

HCV Administrative Plan
Summary Chart of Proposed Changes

Section	Current Language	New Language
<p>SECTION 1-II.D</p>	<p>SECTION 1-II.D APPLICABLE REGULATIONS</p> <p>The list of regulations under this section did not previously include 24 CFR Part 100: The Fair Housing Act</p>	<p>SECTION 1-II.D APPLICABLE REGULATIONS</p> <p>Updated to include the following regulation: 24 CFR Part 100: The Fair Housing Act</p>
<p>SECTION 1-III.F</p>	<p>SECTION 1-III.F DURHAM HOUSING AUTHORITY'S SEXUAL HARRASSMENT POLICY</p> <p>This is a completely new section and agency policy added to the Administrative Plan. No previous language exists.</p>	<p>SECTION 1-III.F DURHAM HOUSING AUTHORITY'S SEXUAL HARRASSMENT POLICY</p> <p>Introduction</p> <p>It is the policy of the Durham Housing Authority to administer all aspects of its housing programs without regard to age, race, sex, color, religion, national origin, disability, pregnancy, sexual orientation, military or veteran status, marital status and political affiliation. This policy extends to all residents of public housing and the Housing Choice Voucher program as well as their lawful visitors, and all applicants for such housing. The DHA will not discriminate against or harass such persons with regard to their age, race, sex, color, religion, national origin, disability, pregnancy, sexual orientation, military or veteran status, marital status and political affiliation, and will not retaliate against such persons for having reported, complained of, or assisted or encouraged another person to report or complain of any such discrimination or harassment.</p>

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		<p>The DHA takes all complaints of discrimination, harassment, or retaliation seriously, and will respond within 10 days of receiving complaint. This document will set forth the specific terms and conditions of the DHA’s policies against discrimination, harassment, and retaliation, and will explain the procedure to be followed in the event that a person believes that he or she has been subjected to such conduct.</p> <p>Definitions</p> <p>A. Discrimination. When used in this policy the word “discrimination” shall mean conduct that has the effect of treating a resident of public housing or HCV program, participants, a lawful visitor of such resident, or an applicant for public housing or HCV program differently in the terms, conditions, or privileges of housing on the basis of such person’s age, race, sex, color, religion, national origin, disability, pregnancy, sexual orientation, military or veteran status, marital status and political affiliation. Depending upon the circumstances, examples of discriminatory conduct could include, but are not limited to the following:</p> <ul style="list-style-type: none"> • Verbal abuse or innuendo, which is continued or repeated, concerning a person’s age, race, sex, color, religion, national origin, disability, pregnancy, sexual orientation, military or veteran status, marital status and political affiliation, or any other legally-protected status. • Open display of objects or pictures that are offensive to persons of any legally-protected class. • Use of derogatory words to describe a person’s age, race, sex, color, religion, national origin, disability, pregnancy, sexual orientation, military or veteran status, marital status and political affiliation, or other legally-protected status. • Making housing decisions based upon a person’s age, race, sex, color, religion, national origin, disability, pregnancy, sexual orientation, military or veteran status, marital status and political affiliation, or other legally-protected status. <p>B. Hostile Environment. Subjecting a person to unwelcome conduct that is sufficiently severe or pervasive such that it interferes with or deprives the person of the right to use and enjoy the housing.</p>

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		<p>C. Quid Pro Quo. Subjecting a person to an unwelcome request or demand and making submission to the request or demand a condition related to the person’s housing.</p> <p>D. Sexual Harassment. Sexual harassment is a form of illegal sex discrimination. When used in this policy, the term “sexual harassment” shall mean unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature where: (1) submission to, or rejection of, such advances, requests, or conduct is made either explicitly or implicitly a term or condition of a person’s housing, or a basis for housing decisions affecting such person; or (2) such conduct has the purpose or effect of creating a hostile, humiliating, or sexually offensive housing environment such that a person’s tenancy in housing is rendered less desirable to a reasonable person. Depending upon the circumstances, examples of sexual harassment could include, but are not limited to the following:</p> <ul style="list-style-type: none"> • verbal harassment or abuse; • jokes of a sexual nature or circulation of sexual pictures; • subtle pressure for sexual activity; • obscene gestures or sexually degrading words; • patting or pinching; • leering, staring, or stalking; • unwanted touching of another employee’s body; • demanding sexual favors accompanied by implied or overt threat • repetitive or continual remarks that intimidate, ridicule, and maliciously demean <p>the status of an individual gender</p> <p>E. Retaliation. When used in this policy, the word “retaliation” shall mean any adverse action taken against a resident of DHA public housing or HCV program participant, any member of such resident’s household, or any applicant for DHA public housing or HCV program, including, without limitation, rejection of an application, commencement of eviction</p>

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		<p>proceedings, harassing or annoying conduct or behavior, non-responsiveness to requests for maintenance and repair of leased premises, or other adverse or disparate treatment that is prompted and motivated by such person's having made a complaint of discrimination or harassment.</p> <p>The DHA will not tolerate discrimination or harassment of any resident in public housing or participant in the HCV program, or of any person applying for residence or participation in any such programs, regardless of the source of the discriminatory or harassing conduct. The DHA will not take retaliatory action against any person for having reported or opposed any incidence of discrimination or harassment engaged in by any resident of public housing or the HCV program, by any employee of the DHA, or by any other person, or for having assisted or encouraged another to report or complain of, any such discrimination or harassment.</p> <p>Complaints of Discrimination or Harassment Persons who believe that they have been subject to discrimination or harassment, as described above, or employees of the DHA who believe they have witnessed, or have been informed of, discriminatory or harassing conduct, should file a complaint with the DHA as soon as reasonably possible, as outlined below. (Disabled persons, who believe they have been subject to discrimination because of their disability, or have been denied a request for a reasonable accommodation because of their disability, should review the Request for Reasonable Accommodation (listed within this document).</p> <p>Reporting Process/Procedure. Complaints of discrimination or harassment should be made first to DHA's Human Resources department, located at the Central Office at the mailing address: 330 East Main Street, Durham, NC 27701; telephone: (919) 683-1551, ext. 7276. All persons making such complaints must provide a <u>written</u> statement describing the events or conduct that forms the basis of the complaint. Upon being notified of the complaint in writing, Human Resources will provide a copy of the complaint to the Department Head. Human Resources will then schedule an interview with the person making the complaint for the purpose of determining whether an informal resolution of the complaint is possible, or if further investigation is warranted.</p> <p>Within 10 business days of receiving the complaint, DHA will provide a written notice to those alleged to have violated policy. DHA will also send a written notice</p>

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		<p>to the complainant informing them that notice was sent to those alleged to have violated policy, as well as information on how to complete and submit a housing discrimination complaint form to HUD’s Office of Fair Housing and Equal Opportunity (FHEO).</p> <p>Retaliation. Any person who believes he/she had been retaliated against by the DHA for having reported any incidence of discrimination or harassment against any resident or applicant of public housing or HCV participant, for having assisted or encouraged another person to report or complain of any such discrimination or harassment, is encouraged to file a complaint with the DHA in the manner outlined above.</p> <p>Record Keeping. DHA will maintain written records of all complaints of discrimination or harassment made to it, including all records pertaining to any investigation undertaken pertaining to such complaints, separately from participant files. All records will be kept confidential to the extent required by law.</p>
<p>SECTION 2-ILB</p>	<p>SECTION 2-ILB FAIR HOUSING AND EQUAL OPPORTUNITY PROCEDURES – Affirmatively Furthering Fair Housing</p> <p>Durham Human Relations Department 101 City Hall Plaza Durham, NC 27701 Telephone No.: (919) 560-4107</p>	<p>SECTION 2-ILB FAIR HOUSING AND EQUAL OPPORTUNITY PROCEDURES – Affirmatively Furthering Fair Housing</p> <p>Durham Human Relations Department Golden Belt Center 807 E Main Street Building 2 Durham, NC 27701 Telephone No.: (919) 560-4107</p>
<p>SECTION 3-I.C</p>	<p>SECTION 3-I.C. FAMILY BREAKUP AND REMAINING MEMBER OF TENANT FAMILY – FAMILY BREAKUP [24 CFR 982.315]</p>	<p>SECTION 3-I.C. FAMILY BREAKUP AND REMAINING MEMBER OF TENANT FAMILY – FAMILY BREAKUP [24 CFR 982.315; NOTICE PIH 2017-08]</p> <p><input type="checkbox"/> If the family breakup results from the occurrence of domestic violence,</p>

