR 960.607(b)(2)(ii) and (c)]

The PHA is prohibited from renewing the lease at the end of the 12-month lease term when the family fails to comply with the community service requirements as described in Chapter 11.

13-II.I. DEATH OF A SOLE FAMILY MEMBER [Notice PIH 2012-4]

The PHA must immediately terminate the lease following the death of the sole family member.

13-II.J. OVER_INCOME FAMILIES [24 CFR 960.507; FR Notice 7/26/18; Notice PIH 2023-03; FR Notice 2/14/23]

In the public housing program, an *over-income family* is defined as a family whose income exceeds the over-income limit for 24 consecutive months. When this occurs, the PHA must either:

- Terminate the family’s tenancy within six months of the PHA’s final notification of the end of the 24-month grace period; or
- Within 60 days of the PHA’s final notification of the end of the 24-month grace period or the next lease renewal (whichever is sooner), have the family execute a new lease that is consistent with 24 CFR 960.509 and charge the family a monthly rent that is the higher of the applicable fair market rent (FMR) or the amount of monthly subsidy for the unit, including amounts from the operating and capital funds.

However, a PHA that owns or operates fewer than 250 public housing units may continue to lease public housing units to families whose incomes exceed the low-income limit at initial occupancy in accordance with 24 CFR 960.503. Otherwise, the PHA must establish a continued occupancy policy for over-income families in the ACOP indicating which of the above will occur.

PHA Policy

For families whose income exceeds the over-income limit for 24 consecutive months, the PHA will not terminate the family’s tenancy and will charge the family the alternative non-public housing rent, as well as require the family to sign a new non-public housing lease in accordance with the continued occupancy policies below.

Over-Income Limit [Notice PIH 2023-03]

The PHA must publish over-income limits in their ACOP and update them no later than 60 days after HUD publishes new income limits each year. The over-income limit is calculated by multiplying the very low-income limit (VLI) by 2.4, as adjusted for family size.

PHA Policy

The PHA will rely on the following over-income limits. These numbers will be updated within 60 days of HUD publishing new income limits each year and will be effective for all annual and interim reexaminations once these policies have been adopted.

Family Size	1	2	3	4	5	6	7	8
Over-Income Limit	\$63,720	\$72,840	\$81,960	\$90,960	\$98,280	\$105,600	\$112,800	\$120,120

For families larger than eight persons, the over-income limit will be calculated by multiplying the applicable very low-income limit by 2.4.

Decreases in Income [24 CFR 960.507(c)(4)]

If, at any time during the consecutive 24-month period following the initial over-income determination, the PHA determines that the family's income is below the over-income limit, the PHA's over-income policies no longer apply to the family. If the PHA later determines that the family's income exceeds the over-income limit at a subsequent annual or interim reexamination, the family is entitled to a new 24 consecutive month period and new notices under this section.

PHA Policy

If, at any time during the 24-month period following the initial over-income determination, an over-income family experiences a decrease in income, the family may request an interim redetermination of rent in accordance with PHA policy in Chapter 9.

If, as a result, the previously over-income family is now below the over-income limit, the family is no longer subject to over-income provisions as of the effective date of the recertification. The PHA will notify the family in writing within 10 business days of the determination that over-income policies no longer apply to them.

Initial Notice of Over-Income Status [24 CFR 960.507(c)(1); Notice PIH 2023-03]

If the PHA determines the family has exceeded the over-income limit during an annual or interim reexamination, the PHA must provide written notice to the family of the over-income determination no later than 30 days after the income examination. The notice must state that the family has exceeded the over-income limit and continuing to do so for a total of 24 consecutive months will result in the PHA following its continued occupancy policy for over-income families. The PHA must afford the family an opportunity for a hearing if the family disputes within a reasonable time the PHA's determination that the family has exceeded the over-income limit. Exhibits 13-1 and 13-2 provide sample initial notices based on HUD's model notices.

PHA Policy

At annual or interim reexamination, if a family's income exceeds the applicable over-income limit, the PHA will make a note in the tenant file to calculate the family's income again 12 months later. Within 10 business days the PHA will notify the family in writing of the determination and that if the family continues to be over-income for 24 consecutive months, the family will be subject to the PHA's over-income policies. The notice will state that the family may request a hearing if the family disputes the PHA's determination in accordance with PHA policies in Chapter 14. The PHA will ensure that all notices and communications are provided in a manner that is effective for persons with hearing, visual, and other impairments.

Second Notice of Over-Income Status [24 CFR 960.507(c)(2); Notice PIH 2023-03]

The PHA must conduct an income examination 12 months after the initial over-income determination, unless the PHA determined the family's income fell below the over-income limit since the initial over-income determination. If the PHA determines the family continues to exceed the over-income limit for 12 consecutive months, the PHA must provide written notification of this 12-month over-income determination no later than 30 days after the income examination. The notice must state that the family has exceeded the over-income limit for 12 consecutive months and continuing to do so for a total of 24 consecutive months will result in the PHA following its continued occupancy policy for over-income families. Additionally, if applicable under PHA policy, the notice must include an estimate (based on current data) of the alternative non-public housing rent for the family's unit. The PHA must afford the family an opportunity for a hearing if the family disputes within a reasonable time the PHA's determination that the family has exceeded the over-income limit. Exhibits 13-3 and 13-4 provide sample 12-month notices based on HUD's model notices.

PHA Policy

If a family's income exceeds the applicable over-income limit after 12 consecutive months, the PHA will make a note in the tenant file to calculate the family's income again 12 months later. Within 10 business days, the PHA will notify the family in writing of the determination and that if the family continues to be over-income for 24 consecutive months, the family will be subject to the PHA's over-income policies. The notice will provide an estimate of the alternative non-public housing rent applicable to the family at the close of the 24 consecutive month period. The notice will also state that the family may request a hearing if the family disputes the PHA's determination in accordance with PHA policies in Chapter 14. The PHA will ensure that all notices and communications are provided in a manner that is effective for persons with hearing, visual, and other impairments.

Final Notice of Over-Income Status [24 CFR 960.507(c)(3) and 960.509; Notice PIH 2023-03]

Unless the PHA determined the family's income fell below the over-income limit since the second over-income determination, the PHA must conduct an income examination 24 months after the initial over income determination. If the family continues to be over-income based on this determination, the PHA must provide written notification of this determination no later than 30 days after the income examination. The notice must state that the family has exceeded the over-income limit for 24 consecutive months and that the PHA will follow its continued occupancy policies for over-income families. The PHA must afford the family an opportunity for a hearing if the family disputes within a reasonable time the PHA's determination that the family has exceeded the over-income limit. Exhibits 13-5 and 13-6 provide sample 24-month notices based on HUD's model notices.

PHA Policy

If a family's income exceeds the applicable over-income limit for 24 consecutive months, the PHA will notify the family in writing of the determination within 10 business days of the date of the determination. The PHA will ensure that all notices and communications are provided in a manner that is effective for persons with hearing, visual, and other impairments. The notice will state that the family will be charged the alternative non-public housing rent in accordance with PHA continued occupancy policies and HUD regulations and provide the family's new rent amount.

The notice will also include a new non-public housing lease and inform the family that the lease must be executed by the family and the PHA no later than 60 days from the date of the notice or at the next lease renewal, whichever is sooner. The family will continue to be a public housing program participant until the family executes the new non-public housing lease. The notice will also state that failure to execute the lease within this time period stated in the notice will result in termination of tenancy no more than six months after the date of the notice. The PHA will permit an over-income family to execute a lease beyond this time period, but before termination of tenancy, if the over-income family pays the PHA the total difference between the alternative non-public housing rent and their public housing rent dating back to the point in time that the over-income family was required to execute the new lease.

Once the family signs the new non-public housing lease, the family will no longer be a public housing participant family. The family will no longer be subject to income examinations, are precluded from participating in the resident council, and cannot participate in any programs that are only for public housing or low-income families. The PHA will not provide such families with hearing or grievance rights.

The non-public housing over-income (NPHOI) lease will contain all required provisions listed at 24 CFR 960.509. The initial term of the lease will be for one year. Upon expiration of the initial lease term, the lease will not renew automatically, and subsequent leases will state renewal terms. At any time, the PHA may terminate tenancy in accordance with 24 CFR 960.509(b)(11) and in accordance with state and local law.

Upon execution of the lease, the tenant will be required pay the amount of monthly tenant rent (known as the alternative non-public housing rent) determined by the PHA in

accordance with HUD regulations. The PHA will comply with state and local law in giving the tenant written notice stating any changes in the amount of tenant rent. Charges assessed under the lease will be due in accordance with state and local law.

If an NPHOI family subsequently experiences a decrease in income after signing the NPHOI lease, the family may only be readmitted to the public housing program if they once again become an eligible low-income family and reapply to the public housing program.

Threat to Other Residents [24 CFR 966.4(l)(5)(ii)(A)]

The lease must provide that any criminal activity by a covered person that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents (including PHA management staff residing on the premises) or by persons residing in the immediate vicinity of the premises is grounds for termination of tenancy.

PHA Policy

The PHA will terminate the lease when a covered person engages in any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents (including PHA management staff residing on the premises) or by persons residing in the immediate vicinity of the premises.

Immediate vicinity means within a three-block radius of the premises.

The PHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of covered persons related to the criminal activity.

A record or records of arrest will not be used as the sole basis for the termination or proof that the participant engaged in disqualifying criminal activity.

In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors as described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate the lease.

Alcohol Abuse [24 CFR 966.4(l)(5)(vi)(A)]

PHAs must establish standards that allow termination of tenancy if the PHA determines that a household member has engaged in abuse or pattern of abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

PHA Policy

The PHA will terminate the lease if the PHA determines that a household member has engaged in abuse or a pattern of abuse of alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

A pattern of such alcohol abuse means more than one incident of any such abuse of alcohol during the previous three months.

The PHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of household members related to the abuse of alcohol.

A record or records of arrest will not be used as the sole basis for the termination or proof that the participant engaged in disqualifying criminal activity.

In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors as described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate the lease.

Furnishing False or Misleading Information Concerning Illegal Drug Use or Alcohol Abuse or Rehabilitation [24 CFR 966.4(l)(5)(vi)(B)]

PHAs must establish standards that allow termination of tenancy if the PHA determines that a household member has furnished false or misleading information concerning illegal drug use, alcohol abuse, or rehabilitation of illegal drug users or alcohol abusers.

PHA Policy

The PHA will terminate the lease if the PHA determines that a household member has furnished false or misleading information concerning illegal drug use, alcohol abuse, or rehabilitation of illegal drug users or alcohol abusers.

The PHA will consider all credible evidence, including but not limited to, any record of arrests or convictions of household members related to the use of illegal drugs or the abuse of alcohol, and any records or other documentation (or lack of records or documentation) supporting claims of rehabilitation of illegal drug users or alcohol abusers.

In making its decision to terminate the lease, the PHA will consider alternatives as described in Section 13-III.D and other factors as described in Sections 13-III.E and 13-III.F. Upon consideration of such alternatives and factors, the PHA may, on a case-by-case basis, choose not to terminate the lease.

Other Serious or Repeated Violations of Material Terms of the Lease – Mandatory Lease Provisions [24 CFR 966.4(l)(2)(i) and 24 CFR 966.4(f)]

HUD regulations require certain tenant obligations to be incorporated into the lease. Violations of such regulatory obligations are considered to be serious or repeated violations of the lease and grounds for termination. Incidents of actual or threatened domestic violence, dating violence, sexual assault, stalking, or human trafficking may not be construed as serious or repeated violations of the lease by the victim or threatened victim [24 CFR 5.2005(c)(1)].

PHA Policy

The PHA will terminate the lease for the following violations of tenant obligations under the lease:

Failure to make payments due under the lease, including nonpayment of rent (see Chapter 8 for details pertaining to lease requirements for payments due);

Repeated late payment of rent or other charges. Four late payments within a 12-month period shall constitute a repeated late payment.

Failure to fulfill the following household obligations:

Not to assign the lease or to sublease the dwelling unit. Subleasing includes receiving payment to cover rent and utility costs by a person living in the unit who is not listed as a family member.

Not to provide accommodations for boarders or lodgers

To use the dwelling unit solely as a private dwelling for the tenant and the tenant's household as identified in the lease, and not to use or permit its use for any other purpose

To abide by necessary and reasonable regulations promulgated by the PHA for the benefit and well-being of the housing project and the tenants which shall be posted in the project office and incorporated by reference in the lease

To comply with all obligations imposed upon tenants by applicable provisions of building and housing codes materially affecting health and safety

To keep the dwelling unit and such other areas as may be assigned to the tenant for the tenant's exclusive use in a clean and safe condition

To dispose of all ashes, garbage, rubbish, and other waste from the dwelling unit in a sanitary and safe manner

13-III.D. ALTERNATIVES TO TERMINATION OF TENANCY

Exclusion of Culpable Household Member [24 CFR 966.4(l)(5)(vii)(C)]

As an alternative to termination of the lease for criminal activity or alcohol abuse HUD provides that the PHA may consider exclusion of the culpable household member. Such an alternative can be used for any other reason where such a solution appears viable in accordance with PHA policy.

Additionally, under the Violence against Women Act, the PHA may bifurcate a lease in order to terminate the tenancy of an individual who is a tenant or lawful occupant of a unit and engages in criminal activity directly related to domestic violence, dating violence, sexual assault, stalking, or human trafficking.

PHA Policy

The PHA will consider requiring the tenant to exclude a household member in order to continue to reside in the assisted unit, where that household member has participated in or been culpable for action or failure to act that warrants termination.

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

Repayment of Family Debts

PHA Policy

If a family owes amounts to the PHA, as a condition of continued occupancy, the PHA will require the family to repay the full amount or to enter into a repayment agreement, within 30 days of receiving notice from the PHA of the amount owed. See Chapter 16 for policies on repayment agreements.

Consideration of Circumstances [24 CFR 966.4(l)(5)(vii)(B)]

Although it is required that certain lease provisions exist for criminal activity and alcohol abuse, HUD provides that the PHA may consider all circumstances relevant to a particular case in order to determine whether or not to terminate the lease.

Such relevant circumstances can also be considered when terminating the lease for any other reason.

PHA Policy

The PHA will consider the following facts and circumstances before deciding whether to terminate the lease for any of the HUD required lease provisions or for any other reasons:

The seriousness of the offending action, especially with respect to how it would affect other residents' safety or property

The extent of participation or culpability of the leaseholder, or other household members, in the offending action, including whether the culpable member is a minor, a person with disabilities, or (as discussed further in section 13-III.F) a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking

The effects that the eviction will have on other family members who were not involved in the action or failure to act

The effect on the community of the termination, or of the PHA's failure to terminate the tenancy

The effect of the PHA's decision on the integrity of the public housing program

The demand for housing by eligible families who will adhere to lease responsibilities

The extent to which the leaseholder has shown personal responsibility and whether they have taken all reasonable steps to prevent or mitigate the offending action

The length of time since the violation occurred, including the age of the individual at the time of the conduct, as well as the family's recent history, and the likelihood of favorable conduct in the future

Terminating or Evicting a Perpetrator of Domestic Violence

Although VAWA provides protection from termination for victims of domestic violence, it does not provide such protection for perpetrators. In fact, VAWA gives the PHA the explicit authority to bifurcate a lease, or remove a household member from a lease, “in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing” [FR Notice 8/6/13]. Moreover, HUD regulations impose on the PHA the obligation to consider lease bifurcation in any circumstances involving domestic violence, dating violence, stalking, or human trafficking [see 24 CFR 966.4(e)(9)].

Specific lease language affirming the PHA’s authority to bifurcate a lease is not necessary, and the authority supersedes any local, state, or federal law to the contrary. However, if the PHA chooses to exercise its authority to bifurcate a lease, it must follow any procedures prescribed by HUD or by applicable local, state, or federal law for eviction, lease termination, or termination of assistance. This means that the PHA must follow the same rules when terminating or evicting an individual as it would when terminating or evicting an entire family [FR Notice 3/16/07]. However, perpetrators should be given no more than 30 days’ notice of termination in most cases [Notice PIH 2017-08].

PHA Policy

The PHA will bifurcate a family’s lease and terminate the tenancy of a family member if the PHA determines that the family member has committed criminal acts of physical violence against other family members or others. This action will not affect the tenancy or program assistance of the remaining, nonculpable family members.

In making its decision, the PHA will consider all credible evidence, including, but not limited to, a signed certification (form HUD-5382) or other documentation of abuse submitted to the PHA by the victim in accordance with this section and section 16-VII.D. The PHA will also consider the factors in section 13.III.E. Upon such consideration, the PHA may, on a case-by-case basis, choose not to bifurcate the lease and terminate the tenancy of the culpable family member.

If the PHA does bifurcate the lease and terminate the tenancy of the culpable family member, it will do so in accordance with the lease, applicable law, and the policies in this ACOP. If the person removed from the lease was the only tenant eligible to receive assistance, the PHA must provide any remaining tenant a chance to establish eligibility for the unit. If the remaining tenant cannot do so, the PHA must provide the tenant reasonable time to find new housing or to establish eligibility for another housing program covered under VAWA.

PART IV: NOTIFICATION REQUIREMENTS, EVICTION PROCEDURES AND RECORD KEEPING

13-IV.A. OVERVIEW

HUD regulations specify the requirements for the notice that must be provided prior to lease termination. This part discusses those requirements and the specific requirements that precede and follow termination for certain criminal activities which are addressed in the regulations. This part also discusses specific requirements pertaining to the actual eviction of families and record keeping.

13-IV.B. CONDUCTING CRIMINAL RECORDS CHECKS [24 CFR 5.903(e)(ii) and 24 CFR 960.259]

HUD authorizes PHAs to conduct criminal records checks on public housing residents for lease enforcement and eviction. PHA policy determines when the PHA will conduct such checks.

PHA Policy

The PHA will conduct criminal records checks when it has come to the attention of the PHA, either from local law enforcement or by other means, that an individual has engaged in the destruction of property, engaged in violent activity against another person, or has interfered with the right to peaceful enjoyment of the premises of other residents. Such checks will also include sex offender registration information. In order to obtain such information, all adult household members must sign consent forms for release of criminal conviction and sex offender registration records on an annual basis.

The PHA may not pass along to the tenant the costs of a criminal records check.

13-IV.C. DISCLOSURE OF CRIMINAL RECORDS TO FAMILY [24 CFR 5.903(f), 24 CFR 5.905(d) and 24 CFR 966.4(l)(5)(iv)]

In conducting criminal records checks, if the PHA uses the authority of 24 CFR 5.903 and 5.905 to obtain such information, certain protections must be afforded the tenant before any adverse action is taken. In such cases if the PHA obtains criminal records information from a state or local agency showing that a household member has been convicted of a crime, or is subject to a sex offender registration requirement, relevant to lease enforcement or eviction, the PHA must notify the household of the proposed action and must provide the subject of the record and the tenant a copy of such information, and an opportunity to dispute the accuracy and relevance of the information before an eviction or lease enforcement action is taken.

PHA Policy

In all cases where criminal record or sex offender registration information would result in lease enforcement or eviction, the PHA will notify the household in writing of the proposed adverse action and will provide the subject of the record and the tenant a copy of such information, and an opportunity to dispute the accuracy and relevance of the information before an eviction or lease enforcement action is taken.

The family will be given 10 business days from the date of the PHA notice, to dispute the accuracy and relevance of the information. If the family does not contact the PHA to dispute the information within that 10 business day period, the PHA will proceed with the termination action.

Should the tenant not exercise their right to dispute prior to any adverse action, the tenant still has the right to dispute in the grievance hearing or court trial.

PHA Policy

The PHA will attempt to deliver notices of lease termination directly to the tenant or an adult member of the household. If such attempt fails, the notice will be sent by first-class mail the same day.

All notices of lease termination will include a copy of the forms HUD-5382 and HUD-5380 to accompany the termination notice. Any tenant who claims that the cause for termination involves domestic violence, dating violence, sexual assault, stalking, or human trafficking of which the tenant or affiliated individual of the tenant is the victim will be given the opportunity to provide documentation in accordance with the policies in sections 13-III.F and 16-VII.D.

Timing of the Notice [24 CFR 966.4(l)(3)(i); 24 CFR 966.8; Notice PIH 2021-29]

The PHA must give written notice of lease termination of:

- During the period of time for which HUD determines that a national emergency requires additional time for families to secure federal funding that is available due to a Presidential declaration of a national emergency, at least 30 days from the date the tenant receives the notice in the case of failure to pay rent
- When such emergency is not present, 14 calendar days in the case of failure to pay rent
- A reasonable period of time considering the seriousness of the situation (but not to exceed 30 calendar days)

If the health or safety of other residents, PHA employees, or persons residing in the immediate vicinity of the premises is threatened

If any member of the household has engaged in any drug-related criminal activity or violent criminal activity

If any member of the household has been convicted of a felony

- 30 calendar days in any other case, except that if a state or local law allows a shorter notice period, such shorter period shall apply

PHA Policy

The PHA will give written notice of 30 calendar days from the date the tenant receives the notice for nonpayment of rent (during nationwide emergency orders) or 14 calendar days from the date the tenant receives the notice for nonpayment of rent (upon expiration of nationwide emergency orders). For all other lease terminations, the PHA will give 30 days written notice or, if state or local law allows less than 30 days, such shorter notice will be given.

The Notice to Vacate that may be required under state or local law may be combined with or run concurrently with the notice of lease termination.

PHA Policy

Any Notice to Vacate or Notice to Quit that is required by state or local law will *[insert either “be combined with” or “run concurrently”]* with the Notice of Lease Termination under this section.

13-IV.E. EVICTION [24 CFR 966.4(l)(4) and 966.4(m)]

Eviction notice means a notice to vacate, or a complaint or other initial pleading used under state or local law to commence an eviction action. The PHA may only evict the tenant from the unit by instituting a court action, unless the law of the jurisdiction permits eviction by administrative action, after a due process administrative hearing, and without a court determination of the rights and liabilities of the parties.

PHA Policy

When a family does not vacate the unit after receipt of a termination notice, by the deadline given in the notice, the PHA will follow state and local landlord-tenant law in filing an eviction action with the local court that has jurisdiction in such cases.

If the eviction action is finalized in court and the family remains in occupancy beyond the deadline to vacate given by the court, the PHA will seek the assistance of the court to remove the family from the premises as per state and local law.

The PHA may not proceed with an eviction action if the PHA has not made available the documents to be used in the case against the family, and has not afforded the family the opportunity to examine and copy such documents in accordance with the provisions of 24 CFR 966.4(l)(3) and (m).

13-IV.F. NOTIFICATION TO POST OFFICE [24CFR 966.4(l)(5)(iii)(B)]

When the PHA evicts an individual or family for criminal activity, including drug-related criminal activity, the PHA must notify the local post office serving the dwelling unit that the individual or family is no longer residing in the unit.

13-IV.G. RECORD KEEPING

For more information concerning general record keeping, see Chapter 16.

PHA Policy

A written record of every termination and/or eviction will be maintained by the PHA at the development where the family was residing, and will contain the following information:

Name of resident, number and identification of unit occupied

Date of the notice of lease termination and any other notices required by state or local law; these notices may be on the same form and will run concurrently

Specific reason(s) for the notices, citing the lease section or provision that was violated, and other facts pertinent to the issuing of the notices described in detail (other than any criminal history reports obtained solely through the authorization provided in 24 CFR 5.903 and 5.905)

Date and method of notifying the resident

Summaries of any conferences held with the resident including dates, names of conference participants, and conclusions

14-I.B. INFORMAL HEARING PROCESS [24 CFR 960.208(a) and PH Occ GB, p. 58]

Informal hearings are provided for public housing applicants. An applicant is someone who has applied for admission to the public housing program but is not yet a tenant in the program. Informal hearings are intended to provide a means for an applicant to dispute a determination of ineligibility for admission to a project [24 CFR 960.208(a)]. Applicants to public housing are not entitled to the same hearing process afforded tenants under the PHA grievance procedures [24 CFR 966.53(a) and PH Occ GB, p. 58].

