

Youngstown Metropolitan Housing Authority

Admission and Continued Occupancy Policy

INTRODUCTION

The Admissions and Continued Occupancy Policy refers to several *Procedures*. *Procedures* do not require approval of the Board, and provide the staff with practical information about how to implement this policy. Youngstown Metropolitan Housing Authority (YMHA) also includes the following procedures as a part of the policy:

- Opening and Closing the Waiting List
- Updating the Waiting List and Removing Applications
- Taking Applications and Initial Processing
- Unit Offers and Applicant Placement
- Applicant Screening
- Informal Hearings for Rejected Applicants

Revising an ACOP requires approval of the Board of Commissioners, and is included as an attachment to the YMHA Plan.

Revised April 2019

TABLE OF CONTENTS ADMISSIONS & OCCUPANCY POLICY

I Nondiscrimination and Accessibility.....1

 A. Compliance With Civil Rights Laws1

 B. Accessibility and Plain Language.....3

II Eligibility for Admission and Processing of Applications4

 A. Affirmative Marketing4

 B. Qualification for Admission5

 C. Waiting List Management.....5

 D. Processing Applications for Admission.....6

 E. The Preference System8

 F. Applicant Selection Criteria.....15

 G. Occupancy Guidelines23

III Tenant Selection and Assignment Plan.....24

 A. Organization of the Waiting List24

 B. Unit Offers to Applicants.....24

 C. Due Process Rights for Applicants25

 D. Good Cause for Applicant Refusal of Unit Offer26

 E. Dwelling Units with accessible/adaptable features.....27

 F. Leasing and Occupancy of Dwelling Units27

 G. Transfers27

IV Leasing Policies28

 A. General Leasing Policy.....28

 B. Showing Units Prior to Leasing.....28

 C. Occupancy, Additions to the Household and Visitors..... 28

V Transfer Policy.....29

 A. General Transfer Policy.....29

 B. Types of Transfers30

 C. Processing Transfers31

 D. Good Record Requirement for Transfers.....31

 E. Incentive Transfers.....32

 F. Cost of Transfers.....33

VI Eligibility for Continued Occupancy and Annual Reexamination.....33

 A. Eligibility for Continued Occupancy.....33

 B. Remaining Family Members and Prior Debt.....33

 C. Periodic Re-examination.....33

VII	Interim Rent Adjustments: Fixed Rent System	35
A.	Rent Adjustments.....	35
B.	Effective Date of Adjustments.....	36
VIII	Lease Termination Procedures.....	36
A.	General Policy: Lease Terminations.....	36
B.	Notice Requirements.....	36
C.	Record Keeping Requirements	37
D.	Participant Amounts Owed to YMHA.....	37
IX	Utilities.....	37
A.	Residents with Disabilities.....	37
X	Flat Rents	37
A.	Flat Rents	37
B.	Annual Update of Flat Rents.....	38
C.	Recertification of Families on Flat Rents	38
D.	Flat Rent Amendment.....	38
XI	Definitions and Procedures to be used in Determining Income and Rent	39
A.	Annual Income.....	39
B.	Items not included in Annual Income.....	40
C.	Anticipating Annual Income.....	43
D.	Adjusted Income	44
E.	Rent Computation	45
F.	Non-Payment of Rent	47
XII	Verification.....	48
A.	Methods of Verification and Time Allowed.....	48
B.	Release of Information.....	51
C.	Computer Matching	51
D.	Items to Be Verified.....	52
E.	Verification of Income.....	53
F.	Income From Assets	56
G.	Verification of Assets	57
H.	Verification of Allowable Deductions	58
I.	Verifying Non-Financial Factors	60
J.	Verification of Suitability for Admission.....	64
XIII	Violation Against Women Act (VAWA) Policy	65

XIV Smoke Free Policy.....71-75

XV Definitions of Terms Used in This Statement of Policies.....75

**Admissions and Continued Occupancy Policy Governing
HUD-Aided Public Housing Operated by the Youngstown Metropolitan
Housing Authority**