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	<ul style="list-style-type: none"> <li data-bbox="612 232 1346 459">□ If the family breakup results from the occurrence of domestic violence, dating violence, sexual assault or stalking, DHA must ensure that the victim retains assistance. (For documentation requirements and policies related to domestic violence, dating violence, sexual assault or stalking, see section 16-IX.D. of this plan). <li data-bbox="612 500 1346 630">□ If a court determines the disposition of property between members of the assisted family, DHA is bound by the court's determination of which family members continue to receive assistance. 	<p data-bbox="1464 232 2365 362">dating violence, sexual assault or stalking, DHA must ensure that the victim retains assistance. (For documentation requirements and policies related to domestic violence, dating violence, sexual assault or stalking, see section 16-IX.D. of this plan).</p> <ul style="list-style-type: none"> <li data-bbox="1419 402 2365 727">□ In accordance with Notice PIH 2017-08, for HUD–Veterans Affairs Supportive Housing (HUD–VASH) vouchers, when the veteran is the perpetrator of domestic violence, dating violence, sexual assault, or stalking, the victim must continue to be assisted. Upon termination of the perpetrator’s HUD–VASH voucher, the victim should be given a regular HCV if one is available, and the perpetrator’s HUD–VASH voucher should be used to serve another eligible family. If a regular HCV is not available, the victim will continue to use the HUD–VASH voucher, which must be issued to another eligible family upon the voucher’s turnover. <li data-bbox="1419 768 2365 865">□ If a court determines the disposition of property between members of the assisted family, DHA is bound by the court's determination of which family members continue to receive assistance.
<p data-bbox="344 938 518 995">SECTION 3-III.C.</p>	<p data-bbox="564 938 1346 1036">SECTION 3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ASSISTANCE – Previous Behavior in Assisted Housing:</p> <p data-bbox="564 1068 1346 1141">HUD authorizes DHA to deny assistance based on the family’s previous behavior in assisted housing.</p>	<p data-bbox="1370 938 2365 1003">SECTION 3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ASSISTANCE – Previous Behavior in Assisted Housing</p> <p data-bbox="1370 1036 2365 1239">HUD authorizes DHA to deny assistance based on the family’s previous behavior in assisted housing. Per the alternative requirements listed in the <i>Federal Register</i> notice dated December 29, 2014, PHAs are no longer permitted to deny assistance to a family because the family previously failed to meet its obligations under the Family Self-Sufficiency (FSS) program [FR Notice 12/29/14].</p>
<p data-bbox="344 1344 518 1369">SECTION 3-</p>	<p data-bbox="564 1344 1346 1369">SECTION 3-III.C. OTHER PERMITTED REASONS FOR</p>	<p data-bbox="1370 1344 2365 1369">SECTION 3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF</p>

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<p>III.C.</p>	<p>DENIAL OF ASSISTANCE – Applicants Who Owe a Debt to a PHA</p> <p>If the balance is not paid in full, or the applicant does not provide proof of being in good standing with an already existing repayment plan with the previous PHA, the application is withdrawn from the waiting list and the applicant must reapply when the waiting list is re-opened.</p>	<p>ASSISTANCE – Applicants Who Owe a Debt to a PHA</p> <p>If the balance is not paid in full, or the applicant does not provide proof of being in good standing with or entering into an approved repayment plan with the previous PHA, the application is withdrawn from the waiting list and the applicant must reapply when the waiting list is re-opened.</p>
<p>SECTION 3-III.D.</p>	<p>SECTION 3-III.D. SCREENING – Screening for Eligibility</p> <p><u>DHA Policy</u></p> <p>DHA will perform a criminal background check through local law enforcement, for every adult household member including current live-in-aides/caretakers and candidates awaiting approval to join the household as a live-in-aide or caretaker.</p> <p>If the results of the criminal background check indicate that there may be past criminal activity, DHA will request a fingerprint card and will request information from the National Crime Information center (NCIC).</p>	<p>SECTION 3-III.D. SCREENING – Screening for Eligibility</p> <p><u>DHA Policy</u></p> <p>DHA will perform a criminal background check through the agency’s designated vendor, for every adult household member including current live-in-aides/caretakers and candidates awaiting approval to join the household as a live-in-aide or caretaker.</p> <p>If the results of the criminal background check indicate that there may be past criminal activity (felony level) within the past three years, DHA will send the applicant a Notice of Intent to Deny Assistance, in addition to an Arrest and Conviction Form, by which the applicant can explain the nature of the circumstances surrounding the criminal activity, and provide any documentation in support of his/her rehabilitation efforts.</p> <p>DHA will also review the applicant’s criminal background for patterns of violent or drug-related criminal activity, including misdemeanor level activity. DHA has the discretion to deny assistance for such patterns of criminal activity, under the grounds that said activity would negatively impact other resident’s health, safety, or right to peaceful enjoyment of the premises.</p>

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<p>SECTION 3-III.D.</p>	<p>SECTION 3-III.D. SCREENING – Exceptions to Screening Procedures</p> <p>Exceptions to Screening Procedures: DHA will continue to screen applicants that apply for Housing Choice Voucher Program assistance on a case-by-case basis. At DHA’s discretion, applicants who are determined to have criminal activity listed on their background checks within the 3 year eligibility threshold may still be determined eligible for housing assistance, should the applicants be able to provide verification of successful engagement and/or completion of a treatment program, community re-entry program, parole or probation.</p>	<p>SECTION 3-III.D. SCREENING – Exceptions to Screening Procedures</p> <p>Exceptions to Screening Procedures: DHA will continue to screen applicants that apply for Housing Choice Voucher Program assistance on a case-by-case basis. At DHA’s discretion, applicants who are determined to have felony level criminal activity listed on their background checks within the 3 year eligibility threshold may still be determined eligible for housing assistance, should the applicants be able to provide verification of successful engagement and/or completion of a treatment program, community re-entry program, parole/probation, or a Certificate of Relief, issued by a court official.</p>
<p>SECTION 3-III.G.</p>	<p>3-III.G. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING</p> <p>The Violence against Women Act of 2013 (VAWA) and the HUD regulation at 24 CFR 5.2005(b) prohibit PHAs from denying an applicant admission to the HCV program “on the basis that the applicant is or has been a victim of domestic violence, dating violence, sexual assault or stalking, if the applicant otherwise qualifies for assistance or admission.”</p> <p>Notification VAWA 2013 expanded notification requirements to include the obligation for PHAs to provide applicants who are denied assistance with a notice of rights and form (HUD-5382) at the time the applicant is denied.</p>	<p>3-III.G. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING</p> <p>The Violence against Women Act of 2013 (VAWA) and the HUD regulation at 24 CFR 5.2005(b) prohibit PHAs from denying an applicant admission to the HCV program “on the basis or as a direct result of the fact that the applicant is or has been a victim of domestic violence, dating violence, sexual assault or stalking, if the applicant otherwise qualifies for assistance or admission.”</p> <p>Notification VAWA 2013 expanded notification requirements to include the obligation for PHAs to provide applicants who are denied assistance with a VAWA Notice of Occupancy Rights (form HUD–5380) and a domestic violence certification form (HUD-5382) at the time the applicant is denied.</p> <p><u>DHA Policy</u></p>

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	<p>Notification</p> <p><u>DHA Policy</u></p> <p>DHA acknowledges that a victim of domestic violence, dating violence, sexual assault or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under DHA’s policies, but that may be the result of an abuser’s actions.</p> <p>Therefore if DHA makes a determination to deny assistance to an applicant family, DHA will include in its notice of denial the VAWA information described in section 16-IX.C of this plan as well as including a copy of the form HUD-5382. DHA will request in writing that an applicant wishing to claim protection under VAWA notify DHA within 14 business days.</p>	<p>DHA acknowledges that a victim of domestic violence, dating violence, sexual assault or stalking may have an unfavorable history (e.g., a poor credit history, poor rental history, a record of previous damage to an apartment, a prior arrest record) due to adverse factors that would warrant denial under DHA’s policies, but that may be the result of an abuser’s actions.</p> <p>While DHA is not required to identify whether adverse factors that resulted in the applicant’s denial are a result of domestic violence, dating violence, sexual assault, or stalking, the applicant may inform DHA that their status as a victim is directly related to the grounds for the denial. DHA will request that the applicant provide enough information to the PHA to allow DHA to make an objectively reasonable determination, based on all circumstances, whether the adverse factor is a direct result of their status as a victim.</p> <p>DHA will include in its notice of denial the VAWA information described in section 16-IX.C of this plan as well as including a copy of the form HUD-5382. DHA will request in writing that an applicant wishing to claim protection under VAWA notify DHA within 14 business days.</p>
<p>SECTION 4-III.C.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Preferences and Point Values:</p> <p>(3) Public Housing Preference</p> <p>DHA will admit an applicant to the Housing Choice Voucher program before all other applicants on the waiting list if:</p> <ol style="list-style-type: none"> 1) The applicant resides in DHA public housing, AND; • The applicant family is being temporarily displaced due to DHA rehabilitation, and modernization programs 	<p>SECTION 4-III.C. SELECTION METHOD – Preferences and Point Values:</p> <p>(3) Public Housing Preference</p> <p>DHA will admit an applicant to the Housing Choice Voucher program before all other applicants on the waiting list if:</p> <ol style="list-style-type: none"> 1) The applicant resides in DHA public housing, AND; <ul style="list-style-type: none"> • The applicant family is being temporarily displaced due to DHA rehabilitation, modernization programs and Rental Assistance Demonstration

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<p>SECTION 4-III.C.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Preferences and Point Values:</p> <p>(5) Family Unification Preference</p> <p>The Family Unification Program is a program to promote family unification by providing rental assistance for families for whom the lack of adequate housing is a primary factor in the separation, or imminent separation of children from their families.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Preferences and Point Values:</p> <p>(5) Family Unification Preference</p> <p>The Family Unification Program is a program to promote family unification by providing rental assistance for (1) families for whom the lack of adequate housing is a primary factor in the separation, or imminent separation of children from their families (there is no maximum length of time that this population can receive assistance); or (2) youth between the ages of 18-24 who left foster care at age 16 or older, or will leave foster care within 90 days, and are homeless or at risk of becoming homeless (the maximum length of time for this population to receive assistance is 36 months).</p>
<p>SECTION 4-III.C.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Limitation on Number of FUP Vouchers Issued:</p> <p>The preference for the Family Unification category is limited to the issuance of 15 vouchers and subject to funding availability. DHA will permanently close the waiting list for the Family Unification category after 15 applicant families have successfully leased housing under this program. The availability of vouchers through the Family Unification priority may be reevaluated depending upon availability of funding and the initial success of this pilot program.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Limitation on Number of FUP Vouchers Issued:</p> <p>The preference for the Family Unification category is limited to the issuance of 15 vouchers and subject to funding availability. The availability of vouchers through the Family Unification priority may be reevaluated depending upon availability of funding and the initial success of this pilot program. Should DHA be awarded HUD funding for the Family Unification Program, the number of vouchers allocated to serve the FUP population may increase.</p>
<p>SECTION 4-III.C.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Preferences and Point Values:</p> <p>This mainstream voucher preference is a new preference being</p>	<p>SECTION 4-III.C. SELECTION METHOD – Preferences and Point Values:</p> <p>Mainstream Voucher Preference</p>