Informal hearings provide applicants the opportunity to review the reasons for denial of admission and to present evidence to refute the grounds for denial.

Use of Informal Hearing Process

While the PHA must offer the opportunity of an informal hearing to applicants who have been determined as ineligible for admission, the PHA could make the informal hearing process available to applicants who wish to dispute other PHA actions that adversely affect them.

PHA Policy

The PHA will only offer informal hearings to applicants for the purpose of disputing denials of admission.

Notice of Denial [24 CFR 960.208(a)]

The PHA must give an applicant prompt notice of a decision denying eligibility for admission. The notice must contain a brief statement of the reasons for the PHA decision and must also state that the applicant may request an informal hearing to dispute the decision. The notice must describe how to obtain the informal hearing.

PHA Policy

As applicable, the PHA's notice of denial will include information about required or requested remote informal hearings.

When denying eligibility for admission, the PHA must provide the family a notice of VAWA rights (form HUD-5380) as well as the HUD VAWA self-certification form (form HUD-5382) in accordance with the Violence against Women Act, and as outlined in 16-VII.C. The notice and self-certification form must accompany the written notification of the denial of eligibility determination.

Prior to notification of denial based on information obtained from criminal or sex offender registration records, the family, in some cases, must be given the opportunity to dispute the information in those records which would be the basis of the denial. See Section 3-III.G for details concerning this requirement.

Scheduling an Informal Hearing

PHA Policy

A request for an informal hearing must be made in writing and delivered to the PHA either in person or by first class mail, by the close of the business day, no later than 10 business days from the date of the PHA's notification of denial of admission.

The PHA will schedule and send written notice of the informal hearing within 10 business days of the family's request.

If the PHA informal hearing will be conducted remotely, at the time the notice is sent to the family, the family will be informed:

Regarding the processes involved in a remote informal hearing;

That the PHA will provide technical assistance prior to and during the informal hearing, if needed; and

That if the family or any individual witness has any technological, resource, or accessibility barriers preventing them from fully accessing the remote informal hearing, the family may inform the PHA and the PHA will assist the family in either resolving the issues or allow the family to participate in an in-person informal hearing, as appropriate.

Conducting an Informal Hearing [PH Occ GB, p. 58]

PHA Policy

The informal hearing will be conducted by a person other than the one who made or approved the decision under review, or a subordinate of this person.

The applicant will be provided an opportunity to present written or oral objections to the decision of the PHA.

The person conducting the informal hearing will make a recommendation to the PHA, but the PHA is responsible for making the final decision as to whether admission should be granted or denied.

Remote Informal Hearings [Notice PIH 2020-32]

There is no requirement that informal hearings be conducted in-person, and as such, HUD allows PHAs to conduct all or a portion of their informal hearings remotely either over the phone, via video conferencing, or through other virtual platforms. If the PHA chooses to conduct remote informal hearings, applicants may still request an in-person informal hearing, as applicable.

PHA Policy

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

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

Ensuring Accessibility for Persons with Disabilities and LEP Individuals

As with in-person informal hearings, the platform for conducting remote informal hearings must be accessible to persons with disabilities and the informal hearing must be conducted in accordance with Section 504 and accessibility requirements. This includes ensuring any information, websites, emails, digital notifications, and other virtual platforms are accessible for persons with vision, hearing, and other disabilities. Further, providing effective communication in a digital context may require the use of individualized auxiliary aids or services, such as audio description, captioning, sign language and other types of interpreters, keyboard accessibility, accessible documents, screen reader support, and transcripts. Auxiliary aids or services must be provided in accessible formats, in a timely manner, and in such a way to protect the privacy and independence of the individual. PHAs may never request or require that individuals with disabilities provide their own auxiliary aids or services, including for remote informal hearings.

If no method of conducting a remote informal hearing is available that appropriately accommodates an individual's disability, the PHA may not hold against the individual their inability to participate in the remote informal review, and the PHA should consider whether postponing the remote informal hearing to a later date is appropriate or whether there is a suitable alternative.

Due to the individualized nature of disability, the appropriate auxiliary aid or service necessary, or reasonable accommodation, will depend on the specific circumstances and requirements.

As with in-person hearings, Limited English Proficiency (LEP) requirements also apply to remote informal hearings, including the use of interpretation services and document translation. See Chapter 2 for a more thorough discussion of accessibility and LEP requirements, all of which apply in the context of remote informal hearings.

Informal Hearing Procedures for Applicants [24 CFR 5.514(f)]

After notification of the USCIS decision on appeal, or in lieu of an appeal to the USCIS, an applicant family may request that the PHA provide a hearing. The request for a hearing must be made either within 30 days of receipt of the PHA notice of denial, or within 30 days of receipt of the USCIS appeal decision.

The informal hearing procedures for applicant families are described below.

Informal Hearing Officer

The PHA must provide an informal hearing before an impartial individual, other than a person who made or approved the decision under review, and other than a person who is a subordinate of the person who made or approved the decision.

Evidence

The family must be provided the opportunity to examine and copy at the family's expense, at a reasonable time in advance of the hearing, any documents in the possession of the PHA pertaining to the family's eligibility status, or in the possession of the USCIS (as permitted by USCIS requirements), including any records and regulations that may be relevant to the hearing.

PHA Policy

The family will be allowed to copy any documents related to the hearing at no cost to the family. The family must request discovery of PHA documents no later than 12:00 p.m. on the business day prior to the hearing.

The family must be provided the opportunity to present evidence and arguments in support of eligible status. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

The family must also be provided the opportunity to refute evidence relied upon by the PHA, and to confront and cross-examine all witnesses on whose testimony or information the PHA relies.

Representation and Interpretive Services

The family is entitled to be represented by an attorney or other designee, at the family's expense, and to have such person make statements on the family's behalf.

The family is entitled to request an interpreter. The PHA is obligated to provide a competent interpreter, free of charge, upon request. The family may also or instead provide its own interpreter, at the expense of the family.

Recording of the Hearing

The family is entitled to have the hearing recorded by audiotape. The PHA may, but is not required to, provide a transcript of the hearing.

PHA Policy

The PHA will not provide a transcript of an audio taped informal hearing.

14-III.C. APPLICABILITY [24 CFR 966.51]

Grievances could potentially address most aspects of a PHA's operation. However, there are some situations for which the grievance procedure is not applicable.

The grievance procedure is applicable only to individual tenant issues relating to the PHA. It is not applicable to disputes between tenants not involving the PHA. Class grievances are not subject to the grievance procedure and the grievance procedure is not to be used as a forum for initiating or negotiating policy changes of the PHA.

If HUD has issued a due process determination, a PHA may exclude from the PHA grievance procedure any grievance concerning a termination of tenancy or eviction that involves:

- Any criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises of other residents or employees of the PHA;
- Any violent or drug-related criminal activity on or off such premises; or
- Any criminal activity that resulted in felony conviction of a household member

In states without due process determinations, PHAs must grant opportunity for grievance hearings for all lease terminations, regardless of cause, with the following exception: PHAs may use expedited grievance procedures for the excluded categories listed above. These expedited grievance procedures are described in Section 14-III.E. below.

If HUD has issued a due process determination, the PHA may evict through the state/local judicial eviction procedures. In this case, the PHA is not required to provide the opportunity for a hearing under the PHA's grievance procedure as described above.

PHA Policy

The PHA is located in a HUD-declared due process state. Therefore, the PHA will not offer grievance hearings for lease terminations involving criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees of the PHA, for violent or drug-related criminal activity on or off the premises, or for any criminal activity that resulted in felony conviction of a household member.

See Chapter 13 for related policies on the content of termination notices.

14-III.D. INFORMAL SETTLEMENT OF GRIEVANCE [24 CFR 966.54]

HUD regulations state that any grievance must be personally presented, either orally or in writing, to the PHA office or to the office of the housing development in which the complainant resides so that the grievance may be discussed informally and settled without a hearing.

PHA Policy

The PHA will accept requests for an informal settlement of a grievance either orally or in writing (including emailed requests), to the PHA office within 10 business days of the grievable event. Within 10 business days of receipt of the request the PHA will arrange a meeting with the tenant at a mutually agreeable time and confirm such meeting in writing to the tenant. The informal settlement may be conducted remotely as required by the PHA or may be conducted remotely upon consideration of the request of the tenant. See 14-III.G for information on how and under what circumstances remote informal settlements may be conducted.

If a tenant fails to attend the scheduled meeting without prior notice, the PHA will reschedule the appointment only if the tenant can show good cause for failing to appear, or if it is needed as a reasonable accommodation for a person with disabilities.

Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

HUD regulations require that a summary of such discussion will be prepared within a reasonable time and one copy will be given to the tenant and one retained in the PHA's tenant file.

The summary must specify the names of the participants, dates of meeting, the nature of the proposed disposition of the complaint and the specific reasons therefore, and will specify the procedures by which a hearing may be obtained if the complainant is not satisfied.

PHA Policy

The PHA will prepare a summary of the informal settlement within five business days; one copy to be given to the tenant and one copy to be retained in the PHA's tenant file.

For PHAs who have the option to establish an expedited grievance procedure, and who exercise this option, the informal settlement of grievances is not applicable to those grievances for which the expedited grievance procedure applies.

14-III.E. PROCEDURES TO OBTAIN A HEARING

Requests for Hearing and Failure to Request

PHA Policy

The resident must submit a written request (including emailed requests) for a grievance hearing to the PHA within five business days of the tenant's receipt of the summary of the informal settlement.

If the complainant does not request a hearing, the PHA's disposition of the grievance under the informal settlement process will become final. However, failure to request a hearing does not constitute a waiver by the complainant of the right to contest the PHA's action in disposing of the complaint in an appropriate judicial proceeding.

Scheduling of Hearings [24 CFR 966.56(a)]

If the complainant has complied with all requirements for requesting a hearing as described above, a hearing must be scheduled by the hearing officer promptly for a time and place reasonably convenient to both the complainant and the PHA. A written notification specifying the time, place and the procedures governing the hearing must be delivered to the complainant and the appropriate PHA official.

PHA Policy

Within 10 business days of receiving a written request for a hearing, the hearing officer will schedule and send written notice of the hearing to both the complainant and the PHA.

If the PHA hearing will be conducted remotely, at the time the notice is sent to the family, the family will be notified:

Regarding the processes involved in a remote grievance hearing;

That the PHA will provide technical assistance prior to and during the hearing, if needed; and

That if the family or any individual witness has any technological, resource, or accessibility barriers, the family may inform the PHA and the PHA will assist the family in either resolving the issue or allow the family to participate in an in-person hearing, as appropriate.

The PHA may wish to permit the tenant to request to reschedule a hearing for good cause.

PHA Policy

The tenant may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety, or welfare of the family. Requests to reschedule a hearing must be made orally or in writing prior to the hearing date. At its discretion, the PHA may request documentation of the "good cause" prior to rescheduling the hearing.

Expedited Grievance Procedure [24 CFR 966.52(a)]

The PHA may establish an expedited grievance procedure for any grievance concerning a termination of tenancy or eviction that involves:

- Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or employees of the PHA;
- Any drug-related criminal activity on or near such premises; or
- Any criminal activity that resulted in felony conviction of a household member.

In such expedited grievances, the informal settlement of grievances as discussed in 14-III.D is not applicable.

The PHA may adopt special procedures concerning expedited hearings, including provisions for expedited notice or scheduling, or provisions for expedited decision on the grievance.

PHA Policy

The PHA will not offer expedited grievance procedures.

14-III.G. REMOTE HEARINGS [Notice PIH 2020-32]

There is no requirement that grievance hearings be conducted in-person, and as such, HUD allows PHAs to conduct all or a portion of their grievance hearings remotely either over the phone, via video conferencing, or through other virtual platforms. If the PHA chooses to conduct remote grievance hearings, applicants may still request an in-person hearing, as applicable.

PHA Policy

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

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

Discovery of Documents Before the Remote Hearing

PHA Policy

If the hearing will be conducted remotely, the PHA will compile a hearing packet, consisting of all documents the PHA intends to produce at the hearing. The PHA will mail copies of the hearing packet to the tenant, the tenant's representatives, if any, and the hearing officer at least three days before the scheduled remote hearing. The original hearing packet will be in the possession of the PHA representative and retained by the PHA.

If the hearing is to be conducted remotely, the PHA will require the resident to provide any documents directly relevant to the hearing at least 24 hours before the scheduled hearing through the mail, via email, or text. The PHA will scan and email copies of these documents to the hearing officer and the PHA representative the same day they are received.

Documents will be shared electronically whenever possible.

Conducting Hearings Remotely

The PHA must ensure that the lack of technology or inability to use technology for remote grievance hearings does not pose a disadvantage to families that may not be apparent to the PHA. The PHA should determine through a survey or other means if these barriers exist prior to conducting the remote grievance hearing and, if the family does not have the proper technology to fully participate, either postpone the hearing or provide an alternative means of access.

As with in-person grievance hearings, the PHA must provide all materials presented, whether paper or electronic, to the family prior to the remote grievance hearing. The family must also be provided with an accessible means by which to transmit their own evidence.

The PHA's essential responsibility is to ensure grievance hearings meet the requirements of due process and comply with HUD regulations. Therefore, all PHA policies and processes for remote grievance hearings will be conducted in accordance with due process requirements and will be in compliance with HUD regulations at 24 CFR 966.56 and the guidance for conducting remote hearings specified in Notice PIH 2020-32.

PHA Policy

The PHA will conduct remote grievance hearings via a video conferencing platform, when available. If, after attempting to resolve any barriers, participants are unable to adequately access the video conferencing platform at any point, or upon request, the grievance hearing will be conducted by telephone conferencing call-in. If the family is unable to adequately access the telephone conferencing call-in at any point, the remote grievance hearing will be postponed, and an in-person alternative will be provided promptly within a reasonable time.

At least five business days prior to scheduling the remote hearing, the PHA will provide the family with login information and/or conferencing call-in information and an electronic copy of all materials being presented via first class mail and/or email. The notice will advise the family of technological requirements for the hearing and request the family notify the PHA of any known barriers. The PHA will resolve any barriers using the guidance in Section 6 of Notice PIH 2020-32, including offering the family the opportunity to attend an in-person hearing.

The PHA will follow up with a phone call and/or email to the family at least one business day prior to the remote grievance hearing to ensure that the family received all information and is comfortable accessing the video conferencing or call-in platform.

The PHA will ensure that all electronic information stored or transmitted with respect to the grievance hearing is secure, including protecting personally identifiable information (PII), and meets the requirements for accessibility for persons with disabilities and persons with LEP.

14-III.H. PROCEDURES GOVERNING THE HEARING [24 CFR 966.56]

Rights of Complainant [24 CFR 966.56(b)]

The complainant will be afforded a fair hearing. This includes:

- The opportunity to examine before the grievance hearing any PHA documents, including records and regulations that are directly relevant to the hearing. The tenant must be allowed to copy any such document at the tenant's expense. If the PHA does not make the document available for examination upon request by the complainant, the PHA may not rely on such document at the grievance hearing.

PHA Policy

The tenant will be allowed to copy any documents related to the hearing at no cost to the family. There will be no charge for documents emailed by the PHA. The family must request discovery of PHA documents no later than 12:00 p.m. on the business day prior to the hearing.

- The right to be represented by counsel or other person chosen to represent the tenant, and to have such person make statements on the tenant's behalf.

PHA Policy

Hearings may be attended by the following applicable persons:

The PHA representatives and any witnesses for the PHA

The tenant and any witnesses for the tenant

The tenant's counsel or other representative

Any other person approved by the PHA as a reasonable accommodation for a person with a disability

- The right to a private hearing unless the complainant requests a public hearing.
- The right to present evidence and arguments in support of the tenant's complaint, to controvert evidence relied on by the PHA or project management, and to confront and cross-examine all witnesses upon whose testimony or information the PHA or project management relies.
- A decision based solely and exclusively upon the facts presented at the hearing.

Failure to Appear [24 CFR 966.56(c)]

If the complainant or the PHA fails to appear at a scheduled hearing, the hearing officer may make a determination to postpone the hearing for no more than five business days or may make a determination that the party has waived their right to a hearing. Both the complainant and the PHA must be notified of the determination by the hearing officer: Provided, That a determination that the complainant has waived their right to a hearing will not constitute a waiver of any right the complainant may have to contest the PHA's disposition of the grievance in an appropriate judicial proceeding.

There may be times when a complainant does not appear due to unforeseen circumstances which are out of their control and are no fault of their own.

PHA Policy

If the tenant does not appear at the scheduled time of the hearing, the hearing officer will wait up to 15 minutes. If the tenant appears within 15 minutes of the scheduled time, the hearing will be held. If the tenant does not arrive within 15 minutes of the scheduled time, they will be considered to have failed to appear.

If the tenant fails to appear and was unable to reschedule the hearing in advance, the tenant must contact the PHA within 24 hours of the scheduled hearing date, excluding weekends and holidays. The hearing officer will reschedule the hearing only if the tenant can show good cause for the failure to appear, or it is needed as a reasonable accommodation for a person with disabilities.

“Good cause” is defined as an unavoidable conflict which seriously affects the health, safety, or welfare of the family.

General Procedures [24 CFR 966.56(d), (e)]

At the hearing, the complainant must first make a showing of an entitlement to the relief sought and thereafter the PHA must sustain the burden of justifying the PHA action or failure to act against which the complaint is directed [24 CFR 966.56(d)].

The hearing is conducted informally by the hearing officer. The PHA and the tenant must be given the opportunity to present oral or documentary evidence pertinent to the facts and issues raised by the complaint, and to question any witnesses.

PHA Policy

Any evidence to be considered by the hearing officer must be presented at the time of the hearing. There are four categories of evidence.

Oral evidence: the testimony of witnesses

Documentary evidence: a writing which is relevant to the case, for example, a letter written to the PHA. Writings include all forms of recorded communication or representation, including letters, emails, words, pictures, sounds, videotapes or symbols or combinations thereof.

Demonstrative evidence: Evidence created specifically for the hearing and presented as an illustrative aid to assist the hearing officer, such as a model, a chart or other diagram.

Real evidence: A tangible item relating directly to the case.

Hearsay Evidence is evidence based not on a witness' personal knowledge. In and of itself, hearsay evidence carries no weight when making a finding of fact. The hearing officer may include hearsay evidence when considering their decision if it is corroborated by other evidence. Even though hearsay evidence is generally admissible in a hearing, the hearing officer will not base a hearing decision on hearsay alone unless there is clear probative value and credibility of the evidence, and the party seeking the change has met the burden of proof.

If the PHA fails to comply with the discovery requirements (providing the tenant with the opportunity to examine PHA documents prior to the grievance hearing), the hearing officer will refuse to admit such evidence.

Other than the failure of the PHA to comply with discovery requirements, the hearing officer has the authority to overrule any objections to evidence.

The complainant or the PHA 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 [24 CFR 966.56(e)].

PHA Policy

If the complainant would like the PHA to record the proceedings by audiotape, the request must be made to the PHA by 12:00 p.m. on the business day prior to the hearing.

The PHA will consider that an audio tape recording of the proceedings is a transcript.

PART I: PREVENTING, DETECTING, AND INVESTIGATING ERRORS AND PROGRAM ABUSE

15-I.A. PREVENTING ERRORS AND PROGRAM ABUSE

HUD created the Enterprise Income Verification (EIV) system to provide PHAs with a powerful tool for preventing errors and program abuse. PHAs are required to use the EIV system at annual reexamination in accordance with HUD administrative guidance [24 CFR 5.233]. PHAs are further required to:

- Provide applicants and residents with form HUD-52675, “Debts Owed to PHAs and Terminations”
- Require all adult members of an applicant or participant family to acknowledge receipt of form HUD-52675 by signing a copy of the form for retention in the family file

PHA Policy

The PHA anticipates that the vast majority of families and PHA employees intend to and will comply with program requirements and make reasonable efforts to avoid errors.

To ensure that the PHA’s program is administered effectively and according to the highest ethical and legal standards, the PHA will employ a variety of techniques to ensure that both errors and intentional program abuse are rare.

The PHA will provide each applicant and resident with a copy of “Is Fraud Worth It?” (form HUD-1141-OIG), which explains the types of actions a family must avoid and the penalties for program abuse.

The PHA will provide each applicant and resident with a copy of “What You Should Know about EIV,” a guide to the Enterprise Income Verification (EIV) system published by HUD as an attachment to Notice PIH 2017-12. In addition, the PHA will require the head of each household to acknowledge receipt of the guide by signing a copy for retention in the family file.

The PHA will require mandatory orientation sessions for all prospective residents either prior to or upon execution of the lease. The PHA will discuss program compliance and integrity issues. At the conclusion of all program orientation sessions, the family representative will be required to sign a program briefing certificate to confirm that all rules and pertinent regulations were explained to them.

The PHA will routinely provide resident counseling as part of every reexamination interview in order to clarify any confusion pertaining to program rules and requirements.

PHA staff will be required to review and explain the contents of all HUD- and PHA-required forms prior to requesting family member signatures.

The PHA will place a warning statement about the penalties for fraud (as described in 18 U.S.C. 1001 and 1010) on key PHA forms and form letters that request information from a family member.

The PHA will provide each PHA employee with the necessary training on program rules and the organization's standards of conduct and ethics.

At every regular reexamination the PHA staff will explain any changes in HUD regulations or PHA policy that affect residents.

For purposes of this chapter the term *error* refers to an unintentional error or omission. *Program abuse or fraud* refers to a single act or pattern of actions that constitute a false statement, omission, or concealment of a substantial fact, made with the intent to deceive or mislead.

15-I.B. DETECTING ERRORS AND PROGRAM ABUSE

In addition to taking steps to prevent errors and program abuse, the PHA will use a variety of activities to detect errors and program abuse.

Quality Control and Analysis of Data

PHA Policy

The PHA will employ a variety of methods to detect errors and program abuse, including:

The PHA routinely will use EIV and other non-HUD sources of up-front income verification. This includes the Work Number and any other private or public databases available to the PHA.

At each annual reexamination, current information provided by the family will be compared to information provided at the last annual reexamination to identify inconsistencies and incomplete information.

The PHA will compare family-reported income and expenditures to detect possible unreported income.

Independent Audits and HUD Monitoring

Notice PIH 2015-16 requires all PHAs that expend \$750,000 or more in federal awards annually to have an independent audit (IPA). In addition, HUD conducts periodic on-site and automated monitoring of PHA activities and notifies the PHA of errors and potential cases of program abuse.

PHA Policy

The PHA will use the results reported in any IPA or HUD monitoring reports to identify potential program abuses as well as to assess the effectiveness of the PHA's error detection and abuse prevention efforts.

Individual Reporting of Possible Errors and Program Abuse

PHA Policy

The PHA will encourage staff, residents, and the public to report possible program abuse.

15-I.C. INVESTIGATING ERRORS AND PROGRAM ABUSE

When the PHA Will Investigate

PHA Policy

The PHA will review all referrals, specific allegations, complaints, and tips from any source including other agencies, companies, and individuals, to determine if they warrant investigation. In order for the PHA to investigate, the allegation must contain at least one independently-verifiable item of information, such as the name of an employer or the name of an unauthorized household member.

The PHA will investigate when inconsistent or contradictory information is detected through file reviews and the verification process.