I. Nondiscrimination

A. Compliance with Civil Rights Laws

1. Civil rights laws protect the rights of applicants and residents to equal treatment by the Youngstown Metropolitan Housing Authority in the way it carries out its programs. It is the policy of the Youngstown Metropolitan Housing Authority (YMHA) to comply with all Civil Rights laws, including but not limited to:
 - Title VI of the Civil Rights Act of 1964, which forbids discrimination on the basis of race, color, religion, national origin or sex¹;
 - Title VIII of the Civil Rights Act of 1968 (as amended by the 1974 HCDA and the Fair Housing Amendments Act of 1988), which extends protection against discrimination based on disability and familial status, and spell out forms of prohibited discrimination²;
 - Executive Order 11063,
 - Section 504 of the Rehabilitation Act of 1973, which describes specific housing rights of persons with disabilities³;
 - The Age Discrimination Act of 1975, which establishes certain rights of the elderly⁴
 - Title II of the Americans with Disabilities Act, otherwise Section 504 and the Fair Housing Amendments govern (Title II deals with common areas and public space, not living units.)
 - Any applicable State laws or local ordinances, and
 - Any legislation protecting the individual rights of tenants, applicants or staff that may subsequently be enacted⁵.
2. The YMHA shall not discriminate because of race, color, national origin, age, sex, religion, familial status, or disability in the leasing, rental, occupancy, use, or other disposition of housing or related facilities, including land that is part of a development under the YMHA's jurisdiction covered by a public housing Annual Contributions Contract with HUD.
3. YMHA shall not, on account of race, color, national origin, age, sex, religion, familial status, or disability:
 - Deny anyone the opportunity to apply for housing (when waiting lists are open), nor deny to any qualified applicant the opportunity to lease housing suitable to its needs;
 - Provide anyone housing that is different (of lower quality) from that provided others;
 - Subject anyone to segregation or disparate treatment;

- Restrict anyone's access to any benefit enjoyed by others in connection with the housing program;
 - Treat anyone differently in determining eligibility or other requirements for admission;
 - Deny anyone access to the same level of servicesⁱⁱ; or
 - Deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program.
 - Discrimination based on gender identity, sexual orientation or marital status is prohibited.
4. YMHA shall not automatically deny admission to otherwise qualified applicants because of their membership in some group to which negative behavior may be imputed. Instead, each applicant who is a member of a particular group will be treated as an individual based on his or her attributes and behavior⁶.
5. YMHA will correct situations or procedures that create a barrier to equal housing opportunity for all. To permit people with disabilities to take full advantage of the YMHA's housing program and non-housing programs, in accordance with Section 504, and the Fair Housing Amendments Act of 1988, there are requirements, optional actions and prohibitions:
- YMHA **must**, upon request by an applicant or resident with a disability,
 - a) make structural modifications to its housing and non-housing facilities⁷ and
 - b) make reasonable accommodations in its procedures or practices⁸ **unless** such structural modifications or reasonable accommodations
 - would result in an undue financial ⁱⁱⁱ and administrative burden on the Authority⁹, or
 - would result in a fundamental alteration in the nature of the program
 - In making structural modifications to "Existing housing programs"¹⁰ or in carrying out "Other Alterations"¹¹ for otherwise qualified persons with disabilities, YMHA **may**, but is not required to:
 - a) Make each of its existing facilities accessible¹²; or
 - b) make structural alterations when other methods can be demonstrated to achieve the same effect¹³;
 - c) Make structural alterations that require the removal or altering of a load-bearing structural member¹⁴;
 - d) Provide an elevator in any multifamily housing project solely for the purpose of locating accessible units above or below the grade level¹⁵;

ⁱⁱ This requirement applies to services provided by YMHA and services provided by others with YMHA's permission on public housing property. Thus, a health screening program offered by the local health department in a public housing community room would have to be fully accessible to persons with disabilities.