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	added to the administrative plan (Preference # 6 – worth 40 points)	<p>Should HUD award funding to Durham Housing Authority for mainstream vouchers, DHA will provide a preference in its administrative plan for non-elderly persons with disabilities transitioning out of institutional and other segregated settings, at serious risk of institutionalism, homeless, or at risk of becoming homeless.</p> <p><u>DHA Policy</u> Such families shall be added to the HCV Waiting List via referral from Alliance Behavioral Healthcare, or via direct application, and assigned 40 points for meeting the mainstream voucher preference criteria.</p>
<p>SECTION 4-III.C.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Opening and Closing the Waiting List for Preference Families:</p> <p>This is a new policy added to this section of the administrative plan. No current language exists.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Opening and Closing the Waiting List for Preference Families:</p> <p><u>DHA Policy</u> Once DHA closes the HCVP waiting list to the public, the waiting list will only remain open for referrals that meet the Public Housing preference, Natural Disaster preference, Mainstream Voucher preference, Homeless Provider referrals, Family Unification Program referrals, and Conversions of Assistance.</p>
<p>SECTION 4-III.C.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Durham CoC Homeless Provider Referrals:</p> <p>This is new referral criteria added to this section. The maximum of 15 referrals is out of the 225 made available to the Durham CoC; not in addition to.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Durham CoC Homeless Provider Referrals:</p> <p>DHA will allow a maximum of 15 referrals, out of the 225 made available through this referral process, for formerly chronically homeless tenants coming from Permanent Supportive Housing programs within Durham’s Continuum of Care. Each referred applicant household must meet the following criteria:</p> <ul style="list-style-type: none"> ▪ Must be currently enrolled in a Permanent Supportive Housing program, and have been a resident for no less than two years; ▪ Must be employed and/or have enough income to pay for basic living

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		<p>expenses, with the understanding that 30% of income will go towards housing rental payments;</p> <ul style="list-style-type: none"> ▪ Must be current in their rental payments, with no more than one late payment within the last six months prior to referral to DHA; and ▪ Must meet DHA’s eligibility criteria
<p>SECTION 4-III.C.</p>	<p>SECTION 4-III.C. SELECTION METHOD – Referrals:</p> <p><u>DHA Policy</u></p> <ul style="list-style-type: none"> ▪ Referral from Asset Management/ Low Income Public Housing in a hard to house situation due to family composition or demo/disposition of units – 50 points ▪ Youth aging out of foster care age 18-24: Available for youth referred from NC Department of Social Services for the FUP program, who can verify that they were residents of a state-funded foster care system within twelve months of the onset of adulthood or emancipation. - 30 points ▪ Referrals from the authorized Durham, NC entity administering the STRMU (Short-Term Rent, Mortgage, and Utility Assistance) program, sponsored by the City of Durham’s Department of Community Development, in order to meet the Permanent Housing Placement Requirement – 40 points ▪ Referrals from the authorized Durham, NC entity administering and managing the HOPWA (Housing Opportunities for People living With Aids/HIV) waiting list, for applicants whom cannot be placed in the specialized TBRA (Tenant-Based Rental Assistance) 	<p>SECTION 4-III.C. SELECTION METHOD – Referrals:</p> <p><u>DHA Policy</u></p> <ul style="list-style-type: none"> ▪ Referral from Asset Management/ Low Income Public Housing in a hard to house situation due to family composition or demo/disposition of units – 50 points ▪ Referrals from the authorized Durham, NC entity administering and managing the HOPWA (Housing Opportunities for People living With Aids/HIV) waiting list, for applicants whom cannot be placed in the specialized TBRA (Tenant-Based Rental Assistance) program for HOPWA applicants, due to all 16 slots being filled – 40 points ▪ Participants in the HOPWA or Shelter Plus Care program are offered a position on the HCV waiting list after 2 years of successful participation to re-circulate vouchers designated for special programs – 10 per year – 30 points

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	<p>program for HOPWA applicants, due to all 16 slots being filled – 40 points</p> <ul style="list-style-type: none"> ▪ Participants in the HOPWA or Shelter Plus Care program are offered a position on the HCV waiting list after 2 years of successful participation to re-circulate vouchers designated for special programs – 10 per year – 30 points 	
<u>SECTION 5-I.B.</u>	<p>SECTION 5-I.B. BRIEFING – Additional Items to Include in the Briefing Packet</p> <p><u>DHA Policy</u></p> <p>DHA will provide the following additional materials in the briefing packet:</p> <ul style="list-style-type: none"> ▪ The HUD pamphlet on lead-based paint entitled Protect Your Family from Lead in Your Home ▪ Information on how to fill out and file a housing discrimination complaint form. ▪ Information about the protections afforded by the Violence against Women Act of 2013 (VAWA) to victims of domestic violence, dating violence, sexual assault, and stalking (see section 16-IX.C) 	<p>SECTION 5-I.B. BRIEFING – Additional Items to Include in the Briefing Packet</p> <p><u>DHA Policy</u></p> <p>DHA will provide the following additional materials in the briefing packet:</p> <ul style="list-style-type: none"> ▪ The HUD pamphlet on lead-based paint entitled Protect Your Family from Lead in Your Home ▪ Information on how to fill out and file a housing discrimination complaint form. ▪ The form HUD-5380 domestic violence certification form and the form HUD-5382 notice of occupancy rights, which contains information on VAWA protections for victims of domestic violence, dating violence, sexual assault, and stalking
SECTION 5-II.B.	SECTION 5-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE	SECTION 5-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE

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	<p><u>DHA Policy</u></p> <p>DHA will assign one bedroom for each two persons within the household, except in the following circumstances:</p> <p>Persons of the same sex that have an age difference of <u>2 generations</u> will be allocated separate bedrooms.</p>	<p><u>DHA Policy</u></p> <p>DHA will assign one bedroom for each two persons within the household, except in the following circumstances:</p> <p>Persons of the same sex that have an age difference of <u>10 years</u> will be allocated separate bedrooms.</p>
<p>SECTION 5-II.C.</p>	<p>SECTION 5-II.C. EXCEPTIONS TO SUBSIDY STANDARDS</p> <p><u>DHA Policy</u></p> <p>DHA will consider granting an exception to its subsidy standards for the following reasons: age, sex, health, handicap, or relationship of family members or other personal circumstances.</p>	<p>SECTION 5-II.C. EXCEPTIONS TO SUBSIDY STANDARDS</p> <p><u>DHA Policy</u></p> <p>DHA will consider granting as a reasonable accommodation, an exception to its subsidy standards for the following reasons: age, sex, health, handicap, or relationship of family members or other personal circumstances.</p>
<p>SECTION 7-I.B.</p>	<p>SECTION 7-I.B. OVERVIEW OF VERIFICATION REQUIREMENTS– Requirements for Acceptable Documents</p> <p><u>DHA Policy</u></p> <p>Any documents used for verification must be the original (not photocopies) and must be dated within 60 days of the date provided to the PHA (e.g. birth certificates, social security cards, etc.). The documents must not be damaged, altered or in any way illegible.</p>	<p>SECTION 7-I.B. OVERVIEW OF VERIFICATION REQUIREMENTS– Requirements for Acceptable Documents</p> <p><u>DHA Policy</u></p> <p>Any documents used for verification must be dated within 60 days of the PHA request (e.g. birth certificates, social security cards, etc.). The documents must not be damaged, altered or in any way illegible.</p>
<p>SECTION 7-I.C.</p>	<p>SECTION 7-I.C. UP-FRONT INCOME VERIFICATION (UIV): EIV Income Reports</p>	<p>SECTION 7-I.C. UP-FRONT INCOME VERIFICATION (UIV): EIV Income Reports <i>Vulnerable Youth</i></p>

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	<p><u>DHA Policy</u></p> <p>Income reports will be used in interim reexaminations as necessary to verify and calculate unemployment benefits, Social Security and/or SSI benefits. EIV will also be used to verify that families claiming zero income are not receiving income from any of these sources.</p>	<p><u>DHA Policy</u></p> <p>Income reports will be used in interim reexaminations to identify any discrepancies between reported income and income shown in the EIV system, and as necessary to verify earned income, and to verify and calculate unemployment benefits, Social Security and/or SSI benefits. EIV will also be used to verify that families claiming zero income are not receiving income from any of these sources.</p>
<p>SECTION 7-III.I.</p>	<p>SECTION 7-III.I. ZERO ANNUAL INCOME STATUS</p> <p><u>DHA Policy:</u></p> <p>When DHA conducts Annual/Interim or Transfer reviews of zero-income families, DHA will run a credit report annually with a release signed by the family.</p> <p>For all family members, age 18 or older who report \$0 - \$1200 annual income, DHA will conduct a credit check.</p>	<p>SECTION 7-III.I. ZERO ANNUAL INCOME STATUS</p> <p><u>DHA Policy:</u></p> <p>When DHA conducts Annual/Interim or Transfer reviews of zero-income families, DHA will require the prior years' tax return documentation (if filed), for all household members claiming zero-income status. Tax return information will only be required annually for these individuals.</p> <p>When DHA conducts Annual/Interim or Transfer reviews of zero-income families, DHA will run a credit report annually with a release signed by the family.</p> <p>For all family members, age 18 or older who report \$0 - \$1200 annual income, DHA will conduct a credit check.</p>
<p>SECTION 8-I.E.</p>	<p>SECTION 8-I.E. SPECIAL REQUIREMENTS FOR CHILDREN WITH ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL:</p> <p>If DHA is notified by a public health department or other medical</p>	<p>SECTION 8-I.E. SPECIAL REQUIREMENTS FOR CHILDREN WITH ELEVATED BLOOD LEAD LEVEL:</p> <p>If DHA is notified by a public health department or other medical health care</p>