Consent to Release of Information [24 CFR 960.259]

The PHA may investigate possible instances of error or abuse using all available PHA and public records. If necessary, the PHA will require families to sign consent forms for the release of additional information.

Analysis and Findings

PHA Policy

The PHA will base its evaluation on a preponderance of the evidence collected during its investigation.

Preponderance of the 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 that as a whole shows that the fact sought to be proved is more probable than not. Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

For each investigation the PHA will determine (1) whether an error or program abuse has occurred, (2) whether any amount of money is owed the PHA, and (3) what corrective measures or penalties will be assessed.

Consideration of Remedies

All errors and instances of program abuse must be corrected prospectively. Whether the PHA will enforce other corrective actions and penalties depends upon the nature of the error or program abuse.

PHA Policy

In the case of family-caused errors or program abuse, the PHA will take into consideration (1) the seriousness of the offense and the extent of participation or culpability of individual family members, (2) any special circumstances surrounding the case, (3) any mitigating circumstances related to the disability of a family member, (4) the effects of a particular remedy on family members who were not involved in the offense.

Notice and Appeals

PHA Policy

The PHA will inform the relevant party in writing of its findings and remedies within 10 business days of the conclusion of the investigation. The notice will include (1) a description of the error or program abuse, (2) the basis on which the PHA determined the error or program abuses, (3) the remedies to be employed, and (4) the family's right to appeal the results through an informal hearing or grievance hearing (see Chapter 14).

PART II: CORRECTIVE MEASURES AND PENALTIES

15-II.A. UNDER- OR OVERPAYMENT

An under- or overpayment includes an incorrect tenant rent payment by the family, or an incorrect utility reimbursement to a family.

Corrections

Whether the incorrect rental determination is an overpayment or underpayment, the PHA must promptly correct the tenant rent and any utility reimbursement prospectively.

PHA Policy

Increases in the tenant rent will be implemented on the first of the month following a written 30 day notice.

Any decreases in tenant rent will become effective the first of the month following the discovery of the error.

Reimbursement

Whether the family is required to reimburse the PHA or the PHA is required to reimburse the family depends upon which party is responsible for the incorrect payment and whether the action taken was an error or program abuse. Policies regarding reimbursement are discussed in the three sections that follow.

15-II.B. FAMILY-CAUSED ERRORS AND PROGRAM ABUSE

General administrative requirements for participating in the program are discussed throughout the ACOP. This section deals specifically with errors and program abuse by family members.

An incorrect rent determination caused by a family generally would be the result of incorrect reporting of family composition, income, assets, or expenses, but also would include instances in which the family knowingly allows the PHA to use incorrect information provided by a third party.

Family Reimbursement to PHA

PHA Policy

In the case of family-caused errors or program abuse, the family will be required to repay any amounts of rent underpaid. The PHA may, but is not required to, offer the family a repayment agreement in accordance with Chapter 16. If the family fails to repay the amount owed, the PHA will terminate the family's lease in accordance with the policies in Chapter 13.

PHA Reimbursement to Family

PHA Policy

The PHA will not reimburse the family for any overpayment of rent when the overpayment clearly is caused by the family.

Prohibited Actions

An applicant or resident in the public housing program must not knowingly:

- Make a false statement to the PHA [Title 18 U.S.C. Section 1001].
- Provide incomplete or false information to the PHA [24 CFR 960.259(a)(4)].
- Commit fraud, or make false statements in connection with an application for assistance or with reexamination of income [24 CFR 966.4(l)(2)(iii)(C)].

PHA Policy

Any of the following will be considered evidence of family program abuse:

Offering bribes or illegal gratuities to the PHA Board of Commissioners, employees, contractors, or other PHA representatives

Offering payments or other incentives to a third party as an inducement for the third party to make false or misleading statements to the PHA on the family's behalf

Use of a false name or the use of falsified, forged, or altered documents

Intentional misreporting of family information or circumstances (e.g., misreporting of income or family composition)

Omitted facts that were obviously known by a family member (e.g., not reporting employment income)

Admission of program abuse by an adult family member

The PHA may determine other actions to be program abuse based upon a preponderance of the evidence, as defined earlier in this chapter.

Penalties for Program Abuse

In the case of program abuse caused by a family the PHA may, at its discretion, impose any of the following remedies.

- The PHA may require the family to repay any amounts owed to the program (see 15-II.B., Family Reimbursement to PHA).
- The PHA may require, as a condition of receiving or continuing assistance, that a culpable family member not reside in the unit. See policies in Chapter 3 (for applicants) and Chapter 13 (for residents).
- The PHA may deny admission or terminate the family's lease following the policies set forth in Chapter 3 and Chapter 13 respectively.
- The PHA may refer the family for state or federal criminal prosecution as described in section 15-II.D.

15-II.C. PHA-CAUSED ERRORS OR PROGRAM ABUSE

The responsibilities and expectations of PHA staff with respect to normal program administration are discussed throughout the ACOP. This section specifically addresses actions of a PHA staff member that are considered errors or program abuse related to the public housing program. Additional standards of conduct may be provided in the PHA personnel policy.

PHA-caused incorrect rental determinations include (1) failing to correctly apply public housing rules regarding family composition, income, assets, and expenses, and (2) errors in calculation.

De Minimis Errors [24 CFR 5.609(c)(4); Notice PIH 2023-27]

The PHA will not be considered out of compliance when making annual income determinations solely due to de minimis errors in calculating family income. A de minimis error is an error where the PHA determination of family income deviates from the correct income determination by no more than \$30 per month in monthly adjusted income (\$360 in annual adjusted income) per family.

PHAs must take corrective action to credit or repay a family if the family was overcharged rent, including when PHAs make de minimis errors in the income determination. Families will not be required to repay the PHA in instances where the PHA miscalculated income resulting in a family being undercharged for rent. PHAs state in their policies how they will repay or credit a family the amount they were overcharged as a result of the PHA's de minimis error in income determination.

PHA Policy

The PHA will reimburse a family for any family overpayment of rent, regardless of whether the overpayment was the result of staff-caused error, staff program abuse, or a de minimis error.

Prohibited Activities

PHA Policy

Any of the following will be considered evidence of program abuse by PHA staff:

Failing to comply with any public housing program requirements for personal gain

Failing to comply with any public housing program requirements as a result of a conflict of interest relationship with any applicant or resident

Seeking or accepting anything of material value from applicants, residents, vendors, contractors, or other persons who provide services or materials to the PHA

Disclosing confidential or proprietary information to outside parties

Gaining profit as a result of insider knowledge of PHA activities, policies, or practices

Misappropriating or misusing public housing funds

Destroying, concealing, removing, or inappropriately using any records related to the public housing program

Committing any other corrupt or criminal act in connection with any federal housing program

Committing sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment

Allowing sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment, where the PHA knew or should have known such harassment was occurring

Retaliating against any applicant, resident, or staff reporting sexual harassment or other harassment based on race, color, religion, national origin, familial status, disability, sexual orientation, or gender identity, either quid pro quo (supervisory harassment) or hostile environment

15-II.D. CRIMINAL PROSECUTION

PHA Policy

When the PHA determines that program abuse by a family or PHA staff member has occurred and the amount of underpaid rent meets or exceeds the threshold for prosecution under local or state law, the PHA will refer the matter to the appropriate entity for prosecution. When the amount of underpaid rent meets or exceeds the federal threshold, the case will also be referred to the HUD Office of Inspector General (OIG).

Other criminal violations related to the public housing program will be referred to the appropriate local, state, or federal entity.

15-II.E. FRAUD AND PROGRAM ABUSE RECOVERIES

PHAs who enter into a repayment agreement with a family to collect rent owed, initiate litigation against the family to recover rent owed, or begin eviction proceedings against a family may retain 100 percent of program funds that the PHA recovers [Notice PIH 2007-27 (HA)].

If the PHA does none of the above, all amounts that constitute an underpayment of rent must be returned to HUD.

The family must be afforded the opportunity for a hearing through the PHA's grievance process.

Air-Conditioning

“If a PHA installs air conditioning, it shall provide, to the maximum extent economically feasible, systems that give residents the option of choosing to use air conditioning in their units. The design of systems that offer each resident the option to choose air conditioning shall include retail meters or check meters, and residents shall pay for the energy used in its operation. For systems that offer residents the option to choose air conditioning but cannot be check metered, residents are to be surcharged in accordance with 965.506. If an air conditioning system does not provide for resident option, residents are not to be charged, and these systems should be avoided whenever possible.” [24 CFR 965.505(e)]

PHA Policy

The PHA has not installed air-conditioning.

Utility Allowance Revisions [24 CFR 965.507]

The PHA must review at least annually the basis on which utility allowances have been established and must revise the allowances if necessary in order to adhere to the standards for establishing utility allowances that are contained in 24 CFR 965.505. The review must include all changes in circumstances (including completion of modernization and/or other energy conservation measures implemented by the PHA) indicating probability of a significant change in reasonable requirements and changes in utility rates [24 CFR 965.507(a)].

The PHA must revise its allowances for resident-purchased utilities if there is a rate change, and is required to do so if such change, by itself or together with prior rate changes not adjusted for, results in a change of 10 percent or more from the rate on which the allowance was based.

Adjustments to resident payments as a result of such changes must be retroactive to the first day of the month following the month in which the last rate change taken into account became effective. Such rate changes are not subject to the 60-day notice [24 CFR 965.507(b)].

PHA Policy

Between annual reviews of utility allowances, the PHA will only revise its utility allowances due to a rate change, when required to by the regulation.

16-I.C. SURCHARGES FOR PHA-FURNISHED UTILITIES [24 CFR 965.506]

For dwelling units subject to allowances for PHA-furnished utilities where check meters have been installed, the PHA must establish surcharges for utility consumption in excess of the allowances. Surcharges may be computed on a straight per unit of purchase basis or for stated blocks of excess consumption, and must be based on the PHA's average utility rate. The basis for calculating the surcharges must be described in the PHA's schedule of allowances. Changes in the amount of surcharges based directly on changes in the PHA's average utility rate are not subject to the advance notice requirements discussed under 16-I.D.

For dwelling units served by PHA-furnished utilities where check meters have not been installed, the PHA must establish schedules of surcharges indicating additional dollar amounts residents will be required to pay by reason of estimated utility consumption attributable to resident-owned major appliances or to optional functions of PHA-furnished equipment. The surcharge schedule must state the resident-owned equipment (or functions of PHA-furnished equipment) for which surcharges will be made and the amounts of such charges. Surcharges must be based on the cost to the PHA of the utility consumption estimated to be attributable to reasonable usage of such equipment.

PHA Policy

The PHA has PHA-furnished utilities at AMP 01 only.

16-I.D. NOTICE REQUIREMENTS [965.502]

The PHA must give notice to all residents of proposed allowances and scheduled surcharges, and revisions thereof. The notice must be given in the manner provided in the lease and must:

- Be provided at least 60 days before the proposed effective date of the allowances, scheduled surcharges, or revisions.
- Describe the basis for determination of the allowances, scheduled surcharges, or revisions, including a statement of the specific items of equipment and function whose utility consumption requirements were included in determining the amounts of the allowances and schedule of surcharges.
- Notify residents of the place where the PHA's documentation on which allowances and surcharges are based is available for inspection.
- Provide all residents an opportunity to submit written comments during a period expiring not less than 30 days before the proposed effective date of the allowances, scheduled surcharges, or revisions.

PART III: FAMILY DEBTS TO THE PHA

16-III.A. OVERVIEW

Families are required to reimburse the PHA if they were charged less rent than required because the family either underreported or failed to report income. PHAs are required to determine retroactive rent amounts as far back as the PHA has documentation of family unreported income [Notice PIH 2018-18].

This part describes the PHA's policies for recovery of monies owed to the PHA by families.

PHA Policy

When an action or inaction of a resident family results in the underpayment of rent or other amounts, the PHA holds the family liable to return any underpayments to the PHA.

The PHA will enter into repayment agreements in accordance with the policies contained in this part as a means to recover overpayments.

16-III.B. REPAYMENT POLICY

Family Debts to the PHA

PHA Policy

Any amount owed to the PHA by a public housing family must be repaid. If the family is unable to repay the debt within 30 days, the PHA will offer to enter into a repayment agreement in accordance with the policies below.

Refusal to Enter into An Agreement

If the family refuses to repay the debt, does not enter into a repayment agreement, or breaches a repayment agreement, the PHA will terminate the family's tenancy.

PHA Policy

When a family refuses to repay monies owed to the PHA, in addition to termination of program assistance, the PHA will utilize other available collection alternatives including, but not limited to, the following:

Collection agencies

Small claims court

Civil lawsuit

State income tax set-off program

Repayment Agreement [24 CFR 792.103]

The term *repayment agreement* refers to a formal written document signed by a tenant or owner and provided to the PHA in which a tenant or owner acknowledges a debt in a specific amount and agrees to repay the amount due at specific time periods.

General Repayment Agreement Guidelines

Down Payment Requirement

PHA Policy

Before executing a repayment agreement with a family, the PHA will generally require a down payment of 10 percent of the total amount owed. If the family can provide evidence satisfactory to the PHA that a down payment of 10 percent would impose an undue hardship, the PHA may, in its sole discretion, require a lesser percentage or waive the requirement.

Payment Thresholds

Notice PIH 2018-18 recommends that the total amount that a family must pay each month—the family’s monthly share of rent plus the monthly debt repayment amount—should not exceed 40 percent of the family’s monthly adjusted income, which is considered “affordable.” Moreover, Notice PIH 2018-18 acknowledges that PHAs have the discretion to establish “thresholds and policies” for repayment agreements with families [24 CFR 982.552(c)(1)(vii)].

PHA Policy

If a family is paying less than 40 percent of its monthly adjusted income (MAI) in rent, the minimum monthly payment amount will be the greater of the following two amounts:

The difference between 40 percent of the family’s MAI and the TTP at the time the agreement is executed

\$25

If a family can provide evidence satisfactory to the PHA that a monthly payment amount of \$25 would impose an undue hardship, the PHA may, in its sole discretion, require a lower monthly payment amount.

If the family’s income increases or decreases during the term of a repayment agreement, either the PHA or the family may request that the monthly payment amount be adjusted accordingly.

Execution of the Agreement

All repayment agreements must be in writing, dated, and signed by both the family and the PHA [Notice PIH 2018-18].

PHA Policy

Any repayment agreement between the PHA and a family must be signed and dated by the PHA and by the head of household and spouse/cohead (if applicable).

Due Dates

PHA Policy

All payments are due by the close of business on the 15th day of the month. If the 15th does not fall on a business day, the due date is the close of business on the first business day after the 15th.

Late or Missed Payments

PHA Policy

If a payment is not received by the end of the business day on the date due, and prior approval for the missed payment has not been given by the PHA, the PHA will send the family a delinquency notice giving the family 10 business days to make the late payment. If the payment is not received by the due date of the delinquency notice, it will be considered a breach of the agreement and the PHA will terminate tenancy in accordance with the policies in Chapter 13.

If a family receives three delinquency notices for unexcused late payments in a 12-month period, the repayment agreement will be considered in default, and the PHA will terminate tenancy in accordance with the policies in Chapter 13.

No Offer of Repayment Agreement

PHA Policy

The PHA generally will not enter into a repayment agreement with a family if there is already a repayment agreement in place with the family, or if the amount owed by the family exceeds the federal or state threshold for criminal prosecution.

Repayment Agreement Terms

All repayment agreements must be in writing, dated, signed by both the family and the PHA, include the total retroactive rent amount owed, amount of lump sum payment made at time of execution, if applicable, and the monthly repayment amount. Notice PIH 2018-18 requires certain provisions to be included in any repayment agreement involving amounts owed by a family because it underreported or failed to report income:

- A reference to the items in the public housing lease that state the family's obligation to provide true and complete information at every reexamination and the grounds on which the PHA may terminate assistance because of a family's action or failure to act
- A statement clarifying that each month the family not only must pay to the PHA the monthly payment amount specified in the agreement but must also pay to the PHA the monthly tenant rent
- A statement that the terms of the repayment agreement may be renegotiated if the family's income decreases or increases
- A statement that late or missed payments constitute default of the repayment agreement and may result in termination of tenancy

PART V: RECORD KEEPING

16-V.A. OVERVIEW

The PHA must maintain complete and accurate accounts and other records for the program in accordance with HUD requirements, in a manner that permits a speedy and effective audit. All such records must be made available to HUD or the Comptroller General of the United States upon request.

In addition, the PHA must ensure that all applicant and participant files are maintained in a way that protects an individual's privacy rights, and that comply with VAWA confidentiality requirements.

16-V.B. RECORD RETENTION

The PHA must keep the last three years of the Form HUD-50058 and supporting documentation during the term of each assisted lease, and for a period of at least three years from the end of participation (EOP) date [24 CFR 908.101].

The PHA must maintain Enterprise Income Verification (EIV) system Income Reports in the tenant file for the duration of the tenancy but for a period not to exceed three years from the EOP date [Notice PIH 2018-18].

Notice PIH 2014-20 requires the PHA to keep records of all complaints, investigations, notices, and corrective actions related to violations of the Fair Housing Act or the equal access final rule.

The PHA must keep confidential records of all emergency transfer requested under the PHA's Emergency Transfer Plan, and the outcomes of such requests, and retain the records for a period of three years, or for a period of time as specific in program regulations [24 CFR 5.2002(e)(12)].

PHA Policy

The PHA will keep the last three years of the Form HUD-50058 and supporting documentation, and for at least three years after end of participation all documents related to a family's eligibility, tenancy, and termination.

The PHA will keep Enterprise Income Verification (EIV) system Income Reports in the tenant file for the duration of the tenancy and for three years from the end of participation date.

In addition, the PHA will keep the following records for at least three years:

An application from each ineligible family and notice that the applicant is not eligible

Lead-based paint records as required by 24 CFR 35, Subpart B

Documentation supporting the establishment of flat rents

Documentation supporting the establishment of utility allowances and surcharges

Documentation related to PHAS

Accounts and other records supporting PHA budget and financial statements for the program

Complaints, investigations, notices, and corrective actions related to violations of the Fair Housing Act, the equal access final rule, or VAWA

Confidential records of all emergency transfers related to VAWA requested under the PHA's Emergency Transfer Plan and the outcomes of such requests

Other records as determined by the PHA or as required by HUD

If a hearing to establish a family's citizenship status is held, longer retention requirements apply for some types of documents. For specific requirements, see Section 14-II.A.

16-V.C. RECORDS MANAGEMENT

PHAs must maintain applicant and participant files and information in accordance with the regulatory requirements described below.

PHA Policy

All applicant and participant information will be kept in a secure location and access will be limited to authorized PHA staff.

PHA staff will not discuss personal family information unless there is a business reason to do so. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action.

Privacy Act Requirements [24 CFR 5.212 and Form-9886]

The collection, maintenance, use, and dissemination of social security numbers (SSN), employer identification numbers (EIN), any information derived from these numbers, and income information of applicants and participants must be conducted, to the extent applicable, in compliance with the Privacy Act of 1974, and all other provisions of Federal, State, and local law.

Applicants and participants, including all adults in the household, are required to sign a consent form, HUD-9886, Authorization for Release of Information. This form incorporates the Federal Privacy Act Statement and describes how the information collected using the form may be used, and under what conditions HUD or the PHA may release the information collected.

Upfront Income Verification (UIV) Records

PHAs that access UIV data through HUD's Enterprise Income Verification (EIV) system are required to adopt and follow specific security procedures to ensure that all EIV data is protected in accordance with federal laws, regardless of the media on which the data is recorded (e.g. electronic, paper). These requirements are contained in the HUD-issued document, *Enterprise Income Verification (EIV) System, Security Procedures for Upfront Income Verification (UIV) Data*.

PHA Policy

Prior to utilizing HUD's EIV system, the PHA will adopt and implement EIV security procedures required by HUD.

**PART VI: REPORTING REQUIREMENTS FOR CHILDREN WITH
ELEVATED BLOOD LEAD LEVEL**

16-VI.A. REPORTING REQUIREMENTS [24 CFR 35.1130(e); Notice PIH 2017-13]

The PHA has certain responsibilities relative to children with elevated blood lead levels that are living in public housing.

The PHA must report the name and address of a child identified as having an elevated blood lead level (EBLL) to the public health department within five business days of being so notified by any other medical health care professional. The PHA must also report each known case of a child with an EBLL to the HUD field office.

PHA Policy

The PHA will provide the public health department written notice of the name and address of any child identified as having an elevated blood lead level.

The PHA will provide written notice of each known case of a child with an EBLL to the HUD field office, and to HUD's Office of Lead Hazard Control (OLHCHH), within five business days of receiving the information.

- The term *technological abuse* means an act or pattern of behavior that occurs within domestic violence, dating violence, sexual assault, or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor another person, except as otherwise permitted by law, that occurs using any form of technology, including but not limited to:
 - Internet enabled devices
 - Online spaces and platforms
 - Computers
 - Mobile devices
 - Cameras and imaging programs
 - Apps
 - Location tracking devices
 - Communication technologies
 - Any other emergency technologies

16-VII.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 following information regarding VAWA in its offices and on its website. It will also make the information readily available to anyone who requests it.

A notice of occupancy rights under VAWA to public housing program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault, or stalking (Form HUD-5380, see Exhibit 16-1)

A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation (see Exhibit 16-2)

A copy of the PHA's emergency transfer plan (Exhibit 16-3)

A copy of HUD's Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, Form HUD-5383 (Exhibit 16-4)

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

Notification to Applicants and Tenants [24 CFR 5.2005(a)(1)]

PHAs are required to inform public housing applicants and tenants of their rights under VAWA, including their right to confidentiality and the limits thereof, when they are denied assistance, when they are admitted to the program, and when they are notified of an eviction or termination of housing benefits.

The PHA must distribute a notice of VAWA rights, along with the VAWA self-certification form (HUD-5382) at each of these three junctures.

PHA Policy

The VAWA information provided to applicants and participants will consist of the notices in Exhibit 16-1 and 16-2.

The PHA will provide all applicants with information about VAWA at the time they request an application for housing assistance. The PHA will also include such information in all notices of denial of assistance (see section 3-III.F).

The PHA will provide all tenants with information about VAWA at the time of admission (see section 8-I.B) and at annual reexamination. The PHA will also include such information in all lease termination notices (see section 13-IV.D).

The PHA is not limited to providing VAWA information at the times specified in the above policy. If the PHA decides to provide VAWA information to a tenant following an incident of domestic violence, Notice PIH 2017-08 cautions against sending the information by mail, since the abuser may be monitoring the mail. The notice recommends that in such cases the PHA make alternative delivery arrangements that will not put the victim at risk.

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 or by having the victim come to an office or other space that may be safer for the individual, making reasonable accommodations as necessary. For example, the PHA may decide not to send mail regarding VAWA protections to the victim's unit if the PHA believes the perpetrator may have access to the victim's mail, unless requested by the victim.

When discussing VAWA with the victim, the PHA will take reasonable precautions to ensure that no one can overhear the conversation such as having conversations in a private room.

The victim may, but is not required to, designate an attorney, advocate, or other secure contact for communications regarding VAWA protections.

FHC HCV will have in their Admin Plan, recourse for a resident to be given a voucher in order to escape the perpetrator of the abuse.

16-VII.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, human trafficking, 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-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), which must include the name of the perpetrator only if the name of the perpetrator is safe to provide and is known to the victim. The form may be filled out and submitted on behalf of the victim.
- (2) A federal, state, tribal, territorial, or local police report or court record, or an administrative record
- (3) Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, sexual assault, stalking, or human trafficking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; a mental health professional; 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 [FR Notice 11/16/16].