ⁱⁱⁱ Considering all the YMHA's sources of revenue, including both operating and capital funds

- When the YMHA is making "Substantial Alterations"^{iv} to an existing housing facility YMHA may, but is not required to:
 - a) Provide an elevator in any multifamily housing project solely for the purpose of locating accessible units above or below the grade level¹⁶;
 - b) Make structural alterations that require the removal or altering of a load-bearing structural member¹⁷; or
 - c) Make structural alterations to meet minimum accessibility requirements where it is structurally impracticable^v also¹⁸

The undue burdens test is not applicable to housing undergoing substantial alteration.

6. YMHA will not permit these policies to be subverted to do personal or political favors. YMHA will not offer units in an order different from that prescribed by this policy, since doing so violates the policy, federal law, and the civil rights of the other families on the waiting list¹⁹.

B. Accessibility and Plain Language

1. Facilities and programs used by residents will be accessible to a person in a wheelchair. Application and management offices, hearing rooms, community centers, day care centers, laundry facilities, craft and game rooms, etc. (to the extent that the YMHA has such facilities) will be usable by residents with a full range of disabilities. To the extent that the YMHA offers such facilities, if none is already accessible, some^{vi} will be made so, subject to the undue financial and administrative burden test²⁰.
2. Documents used by applicants and residents will be accessible for those with vision or hearing impairments²¹. Also, all documents will be written simply and clearly to enable applicants with learning or cognitive disabilities to understand as much as possible. Unless prohibited by local law, documents may be translated into languages other than English^{vii}.
3. YMHA may present examples to help applicants and residents understand eligibility, rent computation, applicant screening, reasonable accommodations, and lease compliance. In writing materials for applicants and residents, YMHA staff will be prepared to explain rules and benefits verbally, as often as may be needed, because some disabilities may affect an applicant's ability to read or understand²¹.
4. When YMHA has first contact with all applicants, staff will ask whether they need some form of communication other than plain language paperwork. Alternative forms of

^{iv} defined in 24 CFR § 8.23 as Comprehensive Modernization or work in developments with 15+ units, work whose value exceeds 75% of the replacement cost of the facility

^v Structural impracticability is defined as: Changes having little likelihood of being accomplished without removing or altering a load-bearing structural member and/or incurring an increased cost of 50% or more of the value of the element of the building or facility involved.

^{vi} It is not required that all public and common areas be made accessible so long as persons with disabilities have full access to all the types of facilities and activities available to persons without disabilities. Thus, not all laundry facilities need to be accessible so long as there are sufficient accessible laundry facilities for use by persons with disabilities at each development that provides laundry facilities.

^{vii} 24 CFR § 5.505 requires that any notice or document relative to citizen or eligible immigration status, where feasible, be provided to an applicant or tenant in a language that is understood by the individual if the individual is not proficient in English. In general, documents will be translated when there are sufficient numbers of applicants or residents speaking a language to warrant the expense.

communication might include: sign language interpretation; having materials explained orally by staff, either in person or by phone; large type materials; information on tape; having someone (friend, relative or advocate) accompany the applicant to receive, interpret and explain housing materials; permitting applicants to file applications by mail; and permitting alternative sites for application taking²².

5. Some applicants will not be able to read (or to read English), so intake staff must be prepared to read and explain anything that they would normally hand to an applicant to be read or filled out. Applicants who read or understand little English may furnish an interpreter who can explain what is going on. YMHA is not required to pay the costs associated with having a foreign language interpreter (as they are for a sign language interpreters for the hearing impaired²³ because the Fair Housing law makes no such requirement).
6. At a minimum, YMHA will prepare information to be used by applicants and residents in plain-language accessible formats.