Section	Current Language	New Language
	<p>health care provider, or verifies information from a source other than a public health department or medical health care provider, that a child of less than 6 years of age, living in an HCV-assisted unit has been identified as having an environmental intervention blood lead level, DHA must complete a risk assessment of the dwelling unit within 15 calendar days after being notified by a public health department or other medical health care provider. The risk assessment must be completed in accordance with program requirements, and the result of the risk assessment must be immediately provided to the owner of the dwelling unit. In cases where the public health department has already completed an evaluation of the unit, this information must be provided to the owner.</p> <p>Within 30 days after receiving the risk assessment report from DHA, or the evaluation from the public health department, the owner is required to complete the reduction of identified lead-based paint hazards in accordance with the lead-based paint regulations [24 CFR 35.1325 and 35.1330]. If the owner does not complete the “hazard reduction” as required, the dwelling unit is in violation of HQS and DHA will take action in accordance with Section 8-II.G.</p> <p><u>DHA Policy</u></p> <p>Upon being notified of any child with environmental intervention blood lead levels, DHA will send this information to the public health department. At least quarterly, DHA must also report an updated list to the public health department, of the addresses of pre 1978 units, receiving assistance under the HCV program, where a child or children under the age of 6 years old resides. Upon the public health department receiving this quarterly report from DHA, the health department will cross reference this information with the names and addresses of environmental intervention blood lead level children. If a match occurs, the public health department will inform DHA, and DHA must carry out the notification, verification, and hazard reduction</p>	<p>provider, or verifies information from a source other than a public health department or medical health care provider, that a child of less than 6 years of age, living in an HCV-assisted unit has been identified as having an elevated blood lead level, DHA must complete environmental investigation of the dwelling unit within 15 calendar days after being notified by a public health department or other medical health care provider. The environmental investigation must be completed in accordance with program requirements, and the result of the risk assessment must be immediately provided to the owner of the dwelling unit. In cases where the public health department has already completed an evaluation of the unit, this information must be provided to the owner.</p> <p>Within 30 days after receiving the environmental investigation report from DHA, or the evaluation from the public health department, the owner is required to complete the reduction of identified lead-based paint hazards in accordance with the lead-based paint regulations [24 CFR 35.1325 and 35.1330]. If the owner does not complete the “hazard reduction” as required, the dwelling unit is in violation of HQS and DHA will take action in accordance with Section 8-II.G.</p> <p><u>DHA Policy</u></p> <p>Upon being notified of any child with elevated blood lead levels, DHA will send this information to the public health department. At least quarterly, DHA must also report an updated list to the public health department, of the addresses of pre 1978 units, receiving assistance under the HCV program, where a child or children under the age of 6 years old resides. Upon the public health department receiving this quarterly report from DHA, the health department will cross reference this information with the names and addresses of elevated blood lead level children. If a match occurs, the public health department will inform DHA, and DHA must carry out the notification, verification, and hazard reduction requirements discussed in Chapter 8, and the reporting requirement discussed above.</p> <p>DHA reporting requirements, and data collection and record keeping responsibilities related to children with an elevated blood lead level are discussed in Chapter 16.</p>

Section	Current Language	New Language
	<p>requirements discussed in Chapter 8, and the reporting requirement discussed above.</p> <p>DHA reporting requirements, and data collection and record keeping responsibilities related to children with an environmental intervention blood lead level are discussed in Chapter 16.</p>	
<p>EXHIBIT 8-1</p>	<p>EXHIBIT 8-1: OVERVIEW OF HUD HOUSING QUALITY STANDARDS – Lead-Based Paint:</p> <p>For units occupied by environmental intervention blood lead level (lead poisoned) children under six years of age, a risk assessment must be conducted (paid for by DHA). If lead hazards are identified during the risk assessment, the owner must complete hazard reduction activities.</p>	<p>EXHIBIT 8-1: OVERVIEW OF HUD HOUSING QUALITY STANDARDS – Lead-Based Paint:</p> <p>For units occupied by elevated blood lead level (lead poisoned) children under six years of age, an environmental investigation must be conducted (paid for by DHA). If lead hazards are identified during the environmental investigation, the owner must complete hazard reduction activities.</p>
<p>SECTION 9-I.G.</p>	<p>SECTION 9-I.G. HAP CONTRACT EXECUTION:</p> <p>This is new language added to the already existing DHA policy within this section.</p>	<p>SECTION 9-I.G. HAP CONTRACT EXECUTION:</p> <p><u>DHA Policy</u></p> <p>The following DHA representatives are authorized to execute a HAP contract on behalf of DHA:</p> <ul style="list-style-type: none"> - HCVP Director - Program Manager - Eligibility Supervisor <p>As required under VAWA 2013, once the HAP contract and lease have been executed and the family has been admitted to the program, DHA will notify</p>

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		families of their rights under VAWA by providing all families with a copy of the domestic violence certification form (HUD-5382) as well as the VAWA notice of occupancy rights (form HUD-5380).
<p>SECTION 10-I.A</p>	<p>SECTION 10-I.A. ALLOWABLE MOVES</p> <p><u>DHA Policy</u></p> <p>If a family requests permission to move with continued assistance, based on a claim that the move is necessary to protect the health or safety of a family member who is or has been the victim of domestic violence, dating violence, sexual assault or stalking, DHA will request documentation in accordance with section 16-IX.D of this plan.</p> <p>DHA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the family or family member will suffice. In such cases DHA will document the waiver in the family’s file.</p> <p>DHA has adopted an emergency transfer plan, which is included as Exhibit 16-3 to this plan.</p>	<p>SECTION 10-I.A. ALLOWABLE MOVES</p> <p><u>DHA Policy</u></p> <p>If a family requests permission to move with continued assistance or for an external transfer to another covered housing program operated by the PHA, based on a claim that the move is necessary to protect the health or safety of a family member who is or has been the victim of domestic violence, dating violence, sexual assault or stalking, DHA will request that the resident request the emergency transfer using form HUD-5383, and DHA will request documentation in accordance with section 16-IX.D of this plan.</p> <p>DHA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the family or family member will suffice. In such cases DHA will document the waiver in the family’s file.</p> <p>DHA may choose to provide a voucher to facilitate an emergency transfer of the victim without first terminating the assistance of the perpetrator.</p> <p>Before granting an emergency transfer, DHA will ensure the victim is eligible to receive continued assistance based on the citizenship or immigration status of the victim.</p> <p>DHA has adopted an emergency transfer plan, which is included as Exhibit 16-3 to this plan and discusses external transfers to other covered housing programs.</p>

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<p>SECTION 11-II.C.</p>	<p>SECTION 11-II.C. CHANGES AFFECTING INCOME OR EXPENSES - DHA-Initiated Interim Reexaminations</p> <p><u>DHA Policy:</u></p> <p>If the family has reported zero income, DHA will conduct an interim reexamination every 4 months as long as the family continues to report that they have no income.</p> <p>When DHA conducts Annual/Interim or Transfer reviews of zero-income families, DHA will run a credit report annually with a release signed by the family.</p>	<p>SECTION 11-II.C. CHANGES AFFECTING INCOME OR EXPENSES - DHA-Initiated Interim Reexaminations</p> <p><u>DHA Policy:</u></p> <p>If the family has reported zero income, DHA will conduct an interim reexamination every 4 months as long as the family continues to report that they have no income.</p> <p>When DHA conducts Annual/Interim or Transfer reviews of zero-income families, DHA will run a credit report annually with a release signed by the family.</p> <p>When DHA conducts Annual/Interim or Transfer reviews of zero-income families, DHA will require the prior years' tax return documentation (if filed), for all household members claiming zero-income status. Tax return information will only be required annually for these individuals.</p>
<p>SECTION 11-II.C.</p>	<p>SECTION 11-II.C. CHANGES AFFECTING INCOME OR EXPENSES - Family-Initiated Interim Reexaminations</p> <p><u>DHA Policy:</u></p> <p>Families are no longer required to report increases in income within ten days of the increase. However, families are required to report all increases in income including new employment, increases in benefit income (i.e. SSI, SS, Unemployment, VA benefits) at the time of their annual re-examination.</p> <p>If at any time it is found that the family failed to report income of any amount during the annual re-examination, DHA will conduct an interim, recalculate the housing assistance payment and tenant rental portion, and request the family to enter into a repayment</p>	<p>SECTION 11-II.C. CHANGES AFFECTING INCOME OR EXPENSES - Family-Initiated Interim Reexaminations</p> <p><u>DHA Policy:</u></p> <p>Families are no longer required to report increases in income within ten days of the increase. However, families are required to report all increases in income including new employment, increases in benefit income (i.e. SSI, SS, Unemployment, VA benefits) at the time of their annual re-examination.</p> <p>DHA will continue to conduct Zero-Income classes three times per year, for all households reporting zero income. Should an increase in income be verified, DHA will conduct an interim re-examination to account for the increase in income, even if outside of the annual re-examination time frame.</p>