PHA Policy

Any request for documentation of domestic violence, dating violence, sexual assault, stalking, or human trafficking will be in writing, 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. In determining whether to extend the deadline, the PHA will consider factors that may contribute to the victim's inability to provide documentation in a timely manner, including cognitive limitations, disabilities, limited English proficiency, absence from the unit, administrative delays, the danger of further violence, and the victim's need to address health or safety issues. Any extension granted by the PHA will be in writing.

Once the victim provides documentation, the PHA will acknowledge receipt of the documentation within 10 business days.

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 may also request third-party documentation when submitted documentation contains information that conflicts with existing information already available to the PHA. The PHA must honor any court orders issued to protect the victim or to address the distribution of property. Individuals have 30 calendar days to return third-party verification to the PHA. If the PHA does not receive third-party documentation, and the PHA will deny or terminate assistance as a result, the PHA must hold separate hearings for the tenants [Notice PIH 2017-08].

PHA Policy

If presented with conflicting certification documents 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(e) and by following any HUD guidance on how such determinations should be made. When requesting third-party documents, the PHA will provide contact information for local domestic violence and legal aid offices. In such cases, applicants or tenants will be given 30 calendar days from the date of the request to provide such documentation.

If the PHA does not receive third-party documentation within the required timeframe (and any extensions) the PHA will deny VAWA protections and will notify the applicant or tenant in writing of the denial. If, as a result, the applicant or tenant is denied or terminated from the program, the PHA will hold separate hearings for the applicants or tenants.

Discretion to Require No Formal Documentation [24 CFR 5.2007(d)]

The PHA 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). HUD recommends documentation in a confidential manner when a verbal statement or other evidence is accepted.

PHA Policy

If the PHA accepts an individual's statement or other corroborating evidence (as determined by the victim) of domestic violence, dating violence, sexual assault, stalking, or human trafficking, 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, stalking, or human trafficking, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking, 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.

08

Housing Choice Voucher Administrative Plan



FLINT HOUSING COMMISSION

ADMINISTRATIVE PLAN 2026

This Plan was approved on 4/14/2026 and was effective 07/1/2026



The Flint Housing Commission

Administrative Plan

Last Revised: 2026

Submitted to:

The Flint Housing Commission

3820 Richfield Rd. Flint, MI 48506

Phone (810) 736-3050 Fax: (810) 736-015

Equal Housing Opportunity

Schedule of Revisions

Board Approval Date	Affected Chapter(s) & Page(s)
4 / 14, 2026	Full 2026 Revision: <ul style="list-style-type: none"> • Chapter 1 – Updated Applicable Regulations (HOTMA Final Rule, NSPIRE, PIH 2025-28) • Chapter 2 – Electronic Records Management authorized • Chapter 3 – Remote hearings, electronic submissions as reasonable accommodation • Chapter 4 – Online applications authorized • Chapter 6 – HOTMA income/asset rules: triennial verification for fixed income, \$50,000 asset self-cert threshold, nonrecurring income exclusions, EID sunset (Jan. 1, 2026), medical deduction 10% threshold • Chapter 7 – Electronic RFTA submission authorized • Chapter 8 – NSPIRE inspection standards; pre-move-in option; alternative inspections; e-certifications for minor repairs • Chapter 9 – HAP contract termination update (PIH 2025-28) • Chapter 10 – Expanded self-certification for assets ≤\$50,000; triennial third-party for fixed income • Chapter 11 – Streamlined annual re-certs for fixed income; 10%+ interim threshold; last-3-months exemption • Chapter 13 – Remote informal hearings authorized • Chapter 17 – PBV: 20%+10% cap; Small Area FMR notification; HOTMA PBV updates • Chapter 21 –Special Use Vouchers: Partnership Organization Referral • Appendix A – Administrative Burden Reduction Summary added
___, 2025	<ul style="list-style-type: none"> • Chapter 4, Section 4.6 – Local Preferences • Chapter 6, Section 6.10.11 – Establishment of Payment Standards (SAFMRs)

2026 REVISION NOTE: This Administrative Plan has been updated to incorporate the HOTMA HCV/PBV Final Rule (effective June 6, 2024), NSPIRE inspection standards, PIH Notice 2025-28 cost-savings measures, and administrative burden reduction provisions. Key changes include triennial income verification for fixed-income families, \$50,000 asset self-certification threshold, EID sunset (January 1, 2026), 10% medical expense deduction threshold, NSPIRE risk-based inspections, pre-move-in inspection option, electronic transaction authorization, and updated PBV program caps and procedures.

CHAPTER 1 – Program Authority and Objectives

Link: United States Housing Act of 1937

The Flint Housing Commission (“FHC”) manages the Housing Choice Voucher (HCV) Program and other housing programs in the geographic area covering the City of Flint and Genesee County, Michigan. Through its assisted housing programs, eligible families are provided the opportunity to obtain decent, safe and sanitary housing. Administration of FHC’s Housing Programs and the functions and responsibilities of FHC staff are in compliance with FHC’s policies and procedures, the Department of Housing and Urban Development’s (HUD) regulations, and all applicable Federal, State and local fair housing laws.

1.1 Applicable Regulations

- 24 CFR Part 5: General Program Requirements
- 24 CFR Part 8: Nondiscrimination
- 24 CFR Part 35: Lead Safe Housing
- 24 CFR Part 903: Public Housing Agency Plans
- 24 CFR Part 982: Section 8 Tenant Based Assistance
- 24 CFR Part 983: Project Based Vouchers
- 24 CFR Part 985: Section 8 Management Assessment Program
- 24 CFR Part 100: Discriminatory Conduct Under the Fair Housing Act

1.2 FHC Mission

“We are committed to helping our community grow and our residents to prosper by providing housing in pleasant communities at sensible rents.”

1.3 Purpose of the Administrative Plan

The Administrative Plan (Plan) establishes policies for implementation and administration of the Housing Choice Voucher Program administered by the FHC. The Plan covers both admission to and continued participation in the Housing Choice Voucher program. Issues not addressed in this document related to applicants, participants and owners are governed by the Department of Housing and Urban Development Code of Federal Regulations, HUD guidance, or other applicable law. When circumstances arise and are not addressed by provisions in this Plan, they will be reviewed on a case -by-case basis. If a conflict arises between or among the regulations identified in this Plan, the regulations specifically stated for the applicable program will take precedence.

1.4 Approval of Plan and Use of Administrative Fee Reserves

Only the FHC Board of Commissioners is authorized to approve changes to the Administrative

CHAPTER 2 – General Administrative Provisions and Policies

2.1 Confidentiality and Privacy Policy

24 CFR 5.212; HUD Form 9886

It is the policy of FHC to protect the privacy of applicants and participants and to safeguard all records in accordance with the Privacy Act of 1974. FHC is authorized to maintain records in electronic format and to obtain electronic signatures for documents outlined in this plan, provided all applicable security and confidentiality requirements are met. FHC will not disclose any personal information, including but not limited to information related to a disability, to any person or agency unless the individual to whom the information pertains provides written or electronic consent, or disclosure is otherwise required by law.

This policy does not limit FHC's ability to collect information necessary to determine eligibility, calculate housing assistance, or administer program requirements, nor does it prohibit disclosure to local law enforcement in cases of suspected criminal or legal activity. All applicant and participant information, whether maintained in electronic or physical form, will be stored securely with access limited to authorized FHC staff. Staff will not discuss personal or family information except when required for legitimate business purposes. Prior to utilizing HUD's EIV system, FHC will adopt and implement all HUD-required EIV security procedures.

2.2 Record Retention Policy

24 CFR 908.101; 24 CFR 35 Subpart B

The FHC will keep all documents related to a family's eligibility, tenancy, and termination in accordance with HUD requirements and FHC's Records Retention and Disposition policy.

is postmarked or submitted electronically. During periods of open enrollment, applications can be placed by those with disabilities or those that do not have access to telephones by external organizations that provide human services and or at FHC's designated locations.

Every housing choice voucher program application file will include the date and time of application; applicant's race and ethnicity; applicant's bedroom size, eligibility determination date; selection date; briefing and voucher issuance date.

An applicant is deemed preliminarily ineligible and not placed on the FHC waiting list if:

- Currently housed in the same program and listed as the head of household or co-head of household; or
- The application is incomplete or missing required information.

4.2 Opening and Closing the Waiting List

24 CFR 982.206

The FHC may at its discretion open and close waiting list. The decision to close the waiting list will be based on: the number of applications on file, the number of anticipated available vouchers and when the estimated waiting period for housing assistance reaches 24 months.

The FHC will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

The FHC will give public notice by publishing the relevant information in suitable media outlets. All notices and advertisements announcing the opening of the waiting list will include:

- The dates the list will be open;
- The means by which applications will be taken (paper; electronic; other)
- The office hours and location where applications are available and will be accepted;
- The availability of Housing Choice Vouchers;
- Eligibility guidelines;
- Preferences and methodology for the selection of applicants; and
- Any limitations which may apply.
- Instructions for electronic submission of applications in the event such technology is available.

FHC may maintain a separate PBV program waiting list and specific PBV site-based waiting lists as described in this Administrative Plan.

FHC Policy

Acceptable investments in a business include cash loans and contributions of assets or equipment. For example, if a member of an assisted family provided an up-front loan of \$2,000 to help a business get started, FHC will not count as income any withdrawals from the business up to the amount of this loan until the loan has been repaid.

Investments do not include the value of labor contributed to the business without compensation.

- Interest, dividends, and other net income of any kind from real or personal property.

Expenditures for amortization of capital indebtedness will 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 household for cash or assets invested in the property;

HUD regulations do not permit FHC to deduct from gross income the amortization of capital indebtedness.

FHC Policy

Capital indebtedness is defined as the principal portion of the payment on a capital asset such as land, buildings, and machinery. This means FHC will allow as a business expense interest, but not principal, paid on capital indebtedness.

If the net income from a business is negative, no business income will be included in annual income; a negative amount will not be used to offset other family income.

- 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.

Social Security Benefits [Notice PIH 2018-24]

The PHA is required to use the gross benefit amount to calculate annual income from Social Security benefits.

Annually in October, the Social Security Administration (SSA) announces the cost-of-living adjustment (COLA) by which federal Social Security and SSI benefits are adjusted to reflect the increase, if any, in the cost of living. The federal COLA does not apply to state-paid disability benefits. Effective the day after the SSA has announced the COLA, PHAs are required to factor in the COLA when determining Social Security and SSI annual income for all annual reexaminations and interim reexaminations of family income that have not yet been completed and will be effective January 1 or later of the upcoming year [Notice PIH 2023-27].

FHC Policy

FHC will include in annual income the full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation.

For persons who regularly receive bonuses or commissions, FHC will verify, and then average amounts received for the two years preceding admission or interim reexamination. If only a one-year history is available, FHC will use the prior year amounts. In either case the family may provide, and FHC will consider, a credible justification for not using this history to anticipate future bonuses or commissions. If a new employee has not yet received any bonuses or commissions, FHC will count only the amount estimated by the employer. The file will be documented appropriately.

STUDENT FINANCIAL ASSISTANCE [FR Notice 2/14/23 and Notice PIH 2023-27]

Introduction

Section 479B of the HEA requires that all assistance under Title IV of the HEA and Bureau of Indian Affairs student financial assistance, even assistance provided to students in excess of tuition and required fees or charges, be excluded from HUD income calculations.

For Section 8 programs only, however, for over 10 years through FY 2022, HUD appropriations have included a provision that for certain students receiving Section 8 assistance, any amounts received in excess of tuition and any other required fees and charges are considered income (with the exception of students who lived with their parents or who were over the age of 23 with a dependent child).

While the language in various consolidated appropriations acts is limited to federal fiscal year covered by the act, this does not rule out the possibility that similar language will be included in future years' appropriations bills.

- For any funds from a year where HUD's appropriations acts include this limitation, it will apply with respect to Section 8 participants. The PHA will follow the pre-HOTMA Section 8 student financial assistance limitation described below.

- During years in which an appropriations act does not contain this Section 8 student financial assistance limitation (or any other such limitation), then the determination of student financial assistance as included/excluded income for all Section 8 student's defaults to the methodology described for the public housing program and listed below.

HOTMA Student Financial Assistance Requirements [24 CFR 5.609(b)(9)]

The regulations under HOTMA distinguish between two categories of student financial assistance paid to both full-time and part-time students.

Types of Assistance

Any assistance to students under section 479B of the Higher Education Act of 1965 (Title IV of the HEA) must be excluded from the family's annual income [24 CFR 5.609(b)(9)(i)].

Examples of assistance under title IV of the HEA include:

- Federal Pell Grants;
- Teach Grants;
- Federal Work Study Programs;
- Federal Perkins Loans;
- Income earned in employment and training programs under section 134 of the Workforce Innovation and Opportunity Act (WIOA); or
- Bureau of Indian Affairs/Education student assistance programs

- The Higher Education Tribal Grant

- The Tribally Controlled Colleges or Universities Grant Program

Any other grant-in-aid, scholarship, or other assistance amounts an individual receives for the actual covered costs charged by the institute of higher education not otherwise excluded by the Federally mandated income exclusions are excluded [24 CFR 5.609(b)(9)(ii)]. Actual covered costs are defined as the actual costs of:

- Tuition, books, and supplies;
- Including supplies and equipment to support students with learning disabilities or other disabilities

- Room and board; and

- Other fees required and charged to a student by the education institution.

For a student who is not the head of household or spouse/cohead, actual covered costs also

include the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.

Further, to qualify, other student financial assistance must be expressly:

- For tuition, book, supplies, room and board, or other fees required and charged to the student by the educational institution;
- To assist a student with the costs of higher education; or
- To assist a student who is not the head of household or spouse with the reasonable and actual costs of housing while attending the educational institution and not residing in an assisted unit.

The student's financial assistance may be paid directly to the student or to the educational institution on the student's behalf. However, any student financial assistance paid to the student must be verified by the PHA.

The financial assistance must be a grant or scholarship received from:

- The Federal government;
- A state, tribal, or local government;
- A private foundation registered as a nonprofit;
- A business entity (such as corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, or nonprofit entity); or
- An institution of higher education. Student

financial assistance, does not include:

- Financial support provided to the student in the form of a fee for services performed; (e.g., a work study or teaching fellowship that is not excluded under section 479B of the Higher Education Act HEA);
- Gifts, including gifts from family or friends; or
- Any amount of the scholarship or grant that, either by itself or in combination with assistance excluded under the HEA, exceeds the actual covered costs of the student.

Calculating Income from Student Financial Assistance [HOTMA Student Financial Assistance Resource Sheet; Notice PIH 2023-27]

The formula for calculating the amount of other student financial assistance that is excluded from income always begins with deducting the assistance received under 479B of the HEA from the total actual covered costs, because the 479B assistance is intended to pay the student's actual covered costs. When a student receives assistance from both Title IV of the HEA and from other sources, the assistance received under Title IV of the HEA must be applied to the student's actual covered costs first and then other student financial assistance is applied to any remaining actual covered costs.

Once actual costs are covered, any remaining student financial assistance is considered income.

FHC Policy

If a student only receives financial assistance under Title IV of the HEA and does not receive any other student financial assistance, FHC will exclude the full amount of the assistance received under Title IV from the family's annual income. FHC will not calculate actual covered costs in this case.

If the student does not receive any assistance under Title IV of the HEA but does receive assistance from another source, FHC will first calculate the actual covered costs to the student in accordance with 24 CFR 5.609(b)(ii). FHC will then subtract the total amount of the student's financial assistance from the student's actual covered costs.

FHC will include any amount of financial assistance in excess of the student's actual covered costs in the family's annual income.

When a student receives assistance from both Title IV of the HEA and from other sources, FHC will first calculate the actual covered costs to the student in accordance with 24 CFR 5.609(b)(ii). The assistance received under Title IV of the HEA will be applied to the student's actual covered costs first and then the other student financial assistance will be applied to any remaining actual covered costs.

If the amount of assistance excluded under Title IV of the HEA equals or exceeds the actual covered costs, none of the assistance included under other student financial assistance" would be excluded from income.

Example 1

- Actual covered costs: \$20,000
- Other student financial assistance: \$25,000
- Excluded income: \$20,000 (\$25,000 in financial assistance - \$20,000 in actual covered costs)
- Included income: \$5,000

Example 2

- Actual covered costs: \$25,000
- Title IV HEA assistance: \$26,000
- Title IV HEA assistance covers the students entire actual covered costs.
- Other Student Financial Assistance: \$5,000
- Excluded income: The entire Title IV HEA assistance of \$26,000
- Included income: All other financial assistance of \$5,000

If the amount of assistance excluded under Title IV of the HEA is less than the actual covered costs, FHC will exclude the amount of other student financial assistance up to the amount of the remaining actual covered costs.

Example 3

- Actual covered costs: \$22,000
- Title IV HEA assistance: \$15,000
- The remaining amount not covered by Title IV HEA assistance is \$7,000 (\$22,000 in actual covered costs - \$15,000 in Title IV HEA assistance).
- Other Student Financial Assistance: \$5,000
- \$7,000 in remaining actual covered costs - \$5,000 in other financial assistance
- Excluded income: \$15,000 entire amount of the Title IV HEA Assistance + \$5,000 in other financial assistance
- Included income: \$0

Example 4

- Actual covered costs: \$18,000
- Title IV HEA Assistance: \$15,000
- The remaining amount not covered by Title IV HEA assistance is \$3,000 (\$18,000 in actual covered costs - \$15,000 in Title IV HEA Assistance)
- Other student Financial Assistance: \$5,000

under the control of the family or some other asset that is not excluded from the definition of net family assets). Income generated on the settlement or judgment amount after it has become a net family asset is not excluded from income. For example, if the family received a settlement or back pay and deposited the money in an interest-bearing savings account, the interest from that account would be in come at the time the interest is received.

Furthermore, if a civil rights settlement or judgment increases the family's net family assets such that they exceed \$50,000 (as annually adjusted by an inflationary factor), then income will be imputed on the net family assets pursuant to 24 CFR 5.609(a)(2). If the imputed income, which

HUD considers unearned income, increases the family's annual adjusted income by 10 percent or more, then an interim reexamination of income will be required unless the addition to the family's net family assets occurs within the last three months of the family's income certification period and the PHA or owner chooses not to conduct the examination.

6.2 Earned Income Disallowance For Persons With Disabilities

[24 CFR 5.617]; Streamlining Final Rule (SFR) Federal Register 3/8/16; Notice PIH 2023-27]

HOTMA removed the statutory authority for the EID. The EID is available only to families that are eligible for and participating on the program as of December 31, 2023, or before; no new families may be added on or after January 1, 2024. If a family is receiving the EID prior to or on the effective date of December 31, 2023, they are entitled to the full amount of the benefit for a full 24-month period. The policies below are applicable only to such families. No family will still be receiving the EID after December 31, 2025. The EID will sunset on January 1, 2026, and the PHA policies below will no longer be applicable as of that date or when the last qualifying family exhausts their exclusion period, whichever is sooner.

Calculation of the Disallowance

Calculation of the earned income disallowance for an eligible member of a qualified family begins with a comparison of the member's current income with their "baseline income." The family member's baseline income is their income immediately prior to qualifying for the EID. The family member's baseline income remains constant throughout the period that there is participating in the EID.

Calculation Method Effective May 9, 2016

Initial 12-Month Exclusion

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

the maintenance, use, and occupancy of the premises as a home; or they are necessary for employment, education, or health and wellness. Necessary personal property includes more than merely items that are indispensable to the bare existence of the family. It may include personal effects (such as items that are ordinarily worn or utilized by the individual), items that are convenient or useful to a reasonable existence, and items that support and facilitate daily life within the family's home.

Necessary personal property also includes items that assist a household member with a disability, including any items related to disability-related needs, or that may be required for reasonable accommodation for a person with a disability. Necessary personal property does not include bank accounts, other financial investments, or luxury items. Items of personal property that do not qualify as necessary personal property are classified as non-necessary personal property.

The combined value of all non-necessary items of personal property is only included in annual income when the combined total value exceeds \$50,000 (adjusted annually by HUD). When the combined value of all non-necessary personal property does not exceed \$50,000, as adjusted by inflation, all non-necessary personal property is excluded from net family assets

While not an exhaustive list, the following table from Notice PIH 2023-27 provides examples of necessary and non-necessary personal property.

- | Necessary Personal Property | Non-Necessary Personal Property |
|---|--|
| • Car(s)/vehicle(s) that a family relies on for transportation for personal or business use | • (e.g., bike, motorcycle, skateboard, scooter) |
| • Furniture, carpets, linens, kitchenware | • Common appliances |
| • Common electronics (e.g., radio, television, DVD player, gaming system) | • Clothing |
| • Personal effects that are not luxury items (e.g., toys, books) | • Wedding and engagement rings |
| • Jewelry used in religious/cultural celebrations and ceremonies | • Religious and cultural items |
| • Medical equipment and supplies | • Health care–related supplies |
| • Musical instruments used by the family | • Personal computers, phones, tablets, and related equipment |
| • Professional tools of trade of the family, for example professional books | |

- When the combined value of net family assets is greater than \$50,000, as adjusted by inflation, checking and/or savings accounts would be counted toward net family assets.
- When the combined value of all non-necessary personal property does not exceed \$50,000,

as adjusted by inflation, all non-necessary personal property is excluded from net family assets. In this case, the value of the family's checking and/or savings accounts would not be considered when calculating net family assets.

However, actual income from checking and savings accounts is always included in a family's annual income, regardless of the total value of net family assets or whether the asset itself is included or excluded from net family assets, unless that income is specifically excluded.

Incremental earnings and benefits to any family member resulting from participation in qualifying training program funded by HUD or in qualifying federal, state, tribal, or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff are excluded from annual income. 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 training program unless those amounts are excluded under 24 CFR 5.609(b)(9)(i) [24 CFR 5.609(b)(12)(iv)].

Necessary and Non-Necessary Personal Property [24 CFR 5.603(b)(3)(i)]

All assets are categorized as either real property (e.g., land, a home) or personal property. Personal property includes tangible items, like boats, as well as intangible items, like bank accounts. The value of necessary items of personal property is excluded from the calculation of net family assets. Necessary items of person property include a car used for commuting or medical devices.

HUD defines necessary personal property as items essential to the family for the maintenance, use, and occupancy of the premises as a home; or they are necessary for employment, education, or health and wellness. Necessary personal property includes more than merely items that are indispensable to the bare existence of the family. It may include personal effects (such as items that are ordinarily worn or utilized by the individual), items that are convenient or useful to a reasonable existence, and items that support and facilitate daily life within the family's home.

Necessary personal property also includes items that assist a household member with a disability,

including any items related to disability-related needs, or that may be required for reasonable accommodation for a person with a disability. Necessary personal property does not include bank accounts, other financial investments, or luxury items. Items of personal property that do not qualify as necessary personal property are classified as non-necessary personal property.

The combined value of all non-necessary items of personal property is only included in annual income when the combined total value exceeds \$50,000 (adjusted annually by HUD). When the combined value of all non-necessary personal property does not exceed \$50,000, as adjusted by inflation, all non-necessary personal property is excluded from net family assets

While not an exhaustive list, the following table from Notice PIH 2023-27 provides examples of necessary and non-necessary personal property.

Necessary Personal Property Non-Necessary Personal Property

- Car(s)/vehicle(s) that a family relies on for transportation for personal or business use (e.g., bike, motorcycle, skateboard, scooter)
- Furniture, carpets, linens, kitchenware
- Common appliances
- Common electronics (e.g., radio, television, DVD player, gaming system)
- Clothing
- Personal effects that are not luxury items (e.g., toys, books)
- Wedding and engagement rings
- Jewelry used in religious/cultural celebrations and ceremonies
- Religious and cultural items Medical equipment and supplies Health care–related supplies
- Musical instruments used by the family
- Personal computers, phones, tablets, and related equipment
- Professional tools of trade of the family, for example professional books
- Educational materials and equipment used by the family, including equipment to accommodate persons with disabilities
- Equipment used for exercising (e.g., treadmill, stationary bike, kayak, paddleboard, ski equipment)
- Recreational car/vehicle not needed for day-to-day transportation for personal or business use (campers, motorhomes, traveling trailers, all-terrain vehicles (ATVs))
- Bank accounts or other financial investments

The RFTA and all associated documents must be submitted in -person, by mail, by e -mail or **online through Yardi Rent Cafe Portal**. The family may submit only one RFTA at a time. When the family submits the RFTA, the FHC will review the RFTA for completeness. If the RFTA is incomplete (including lack of signature by family, owner, or both), or if any requested documentation is not submitted with the RFTA, the FHC will notify the family and the owner. The owner will be given 15 days to submit an approvable RFTA and requested documentation from the date of approval.

7.3.1 Tenancy Addendum

24 CFR 982.308; HUD Form 52641

The owner must use the HUD Tenancy Addendum or all provisions in the HUD-required Tenancy Addendum must be added to the owner's lease. If there is a conflict between the owner's lease and the Tenancy Addendum, the terms of the Tenancy Addendum will prevail over any other provisions of the lease.

7.3.2 Dwelling Lease

24 CFR 982.308(d)

When the RFTA and proposed lease are submitted, the FHC will review the terms of the RFTA for consistency with the terms of the proposed lease. If the terms of the RFTA are not consistent with the terms of the proposed lease, the FHC will notify the family and the owner of the discrepancies. The proposed lease must comply with HUD requirements, as well as State and local law. The FHC does not provide a model or standard dwelling lease for owners to use in the HCV program.

- Owners that use a standard lease for units rented to unassisted families must use the same lease, plus the HUD prescribed tenancy addendum for HCV assisted families.
- FHC will review the owner's lease, any optional charges, compliance with regulations, and any house rules.
- Responsibility for utilities, appliances and optional services must correspond to those provided on the RFTA. If lease does not include utilities and/or appliances, then the FHC may provide a lease addendum for the landlord's use.
- The initial lease term must be for one year.
- The owner must be approved and there must be no conflicts of interest (e.g. owner may not be a relative, etc.).

New Lease Required

- If there are any changes in lease requirements governing tenant or owner responsibilities for utilities or appliances.
- If there are any changes in lease provisions governing the term of the lease.
- If the family moves to a new unit, even if the unit is in the same building or complex.

The FHC may collaborate with the owner on the response, including providing the names of qualified and certified lead hazard control contractors, providing for the clearance examination, and ensuring notification to other residents in a multi-unit property.

8.13 Rent Reasonableness

24 CFR 982.507; 982.305(a); 982.505 9(c)(3)

At all times during the assisted tenancy, the rent to owner may not exceed the reasonable rent determined by FHC. Rent reasonableness determinations may be completed by FHC at any time and will be completed:

- At initial lease up
- When an owner requests a rent increase
- If the FMR is decreased by 10% or more

FHC will determine and document on a case-by-case basis that the approved rent:

- Is reasonable in comparison to rent for other comparable, unassisted units in the market;
and
- Does not exceed rents currently charged by the same owner for an equivalent assisted or unassisted unit in the same building or complex.

8.13.1 Decreases in the Fair Market Rent

In the event that HUD FMRs' decrease, FHC will allow families that are currently under a HAP contract to continue to use the payment standard in effect for the current lease. However, in the event that the family moves to a new unit or in the event that the owner requests a rent increase,

the new or current payment standard will be applied to the voucher.

Families under a HAP contract at the time of the decrease in the payment standard, the new decreased payment standard would be applied to those families' subsidy calculations at their second regular reexamination following the decrease in the payment standard amount.

8.13.2 Methodology

The FHC collects and maintains data on market rents in the FHC's jurisdiction (Genesee and St. Clair counties) for unit rent reasonableness utilizing GoSection8.com, other web-based services or inquiries of owners, owner information listed on the RFTA, and other available sources. The data is maintained by bedroom size and market areas. Market areas may be defined by zip codes, census tract, neighborhood, and identifiable natural or man-made boundaries. The data is updated on an ongoing basis.

represented by an attorney, the family must notify FHC of such 24 hours in advance of the review/hearing.

- The applicant/family and FHC have the right to present evidence, both oral and written.
- The applicant/family and FHC have the right to question any witnesses, and the right to state his/her case prior to the hearing officer's decision.
- The applicant/family has the right to arrange for an interpreter to attend the review/hearing, at his/her own expense.
- The applicant/family has the right to seek redress directly through judicial procedures of the court.
- FHC has the right to make final submissions.

The applicant/family and FHC have the right to review any documents directly relevant to the review/hearing. Review of documents will take place at the FHC office. Copying of any documents will be at the expense of the requesting party at .25 per copy. If the applicant/family or FHC does not make the document available for examination on the request of the other party, that document may not be relied on during the review/hearing.

13.2.4 Review/Hearing Process

The review/hearing will follow the following guidelines:

- The review will be conducted by any person or persons designated by FHC, other than a person who made or approved the decision under review or a subordinate of this person.
- The applicant/participant may request a remote hearing if, for any reason, they are unable to attend an in-person review/hearing
- To conduct a remote hearing, the applicant/participant must have access to a computer, smartphone tablet, or laptop that has a camera and a microphone.
 - All FHC Denial and Termination notices will advise the applicant/family of his/her right to a review/hearing and the process to request a review/hearing.
 - The applicant/family must request the informal review/hearing in writing within the required time frame (10 business days after receipt of notice from the FHC).
 - FHC will schedule the hearing within a reasonable timeframe, preferably before the effective termination date. If the hearing cannot be scheduled before the effective termination date, the effective termination date may be extended, based solely on the reason for the delay and at the sole discretion of FHC.
 - The notification of hearing will contain:
 - Date and time of the hearing.

- Location where the hearing will be held.
- Family's right to bring evidence, witnesses, legal or other representation at the
- Right to view any documents or evidence in the possession of FHC and upon which

FHC based the proposed action and, at the family's expense, to obtain a copy (at \$.25 per copy) of such documents prior to the hearing. Requests for such documents or evidence must be received no later than five business days before the hearing date.

- Notice to the family that the FHC will request a copy of any documents or evidence the family will use at the hearing be provided to FHC by 12:00 p.m. two business days prior to the scheduled hearing date.

If a family does not appear at a scheduled review/hearing and has not rescheduled the hearing in advance, the hearing officer will assume the family is no longer interested in the program and will uphold the denial/termination.

- The applicant/family will be given an opportunity to present written or oral objections to FHC's decision.
- FHC will notify the applicant/family of the FHC final decision after the informal review/hearing, including a brief statement of the reasons for the final decision.
- The Notice will contain the following information:
 - Applicant/family name
 - Applicant/family address
 - Date
 - Date and time of review/hearing
 - Names of everyone in attendance at review/hearing
 - Final decision
 - Brief statement of the reason(s) for the final decision
 - HUD regulation for the denial/termination (if upholding the denial/termination)
 - Effective date of denial/termination (if applicable)
- A hearing decision letter will also be sent to the owner, stating whether the termination was upheld or overturned. The notice to the owner will contain the following information:
 - Family name
 - Unit address
 - Effective date of termination or
 - Effective date of re-instatement
- All requests for review, supporting documentation, and a copy of the final decision will be filed in the family's file.

Applicants must meet all of FHC's applicable eligibility requirements. FHC will refer qualified applicants to the owner for all vacancies. If FHC referrals do not provide the owner with a suitable tenant for the unit within 30 days, the owner may refer an eligible individual or family from the owner's waiting list to FHC.

The owner chooses a tenant for occupancy from the qualified applicants referred by FHC based on their written tenant selection policy. FHC must approve the owner's tenant selection procedures. When a family is approved by the owner, they will execute a lease with the owner.

The owner must notify FHC in writing (mail, fax, or e-mail) within 10 business days of the unit lease end date or expected lease end date. FHC will make every reasonable effort to promptly refer families to the owner after receiving a vacancy notice from the owner.

17.7 Waiting Lists and Preferences

Establishment of Site-Based Waiting Lists

FHC may establish individual site-based waiting lists for Project-Based Voucher (PBV) projects. Upon the initial opening of a PBV site-based waiting list, FHC will ensure that applicants on FHC's public housing (PH) and Housing Choice Voucher (HCV) waiting lists are offered placement on the PBV project's site-based waiting list.

Applicants drawn from the PH and/or HCV waiting lists will be placed on the new PBV site-based waiting list(s) in accordance with the date and time of their original application to the PH and/or HCV program.

Owner Referrals

FHC may place families referred by PBV project owners on any PBV waiting list, in accordance with applicable HUD regulations.

Selection Preferences

FHC will apply selection preferences as required by regulation. Mandatory preferences include, but are not limited to:

- Eligible in-place families;
- Qualifying families for "excepted units;" and
- Mobility-impaired persons for accessible units.

FHC may also establish additional preferences for the PBV program, or for particular PBV projects or units, in accordance with PBV regulations. Such preferences may include, but are not limited to, preferences for elderly persons, persons with disabilities, or persons in need of supportive services offered at a specific project.

Owner-Managed Site-Based Waiting Lists

FHC may authorize the owner or management agent of a PBV project to manage the site-based waiting list for that project on behalf of FHC, subject to the execution of a written agreement between FHC and the owner setting forth the owner's responsibilities. Any owner-

managed waiting list must comply with all applicable HUD regulations, fair housing requirements, and FHC policies, including non-discrimination requirements. FHC retains oversight authority and may audit or assume management of the waiting list at any time.

Applicant Notification

Residents on the tenant-based waiting list will be informed of all applicable preferences for each PBV project at the time of the initial opening of the site-based waiting list. Applicants for assistance will also be informed of all applicable preferences for each waiting list at the time of application.

17.8 Unit Moves/Transfers Overcrowded, Under-Occupied, and Accessible Units

24 CFR 983.259

FHC will promptly notify the family and the owner of the family's need to move based on the occupancy of a wrong-size or accessible unit. FHC will offer the family the following types of continued assistance in the following order, based on the availability of assistance:

- PBV assistance in the same building or project;

CHAPTER 21 – Special Use Vouchers [Notice PIH 2022-29]

The Consolidated Appropriations Act 2022 (P.L. 117-103) appropriated \$200 million for new incremental vouchers. The Act further provided HUD with the discretion to specify additional terms and conditions for the use of these vouchers to ensure that PHAs provide vouchers for survivors of domestic violence, or individuals and families who are homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)), or at risk of homelessness, as defined in section 401(1) of such Act (42 U.S.C. 11360(1)). Furthermore, funding from this award must be exclusively used for the leasing of new admissions to the HCV Program (PIH 2022-29).

21.1 Partnership Organization Referral Vouchers

FHC will set aside forty (40) special use vouchers for applicants who are certified as meeting the eligibility criteria described in this chapter and who are referred to FHC through approved partnership organizations. These vouchers are designated for survivors of domestic violence, individuals and families who are homeless or at risk of homelessness, and other vulnerable populations identified through FHC's local partnership network.

All applicants referred under this chapter must meet the screening eligibility requirements set forth in Chapter 5 of this Administrative Plan. Because HUD has designated these vouchers as special use, eligible applicants will not be subject to the date, time, or preference waiting list requirements that govern the general HCV Program. Up to forty (40) eligible applicants may receive a Housing Choice Voucher under this chapter in any program year.

Referral Process

Applicants must be referred to FHC by an approved partnership organization. FHC will maintain a list of approved referral partners, which may include local shelters, domestic violence service providers, homeless service providers, health departments, and other community-based organizations operating within FHC's jurisdiction. FHC will establish formal written agreements with each approved partner organization. The terms and conditions of those agreements will be tailored to the specific population served by that organization.

A referral from a partnership organization does not guarantee eligibility or the issuance of a voucher. All referred applicants remain subject to FHC's standard eligibility determination process as described in Chapter 5.

Waiting List

The waiting list for special use vouchers under this chapter will never close. FHC will accept referrals from approved partnership organizations on a continuous basis. Referred applicants will be processed in the order in which complete referral documentation is received by FHC.

APPENDIX A – Summary of Administrative Burden Reduction Measures (2026 Revision)

The following table summarizes the key administrative burden reduction measures incorporated in this 2026 revision of the FHC HCV Administrative Plan, pursuant to the HOTMA Final Rule (effective June 6, 2024), HUD cost-savings guidance, and related regulatory changes.

Policy Area	Burden Reduction Measure	Authority
Asset Self-Certification	Families with net assets ≤\$50,000 (inflation-adjusted) may self-certify assets between triennial reviews. Previously, only assets ≤\$5,000 qualified for self-certification.	HOTMA Final Rule, 24 CFR 5.609(a)(2); 24 CFR 5.611(d)
Triennial Verification – Fixed Income	Families receiving 90% or more of income from fixed sources (Social Security, SSI, pensions) require third-party income verification only once every 3 years. Annually, FHC applies the SSA COLA to update the benefit amount without requiring new third-party documentation.	HOTMA Final Rule, 24 CFR 5.657(a)(2)
Interim Reexamination Threshold	Mandatory interim reexaminations are required only when income changes by 10% or more. Interim reexaminations are not required when the change occurs in the last 3 months of the certification period.	HOTMA Final Rule, 24 CFR 982.516(c)
Excluded Income – No Verification Required	Fully excluded income (SNAP benefits, educational grants for tuition, etc.) no longer requires verification or reporting on Form HUD-50058.	HOTMA Final Rule; PIH Notice 2023-27
Pre-Move-In Inspection Option	FHC may approve tenancy based on a prior passing inspection conducted within 24 months if conducted by FHC, HOME, LIHTC, or HUD.	HOTMA Final Rule, 24 CFR 982.305(b)(2)(i)
HQS Minor Repair Self-Certification	Owners may certify completion of minor repairs via signed form (with participant co-signature) in lieu of full re-inspection for non-life-threatening deficiencies.	24 CFR 982.405; NSPIRE Final Rule
NSPIRE Risk-Based Inspections	NSPIRE replaces pass/fail approach with risk-based scoring. Life-threatening deficiencies must be corrected within 24 hours; non-life-threatening within 30 days.	NSPIRE Final Rule (PIH Notice 2023-28)
Electronic Transactions	E-signatures authorized for HAP contracts and addenda. Online applications permitted. Electronic RFTA submission authorized.	ESIGN Act; HOTMA; HUD guidance
Remote Briefings	Family briefings may be conducted virtually (video conference or telephone) as standard practice or as reasonable accommodation.	PIH Notice 2021-01; HOTMA
Remote Informal Hearings	Informal hearings may be conducted by telephone or video conference as reasonable accommodation upon request.	24 CFR 982.555; FHC Policy
Means-Tested Program Eligibility	Current eligibility for SNAP, Medicaid, or TANF may be accepted as evidence of income eligibility for HCV purposes, reducing the need for additional income verification.	HOTMA; PIH Notice 2023-27
EID Sunset	Earned Income Disallowance is no longer available for new admissions (effective January 1, 2024). All	HOTMA §109; 24 CFR 5.617

	grandfathered EID periods sunset no later than January 1, 2026.	
PBV Cap Increase	PBV allocation cap increased to 20% of authorized vouchers plus an additional 10% for targeted populations (homeless, veterans, near-homeless, disabled, supportive housing).	HOTMA Final Rule, 24 CFR 983.6
Small Area FMR – Notification Only	FHA may adopt Small Area FMR payment standards by notifying HUD. HUD approval no longer required.	HOTMA Final Rule (Dec. 2025 technical amendments)
Civil Rights Settlements – Asset Treatment	Amounts received from civil rights settlements or judgments are excluded from income and may be excluded from net family assets depending on use.	HOTMA Final Rule; 24 CFR 5.609(c)(17)
Nonrecurring Income Exclusion	Income received on a non-recurring basis with a discrete end date (tax refunds, stimulus payments, lottery winnings, insurance proceeds) is excluded from annual income.	HOTMA Final Rule; 24 CFR 5.609(c)(14)

09

Deconcentration Policy

2. LEGAL & REGULATORY BASIS

This policy is grounded in the following authorities:

Authority	Requirement
24 CFR 982.54(d)(6)	Administrative Plan must include deconcentration policies
24 CFR 982.201(b)(1)(iii)	Exception rents may be used to expand housing choice
42 U.S.C. 3608	HUD and PHAs must affirmatively further fair housing (AFFH)
QHWRA of 1998	Requires PHAs to encourage voucher holders to move to low-poverty areas
HUD Notice PIH 2011-31	Guidance on mobility counseling and deconcentration
Consolidated Plan – City of Flint	Local fair housing and community development priorities
FHC Administrative Plan	Local program rules implementing federal requirements

3. DEFINITIONS

For purposes of this policy, the following definitions apply:

Census Tract

A small, relatively permanent geographic subdivision of a county defined by the U.S. Census Bureau for statistical purposes, typically containing 1,200 to 8,000 residents. FHC uses census tract identifiers (FIPS codes) as the primary unit for geographic tracking of voucher holders.

High-Poverty Census Tract

A census tract in which 20% or more of the population lives below the federal poverty level, as determined by the most recent American Community Survey (ACS) 5-Year Estimates.

Concentrated Poverty Area (CPA)

A census tract in which 40% or more of the population lives below the federal poverty level. Special program interventions apply in CPAs.

Racially or Ethnically Concentrated Area of Poverty (R/ECAP)

A census tract that is a CPA AND in which 50% or more of the population is non-white (or 50%+ of any single minority group), as defined by HUD AFFH standards.

Low-Poverty / Opportunity-Rich Census Tract

A census tract in which fewer than 10% of the population lives below the federal poverty level, and which demonstrates positive indicators on the Opportunity Index (school quality, employment rates, transit access, health outcomes).

Opportunity Index

A composite score calculated by FHC for each census tract using: school performance ratings, unemployment rate, access to transit, health outcomes data, and access to grocery and healthcare facilities.

Voucher Concentration Rate (VCR)

The percentage of all rental units in a census tract that are occupied by HCV holders. FHC uses this metric to identify tracts with disproportionately high voucher concentration.

Mobility Counseling

Services provided by FHC or a contracted agency to assist voucher holders in understanding their housing options, identifying opportunity-rich areas, and navigating barriers to moving.

Deconcentration Incentive

A financial or service-based benefit offered to voucher holders who successfully lease in a low-poverty, opportunity-rich census tract.

4. CENSUS TRACT CLASSIFICATION SYSTEM

FHC shall maintain an up-to-date classification of all census tracts within Genesee County and any FHC-approved jurisdiction using the following tier system. Classifications shall be reviewed annually using the most current ACS 5-Year Estimates and shall be published in the FHC Administrative Plan and client-facing materials.

4.1 Tract Classification Tiers

Tier	Classification	Poverty Rate	FHC Program Impact
1	Opportunity-Rich	< 10%	Deconcentration incentives apply; exception payment standard eligible
2	Moderate Poverty	10% – 19%	Standard program rules; baseline counseling offered
3	High Poverty	20% – 39%	Enhanced counseling required; mobility services offered at intake
4	Concentrated Poverty (CPA)	40% – 49%	Mandatory mobility counseling; waitlist preferences adjusted
5	R/ECAP	≥40% + racial concentration	Full deconcentration intervention; priority mobility resources

4.2 Flint-Specific Census Tracts of Focus

As of the effective date of this policy, the following Genesee County census tracts are designated as Tier 4 or Tier 5 and are subject to priority deconcentration efforts:

- Tract 5001 (North Flint) – R/ECAP designation
- Tract 5003 (Dort Highway corridor) – CPA designation
- Tract 5010 (East Flint) – R/ECAP designation
- Tract 5017 (Civic Park neighborhood) – CPA designation
- Tract 5025 (Thread Lake area) – High Poverty designation

This list shall be updated annually and published on the FHC website. Tract boundaries and FIPS codes shall mirror the U.S. Census Bureau Tigerline definition.

5. DECONCENTRATION STRATEGIES

5.1 Voucher Concentration Rate (VCR) Monitoring

FHC shall calculate the Voucher Concentration Rate for each census tract semi-annually. When the VCR in any tract reaches or exceeds 15%, FHC shall:

- Notify the Director of Housing Programs and Executive Director within 30 days;
- Review pending unit approvals in that tract and apply heightened scrutiny;
- Temporarily suspend new lease-ups in that tract if VCR reaches 25%, pending review by the Board of Commissioners; and
- Develop a tract-specific remediation plan within 60 days.

5.2 Mobility Counseling Program

FHC shall offer mobility counseling to all new voucher holders and all voucher holders at annual recertification who currently reside in Tier 3, 4, or 5 census tracts. Counseling services shall include:

- Geographic briefing on opportunity-rich areas using FHC's tract classification maps;
- Assistance identifying available rental units in Tier 1 and Tier 2 tracts;
- Landlord outreach and recruitment in low-poverty areas;
- Transportation and school information for destination areas;
- Security deposit assistance for moves to Tier 1 tracts;
- Up to 30 additional days of voucher search time for households pursuing Tier 1 placements; and
- Post-move follow-up services for 90 days following relocation.

5.3 Deconcentration Incentives

To encourage movement to Opportunity-Rich (Tier 1) census tracts, FHC shall implement the following incentives:

- Exception Payment Standard: FHC shall apply an exception payment standard of up to 120% of the published FMR for units in Tier 1 census tracts, subject to HUD approval.
- Security Deposit Assistance: One-time grant of up to \$500 for qualified households moving to Tier 1 tracts.
- Moving Cost Reimbursement: Up to \$300 reimbursement for documented moving expenses for Tier 3/4/5 to Tier 1 moves.
- Voucher Extension: Automatic 30-day voucher extension for households actively searching in Tier 1 tracts, renewable once.

5.4 Landlord Outreach in Opportunity-Rich Tracts

FHC shall maintain an active Landlord Recruitment Initiative targeting property owners in Tier 1 and Tier 2 census tracts. Activities shall include:

- Annual outreach events in Grand Blanc Township, Fenton, Davison, and Burton;
- Dedicated landlord liaison staff assigned to opportunity-rich tract recruitment;
- Streamlined inspection scheduling with a 5-business-day turnaround guarantee in Tier 1 tracts; and
- Publication of a Landlord Participation Guide specific to FHC's deconcentration goals.

5.5 Waitlist Preferences

FHC shall not apply local preferences that would have the effect of concentrating voucher holders in high-poverty areas. The FHC shall review all waitlist preference policies annually for disparate impact and AFFH compliance.

6. CENSUS TRACT-INTEGRATED SOFTWARE SYSTEM

To operationalize this policy, FHC shall deploy and maintain a Housing Management Information System (HMIS) with native census tract integration. The system specifications and governance requirements are detailed below.

6.1 System Requirements

The FHC HMIS shall include the following census tract-integrated capabilities:

6.1.1 Client Registry with Tract Assignment

- Every client record shall include a mandatory Census Tract FIPS Code field automatically populated from the client's address of record;
- The system shall validate addresses against current USPS and Census TIGER/Line data at intake, at each move, and at annual recertification;
- The system shall display the Tier classification and Opportunity Index score for the client's current tract on the client dashboard;
- Historical tract residency shall be retained in a non-editable audit log for the life of the client record; and
- The system shall alert the assigned caseworker when a client's tract classification changes due to updated ACS data.