Section	Current Language	New Language
	<p>agreement for overpaid housing subsidy remitted. Should the family fail to comply with the terms and conditions of the repayment agreement, DHA will initiate the termination of assistance process.</p> <p>DHA will conduct interim reexaminations for families that qualify for the earned income disallowance (EID), and when the EID family's share of rent will change as a result of the increase.</p> <p>DHA will conduct an interim for families who participate in the Family Self-Sufficiency Program, and the increased income results in the accrual of escrow.</p>	<p>If at any time it is found that the family failed to report income of any amount during the annual re-examination, DHA will conduct an interim, recalculate the housing assistance payment and tenant rental portion, and request the family to enter into a repayment agreement for overpaid housing subsidy remitted. Should the family fail to comply with the terms and conditions of the repayment agreement, DHA will initiate the termination of assistance process.</p> <p>DHA will conduct interim reexaminations for families that qualify for the earned income disallowance (EID), and when the EID family's share of rent will change as a result of the increase.</p> <p>DHA will conduct an interim for families who participate in the Family Self-Sufficiency Program, and the increased income results in the accrual of escrow.</p> <p>DHA will conduct interim re-examinations as requested by applicant or participant families in the process of moving. Any changes in income reported during the submission of a Request for Tenancy Approval (RFTA), will be utilized to determine affordability of the proposed unit.</p>
<p>SECTION 11-III.B.</p>	<p>SECTION 11-III.B. CHANGES IN PAYMENT STANDARDS AND UTILITY ALLOWANCES – Utility Allowances</p> <p><u>DHA Policy</u></p> <p>At each annual re-examination DHA will require the family to provide a copy of all current tenant-paid utility bills. Revised utility allowances will be applied to a family's rent and subsidy calculations at the first annual reexamination after the allowance is adopted. When a family receives a utility reimbursement payment, the family must supply DHA with the name of the utility provider, authorization to discuss the account and an</p>	<p>SECTION 11-III.B. CHANGES IN PAYMENT STANDARDS AND UTILITY ALLOWANCES – Utility Allowances</p> <p><u>DHA Policy</u></p> <p>At each annual re-examination DHA will require the family to provide a copy of all current tenant-paid utility bills. Revised utility allowances will be applied to a family's rent and subsidy calculations at the first annual reexamination after the allowance is adopted. When a family receives a utility reimbursement payment, the family must supply DHA with a copy of the utility bill for the applicable unit, indicating an account number for use in accurately paying the utility provider. Should the family fail to provide the requested information, the utility reimbursement payment will not be paid. Should the family relocate from the</p>

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	<p>account number for use in accurately paying the utility provider. Should the family fail to provide the requested information, DHA shall terminate assistance in accordance with its policies.</p> <p>DHA will review the utility allowance assigned to the unit and any utility reimbursement payment shall be paid directly to the highest cost utility supplier.</p>	<p>unit or be terminated from the HCV program prior to providing DHA the utility information needed to pay the utility reimbursement, the family will be considered to have forfeited this reimbursement.</p> <p>DHA will review the utility allowance assigned to the unit and any utility reimbursement payment may be paid directly to the highest cost utility supplier, or directly to the tenant at the PHA’s discretion.</p>
<p>SECTION 12-I.E.</p>	<p>SECTION 12-I.E. MANDATORY POLICIES AND OTHER AUTHORIZED TERMINATIONS - Other Authorized Reasons for Termination of Assistance:</p> <p><u>DHA Policy</u></p> <p>DHA will not terminate a family’s assistance because of the family’s failure to meet its obligations under the Family Self-Sufficiency program. DHA shall terminate participation in the Family Self-Sufficiency program due to inactivity. Inactivity is defined as the failure to escrow after participating for 24 months unless the participant is enrolled in qualified institution receiving training, certification or seeking a degree.</p>	<p>SECTION 12-I.E. MANDATORY POLICIES AND OTHER AUTHORIZED TERMINATIONS - Other Authorized Reasons for Termination of Assistance:</p> <p>Additionally, per the alternative requirements listed in the <i>Federal Register</i> notice dated December 29, 2014, PHAs are no longer permitted to terminate assistance to a family due to the family’s failure to meet its obligations under the Family Self-Sufficiency (FSS) contract of participation [FR Notice 12/29/14].</p>
<p>SECTION 12-II.E.</p>	<p>SECTION 12-II.E. TERMINATIONS RELATED TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING – Limitations on VAWA Protections</p> <p>Even when a victim poses an actual and imminent threat, however, HUD regulations authorize DHA to terminate the victim’s assistance “only when there are no other actions that</p>	<p>SECTION 12-II.E. TERMINATIONS RELATED TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING – Limitations on VAWA Protections</p> <p>In order to demonstrate an actual and imminent threat, DHA must have objective evidence of words, gestures, actions, or other indicators. Even when a victim poses an actual and imminent threat, however, HUD regulations authorize</p>

Section	Current Language	New Language
	<p>could be taken to reduce or eliminate the threat” [24 CFR 5.2005(d)(3)].</p> <p><u>DHA Policy</u></p> <p>In determining whether a program participant who is a victim of domestic violence, dating violence, or stalking is an actual imminent threat to other tenants or those employed at or providing service to a property, DHA will consider the following, and any other relevant, factors:</p> <ul style="list-style-type: none"> ○ Whether the threat is toward an employee or tenant other than the victim of domestic violence, dating violence, sexual assault or stalking ○ Whether the threat is a physical danger beyond a speculative threat <p>Whether the threat is likely to happen within a short period of time</p>	<p>DHA to terminate the victim’s assistance “only when there are no other actions that could be taken to reduce or eliminate the threat” [24 CFR 5.2005(d)(3)].</p> <p><u>DHA Policy</u></p> <p>In determining whether a program participant who is a victim of domestic violence, dating violence, or stalking is an actual imminent threat to other tenants or those employed at or providing service to a property, DHA will consider the following, and any other relevant, factors:</p> <ul style="list-style-type: none"> ○ Whether the threat is toward an employee or tenant other than the victim of domestic violence, dating violence, sexual assault or stalking ○ -Whether the threat is a physical danger beyond a speculative threat ○ Whether the threat is likely to happen within an immediate time frame
<p>SECTION 12-II.E.</p>	<p>SECTION 12-II.E. TERMINATIONS RELATED TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING – Terminating the Assistance of a Domestic Violence Perpetrator:</p> <p>This is new language added to this section of the administrative plan; no previous language exists.</p>	<p>SECTION 12-II.E. TERMINATIONS RELATED TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING – Terminating the Assistance of a Domestic Violence Perpetrator:</p> <p>If the perpetrator remains in the unit, DHA continues to pay the owner until DHA terminates the perpetrator from the program. DHA must not stop paying HAP until 30 days after the owner bifurcates the lease to evict the perpetrator.</p>

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		<p>DHA may pay HAP for the full month if the 30-day period will end mid-month [Notice PIH 2017-08].</p> <p>If the perpetrator is the only participant eligible to receive assistance, DHA will provide any remaining participant a chance to establish eligibility for the program. If the remaining participant cannot do so, DHA will provide them with 30 days to establish eligibility for another housing program prior to termination of the HAP contract.</p>
<p>SECTION 12-II.F.</p>	<p>SECTION 12-II.F. TERMINATION NOTICE</p> <p><u>DHA Policy</u></p> <p>Whenever a family’s assistance will be terminated, DHA will send a written notice of termination to the family and to the owner of the family’s unit. DHA will also send a form HUD-5382 to the family with the termination notice. The notice will state the date on which the termination will become effective. This date generally will be at least 30 calendar days following the date of the termination notice, but exceptions will be made whenever HUD rules, other DHA policies, or the circumstances surrounding the termination require.</p> <p>If a family whose assistance is being terminated is entitled to an informal hearing, the notice of termination that DHA sends to the family must meet the additional HUD and DHA notice requirements discussed in section 16-III.C of this plan. VAWA 2013 expands notification requirements to require DHA to provide notice of VAWA rights and the HUD 5382 when DHA terminates a household’s housing benefits.</p>	<p>SECTION 12-II.F. TERMINATION NOTICE</p> <p><u>DHA Policy</u></p> <p>Whenever a family’s assistance will be terminated, DHA will send a written notice of termination to the family and to the owner of the family’s unit. DHA will also send a form HUD-5382 and form HUD-5380 to the family with the termination notice. The notice will state the date on which the termination will become effective. This date generally will be at least 30 calendar days following the date of the termination notice, but exceptions will be made whenever HUD rules, other DHA policies, or the circumstances surrounding the termination require.</p> <p>If a family whose assistance is being terminated is entitled to an informal hearing, the notice of termination that DHA sends to the family must meet the additional HUD and DHA notice requirements discussed in section 16-III.C of this plan. VAWA 2013 expands notification requirements to require DHA to provide notice of VAWA rights and the HUD 5382 and form HUD-5380 when DHA terminates a household’s housing benefits.</p>

Section	Current Language	New Language
<p>EXHIBIT 12-1</p>	<p>EXHIBIT 12-1 – STATEMENT OF FAMILY OBLIGATIONS</p> <p><u>DHA Policy</u> DHA requires the family to provide a copy of the utility bills at each reexamination and when a utility reimbursement (URP) is paid. Utility reimbursements shall be paid directly to the utility supplier, therefore, to ensure proper credit of any utility reimbursement payment, the family must supply permission to discuss the account with the supplier and a copy of the bill to verify the account number to credit. Should the family fail to supply the requested information, DHA will terminate assistance in accordance with its termination policies.</p>	<p>EXHIBIT 12-1 – STATEMENT OF FAMILY OBLIGATIONS</p> <p><u>DHA Policy</u> DHA requires the family to provide a copy of the utility bills at each reexamination and when a utility reimbursement (URP) is paid. Utility reimbursements may be paid directly to the utility supplier, or directly to the family, at the PHA’s discretion; therefore, to ensure proper credit of any utility reimbursement payment, the family must supply permission to discuss the account with the supplier and a copy of the bill to verify the account number to credit. Should the family fail to supply the requested information, the utility reimbursement payment will not be paid. Should the family relocate from the unit or be terminated from the HCV program prior to providing DHA the utility information needed to pay the utility reimbursement, the family will be considered to have forfeited this reimbursement.</p>
<p>SECTION 15-VII.N.</p>	<p>SECTION 15-VII.N. DENIAL OR TERMINATION OF ASSISTANCE:</p> <p>DHA may also deny or terminate assistance for violation of participant obligations described in 24 CFR Parts 982.551 or 982.633 and in accordance with its own policy.</p>	<p>SECTION 15-VII.N. DENIAL OR TERMINATION OF ASSISTANCE:</p> <p>DHA may also deny or terminate assistance for violation of participant obligations described in 24 CFR Parts 982.551 or 982.633 and in accordance with its own policy, with the exception of failure to meet obligations under the Family Self-Sufficiency program as prohibited under the alternative requirements set forth in FR Notice 12/29/14.</p>
<p>CHAPTER 16</p>	<p>CHAPTER 16 – PROGRAM ADMINISTRATION - Introduction</p> <p>Part VII: Reporting and Record Keeping for Children with</p>	<p>CHAPTER 16 – PROGRAM ADMINISTRATION - Introduction</p> <p><u>Part VII: Reporting and Record Keeping for Children with Elevated Blood Lead Level.</u> This part describes DHA’s responsibilities for reporting, data collection, and</p>

Section	Current Language	New Language
	<p><u>Environmental Intervention Blood Lead Level.</u> This part describes DHA’s responsibilities for reporting, data collection, and record keeping relative to children with environmental intervention blood lead levels that are less than six years of age, and are receiving HCV assistance.</p>	<p>record keeping relative to children with elevated blood lead levels that are less than six years of age, and are receiving HCV assistance.</p>
<p>SECTION 16-III.C.</p>	<p>SECTION 16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS:</p> <p>This sub-section has been realigned to immediately follow the sub-section entitled “<i>Evidence.</i>” The verbiage has remained the same.</p>	<p>SECTION 16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS:</p> <p><i>Procedures for Rehearing or Further Hearing</i></p> <p><u>DHA Policy</u></p> <p>The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision. If the family misses an appointment or deadline ordered by the hearing officer, the action of the PHA will take effect and another hearing will not be granted.</p>
<p>SECTION 16-III.C.</p>	<p>SECTION 16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS:- Hearing Officer’s Decision:</p> <p><u>Hearing Officer’s Decision [24 CFR 982.555(e)(6)]</u></p> <p>The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing. A copy of the hearing must be furnished promptly to the family.</p>	<p>SECTION 16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS:- Hearing Officer’s Decision:</p> <p><u>Hearing Officer’s Decision [24 CFR 982.555(e)(6)]</u></p> <p>The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing.</p>

Section	Current Language	New Language
SECTION 16-III.C	<p>SECTION 16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS:</p> <p>This is a new sub-section added to this section of the administrative plan; no previous language exists.</p>	<p>SECTION 16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS:</p> <p><i>Issuance of Decision [24 CFR 982.555(e)(6)]</i></p> <p>A copy of the hearing must be furnished promptly to the family.</p> <p><u>DHA Policy</u></p> <p>The hearing officer will mail a “Notice of Hearing Decision” to DHA and to the participant on the same day. This notice will be sent by first-class mail. The participant will be mailed the original “Notice of Hearing Decision” and a copy of the proof of mailing. A copy of the “Notice of Hearing Decision” will be maintained in DHA’s file.</p>
SECTION 16-III.C.	<p>SECTION 16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS – DHA Notice of Final Decision</p> <p><u>DHA Policy</u></p> <p>DHA will mail a “Notice of Final Decision” including the hearing officer’s report, to the participant and their representative. This Notice will be sent by first-class mail, postage pre-paid with an affidavit of mailing enclosed. The participant will be mailed the original “Notice of Final Decision” and a copy of the proof of mailing. A copy of the “Notice of Final Decision” along with the original proof mailing will be maintained in DHA’s file.</p>	<p>SECTION 16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS – Effect of Final Decision</p> <p><u>DHA Policy</u></p> <p>The Executive Director has the authority to determine that DHA is not bound by the decision of the hearing officer because DHA was not required to provide a hearing, the decision exceeded the authority of the hearing officer, the decision conflicted with or contradicted HUD regulations, requirements, or the decision was otherwise contrary to federal, state, or local laws.</p> <p>In such a case, DHA will mail a “Notice of Final Decision” to the participant on the same day. The “Notice of Final Decision” will be sent by first-class mail. A copy of this notice will be maintained in DHA’s file.</p>
SECTION 16-	SECTION 16-VI.B. RECORD RETENTION &	SECTION 16-VI.B. RECORD RETENTION & DISPOSITION:

Section	Current Language	New Language
VI.B.	<p>DISPOSITION:</p> <p>This is new language added to this section of the administrative plan; no previous language exists.</p>	<p>The following verbiage has been added to this section:</p> <p>“DHA must keep confidential records of all emergency transfers requested by victims of domestic violence, dating violence, sexual assault, and stalking under DHA’s Emergency Transfer Plan, as well as the outcomes of such requests, and retain the records for a period of three years [24 CFR 5.2002(e)(12)].”</p>
<p>CHAPTER 16 - PART VII</p>	<p>PART VII: REPORTING AND RECORD KEEPING FOR CHILDREN WITH ENVIRONMENTAL INTERVENTION BLOOD LEAD LEVEL</p> <p>16-VII.A. OVERVIEW DHA has certain responsibilities relative to children with environmental intervention blood lead levels that are receiving HCV assistance. The notification, verification, and hazard reduction requirements are discussed in Chapter 8. This part deals with the reporting requirements, and data collection and record keeping responsibilities that DHA is subject to.</p> <p>16-VII.B. REPORTING REQUIREMENT [24 CFR 35.1225(e)] DHA must report the name and address of a child identified as having an environmental intervention blood lead level to the public health department within 5 business days of being so notified by any other medical health care professional.</p> <p><u>DHA Policy</u> Upon being notified of any child with environmental intervention blood lead levels, DHA will send this information to the public health department.</p>	<p>PART VII: REPORTING AND RECORD KEEPING FOR CHILDREN WITH ELEVATED BLOOD LEAD LEVEL</p> <p>16-VII.A. OVERVIEW DHA has certain responsibilities relative to children with elevated blood lead levels that are receiving HCV assistance. The notification, verification, and hazard reduction requirements are discussed in Chapter 8. This part deals with the reporting requirements, and data collection and record keeping responsibilities that DHA is subject to.</p> <p>16-VII.B. REPORTING REQUIREMENT [24 CFR 35.1225(e)] DHA must report the name and address of a child identified as having an elevated blood lead level to the public health department within 5 business days of being so notified by any other medical health care professional.</p> <p><u>DHA Policy</u> Upon being notified of any child with elevated blood lead levels, DHA will send this information to the public health department.</p> <p>DHA will provide the public health department written notice of the name and address of any child identified as having an elevated blood lead level.</p> <p>16-VII.C. DATA COLLECTION AND RECORD KEEPING [24 CFR</p>

Section	Current Language	New Language
	<p>DHA will provide the public health department written notice of the name and address of any child identified as having an environmental intervention blood lead level.</p> <p>16-VII.C. DATA COLLECTION AND RECORD KEEPING [24 CFR 35.1225(f)]</p> <p>At least quarterly, DHA must also report an updated list to the public health department, of the addresses of pre 1978 units, receiving assistance under the HCV program, where a child or children under the age of 6 years old resides.</p> <p>Upon the public health department receiving this quarterly report from DHA, the health department will cross reference this information with the names and addresses of environmental intervention blood lead level children. If a match occurs, the public health department will inform DHA, and DHA must carry out the notification, verification, and hazard reduction requirements discussed in Chapter 8, and the reporting requirement discussed above.</p>	<p>35.1225(f)]</p> <p>At least quarterly, DHA must also report an updated list to the public health department, of the addresses of pre 1978 units, receiving assistance under the HCV program, where a child or children under the age of 6 years old resides.</p> <p>Upon the public health department receiving this quarterly report from DHA, the health department will cross reference this information with the names and addresses of elevated blood lead level children. If a match occurs, the public health department will inform DHA, and DHA must carry out the notification, verification, and hazard reduction requirements discussed in Chapter 8, and the reporting requirement discussed above.</p>
<p>SECTION 16-IX.C</p>	<p>SECTION 16-IX.C. NOTIFICATION</p> <p>Notification to Public</p> <p><u>DHA Policy</u></p> <p>DHA will post the following information regarding VAWA in its offices and on its web site. It will also make the information readily available to anyone who requests it.</p>	<p>SECTION 16-IX.C. NOTIFICATION</p> <p>Notification to Public</p> <p><u>DHA Policy</u></p> <p>DHA will post the following information regarding VAWA in its offices and on its web site. It will also make the information readily available to anyone who requests it.</p>