6.1.2 Voucher Management with Tract Tracking

- Each voucher record shall be geo-coded to the census tract of the approved leased unit;
- The system shall automatically calculate and display the Voucher Concentration Rate for each census tract in real time as lease-ups are entered;
- The system shall generate an automated alert when any tract approaches 12% VCR (warning threshold) and shall require supervisor approval for new lease-ups in tracts at or above 15% VCR;
- Voucher search radius tools shall display tract classifications to caseworkers and, in a simplified format, to clients; and
- All voucher issuance, extension, portability, and termination events shall be logged with the associated census tract FIPS code.

6.1.3 Geographic Reporting & Dashboards

- The system shall include an interactive dashboard displaying real-time geographic distribution of all active vouchers by census tract, mapped against the Tier classification;
- The dashboard shall display the VCR, poverty rate, Opportunity Index score, racial composition, and total unit count for each tract;
- FHC leadership shall receive automated monthly distribution reports in both map and tabular format;

- The system shall generate HUD-required reports including the SEMAP deconcentration indicator and the PHA Plan geographic distribution data; and
- Annual deconcentration trend analysis shall be auto-generated comparing current year to prior 3 years.

6.1.4 Data Integration Requirements

- American Community Survey (ACS) 5-Year Estimates: Annual import of poverty rate, racial composition, and household income data by census tract;
- USPS Address Validation API: Real-time address-to-tract geocoding at all data entry points;
- HUD Geocoding Service: Secondary geocoding validation using HUD's publicly available API;
- City of Flint GIS: Integration with City parcel data for unit inspection and code enforcement cross-referencing;
- Michigan State Housing Development Authority (MSHDA): Data-sharing agreement for statewide voucher portability tract tracking; and
- HMIS/CoC System: One-way read integration to identify clients exiting homelessness and their last known census tract.

6.2 User Access & Security

Role	System Access	Census Tract Functions
Chief Executive Officer	Full read/write; all reports	View all tract data; override VCR alerts
VP Housing Operations	Full read/write; all reports	Set tract thresholds; approve VCR alerts
HCV Director	Read/write client & voucher records	Approve lease-ups in Tier 3-5 tracts
Caseworker	Read/write assigned client records	View tract classification; log client moves
Inspector	Read-only client & unit records	View unit tract tier at inspection
Client (Portal)	Read-only own record	View own tract classification & tier
IT Administrator	System configuration only	Manage tract data import schedules

6.3 Data Governance & Privacy

- Census tract data associated with client records is subject to all privacy protections under the Privacy Act of 1974, applicable HUD data use agreements, and FHC's Data Security Policy;
- Client-level address data used for tract geocoding shall not be shared with any third party except as required by HUD regulation or legal process;
- Aggregate tract-level data (number of vouchers per tract, VCR) may be published as public records and reported to the Board of Commissioners; and
- The system shall maintain a complete audit trail of all access to census tract data, reviewed by the Director of Housing Programs quarterly.

7. ANNUAL DECONCENTRATION ANALYSIS

FHC shall conduct an Annual Deconcentration Analysis (ADA) each calendar year. The ADA shall be presented to the Board of Commissioners no later than March 31 of the following year and shall include:

- Current geographic distribution of all active HCV holders by census tract and tier;
- Year-over-year change in the percentage of voucher holders residing in Tier 1 and Tier 2 tracts vs. Tier 3, 4, and 5 tracts;
- Number and outcomes of mobility counseling sessions conducted;
- Number of households that successfully relocated from a higher-poverty tier to a lower-poverty tier;
- Voucher Concentration Rate by tract, including any tracts that triggered VCR thresholds;
- Number and value of deconcentration incentives issued;
- Landlord recruitment outcomes in Tier 1 and Tier 2 tracts;
- Analysis of any demographic disparities in access to Tier 1 and Tier 2 housing;
- Assessment of whether deconcentration goals are being met; and
- Recommended policy or program adjustments for the coming year.

If the ADA reveals that 60% or more of FHC voucher holders reside in Tier 3, 4, or 5 census tracts in two consecutive years, FHC shall convene a special deconcentration task force within 90 days to develop a corrective action plan with specific, measurable targets.

8. CLIENT RIGHTS & NON-DISCRIMINATION

No voucher holder shall be required to move to a specific census tract as a condition of receiving or maintaining housing assistance. Participation in mobility counseling is voluntary. Deconcentration incentives shall be offered equitably regardless of race, color, national origin, sex, disability, familial status, religion, age, ancestry, or any other protected class.

Any client who believes they have been discriminated against in the administration of deconcentration strategies may:

- File an informal complaint with FHC's ADA/504 Coordinator;
- File a formal grievance under FHC's Grievance Procedure (FHC Administrative Plan, Section 12);
- File a complaint with HUD's Office of Fair Housing and Equal Opportunity (FHEO) at 1-800-669-9777; or
- Contact the Michigan Department of Civil Rights at 1-800-482-3604.

9. STAFF TRAINING

All FHC staff who interact with clients, approve vouchers, or access the HMIS shall receive training on this policy within 60 days of hire and annually thereafter. Training shall cover:

- Legal basis and purpose of deconcentration;
- Census tract classification system and the Opportunity Index;
- HMIS census tract data entry and reporting functions;
- Mobility counseling techniques and available resources;
- Fair housing obligations and implicit bias awareness; and
- Client rights related to housing choice and deconcentration.

Training records shall be maintained in the employee file and reflected in the HMIS user access log.

10. POLICY REVIEW & AMENDMENT

This policy shall be reviewed annually by the Director of Housing Choice Voucher and amended as necessary to reflect changes in federal regulation, HUD guidance, local housing market conditions, and outcomes data from the Annual Deconcentration Analysis. Material amendments shall be presented to the Board of Commissioners for approval prior to implementation and submitted to HUD as an Administrative Plan amendment as required.

10

Homeownership Plan

HOUSING CHOICE VOUCHER HOMEOWNERSHIP PROGRAM

I. INTRODUCTION, 24 CFR Parts 5, 903 and 982

The Flint Housing Commission (FHC), Office of Housing Voucher Programs is pleased to introduce its statewide Housing Choice Voucher (HCV) *HCV Homeownership Program* under the guidance of HUD regulations at HUD final rule 24 CFR Part 982. The HCV program provides guidelines and requirements to all housing authorities to convert the tenant-based rental assistance voucher to the homeownership voucher option through their Section 8 Program, now referred to as the Housing Choice Voucher program. FHC's Housing Choice Voucher Department and the Resident Services Department collaborated to provide FHC families with this pathway to reach their goal of homeownership.

I. DEFINITIONS

Disabled Family - a family whose head, spouse, or sole member is a person with disabilities (24 CFR 5.403). It may include two or more persons living together, or one or more persons with disabilities living with one or more live-in aides.

Elderly Family - a family whose head, spouse, or sole member is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.

Federally Assisted Housing - includes:

- Public housing;
- Housing receiving project-based or tenant-based assistance under Section 8 of the U.S. Housing Act of 1937
- Housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the National Affordable Housing Act;
- Housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the National Affordable Housing Act;
- Housing that is assisted under section 811 of the National Affordable Housing Act;
- Housing financed by a loan or mortgage insured under section 221 (d)(3) of the National Housing Act that bears interest at a rate determined under the provision of section 221 (d)(5) of such Act;
- Housing insured, assisted, or held by HUD or by a State or local agency under section 236 of the National Housing Act; or
- Housing assisted by the Rural Housing Service under section 514 or section 515 of the Housing Act of 1949.

First time homebuyer - a family of which no member owned any present ownership interest in a residence of any family member during the three years before commencement of homeownership assistance for the family. Includes:

- A single parent or displaced homemaker who, during the preceding three years, was married and, while married, owned a home with his or her spouse, or lived in a home owned by his or her spouse.

- A family that includes a person with a disability, in which any member has owned a unit during the preceding three years, but for which FHC determines that the use of the homeownership option is necessary as a reasonable accommodation to make the program accessible to the family.

Person with Disabilities [as defined for Civil Rights Protections] - any person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such an impairment; or,
- Is regarded as having such an impairment.

III. PROGRAM PURPOSE

The HCV Homeownership Program will offer a homeownership option for families that receive HCV tenant-based assistance. The purpose of the program is to provide pre-purchase counseling and training through FHC's Homeownership counseling partnerships and other local entities in order to accomplish the goal of assisting and developing eligible HCV participants into successful homeownership. Once participants become homeowners, they will be required to attend post-purchase counseling at the recommendation of FHC. **The participant may receive the Housing Assistance Payment (HAP) for no more than 15 years if the initial mortgage incurred to finance the purchase of the home has a term of 20 years or longer with continued income eligibility and compliance, with the exception of those elderly or disabled, for whom assistance shall last no longer than 30 years.**

IV. FAIR HOUSING

All Civil Rights laws applicable to the HCV Rental Voucher Program are also applicable to the HCV Homeownership Program. FHC does not discriminate on the basis of race, color, national origin, religion, sex, familial status, and disability. FHC complies with all equal opportunity and nondiscrimination requirements imposed by contract or Federal law.

FHC understands that integral to the tenant-based nature of the HCV program is the freedom-of-choice afforded to the participant family, regardless of whether the voucher is used for rental or homeownership assistance. The HCV Homeownership Program option may not reduce a family's choice by limiting the use of homeownership assistance to particular units or neighborhoods within our geographical jurisdiction (Genesee County). Area partners and a recommended vendor list will be provided to the participant, but other lenders/vendors who hold the appropriate certifications may be used by the participating family following approval from FHC.

V. HOUSEHOLD ELIGIBILITY 24 CFR § 982.627

To qualify for the HCV Homeownership Program, the following criteria apply. The family *must*

1. Have participated in FHC's HCV Tenant-Based Rental Assistance program for one-year and be in good standing with the program:

- a. the family cannot have had a tenant-caused National Standards for the Physical Inspection of Real Estate (NSPIRE) violation within the past year;
 - b. the family must not owe money to FHC or any other Housing Authority;
 - c. the family may not have committed any serious or repeated violations of the FHC-assisted lease within the past year.
2. Be a First-Time Homeowner defined as any member of the assisted family not having owned a residence in the three years prior to the homeownership assistance.
 3. *Meet the requirements of the Family Self-Sufficiency (FSS) program, even if not enrolled in FSS. Priority will be given to qualified families enrolled in the FSS program, unless elderly or disabled. Requirements of FSS program include:
 - a. Seek and maintain suitable employment for no less than 12 consecutive months (more than 32 hours per week); and,
 - b. 12 consecutive months TANF free for all members in the household.
 4. *Be Employed. The family must demonstrate that at least one member of the family who will own the home at the commencement of homeownership assistance (unless elderly or disabled, which must be reflected in Elite and entered by participant's Housing Agent):
 - a. currently has full-time employment (not less than 32 hours per week);
 - b. has continuously been employed for the past 12 consecutive months prior to homeownership; and,
 - c. can demonstrate a history of full-time employment (FHC has the discretion to verify if interruptions of employment during this period are permissible. Permissible gaps can only occur if loss of employment resulted from measures beyond the employee's control (layoff, medical emergency)).
 5. Complete Pre-Purchase Counseling Requirements. Once the family has met the above homeownership eligibility criteria, the program participant must attend all required homeownership counseling sessions through a HUD certified homeownership counselor. Online formats of homeownership counseling will be permissible so long as they are through an approved agency with appropriate lessons.

FHC requires a deposit for the cost of the classes. The deposit will reserve your spot in the course, and following course completion will be save as a reserve for your down payment. If the deposit has been collected by FHC and the course was not completed, the deposit will go toward the fee of the course.

HCV Homeownership Program Topics will include:

- Homebuyer Education Individual or Group
 - Closing process
 - Mortgage loan
 - Budgeting
 - Saving and investing
 - Foreclosure prevention
 - Predatory lending
 - Basic home maintenance
 - Financial maintenance
- Reorganizing Debt, developing monthly budgets for affordable homeownership

- Pre-Purchase Home Inspection, Selecting a Home
- Home Maintenance, basic skills

6. Meet Minimum Income Requirements (24 CFR 982.627 (c))

Non-Disabled program participants must have an annual household income (gross income) that equals or exceeds \$27,460 (earned income) at time of home purchase and continue to maintain or exceed \$27,460 for the duration of the homeownership assistance. Earned income for program participants cannot include welfare assistance, child support, adoption subsidy, or, minor children's income.

****Disabled program participants*** must have an annual household income that equals or exceeds \$11,928.00 at the time of home purchase and continue to maintain or exceed \$11,928.00 for the duration of the homeownership assistance.

Liquid Assets - All participants in the Homeownership program cannot have more than \$10,000 in liquid assets. All liquid assets in excess of \$10,000 must be used toward the down payment and principal reduction of the home purchase to be eligible for the program. Liquid assets include cash, securities, and equity in real property.

Minimum income requirements for non-disabled program participants are calculated from the 2026 Michigan minimum wage (\$13.73/hr) multiplied by 2,000 hours signifying average working hours of a full-time employee. Minimum income requirements for disabled program participants are calculated from the 2026 Federal Supplemental Security Income annual amounts.

7. Locate an eligible unit. (See Section VI)
8. Secure financing. (See Section VII)
9. Live in the home purchased through the HCV Homeownership Program option as their primary residence for the duration of HCV Homeownership assistance.

NOTE: If a family includes an individual who was an adult member of a family at the time when such family received homeownership assistance and defaulted on a mortgage securing debt incurred to purchase the home, the family is ineligible for HCV Homeownership assistance.

**denotes exceptions for elderly/disabled families*

VI. ELIGIBLE UNITS 24 CFR §982.628

The unit must meet HUD's "Eligible Housing" requirements. The unit *cannot* be any of the following:

- A unit receiving HCV project-based assistance.
- A nursing home, board and care home, or facility providing continual psychiatric, medical or nursing services.
- A college or other school dormitory.
- A unit with wheels.
- On the grounds of penal, reformatory, medical, mental, or similar public or private institutions.

Eligible units include single family, condominium, and co-op; and the unit *must*:

- Exist or be under construction at the time the family enters into the contract of sale, not at the time FHC determines the family's eligibility for homeownership assistance to purchase the unit.
- Be on land in which the family has the right to occupy for a period not less than forty years. This will apply in cases where the family will not also own fee title to the real property on which the home is located.
- Pass Housing Quality Standards.
 - o Program regulations require two inspections. The family must hire an independent, qualified home inspector. See family requirements below for more detail. FHC staff or an inspector deemed qualified by FHC will also perform a National Standards for the Physical Inspection of Real Estate (NSPIRE) inspection.
- Be permanently affixed to a foundation (the unit may not have wheels, even if permanently affixed to a foundation).
 - o Manufactured homes not allowed unless the family can demonstrate to the satisfaction of FHC staff that no other affordable housing options exist in the community in which the family lives and works.
 - o Should an exception be considered, the manufactured housing unit must be new or less than five years old and meet BOCA code or HUD's manufactured housing code, whichever applies to the locality; and must be on a permanent foundation.
 - o Manufactured homes located in a manufactured home park are not eligible. Manufactured homes that are considered on an exception basis must be crane set and stick built in a controlled environment. Specifications on the manufactured house must be reviewed and approved by FHC prior to any commitment.
- Be assessed as permanent housing stock.
- Not to exceed the HUD Single Family Value (FHA 203(b) limits. Refer to the HUD 203b Chart).

Note: FHC will not approve the sale of the unit if the seller has been debarred, suspended, or subject to a limited denial of participation in the HCV rental voucher program.

Additional Requirements for the Family:

1. The family must hire an independent, qualified (National Association of Home Inspectors, American Society of Home Inspectors, Local Building Department, must have liability insurance) home inspector and send a copy of the report to FHC for approval. FHC will make the determination of the items requiring repair at the seller's expense prior to purchase. The findings will be incorporated into the Purchase and Sales Contract.
2. In cases where the family will not also own fee title to the real property on which the home is located, such as a Land Trust property, the family must document to FHC that they have the right to occupy the site for a period of not less than 40 years.

VII. FINANCING AND TERMS OF MORTGAGE 24 CFR § 982.632

Families selected to participate in the homeownership program must secure their own financing from a *HCV Homeownership Program* participating lender. FHC will provide the list to each family during the appropriate phase of homeownership readiness. Financing requirements are listed below and FHC reserves the discretion to disapprove proposed financing if it is

determined that the debt is unaffordable, or if the rate and terms of the financing are not competitive with conventional market rate and terms.

Requirements of the Family:

1. FHC must approve all financing before purchase. Families must complete mortgage pre-qualification requirements with the HUD certified counselor prior to securing financing for a home.
2. The family must be able to mortgage a minimum of \$1,000 and pay all taxes and insurance.
3. Minimum down payment of 3% of the purchase price with at least 1% from personal savings, or an FSS escrow account. The balance (2%) may come from gifts, grants, or other sources.
4. Participating families upon loan closing must set up and maintain an emergency repair reserve account of at least \$1,000. These funds may come from FSS, gift money, or other source. The family may have the option of contributing \$50.00 per month to an emergency repair reserve account if the initial account of \$1,000 is not set up.

Families will spend at least 25% and not more than 31% (PITI) of their income for housing and not pay more than 41%-44% of their income for all debts including the first mortgage payment.

Note: Loan defaults will result in termination of homeownership assistance, and possible termination of HCV assistance. See Denial or Termination of Assistance Section XI.3.

Families, Lenders, and Counselors must consider the following when selecting a Mortgage Product:

1. FHC, by law, may not select a financing institution for the family. The family is free to choose from all available financing, subject to approval by FHC.
2. Families can use grants and other home purchase leveraging assistance in conjunction with the homeownership voucher option.
3. Families cannot use voucher funds to assist with financing costs.
4. FHC does not permit balloon payment and variable interest rate loans for homeowner financing. Seller financing is prohibited, except by a FHC-approved nonprofit organization.
5. Financing for purchase of a home under its HCV homeownership program must be provided, insured, or guaranteed by the state or Federal government, comply with secondary mortgage market underwriting requirements, or comply with generally accepted private sector underwriting standards; or if the purchase of a home is financed with FHA mortgage insurance, financing is subject to FHA mortgage insurance requirements.
6. HCV Homeownership assistance will be for no more than 15 years, unless disabled or elderly. If elderly or disabled, the term of assistance will be for the life of the loan not to exceed 30 years.

Timeframe to Find a Home and Secure Financing:

Once a family is determined mortgage application ready by a HUD certified Homeownership counselor and FHC, the family will be provided with:

- 90 calendar days after prequalification of a mortgage to locate a home to purchase, and execute a Purchase and Sales Contract and;
- 30 day possible extension.

For good cause, FHC may extend an HCV family's time to locate the home for an additional thirty (30) days. FHC will require at least weekly reports on the family's progress in finding and

purchasing a home. If the family is unable to purchase a home within the maximum time limit, FHC will continue the family's rental voucher assistance and they may reapply for a prequalification after one year.

Contract of Sale:

Each family **MUST** enter into a Contract of Sale prior to commencement of HCV Homeownership assistance. The Contract of Sale must be provided to FHC and shall include:

- Specific price and other terms of sale from the seller to the buyer;
- Stipulation that the purchaser will arrange for a pre-purchase inspection of the dwelling unit by an independent inspector selected by the purchaser;
- That the purchaser is not obligated to purchase the unit unless the inspection is satisfactory to the purchaser;
- That the purchaser is not obligated to purchase the unit unless the purchaser obtains financing approval;
- Stipulation that the purchaser is not obligated to pay for any necessary repairs; and,
- Contain a certification from the seller that the seller has not been debarred, suspended, or subject to a limited denial of participation under 24 CFR 24.

VII. CALCULATION OF MONTHLY HOUSING ASSISTANCE PAYMENT (HAP) 24 CFR §982.635

Family's participating in the HCV Homeownership program must meet the same income eligibility and reexamination requirements as the HCV rental program participants.

Effective Date:

Calculation of HAP under Homeownership regulations begins as of the closing date. Thus, the **closing date will equal the transaction effective date** for the families' move to their own home. Under the Homeownership program no HAP contract will exist.

Calculation of the Payment Standard (PS):

Determine the PS for the family by using the **lower** of:

- the actual unit (home) size; or
- the voucher eligibility size.

Calculation of Family Homeownership Expenses:

Homeownership expenses may include:

- Principal and interest (PI) on mortgage debt, and any refinancing of such debt incurred to finance the home purchase.
- Taxes, insurance, and public assessment placed against home (TI).
- Mortgage insurance premium (MIP).
- FHC utility allowance, same as HCV rental voucher program.
- A combined allowance for routine maintenance costs and major repairs and replacements, set by FHC as \$1,000 maintained for the term of assistance, or \$50 per month.
- Principal and interest on debt for improvements.
- The cost of leasing land for other housing types where the family does not own the land (See Section V. for additional clarification).

Cooperative or Condominium. If the home is a cooperative or condominium, expenses also include operating expenses or maintenance fees assessed by the homeowner association. In these cases, the gross monthly maintenance allowance established by FHC will be reduced by an amount equal to the maintenance portion of the cooperative or condominium association fee.

Calculation of Monthly HAP:

FHC shall pay a monthly HAP payment on behalf of the family [so long as they reside in the home and remain eligible]. The HAP equals the **lower** of:

- The payment standard; or
- The monthly homeownership expenses minus the total tenant payment.

Family income eligibility and reexamination for a subsidy in the HCV homeownership program follows the same schedule as the HCV Rental Assistance program.

VIII. EXCEPTIONS TO ELIGIBILITY CRITERIA AND FINANCING FOR ELDERLY AND DISABLED FAMILIES

(24 CFR §982.627, 982.632, 982.633, 982.634, 982.635)

In order for the following exceptions to apply, adult family members must meet the definition of a disabled person, or elderly person as defined in Section II. FHC's HCV Homeownership Program provides for reasonable accommodations for Persons with Disabilities by incorporating the exceptions to the eligibility criteria as detailed below. All other eligibility criteria apply.

The following are the **three exceptions** for disabled and elderly persons:

Household Eligibility Exception

Income from public assistance issued to adult family members who are elderly and/or disabled; **and** who will own the home, may be permitted to include their public assistance in determining the minimum income requirement. This public assistance only applies to families, which satisfy the statutory definition of elderly or disabled family. This exception to public assistance income does not apply in the case of a family that includes an elderly or disabled person other than head or spouse where the head or spouse is not also elderly or disabled.

A live-in aide may be permitted if needed, for a person with disabilities. A waiver to not include the aide's income and household size shall be considered by FHC.

1. Financing and Terms of Mortgage Exception

In the case of an elderly family, HCV Homeownership assistance shall not exceed 30 years or the life of the mortgage terms (whichever is shorter). This exception is only applied if the family qualifies as an elderly family at the **commencement** of homeownership assistance.

In the case of a disabled family, HCV Homeownership assistance shall not exceed 30 years or the life of the mortgage terms (whichever is shorter). This exception applies if at **any time** during receipt of homeownership assistance the family qualifies as a disabled family. If, during the course of homeownership assistance, the family ceases to qualify as a disabled or elderly family, the maximum term (defined in Section V, Financing and Terms of Mortgage) becomes applicable from the date homeownership assistance commenced. However, such a family must be provided at least 6 months of homeownership assistance

after the maximum term becomes applicable provided the family is eligible to receive HCV homeownership assistance.

- 2. Calculation of Monthly Housing Assistance Payment (Elderly and/or Disabled)** If a member of the household is a person with disabilities, debt incurred to finance costs for attendant care and auxiliary apparatus will be considered when calculating the Housing Assistance Payment. Structural modifications to the home will be reviewed and approved by FHC. FHC will explore, with the family, the best method (i.e. grant, loan) to finance the accessibility improvements. Also note that barrier free modifications will only be considered. Barrier free includes accessibility for persons with sensory disabilities.

IX. RECAPTURE AND REFINANCING

Recapture

Under HUD Directive, November 18, 2002, the requirements providing for the recapture of homeownership assistance upon the sale or refinancing of the home were rescinded.