Section	Current Language	New Language
	A notice of occupancy rights under VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, or stalking (see Form HUD-5380, see Exhibit 16-1)	A copy of the notice of occupancy rights under VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, or stalking (see Form HUD-5380, see Exhibit 16-1)
<p>SECTION 16-IX.C.</p>	<p>SECTION 16-IX.C. NOTIFICATION - Notification to Program Applicants and Participants</p> <p><u>DHA Policy</u></p> <p>DHA will provide all applicants with information about VAWA at the time they request an application for housing assistance. DHA will also include information about VAWA in all notices of denial of assistance (see section 3-III.G).</p>	<p>SECTION 16-IX.C. NOTIFICATION - Notification to Program Applicants and Participants</p> <p><u>DHA Policy</u></p> <p>DHA will provide all applicants with information about VAWA at the time they request an application for housing assistance, as part of the written briefing packet, and at the time the family is admitted to the program. DHA will also include information about VAWA in all notices of denial of assistance (see section 3-III.G).</p> <p>The following new language and new DHA Policy has also been added to this section:</p> <p>DHA is not limited to providing VAWA information at the times specified in the above policy. If DHA decides to provide VAWA information to a participant 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 DHA make alternative delivery arrangements that will not put the victim at risk.</p> <p><u>DHA Policy</u></p> <p>Whenever the PHA has reason to suspect that providing information about VAWA to a participant 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</p>

Section	Current Language	New Language
		<p>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.</p> <p>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.</p> <p>The victim may, but is not required to, designate an attorney, advocate, or other secure contact for communications regarding VAWA protections.</p>
<p>SECTION 16-IX.D.</p>	<p>SECTION 16-IX.D. DOCUMENTATION [24 CFR 5.2007]</p> <p>The individual may satisfy DHA’s request by providing any one of the following three forms of documentation [24 CFR 5.2007(b)]:</p> <p>(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.</p> <p><u>DHA Policy</u></p> <p>Any request for documentation of domestic violence, dating violence, sexual assault or stalking 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</p>	<p>SECTION 16-IX.D. DOCUMENTATION [24 CFR 5.2007]</p> <p>The individual may satisfy DHA’s request by providing any one of the following three forms of documentation [24 CFR 5.2007(b)]:</p> <p>(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.</p> <p><u>DHA Policy</u></p> <p>Any request for documentation of domestic violence, dating violence, sexual assault or stalking 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.</p> <p>DHA may, in its discretion, extend the deadline for 10 business days. In determining whether to extend the deadline, DHA will consider factors that</p>

Section	Current Language	New Language
	<p>an extension in writing by the deadline.</p> <p>DHA may, in its discretion, extend the deadline for 10 business days. Any extension granted by DHA will be in writing.</p>	<p>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 DHA will be in writing.</p> <p>Once the victim provides documentation, DHA will acknowledge receipt of the documentation within 10 business days.</p>
<p>SECTION 16-IX.D.</p>	<p>SECTION 16-IX.D. DOCUMENTATION – Conflicting Documentation:</p> <p>In cases where DHA 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, DHA may determine which is the true victim by requiring each to provide acceptable third-party documentation, as described above (forms 2 and 3).</p> <p><u>DHA Policy</u></p> <p>If presented with conflicting certification documents from members of the same household, DHA will attempt to determine which is the actual 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.</p>	<p>SECTION 16-IX.D. DOCUMENTATION – Conflicting Documentation:</p> <p>In cases where DHA 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, DHA may determine which is the true victim by requiring each to provide acceptable third-party documentation, as described above (forms 2 and 3). DHA may also request third-party documentation when submitted documentation contains information that conflicts with existing information already available to DHA. Individuals have 30 calendar days to return third-party verification to DHA. If DHA does not receive third-party documentation, and proposes to deny or terminate assistance as a result, DHA must hold separate hearings for the tenants [Notice PIH 2017-08].</p> <p><u>DHA Policy</u></p> <p>If presented with conflicting certification documents from members of the same household, DHA will attempt to determine which is the actual 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.</p> <p>When requesting third-party documents, DHA will provide contact information for local domestic violence and legal aid offices. In such cases,</p>

Section	Current Language	New Language
		<p>applicants or tenants will be given 30 calendar days from the date of the request to provide such documentation.</p> <p>If DHA does not receive third-party documentation within the required timeframe (and any extensions) DHA 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, DHA will hold separate hearings for the applicants or tenants.</p>
<p>SECTION 16-IX.D.</p>	<p>SECTION 16-IX.D. DOCUMENTATION – Discretion to Require No Formal Documentation</p> <p>DHA 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).</p> <p><u>DHA Policy</u></p> <p>If DHA accepts an individual’s statement or other corroborating evidence of domestic violence, dating violence, sexual assault or stalking, DHA will document acceptance of the statement or evidence in the individual’s file.</p>	<p>SECTION 16-IX.D. DOCUMENTATION – Discretion to Require No Formal Documentation</p> <p>DHA 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.</p> <p><u>DHA Policy</u></p> <p>If DHA accepts an individual’s statement or other corroborating evidence (as determined by the victim) of domestic violence, dating violence, sexual assault or stalking, DHA will document acceptance of the statement or evidence in the individual’s file.</p>
<p>EXHIBIT 16-1</p>	<p>EXHIBIT 16-1: NOTICE OF OCCUPANCY RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT, FORM HUD-5380.</p>	<p>EXHIBIT 16-1: NOTICE OF OCCUPANCY RIGHTS UNDER THE VIOLENCE AGAINST WOMEN ACT, FORM HUD-5380.</p>

Section	Current Language	New Language
	<p>Notice of Occupancy Rights under the Violence Against Women Act¹</p> <p>To all Tenants and Applicants The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.² The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that Durham Housing Authority (DHA) is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”</p> <p>Protections for Applicants If you otherwise qualify for assistance under DHA, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.</p>	<p>Notice of Occupancy Rights under the Violence Against Women Act³</p> <p>To all Tenants and Applicants The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.⁴ The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that the Housing Choice Voucher Program is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”</p> <p>Protections for Applicants If you otherwise qualify for assistance under the Housing Choice Voucher Program, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.</p> <p>Protections for Tenants If you are receiving assistance under the Housing Choice Voucher Program, you may not be denied assistance, terminated from participation, or be evicted from</p>

¹ Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

² Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

³ Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

⁴ Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

Section	Current Language	New Language
	<p>Protections for Tenants</p> <p>If you are receiving assistance under DHA, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.</p> <p>Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under DHA solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.</p> <p>HUD requires the unit to pass HQS before the effective date of the lease and HAP Contract. HUD requires PHAs with fewer than 1,250 budgeted units to complete the initial inspection, determine whether the unit satisfies HQS, and notify the owner and the family of the determination within 15 days of submission of the Request for Tenancy Approval (RTA).</p>	<p>your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.</p> <p>Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under the Housing Choice Voucher Program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.</p>
<p>EXHIBIT 16-5</p>	<p>EXHIBIT 16-5: SAMPLE NOTICE TO HOUSING CHOICE VOUCHER OWNERS AND MANAGERS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)</p> <p>The previous verbiage of this entire notice has been replaced and revised with new language.</p>	<p>EXHIBIT 16-5: NOTICE TO HOUSING CHOICE VOUCHER OWNERS AND MANAGERS OF YOUR RIGHTS AND OBLIGATIONS UNDER THE VIOLENCE AGAINST WOMEN ACT (VAWA) has been completely revised with new language that replaces the current notice in this exhibit.</p>
<p>SECTION 17-I.A.</p>	<p>SECTION 17-I.A. OVERVIEW - Additional Project-Based Units:</p> <p>DHA may project-base an additional 10 percent of its units above the 20 percent program limit, if the units:</p>	<p>SECTION 17-I.A. OVERVIEW - Additional Project-Based Units:</p> <p>DHA may project-base an additional 10 percent of its units above the 20 percent program limit, if the units:</p>

Section	Current Language	New Language
	Are located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year Estimates.	Are located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year Estimates. (For these projects, the project cap is the greater of 25 units or 40 percent (instead of 25 percent) of the units in the project [FR Notice 7/14/17]).
<p>SECTION 17-I.A.</p>	<p>SECTION 17-I.A. OVERVIEW - Units Not Subject to the PBV Program Limitation:</p> <p>In order to be excepted, the unit must meet the following conditions:</p> <ul style="list-style-type: none"> • The unit must be covered under a PBV HAP contract that first became effective on or after 4/18/17; and • In the five years prior to the date the PHA either issued the RFP or selected the project, the unit either: <ul style="list-style-type: none"> - Received Public Housing Capital or Operating Funds, Project-Based Rental Assistance, Housing for Elderly (Section 202), Housing for Persons with Disabilities (section 811), Rent Supplement (Rent Supp), or Rental Assistance Program (RAP); or - The unit was subject to a rent restriction through a loan or insurance program as a result of Section 236, Section 221(d)(3) or (d)(4) BMIR, Housing for Elderly Persons (Section 202), or Housing for Persons with Disabilities (Section 811) <p>Units that have previously received either PBV or HCV</p>	<p>SECTION 17-I.A. OVERVIEW - Units Not Subject to the PBV Program Limitation:</p> <p>In order to be excepted, the unit must meet the following conditions:</p> <ul style="list-style-type: none"> • The unit must be covered under a PBV HAP contract that first became effective on or after 4/18/17; and • In the five years prior to the date the PHA either issued the RFP or selected the project, the unit either: <ul style="list-style-type: none"> - Received Public Housing Capital or Operating Funds, Project-Based Rental Assistance, Housing for Elderly (Section 202), Housing for Persons with Disabilities (section 811), Rent Supplement (Rent Supp), or Rental Assistance Program (RAP); or - The unit was subject to a rent restriction through a loan or insurance program as a result of Section 236, Section 221(d)(3) or (d)(4) BMIR, Housing for Elderly Persons (Section 202), or Housing for Persons with Disabilities (Section 811) - Received assistance under the Flexible Subsidy Program (Section 201 of the Housing and Community Development Amendments of 1978) <p>Units that have previously received either PBV or HCV assistance are not covered</p>