Refinancing

FHC will only approve refinancing if it is for a better rate and/or term or to make necessary repairs on the home. All refinancing must be approved by FHC before moving forward with a refinance package. FHC has the sole discretion to approve or deny a family from refinancing a HCV Homeownership assisted home. FHC shall utilize the same criteria used to review the initial mortgage in any refinancing package including:

- Qualifications of the lender
- Terms of the loan
- Affordability for the family

X. CONTINUED ASSISTANCE AND FAMILY OBLIGATIONS (24 CFR §982.633)

Once a family has purchased a home, the following Continued Assistance Requirements and Family Obligations must be maintained:

Occupancy of the Home: Homeownership assistance may only be paid while the family is residing in the home. If the family moves out of the home, FHC will not continue homeownership assistance after the month when the family moves out. The family or lender is not required to refund FHC for the homeownership assistance for the month when the family moves out.

The family must comply with the following obligations:

- 1. Ongoing Counseling:** FHC will require post purchase counseling. The family must attend and complete ongoing homeownership and housing counseling.
- 2. Compliance with Mortgage:** The family must comply with the terms of any mortgage securing debt incurred to purchase the home (or any refinancing of such debt).

3. **Prohibition Against Conveyance or Transfer of Home:** So long as the family is receiving HCV homeownership assistance, use and occupancy of the home is subject to 24 CFR §982.551 as follows:
- a. The family as its only residence must occupy the assisted unit.
 - b. The composition of the assisted family residing in the unit must be approved by FHC. Supply any information requested by FHC to verify that the family living in the unit or information related to family absence from the unit. Request FHC written approval to add any other family member as an occupant of the unit. Promptly notify FHC in writing of the birth, adoption, or court-awarded custody of a child. No other person may reside in the unit (except for a foster child or live-in aide).
 - c. FHC must be promptly notified in writing if any family member no longer lives in the unit.
 - d. Family members of the household may engage in legal profit making activities in the unit, but only if such activities are incidental to primary use of the unit for residence by family.
 - e. HCV Homeownership program participant must pay all credit cards off on a monthly basis. Credit card debt can not be carried forward from one month to the next.
 - f. Any new debt incurred over \$1,000 must be approved by FHC Homeownership staff.
 - g. The unit may not be subleased or sublet by the family.
 - h. Any information or certification requested by FHC to verify that the family is living in the unit, or relating to family absences from the unit, including any FHC requested information or certification on the purpose of family absences must be supplied. The family must cooperate with FHC for this purpose. The family must promptly notify FHC of absence from the unit.
 - i. The family must make the property available for inspection by FHC or an agent of FHC annually. If the inspection shows that the unit is not in compliance with the HCV NSPIRE Standards, FHC will provide a list of deficiencies, which the family is to correct within 60 days.

Upon death of a family member who holds, in whole or in part, title to the home or ownership of cooperative membership shares for the home, homeownership assistance may continue pending settlement of the decedent's estate, notwithstanding transfer of title by operation of law to the descendant's executor or legal representative, so long as the home is solely occupied by remaining family members in accordance with number three listed above.

4. **Supplying Required Information:**

- a. The family must supply any information that FHC or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status as provided for in 24 CFR part 5, and information for use in a regularly scheduled reexamination or interim reexamination of family income and composition. Information includes any requested certification, release or other documentation.
- b. The family must disclose and verify social security numbers and must sign and submit consent forms for obtaining information.
- c. Any information supplied by the family must be true and correct.
- d. In addition to supplying information as outlined above, the family must supply information concerning:
 - i. any mortgage or other debt incurred to purchase the home and any refinancing of such debt (including information needed to determine whether the family has defaulted on the debt, and the nature of any such default) and information on any satisfaction or payment of the mortgage debt; or
 - ii. any sale or other transfer of any interest in the home; or

iii. the family's homeownership expenses.

5. **Notice of Move-out:** The family must notify FHC in writing 30 days before the family moves out of the home.
6. **Notice of Mortgage Default:** The family must notify FHC if the family defaults on a mortgage securing any debt incurred to purchase the home. Default includes a payment made over 30 days late, and forbearance agreements made with the mortgage lender.
7. **Prohibition on Ownership Interest on Second Residence:** During the time the family receives homeownership assistance under this subpart, no family member may have any ownership interest in any other residential property.
8. **Fraud or Other Program Violations:** The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with the program.
9. **Crime by Family Members:** The members of the family may not engage in drug-related criminal activity or violent criminal activity. Such activity may result in program termination as provided for in 24 CFR part 982.553.
10. **Other Housing Assistance:** An assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for different unit under any duplicative Federal, State or local housing assistance program.
11. **Before Commencement of Homeownership Assistance,** the family must execute a statement of family obligation and agree to comply with all obligations therein listed.

XI. DENIAL OR TERMINATION OF ASSISTANCE (24 CFR § 982.638)

FHC shall terminate homeownership assistance for the family, and shall deny voucher rental assistance for the family in accordance with this section. Families will be notified in writing within 15 calendar days of denial of termination effective date.

1. **Denial or Termination of Assistance Under Basic Voucher Program:** At any time, FHC may deny or terminate homeownership assistance in accordance with §982.552 (c) which includes:
 - a. Violation of any family obligations
 - b. Eviction from federally assisted housing in the past five years
 - c. If FHC has ever terminated assistance for any member of the applicant family
 - d. If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program
 - e. If the family currently owes rent or other amounts to FHC or any other PHA
 - f. If the family breaches an agreement with FHC or any other PHA to pay amounts owed
 - g. If a family participating in the FSS program fails to comply without good cause with the FSS Contract of Participation
 - h. If the family has engaged in or threatened abusive or violent behavior toward FHC personnel
 - i. If the family has been engaged in criminal activity or alcohol abuse as described in §982.553 (Crime by family members).
2. **Failure to Comply with Family Obligations:** FHC may deny or terminate assistance for violation of participant obligations described in Section X, Continued Assistance and Family Obligations.
 - a. **Mortgage Default:** FHC must terminate voucher homeownership assistance for any member of a family receiving homeownership assistance that is

dispossessed from the home pursuant to a judgment or order for foreclosure on any mortgage (whether FHA-insured or non-FHA) securing debt incurred to purchase the home, or any refinancing of such debt. FHC must terminate the family and the family may not move to a new unit with continued voucher assistance.

- b. The family has moved from the home within the period established or approved by HUD.

XII. PORTABILITY AND TRANSFERS (24 CFR § 982.636)

A family may qualify to move outside of FHC's jurisdiction with continued homeownership or tenant-based assistance under the voucher program if **all** of the following criteria apply:

1. The family meets all eligible criteria set forth in the HUD regulations §982.353 and §982.355 and in Chapter 5 of FHC's Administrative Plan.
2. For homeownership assistance, the receiving PHA must be administering a voucher homeownership program, and be accepting new homeownership families.
3. Family and PHA responsibilities for homeownership:
 - a. **The family:**
 - Must sell its current home in order to purchase and port to another home and satisfy the original mortgage and down payment assistance, if applicable.
 - Must attend the briefing and counseling session required by the receiving PHA
 - b. **The receiving PHA:**
 - Will have the same administrative responsibilities of the initial PHA except that some administrative functions (e.g. issuance of a voucher, or execution of a tenancy addendum) do not apply.
 - May absorb the family into its voucher program, or bill the initial PHA.
 - Will determine if financing and physical condition of the unit is acceptable and all homeownership policies apply.
4. The maximum term of homeownership assistance applies to the cumulative time the family has received homeownership assistance. The total must **not** exceed the maximum term of 15 years unless elderly or disabled.

Note: All portability policies that are in place for the HCV rental assistance program are applicable to the HCV homeownership program. All homeownership program eligibility criteria will apply, i.e. the family must be a participant with FHC's rental program for one year and in good standing and be enrolled in the FSS program, etc.

XIII. BUYING ANOTHER HOME

A family receiving homeownership assistance may purchase another home with continued assistance if **all** of the following criteria are met:

1. The family has not had a mortgage loan default.
2. The family sells its current home in order to purchase another with homeownership assistance.
3. There are no recapture provisions associated with the family's home; therefore, the family may keep any profits or proceeds from the sale of the home

4. All eligibility criteria applicable to the first home purchase are met. The only exception to the eligibility requirements is that the family need not meet the first-time homebuyer requirement.
5. All counseling deemed necessary by FHC has been satisfactorily completed.
6. An independent home inspection on the subsequent purchase has been completed and approved by FHC.
7. The financing mechanism for this subsequent purchase has been submitted and approved by FHC.
8. The maximum term of homeownership assistance applies to the cumulative time the family as received homeownership assistance. The total must **not** exceed the maximum term of 15 years.
9. The family must have lived in the initial unit for which homeownership assistance is provided for at least 24 months.

FHC will only allow one move by the family during any one-year period.

IX. SWITCHING BETWEEN HOMEOWNERSHIP VOUCHER ASSISTANCE AND RENTAL VOUCHER ASSISTANCE

There are a number of circumstances under which a family may switch between rental and homeownership assistance under the voucher program. Various scenarios are described below.

- A HCV participant receiving voucher assistance may request whether they family are eligible for HCV homeownership assistance. If the family is determined eligible for homeownership assistance, FHC may authorize the family to search for a home to purchase. The family would continue to receive rental assistance until the family vacates the rental unit (consistent with the lease).
- The family purchases a home under the HCV homeownership option. After several years the family decides that they prefer to live in a rental apartment. If there is no mortgage loan default and the family has met all obligations under the HCV program, FHC may issue the family a rental voucher. The family must sell the home before FHC may provide rental assistance.
- The family purchases a home under the HCV homeownership option. FHC homeownership staff, housing agents, and post-purchase housing counselor determine that the family is not able to maintain the home as evidenced by the house falling into disrepair, and/or untimely payments on the mortgage, utilities, or taxes. This may also be evidence by the family not maintaining stable employment or loss of income resulting in the Housing Assistance Payment at the time of purchase being reduced. The family must sell the home before FHC may provide rental assistance.

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Family Self Sufficiency (FSS) Plan

FLINT HOUSING COMMISSION

3820 Richfield Road | Flint, MI 48506

Family Self-Sufficiency (FSS) Program

Action Plan

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Introduction

Established in 1964, the Flint Housing Commission (FHC) has grown into a mid-sized Public Housing Authority, currently operating 5 properties with 602 units of low-income public housing. In addition to its public housing portfolio, FHC administers rental assistance for approximately 700 families through the Housing Choice Voucher (HCV) Program. FHC is governed by a five-member Board of Commissioners appointed by the Mayor of the City of Flint. The Board appoints the Chief Executive Officer and establishes organizational policy. FHC is committed to improving the living conditions and long-term prospects of every resident it serves.

The Family Self-Sufficiency (FSS) program is a five-year initiative — with the possibility of up to two one-year extensions — in which participating families develop and work toward individualized goals on the path to economic independence. The FSS program is built on four core pillars: workforce development, educational attainment, financial capacity, and holistic wrap-around services. FHC employs a comprehensive case management model designed to equip residents with the skills needed to succeed in the 21st-century workforce.

All FSS participants are eligible for an interest-bearing escrow account that grows in proportion to their earned income, creating a meaningful financial incentive for sustained participation. Escrow balances are monitored by FHC and disbursed upon successful completion of the program. The FSS program is guided by a Program Coordinating Committee (PCC), which connects participants to existing community resources aligned with their individualized goals.

Definitions

Good Faith — For the purpose of obtaining supportive services necessary for successful contract completion, the FSS Case Manager shall devote no fewer than four working hours to contacting appropriate partners and/or community agencies to determine whether the needed service is available in the area.

Good Cause — An unavoidable conflict that seriously affects the safety, health, or welfare of the family.

Seek — To actively pursue employment by submitting no fewer than four job applications or attending no fewer than four job interviews per calendar month.

Maintain — To remain employed at a rate deemed "suitable" for at least 12 consecutive months. For seasonal workers, education support staff, or others in unconventional employment arrangements, the FSS participant must maintain suitable employment for at least six consecutive months.

Suitable Employment — Full-time employment of 32 or more hours per week at a rate no less than Michigan's minimum wage; or, earned annual income equal to or exceeding the very low-income threshold for the family's household size.

Family Demographics

In order to most effectively serve FHC residents, the FSS program targets households with annual income below the equivalent of Michigan's minimum wage at a standard 40-hour workweek, and households with a Head of Household between the ages of 18 and 62. All data presented below reflects these parameters. Residents who fall outside these criteria are still welcome to apply and participate if a slot is available.

Total Number of Target Households: 1,513

Target Households by Residence

Residence	Target Households
Richert Manor	176
River Park Townhomes	151
Scattered Sites	32
Kenneth M. Simmons Square	146
Housing Choice Voucher Recipients	613
Not Reported	9

Target Group by Ethnicity

Ethnicity	Count
American Indian / Alaska Native	6
Asian	1
Black / African American	1,396
Native Hawaiian / Other Pacific Islander	11
White	96
Not Reported	3

Estimate of Participating Families

FHC does not track the supportive service needs of residents who are not currently enrolled in the FSS program. However, available data indicates that more than 54% of eligible households earn less than \$2,500 annually, suggesting that a significant portion of the eligible population is not engaged in suitable employment. The workforce development pillar of the FSS program is specifically designed to address this gap, with the recognition that some participants may pursue educational opportunities as a pathway to employment.

Based on current staffing and administrative capacity, FHC is able to enroll up to 25 households per program year, assuming that active contracts are completed on or ahead of schedule. As detailed in the FSS Activities and Supportive Services section of this Action Plan, graduates of the FSS program remain eligible to access supportive services following the successful completion of their contract.

Eligible Families from Other Self-Sufficiency Programs

24 CFR 984.201(3)

FHC was a recipient of a Choice Neighborhoods Initiative (CNI) Implementation Grant through 2024. The CNI program actively promoted self-sufficiency and integrated holistic case management practices that align closely with the goals of the FSS program. As a result, Choice Neighborhoods target residents remained eligible to participate in the FSS program throughout the CNI grant period.

Under the CNI program, each resident was assigned a Family Coach whose role closely paralleled that of an FSS Case Manager. Family Coaches collaborated with the FSS Case Manager throughout the CNI program cycle. For any Choice Neighborhoods resident with an active FSS contract extending beyond 2024, FHC assumed full Case Manager responsibilities upon the conclusion of CNI funding — even in instances where the program was at or near capacity.

FSS Family Selection Procedures

24 CFR 984.203

FHC will enroll up to 25 FSS participants per year, subject to available staffing. When the program reaches capacity, interested families will be placed on a waitlist in the order their application was received. All applications are date- and time-stamped upon receipt, and applicants will be contacted in chronological order as slots become available.

When the waitlist reaches 100 applicants, FHC staff will contact all waitlisted parties to confirm their continued interest. Applicants who wish to withdraw may do so at any time; those who withdraw may

reapply at a later date. No applicant may submit more than three FSS applications over the course of their residency with FHC.

Former FSS participants who voluntarily terminated their contracts are eligible to reapply and will be subject to the same screening process as all new applicants. Participants who successfully completed their FSS contract and received their escrow disbursement are not eligible to re-enroll at FHC. If a contract was completed without escrow being earned, the family may apply for a second enrollment. No family may participate in the FSS program at FHC more than twice.

Families who completed FSS contracts at another Public Housing Authority and subsequently moved to an FHC-managed property or ported into the FHC jurisdiction are eligible to apply and participate in FSS at FHC. Such participants may successfully complete the FSS program at FHC only once.

Screening and Selection

FHC selects participants based on demonstrated interest and motivation to achieve self-sufficiency. All prospective participants will be screened through a phone or in-person interview conducted in the order interest forms were received by the Resident Services department. All interest forms are date- and time-stamped upon receipt. Standardized Form 01 is used during all motivational interviews to ensure that selection decisions are made without regard to race, color, religion, sex, disability, familial status, or national origin. Reasonable accommodations are provided for individuals with mobility, manual, sensory, speech, or cognitive impairments, and for non-English speakers.

FHC does not screen applicants based on educational attainment, standardized test results, prior employment history or performance, credit history, marital status, number of children, or any other factor that may result in discriminatory treatment. FHC is committed to equitable access to the FSS program for all eligible residents.

Other Selection Considerations

- **Debt Owed to FHC or Another PHA** [*PIH 93-24; B-18*]
 - FHC will deny FSS enrollment to any applicant who has an outstanding financial obligation to FHC, unless the applicant has entered into — and is current on — a repayment agreement with FHC. Applicants placed on the waitlist while carrying a balance have until the effective date of their contract of participation to establish a repayment agreement.
- **Unavailability of Supportive Services** [*24 CFR 984.303(e)*]
 - If a required supportive service cannot be obtained through an existing partner, FHC will make a good faith effort to secure the service through an alternative provider. If the service cannot be obtained and is determined to be integral to the participant's ITSP goals, FHC will declare the contract of participation null and void. If the service is not integral, FHC will modify the contract accordingly.

- Contracts voided due to service unavailability are treated as voluntary terminations and do not disqualify the family from future FSS participation. When the needed service becomes available, the family may re-enter a new contract without returning to the waitlist.
- **Prior Involuntary Termination** [PIH 93-24; B-14]
 - Applicants who were involuntarily terminated from the FHC FSS program within the past five years due to failure to make progress on their ITSP or conduct inconsistent with program expectations will be denied readmission.

Reserved FSS Slots

Five additional FSS slots are reserved for participants in the FHC HCV Homeownership Program. Participants in these reserved slots must include homeownership as a final goal in their ITSP. An additional five slots are reserved for FSS participants who port into the FHC jurisdiction, where FHC has agreed — in coordination with the Initial Housing Authority — to continue monitoring their FSS contract. Separate waitlists will be maintained for each reserved category when slots are full.

Incentives Plan

24 CFR 984.201(d)(5)

FHC offers FSS participants a suite of incentives designed to promote engagement and support the journey toward self-sufficiency, including an FSS escrow account, individualized case management, and access to a broad network of supportive services.

Escrow Account [24 CFR 984.305]

FHC deposits all FSS escrow funds into a single pooled depository account held at a HUD-approved banking institution, as selected by the Director of Finance and the Chief Executive Officer. A subsidiary ledger maintained by the Director of Finance tracks individual escrow credits, prorated investment income, and all withdrawals. Reciprocal records are maintained by the Resident Services department.

Escrow accounts are credited monthly on the first of each month for the preceding month, calculated using the HUD Form 52652 Escrow Account Credit Worksheet. Credits are based on "family rent" for public housing participants, or on total tenant payment for HCV participants. Families who no longer meet low-income thresholds are not entitled to additional escrow credits. Credits cease upon completion of the participant's contract goals. For HCV participants, credits also cease when 30% of the family's monthly adjusted income equals or exceeds the fair market rent for the applicable unit size.

Escrow Credit Disallowances [Notice PIH 93-24, C-12]

- Participants who fail to pay rent in any given month will not receive an escrow credit for that month.
- Escrow credits will not be applied retroactively once overdue balances have been paid.

- Participants entering repayment agreements due to unreported income will not receive retroactive escrow credits for any portion of that income.
- For participants with disabilities who are enrolled in the Earned Income Disregard (EID) program, EID provisions apply first, followed by FSS escrow protocol. Escrow accrual begins — or resumes — in the second year of the EID period, consistent with the corresponding rent increase, provided the participant remains employed and in good standing.

Investment Income [24 CFR 984.305(a)(2)(ii)]

Investment income is calculated monthly on the first of each month for the preceding month, at a rate of 0.03% of the account balance. Investment income continues to accrue even during an active repayment plan for unreported income or fraud.

Reduction of Debt Owed to FHC [24 CFR 984.305(a)(2)(iii)]

Any outstanding balance owed to FHC by an FSS participant at the time of final escrow disbursement will be deducted from the escrow payout before funds are released to the participant. This applies to final disbursements only.

Escrow Account Reporting [24 CFR 984.305(3)]

FHC provides each FSS participant with a quarterly escrow account statement using Form 10. Statements include the beginning balance, credits applied during the quarter, any interim disbursements or deductions, interest earned, and the ending balance. Statements align with FHC's fiscal year (beginning in October) and are issued no later than the 10th of the month following each quarter's end.

Interim and Final Disbursements [24 CFR 984.305(c)]

Each FSS participant is entitled to one interim withdrawal from their escrow balance during the term of their contract. Interim disbursements must directly support the participant's progress toward FSS goals. Requests must be submitted in writing using Form 19, and must include documentation such as a vendor quote, bill, institutional statement, or itemized invoice bearing the participant's name. The amount requested may not exceed 50% of the account balance at the time of the request.

All interim disbursement requests will be reviewed and approved or denied within seven business days. Disbursements in excess of \$200 will be issued directly to the vendor or service provider. For vehicle repair requests exceeding \$200, participants must use a licensed repair facility; family members and self-repairs are not permitted.

Upon contract completion, the Head of Household must submit Form 20 verifying the welfare-free status of all household members. Any balance owed to FHC will be deducted from the final disbursement. There are no restrictions on the use of final escrow funds.

Escrow Account Succession [24 CFR 984.305(d)]

In the event that the Head of Household is no longer able to serve in that role due to death, divorce, separation, or other extenuating circumstances, FHC will consult with the remaining family members to designate an eligible adult to receive the escrow funds. This designation is formalized through Form 21, which must be signed by both the designated family member and an FHC official. The designation takes effect immediately upon execution.

Forfeiture of Escrow [24 CFR 984.305(f)]

Funds forfeited as the result of voluntary or involuntary termination are returned to the program from which they originated. Forfeited escrow from public housing participants is credited to operating reserves and recorded as other income for the following budget year. Forfeited escrow from HCV participants is returned to Housing Assistance Payment (HAP) funding.

If an HCV participant's monthly adjusted income meets the 30% fair market rent threshold but any household member is receiving TANF assistance at the time of contract expiration, the escrow is forfeited and returned to HAP.

For participants who transitioned between public housing and HCV during their contract term, FHC maintains two separate escrow accounts. Forfeited amounts are returned to the program that generated them accordingly.

Outreach Efforts

FHC conducts proactive outreach to both HCV and public housing residents to promote awareness of and participation in the FSS program. Outreach begins with housing staff introducing the program at all resident and applicant interactions, followed by distribution of FSS applications and program materials. The FSS Coordinator presents the program at all HCV and public housing orientations and ensures that brochures and interest forms are available throughout FHC offices, residential sites, and at relevant community locations.

Location / Activity	Staff / Partner	Method
New Resident Orientations	FSS Coordinator	Presentation & Flyer
Annual Reexaminations / Interim Reviews	HCV Staff	Program Brochure
Office Lobby / Waiting Areas	FSS Coordinator	Program Brochure
Annual Mass Mailings	FSS Coordinator / HCV Staff	Brochure & FSS Interest Form

Public Housing Site Visits	FSS Coordinator	Presentations & Brochures
FHC Website	N/A	FSS Interest Form (Online)

FSS Activities and Supportive Services

FSS participants have access to all program activities and community partner services throughout the term of their contract. Participation in specific services is not mandated — participants engage with the partners and resources that align with their individual ITSP goals. Participants meet regularly with their FSS Case Manager to review progress and access the support they need.

FHC maintains a structured referral system connecting FSS participants to community resources aligned with the four program pillars: workforce development, educational attainment, financial capacity, and wrap-around services (including physical and mental health). All partner organizations providing referral-based services are invited to participate in the Program Coordinating Committee (PCC). The Resident Services department manages all partner relationships.