Section	Current Language	New Language
	assistance are not covered under the exception.	under the exception.
SECTION 17-II.F.	<p>SECTION 17-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT - Exceptions to 25 Percent per Project Cap:</p> <p>Exceptions are allowed and PBV units are not counted against the 25 percent per project cap if:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The units are exclusively for elderly families (as such term is defined in 24 CFR 5.403) <input type="checkbox"/> The units are for households eligible for supportive services available to all families receiving PBV assistance in the project <input type="checkbox"/> The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates 	<p>SECTION 17-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT - Exceptions to 25 Percent per Project Cap:</p> <p>Exceptions are allowed and PBV units are not counted against the 25 percent per project cap if:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The units are exclusively for elderly families (as such term is defined in 24 CFR 5.403) <input type="checkbox"/> The units are for households eligible for supportive services available to all families receiving PBV assistance in the project <input type="checkbox"/> The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates (For these projects, the project cap is the greater of 25 units or 40 percent (instead of 25 percent) of the units in the project [FR Notice 7/14/17]).
SECTION 17-II.F.	<p>SECTION 17-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT - Exceptions to 25 Percent per Project Cap</p> <p>DHA must include in the PHA’s administrative plan the type of services offered to families for a project to qualify for the exception and the extent to which such services will be provided.</p>	<p>SECTION 17-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT - Exceptions to 25 Percent per Project Cap</p> <p><i>Supportive Services</i></p> <p>DHA must include in the PHA’s administrative plan the type of services offered to families for a project to qualify for the exception and the extent to which such</p>

Section	Current Language	New Language
	<p>The project must make supportive services available to all families receiving PBV assistance in the project, but the family does not actually have to accept and receive supportive services for the exception to apply to the unit. It is not necessary that the services be provided at or by the project, if they are approved services, but must be reasonably available to families receiving PBV assistance at the project and designed to help families in the project achieve self-sufficiency or live in the community as independently as possible. DHA may not require participation in the supportive service as a condition of living in the excepted unit, although such services may be offered.</p> <p>If a family at the time of initial tenancy is receiving, and while the resident of an excepted unit has received, FSS supportive services or any other supportive services as defined in the PHA administrative plan, and successfully completes the FSS contract of participation or the supportive services requirement, the unit continues to count as an excepted unit for as long as the family resides in the unit, although the family is no longer eligible for the service.</p>	<p>services will be provided. The project must make supportive services available to all families receiving PBV assistance in the project, but the family does not actually have to accept and receive supportive services for the exception to apply to the unit, although the family must be eligible to receive the supportive services. It is not necessary that the services be provided at or by the project, if they are approved services, but must be reasonably available to families receiving PBV assistance at the project and designed to help families in the project achieve self-sufficiency or live in the community as independently as possible. DHA may not require participation in the supportive service as a condition of living in the excepted unit, although such services may be offered.</p>
<p>SECTION 17-II.F.</p>	<p>SECTION 17-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT - Exceptions to 25 Percent per Project Cap</p> <p>PBV units that were previously subject to certain federal rent restrictions or receiving another type of long-term housing subsidy provided by HUD are exempt from the project cap. In other words, 100 percent of the units in these projects may</p>	<p>SECTION 17-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT - Exceptions to 25 Percent per Project Cap</p> <p>PBV units that were previously subject to certain federal rent restrictions or receiving another type of long-term housing subsidy provided by HUD are exempt from the project cap. In other words, 100 percent of the units in these projects may receive PBV assistance. To qualify for the exception, the unit must:</p>

Section	Current Language	New Language
	<p>receive PBV assistance. To qualify for the exception, the unit must:</p> <p>(1) The unit received Public Housing Capital or Operating Funds, Project-Based Rental Assistance, Housing for the Elderly, Housing for Persons with disabilities, the Rental Supplement program, Rental Assistance Program; or</p> <p>(2) The unit was subject to a rent restriction as a result of one of the following HUD loans or insurance programs: Section 236, Section 221(d)(3) or (d)(4) BMIR, Housing for the Elderly, or Housing for Persons with Disabilities.</p> <p>Units that were previously receiving PBV assistance are not covered by the exception. Both existing and rehabilitation units are eligible for this exception. Newly constructed units qualify if they meet the definition of <i>replacement unit</i> described in FR Notice 1/18/17.</p>	<p>(1) The unit received Public Housing Capital or Operating Funds, Project-Based Rental Assistance, Housing for the Elderly (Section 202), Housing for Persons with disabilities, the Rental Supplement program, Rental Assistance Program; or</p> <p>(2) The unit was subject to a rent restriction as a result of one of the following HUD loans or insurance programs: Section 236, Section 221(d)(3) or (d)(4) BMIR, Housing for the Elderly (Section 202), or Housing for Persons with Disabilities.</p> <p>Units that were previously receiving PBV assistance are not covered by the exception. Both existing and rehabilitation units are eligible for this exception. Newly constructed units qualify if they meet the definition of <i>replacement unit</i> described in FR Notice 1/18/17.</p>
<p>SECTION 17-V.C</p>	<p>SECTION 17-V.C – AMENDMENTS TO THE HAP CONTRACT - Addition of Contract Units</p> <p><u>DHA Policy</u> DHA will not add contract units to a previously executed HAP contract.</p>	<p>SECTION 17-V.C – AMENDMENTS TO THE HAP CONTRACT - Addition of Contract Units</p> <p><u>DHA Policy</u> DHA will consider adding additional units after the HAP contract has been executed. The owner must provide detailed information explaining the need to add the additional units. Decisions will be made on a case-by-case basis.</p>
<p>SECTION 17-VII.C.</p>	<p>SECTION 17-VII.C. MOVES</p> <p>This is a brand new sub-section and DHA Policy added to the administrative plan, therefore there is no previous language.</p>	<p>SECTION 17-VII.C. MOVES</p> <p>Emergency Transfers under VAWA [Notice PIH 2017-08]</p>

Section	Current Language	New Language
		<p>Except where special consideration is needed for the project-based voucher program, DHA will follow VAWA policies as outlined in Chapter 16 Part IX of this administrative plan, including using the Emergency Transfer Plan as the basis for PBV transfers under VAWA (Exhibit 16-4).</p> <p>HUD requires that DHA include policies that address when a victim has been living in a unit for less than a year or when a victim seeks to move sooner than a tenant-based voucher is available.</p> <p><u>DHA Policy</u></p> <p>When the victim of domestic violence, dating violence, sexual assault, or stalking has lived in the unit for less than one year, DHA will provide several options for continued assistance.</p> <p>DHA will first try to transfer the participant to another PBV unit in the same development or transfer to a different development where DHA has PBV units. DHA will expedite the administrative processes in this case in an effort to conduct the transfer as quickly as possible.</p> <p>If no units are available for an internal transfer, or if there is reasonable cause to believe that such a transfer would put the victim in jeopardy, the participant may receive continued assistance through an external transfer to tenant-based rental assistance (HCV). Such a decision will be made by DHA based on the availability of tenant-based vouchers. Such families must be selected from the waiting list for the applicable program.</p> <p>If a victim wishes to move after a year of occupancy in the unit, but no tenant-based vouchers are available, DHA will offer the participant an internal transfer to another PBV unit in the same development or a transfer to a different development where DHA has PBV units. DHA will expedite the administrative processes in this case in an effort to conduct the transfer as quickly as possible.</p>
SECTION 17-	SECTION 17-VII.D. EXCEPTIONS TO THE OCCUPANCY	SECTION 17-VII.D. EXCEPTIONS TO THE OCCUPANCY CAP:

Section	Current Language	New Language
VII.D.	<p>CAP:</p> <p>The PHA may not pay housing assistance under a PBV HAP contract for more than the greater of 25 units or 25 percent of the number of dwelling units in a project:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates 	<p>The PHA may not pay housing assistance under a PBV HAP contract for more than the greater of 25 units or 25 percent of the number of dwelling units in a project:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The project is located in a census tract with a poverty rate of 20 percent or less, as determined in the most recent American Community Survey Five-Year estimates (For these projects, the project cap is the greater of 25 units or 40 percent (instead of 25 percent) of the units in the project [FR Notice 7/14/17]).
CHAPTER 18	<p>CHAPTER 18 RENTAL ASSISTANCE DEMONSTRATION</p> <p>Parts VI thru XIII are additions to this chapter and no previous language is available.</p>	<p>CHAPTER 18 RENTAL ASSISTANCE DEMONSTRATION</p> <p>This Chapter has been updated to include Parts VI thru XIII, which specifically discuss PBV Conversion.</p>