[24 CFR 984.303(j)] Supportive services are available to all members of the household upon request. Upon successful completion of the FSS contract, participants retain access to supportive service referrals for up to three years, regardless of their current employment status. Participants who voluntarily terminated their contract must re-apply for the FSS program — and either be placed on the waitlist or enrolled — before supportive services can be discussed.

Method for Identification of Family Support Needs

Prior to entering into a contract of participation, all FSS participants complete a comprehensive needs assessment with the FSS Case Manager. The assessment evaluates the family's immediate needs and the program's capacity to address them. Needs related to employment, education, and financial capacity are prioritized. Health-related needs — both physical and mental — are also considered before the contract is executed.

If a required service is available through a current FHC partner or an accessible community organization, the contract will be executed. If multiple critical needs cannot be met and are essential to achieving the participant's final goals, FHC will defer execution of the contract until the necessary partnerships are secured, consistent with 24 CFR 984.303(e).

Case Management

FHC provides intensive, individualized case management to each FSS participant. The FSS Coordinator assists participants with goal development, ITSP creation, referral coordination, and ongoing encouragement. To reflect participants' evolving capacity and progress, case management meetings follow a graduated schedule:

- Year 1: Monthly meetings
- Years 2 & 3: Bi-monthly meetings
- Years 4 & 5: Quarterly meetings

Meeting frequency may be adjusted based on the participant's progress toward ITSP goals and employment milestones. Access to the FSS Coordinator is not limited to the scheduled meeting cadence — participants may reach out at any time.

Contract of Participation [24 CFR 984.303]

The FSS Case Manager maintains each participant's contract of participation using the HUD-prescribed form, which incorporates the individualized ITSP. Interim goals are developed collaboratively with the participant and are designed to advance specific final goals using the SMART (Specific, Measurable, Achievable, Relevant, Time-bound) goal-setting methodology.

All FSS participants must maintain compliance with their housing lease throughout the term of their contract. Lease violations may result in termination from the FSS program. Heads of Household are required to achieve and maintain suitable employment as a final ITSP goal. Other household members may also seek employment, but only the Head of Household's employment is required for contract completion.

Consequences of Noncompliance [24 CFR 984.303(b)(5)]

If a participant fails to comply — without good cause — with the terms of their contract of participation, they are at risk of involuntary termination from the FSS program. The termination process is outlined in the Program Termination section of this Action Plan.

Contract Term and Extensions [24 CFR 984.303(c) & (d)]

FSS contracts of participation are designed to be completed within five years of the contract effective date. Where extenuating circumstances prevent timely completion, a written extension of up to two years from the original contract end date may be granted. Extension requests must be submitted by the participant to the FSS Case Manager no later than one month prior to the contract's expiration, using Form 07. Requests are reviewed within five business days. If the extension meets the definition of "good cause," the FSS Case Manager forwards it to the Chief Executive Officer for final approval. Participants are notified in writing of all approved or denied extension decisions.

Contract Modifications [24 CFR 984.303(f)]

FHC and the participant may agree in writing to modify the contract of participation, including adjustments to ITSP goals and timelines. All modifications require signatures from both the participant and the FSS Case Manager. Escrow account succession changes are handled in accordance with 24 CFR 984.305(d).

Contract Completion [24 CFR 984.303(g)]

A participant's FSS contract is considered complete when one of the following conditions is met:

- The participant has fulfilled all obligations under the contract on or before the expiration of the contract term (including any approved extensions); or
- The family's monthly adjusted income reaches a level where 30% of that income equals or exceeds the published fair market rent for the applicable unit size — even if the contract term has not yet expired and all ITSP activities have not been completed.

In cases where the contract is completed through income growth, escrow disbursement is contingent upon the household being welfare-free at the time of completion. Welfare-free status is verified using the HUD verification hierarchy and Form 20, which must be signed by both the participant and the FSS Case Manager. An official letter from the participant's TANF provider — issued within 60 days of signing — must be provided at the time of verification.

Program Termination; Withholding of Services; Grievance Procedures

24 CFR 984.201(9)

Program Termination

Participants at risk of involuntary termination will be notified by written letter and offered the opportunity to attend an at-risk termination meeting with their FSS Case Manager. This meeting provides an opportunity to review the contract, ITSP, and relevant documentation, with the aim of either modifying the plan to support continued progress or, where appropriate, proceeding with termination. Participants must contact their FSS Case Manager within 14 business days of receiving the notification letter to schedule this meeting.

If the FSS Case Manager has not received a response within seven business days, they will follow up by phone to confirm receipt of the letter. If the letter was not received, the phone call serves as formal notification, and the 14-business-day window begins from the date of that call.

Grounds for at-risk termination include:

- Failure to meet obligations set forth in the contract of participation, including missed meetings, failure to respond to communications, or failure to make progress on or complete ITSP goals within specified timeframes;

- Expiration of the contract term, including any approved extensions, without meeting program completion criteria;
- Commission of fraud;
- Non-compliance with housing lease;
- Termination of housing assistance.

Withholding of Services

Supportive services will be placed on hold for any participant who is at risk of termination, pending the scheduling and completion of their at-risk termination meeting.

Grievance Hearing Procedure

Participants who wish to contest a termination decision must submit a written request for an informal hearing to the FSS Case Manager within 14 business days of receiving the termination letter. Upon receipt of a timely request, the participant will be notified of the date, time, and location of the hearing by mail. Hearing dates may be rescheduled for good cause or as a reasonable accommodation for participants with disabilities.

Participants in the informal hearing may include the Head of Household, the FSS Coordinator, and the Grievance Committee. The Grievance Committee will issue a written decision within 10 business days of the hearing. The committee's decision is final.

Assurances of Non-Interference with Non-Participating Families

24 CFR 984.201(10)

A resident's participation in the FSS program — or placement on the FSS waitlist — has no bearing on their status in public housing or the HCV program. FSS participants do not receive any preferences on the public housing waitlist, the HCV waitlist, or in any other FHC-administered program. No non-participating resident may be denied any benefit on the basis of an FSS preference. FHC does not institute an FSS preference in any of its policies or procedures.

Certification of Coordination

24 CFR 984.201(12)

FHC certifies that its FSS program has been developed in coordination with the Workforce Investment Act and its successor frameworks, and that FHC will continue to actively seek and cultivate partnerships that fulfill the obligations of the FSS program. Priority will be given to partners providing education, workforce

development, and financial capability services. All partnerships are evaluated regularly to avoid duplication of services and to ensure the most effective use of available resources.

Program Coordinating Committee

24 CFR 984.202

FHC establishes and manages a Program Coordinating Committee (PCC) to advise the Resident Services department in developing and refining the FSS Action Plan and program implementation strategy. PCC members serve in an advisory capacity and do not participate in the day-to-day administration of the FSS program.

Membership [24 CFR 984.202(b)]

The PCC must include a representative from FHC and a public housing resident who represents a broader resident constituency. Additional members are drawn from community organizations operating within the four FSS program pillars: workforce development, educational attainment, financial capacity, and wrap-around services. Members are drawn from both the public and private sectors and must have access to resources that can benefit FSS participants. Participants may access all PCC-affiliated organizations through referrals from their FSS Case Manager.

Alternative Committee [24 CFR 984.202(c)]

FHC believes that a purpose-built PCC provides the most effective oversight and advisory support for the FSS program. Accordingly, FHC will not utilize an alternative committee structure in lieu of the PCC.

HCV Residency and Portability Requirements

24 CFR 984.306

HCV families participating in the FHC FSS program must lease an assisted unit within the FHC jurisdiction for a minimum of 12 months following the effective date of the contract of participation. After this initial 12-month period, FSS families may request to move outside the FHC jurisdiction under standard HCV portability procedures. All relocation requests are reviewed and approved or denied by the Director of the HCV program. For the purposes of this section, a "relocating FSS family" refers to an FSS family that moves from the FHC jurisdiction at least 12 months after signing its contract of participation.

If an FSS participant is at risk of termination due to unmet contract obligations, portability may not be used to circumvent those consequences. If the obligation remains unresolved at the time of the portability move, the FSS contract will be terminated.

Continued Participation in the FHC FSS Program After Relocation

A relocating FSS family may continue to participate in the FHC FSS program if they can demonstrate the ability to fulfill their current ITSP obligations from their new location. If a required service is unavailable in the new location, the FSS Case Manager will coordinate with the Receiving Housing Authority (RHA) to identify a comparable service. FHC will submit the family's Form 50058 FSS Addendum information to the RHA no less than annually for the remaining duration of the FSS contract.

Transfer to the Receiving Housing Authority's FSS Program

With approval from the RHA, a relocating family may transfer their FSS participation to the RHA's program. If the RHA cannot accept the porting family's contract but FHC and the RHA jointly determine that the contract can still be completed, FHC will continue to monitor the contract. If the RHA cannot accept the contract and the contract cannot be completed, FHC will work with the family to modify or remove non-mandatory ITSP goals in order to achieve completion before the relocation. If this is not feasible, FHC will submit a waiver on behalf of the family to the Detroit HUD Field Office requesting release of any accrued escrow funds without formal contract completion, consistent with Notice PIH 2013-20.

Two Contracts of Participation

If a family ports into the FHC jurisdiction and an FSS slot is available, a new contract of participation will be executed with an effective date on the first of the month following execution. The baseline income information and original contract end date from the initial contract with the Initial Housing Authority (IHA) will be carried forward. FHC will coordinate with the IHA to verify the accuracy of all transferred data.

If no FSS slot is available, the porting family will be placed on FHC's reserved portability waitlist, and their contract will remain active at the IHA. If FHC and the IHA jointly determine that the contract can no longer be effectively monitored, the IHA will submit a waiver to the appropriate HUD Field Office requesting release of any accrued escrow funds.

If an FSS participant is absorbed by FHC — as determined by the Director of the HCV program in coordination with the IHA — FHC will assume responsibility for monitoring the FSS contract when a slot becomes available. Until that time, the contract remains at the IHA. Portability administration is further governed by the FHC Administrative Plan and guidance from the Detroit HUD Field Office.

Forfeiture of Escrow Account as a Portability Participant

If an FSS family that has ported to another PHA jurisdiction is unable to fulfill its contract obligations, the monitoring PHA (FHC or otherwise) may terminate the family from the FSS program, and any accrued escrow will be forfeited. If FHC is the monitoring authority, the standard FHC termination procedures apply. Forfeited escrow funds revert to the PHA maintaining the FSS account.

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Capital Fund Annual Plan 2026

Part II: Supporting Pages - Physical Needs Work Statements (s)				
Work Statement for Year 2 2026				
Identifier	Development Number/Name	General Description of Major Work Categories	Quantity	Estimated Cost
	RICHERT MANOR (MI009000001)			\$1,039,050.00
ID0000470	Administration- AMP 1(Administration (1410)-Other,Administration (1410)-Salaries)	Admiration		\$66,196.00
ID0000471	Operations Amp 1(Operations (1406))	Operations		\$125,000.00
ID0000472	Management Improvements(Management Improvement (1408)-Security Improvements (not police or guard-non-physical),Management Improvement (1408)-Staff Training,Management Improvement (1408)-System Improvements)	1408 to be used mainly for computer, software and security for central office to support AMPs and for the same at LIPH properties		\$20,000.00
ID0000473	A&E Services(Contract Administration (1480)-Other Fees and Costs)	architects, engineers to support CFP eligible activities		\$50,000.00
ID0000474	Dwelling Equipment(Dwelling Unit-Interior (1480)-Appliances)	Appliances		\$20,000.00
ID0000475	Garland HVAC Upgrades(Dwelling Unit-Interior (1480)-Plumbing,Dwelling Unit-Interior (1480)-Electrical,Dwelling Unit-Interior (1480)-Mechanical)	HVAC Upgrades		\$80,000.00

Part II: Supporting Pages - Physical Needs Work Statements (s)				
Work Statement for Year 2		2026		
Identifier	Development Number/Name	General Description of Major Work Categories	Quantity	Estimated Cost
ID0000476	Garland Roof Replacement(Dwelling Unit-Exterior (1480)-Roofs,Dwelling Unit-Exterior (1480)-Siding,Dwelling Unit-Exterior (1480)-Soffits,Dwelling Unit-Exterior (1480)-Gutters - Downspouts)	Roof replacement		\$200,000.00
ID0000477	Garland Interior Renovations(Dwelling Unit-Interior (1480)-Appliances,Dwelling Unit-Interior (1480)-Bathroom Counters and Sinks,Dwelling Unit-Interior (1480)-Bathroom Flooring (non cyclical),Dwelling Unit-Interior (1480)-Commodes,Dwelling Unit-Interior (1480)-Electrical,Dwelling Unit-Interior (1480)-Flooring (non routine),Dwelling Unit-Interior (1480)-Interior Doors,Dwelling Unit-Interior (1480)-Interior Painting (non routine),Dwelling Unit-Interior (1480)-Kitchen Cabinets,Dwelling Unit-Interior (1480)-Kitchen Sinks and Faucets,Dwelling Unit-Interior (1480)-Mechanical,Dwelling Unit-Interior (1480)-Other,Dwelling Unit-Interior (1480)-Plumbing,Dwelling Unit-Interior (1480)-Tubs and Showers)	Interior Renovations		\$104,612.80
ID0000478	Forest Park Roof Replacement(Dwelling Unit-Exterior (1480)-Gutters - Downspouts,Dwelling Unit-Exterior (1480)-Roofs,Dwelling Unit-Exterior (1480)-Siding,Dwelling Unit-Exterior (1480)-Soffits)	Roof Replacement		\$173,241.20
ID0000479	Richert Manor Roof Replacement(Dwelling Unit-Exterior (1480)-Gutters - Downspouts,Dwelling Unit-Exterior (1480)-Roofs,Dwelling Unit-Exterior (1480)-Siding,Dwelling Unit-Exterior (1480)-Soffits)	Roof replacement		\$200,000.00
	RIVER PARK (MI009000005)			\$631,105.00
ID0000480	Richert Manor Elevator Upgrades(Dwelling Unit-Interior (1480)-Electrical,Dwelling Unit-Interior (1480)-Mechanical)	Elevator Upgrades		\$400,000.00

Part II: Supporting Pages - Physical Needs Work Statements (s)				
Work Statement for Year 2 2026				
Identifier	Development Number/Name	General Description of Major Work Categories	Quantity	Estimated Cost
ID0000524	Operating Fund- AMP 5(Operations (1406))	Operating		\$125,000.00
ID0000532	Administration fee - AMP 5(Administration (1410)-Salaries,Administration (1410)-Other)	Administration		\$61,105.00
ID0000542	Management Improvements(Management Improvement (1408)-System Improvements)	1408 to be used mainly for computer, software and security for central office to support AMPs and for the same at LIPH properties		\$20,000.00
ID0000544	A & E Sevices(Contract Administration (1480)-Other Fees and Costs)	architects, engineers to support CFP eligible activities		\$25,000.00
	SCATTERED HOUSING (MI009000010)			\$55,325.00
ID0000525	Operataing fund- AMP 10(Operations (1406))	Operating		\$32,241.00
ID0000533	Administration fees-AMP 10(Administration (1410)-Other,Administration (1410)-Salaries)	Administration		\$23,084.00

Part II: Supporting Pages - Physical Needs Work Statements (s)				
Work Statement for Year 2 2026				
Identifier	Development Number/Name	General Description of Major Work Categories	Quantity	Estimated Cost
	KENNETH M. SIMMONS SQUARE (MI009000015)			\$185,736.00
ID0000526	Operating Fund- AMP 15(Operations (1406))	Operating		\$100,000.00
ID0000534	Administration fees- AMP 15(Administration (1410)-Other,Administration (1410)-Salaries)	administration		\$40,736.00
ID0000543	Management Improvements(Management Improvement (1408)-System Improvements)	1408 to be used mainly for computer, software and security for central office to support AMPs and for the same at LIPH properties		\$20,000.00
ID0000545	A & E sevicees(Contract Administration (1480)-Other Fees and Costs)	architects, engineers to support CFP eligible activities		\$25,000.00
	Subtotal of Estimated Cost			\$1,911,216.00

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Resident Advisory Board (RAB) Minutes and Handouts

Volunteers Needed

We Need your Voice

Public Housing Authorities (PHAs) are required to submit a PHA Plan in accordance with federal regulations (CFR 24 Part 903 – PHA Plans & Fair Housing Requirements).



Join the Resident Advisory Board !

Be part of the planning process and help guide decisions that affect your housing and community.

FOR MORE DETAILS ON THIS THRILLING OPPORTUNITY:



**APRIL 10, 2026
NOON**



**3820 RICHFIELD RD
12PM-1PM**



**FLINT HOUSING
COMMISSION**
3820 RICHFIELD RD
FLINT MI 48506

PHA 5 YEAR PLAN 2026

Flint Housing Commission 5 Year 2026

Start Slide →



What is a PHA PLAN?

PUBLIC HOUSING AUTHORITIES (PHAS) ARE REQUIRED TO SUBMIT PHA PLANS, IN ACCORDANCE TO CFR 24 PART 903 (PHA PLANS & FAIR HOUSING REQUIREMENTS). A PHA PLAN IS A COMPREHENSIVE GUIDE TO PUBLIC HOUSING AGENCY (PHA) POLICIES, PROGRAMS, OPERATIONS, AND STRATEGIES FOR MEETING LOCAL HOUSING NEEDS AND GOALS. THE PURPOSE OF THE PLAN IS TO CENTRALIZE KEY INFORMATION FOR PUBLIC HOUSING RESIDENTS, VOUCHER PARTICIPANTS AND/OR MEMBERS OF THE PUBLIC TO EASILY ACCESS PHA POLICIES AND PROCEDURES REGARDING THE ADMINISTRATION OF AFFORDABLE HOUSING PROGRAMS, FUNDED BY HUD.

THE PHA PLAN HAS TWO COMPONENTS REFERRED TO AS THE 5-YEAR PLAN AND THE ANNUAL PLAN. BOTH PLANS ARE IMPORTANT ELEMENTS IN PHAS STRATEGIC PLANNING PROCESS, AS LISTED BELOW:

5-YEAR PLAN - OUTLINES PHAS' LOCAL COORDINATION TO FURTHER SUPPORT THEIR MISSION, GOALS AND OBJECTIVES FOR SERVING LOW-INCOME FAMILIES, IN THEIR JURISDICTION FOR THE NEXT 5 YEARS. THE PLAN IS SUBMITTED TO HUD ONCE EVERY 5TH PHA FISCAL YEAR. NOTE: THE FIVE-YEAR PLAN IS A DIFFERENT DOCUMENT THAN THE FIVE-YEAR ACTION PLAN REQUIRED BY THE CAPITAL FUND PROGRAM.

ANNUAL PLAN - PROVIDES PHAS' SPECIFIC POLICIES, PROGRAMS AND OPERATIONS IMPACTING THE DELIVERY OF AFFORDABLE HOUSING PROGRAMS, FOR THE UPCOMING FISCAL YEAR. THE ANNUAL PLAN IS SUBMITTED TO HUD EVERY YEAR.



Our Portfolio

Housing Choice Voucher(HCV)
1044 Vouchers

Special Programs

- Family Self Sufficiency (FSS)
- Resident Services (ROSS)
- Homeownership Program

Low Income Public Housing (LIPH)
602 Units divided across 4 AMPS (5 buildings and over 50 scattered homes)

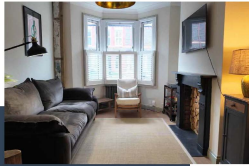
Strategic Goals

- 01** Strengthening FHC's Internal Capacity for Performance
- 02** Advancing Sustainable External Relationships & Collaboration
- 03** Creating a Positive Brand Image & Customer Experience



Strategic Goals cont.....

04 Promoting Homeownership & Self-Sufficiency



05 Development Plan to Reposition Aging Housing Stock & Expand Affordable Access



06 Redesignate Senior Living Communities for Independent Senior Housing



updates

01 Information and Technology

FHC will implement the authorized use of electronic records to modernize operations and improve accessibility. This includes the ability to hold remote public hearings and accept electronic submissions through our new online property management software, Yardi Systems. Electronic RF-TA submissions will be authorized, along with the ability to process electronic payments, streamlining workflows and enhancing efficiency for both staff and residents.

02 HOTMA

Housing Opportunity Through Modernization Act. The plan updates include revised income and asset verification requirements, such as moving to triennial income verification for households with fixed income, establishing a \$50,000 self-certification threshold for assets, and adjusting the medical expense deduction threshold to 10 percent.

03 Special Use Vouchers

FHC will set aside 40 vouchers to be allocated through partnerships with community organizations, with a targeted emphasis on those that serve individuals and families experiencing homelessness.



Projects

5 Year Capital Fund Program was submitted 2025. The housing Commission will complete projects outlined in Year 2 Projects

Structural Improvements



Continue Facade Improvements at River Park



Scattered Site Rehabilitation and Demolition

Administrative Burden Reduction Measures

Inspections

FHC may approve tenancy based on a prior passing inspection conducted within 24 months if conducted by FHC, HOME, LIHTC, or HUD.

Remote Briefings and Informal Hearings

Family briefings may be conducted virtually (video conference or telephone) as standard practice or as reasonable accommodation.

Informal hearings may be conducted by telephone or video conference as reasonable accommodation upon request.

Nonrecurring Income Exclusion

Income received on a non-recurring basis with a discrete end date (tax refunds, stimulus payments, lottery winnings, insurance proceeds) is excluded from annual income.


Interim Reexamination Threshold

Mandatory interim reexaminations are required only when income changes by 10% or more. Interim reexaminations are not required when the change occurs in the last 3 months of the certification period.






Our Contact

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 **Website**
www.flinthc.org

 **email**
aharris@flinthc.org



The Flint Housing Commission is Committed to making Flint a better community

End Slide

THANK YOU!

Resident Comments Summary

Public Housing Agency (PHA) Plan Submission
Date: April 10, 2026

The following comments were collected from residents during the Resident Advisory Board Meeting for the PHA Plan. Comments are organized by development and reflect concerns, requests, and feedback submitted for HUD review.

River Park

Positive Feedback

- Residents expressed satisfaction with overall progress at the development.
- Maintenance staff received praise for their responsiveness and quality of repairs.

Resident Requests & Concerns

- Repair of holes in the parking lot.
- Installation of a closed/covered bus stop shelter to protect children from rain.
- Implementation of badge access to enter the site and gate for improved security.
- Installation of a swingset for children.
- Lighting for the basketball court.

Garland Chase

Resident Requests & Concerns

- Increased security measures throughout the development.
- Repair of fencing on the property.
- Repair of entry and unit doors.
- Full replacement of the parking lot, which currently lacks adequate drainage and floods.
- Residents expressed concern that Garland Chase is not receiving equitable attention and resources compared to other developments, describing it as being treated as an afterthought.
- Cleaning of gutters throughout the property.

Richert Manor

Resident Requests & Concerns

- Implementation of security badge access for building entry.
- Resolution of ongoing heating issues within units.
- More reliable elevator service, as elevators are frequently out of service.
- Addition of more washers and dryers in laundry facilities.

- Unit upgrades, as many units are over 50 years old and in need of modernization.
- Residents expressed frustration that units are being renovated for incoming residents while long-term residents remain in outdated units.
- Residents noted that a sign-in/sign-out table was previously in place and requested clarification on why it was discontinued by FHC.
- Cleaning under radiators in units.
- Significant mold concerns, including rapid mold growth and poor air quality throughout the building.
- The backup generator does not activate during power outages, leaving residents without power.
- Exterior window cleaning is needed.
- Request to designate Fridays as dedicated work order completion days.
- Concern about doors from the old trash chute in the utility closet on the fifth floor that have not been addressed.

This document was prepared as part of the resident participation process in accordance with HUD requirements for PHA Plan development. All comments have been recorded and considered in the planning process.