II. Eligibility for Admission and Processing of Applications

A. Affirmative Marketing

1. YMHA will conduct affirmative marketing as needed so the waiting list includes a mix of applicants with races, ethnic backgrounds, ages and disabilities proportionate to the mix of those groups in the eligible population of the area. The marketing plan will take into consideration the number and distribution of vacant units, units that can be expected to become vacant because of move-outs, and characteristics of families on the waiting list. YMHA will review these factors regularly to determine the need for and scope of marketing efforts. All marketing efforts will include outreach to those least likely to apply²⁴.
2. Marketing and informational materials will:
 - Comply with Fair Housing Act requirements on wording, logo, size of type, etc²⁵;
 - Describe the housing units, application process, waiting list and preference structure accurately;
 - Use clear and easy to understand terms and more than strictly English-language print media;
 - Contact agencies that serve potentially qualified applicants least likely to apply (e.g. the disabled) to ensure that accessible/adaptable units are offered to applicants who need their features;
 - Make clear who is eligible: low income individuals and families; working and non-working people; and people with both physical and mental disabilities; and
 - Be clear about YMHA's responsibility to provide reasonable accommodations to people with disabilities.
 - Public Housing applications will be available on YMHA's website and will be selected according to date and time the application is received.

B. Qualification for Admission

1. It is YMHA's policy to admit **only** qualified applicants^{viii}.
2. An applicant is qualified if he or she meets all of the following criteria:
 - Is a family, as defined in Section XII of this policy;
 - Meets HUD requirements on citizenship or immigration status²⁶;
 - Has an Annual Income (as defined in Section XI of this document) at the time of admission that does not exceed the income limits (maximum incomes by family size established by HUD) posted in YMHA offices.
 - Provides documentation of Social Security numbers for all family members. For family members under the age of 6, an extension of one additional 90 day period will be granted if YMHA determines that in its discretion the applicants failure to comply was due to circumstances that could not reasonably have been foreseen and were outside of the control of the applicant; or certifies that they do not have Social Security numbers²⁷; and
 - If the SSN has still not been verified at the end of the initial 90 day period, YMHA must determine if an additional 90 day period would be merited. If it is not merited, then YMHA must follow the provisions of 24CFR5.218.
 - Meets the Applicant Selection Criteria in Section II. F. of these policies²⁸.

C. Waiting List Management

1. It is the policy of YMHA to administer its waiting list as required by HUD's regulations per the Quality Housing and Work Responsibility Act of 1998. YMHA may implement site-based waiting lists.
2. Opening and Closing Waiting Lists
 - For any unit size or type, if the YMHA's waiting list has sufficient applications to fill anticipated vacancies for the coming 12 months, YMHA may elect to: (a) close the waiting list completely; (b) close the list during certain times of the year; or (c) restrict intake by preference, type of project, or by size and type of dwelling²⁹.
 - A decision to close the waiting list will consider the number of applications for each size and type of unit, the number of applicants who qualify for a preference, and the ability of YMHA to house applicants in twelve to eighteen months. Decisions to close waiting lists, restrict intake, or open waiting lists will be publicly announced.
 - When the waiting list is closed, YMHA will not maintain a list of individuals who wish to be notified when the waiting list is re-opened.
3. Determining if the Waiting List may be Closed

YMHA will use its **Procedure on Opening and Closing the Waiting List**^{ix} to determine

^{viii} The term "qualified" refers to applicants who are eligible and able to meet the applicant selection standards. This term is taken from the 504 regs: **24 CFR § 8.3** Definition of qualified individual with a disability. In order to be eligible, a family must meet four tests: (1) they must meet YMHA's definition of family; (2) have an Annual Income at or below program guidelines; (3) each family member must provide a social security number or certify that he/she has no number; and (4) each family member receiving assistance must be a citizen or non-citizen with eligible immigration status per **24 CFR § 5.5**.

whether the waiting list(s) should be closed.

4. Updating the Waiting List

- Once each year YMHA will update each waiting list sublist by contacting all applicants in writing^x.

If, after two attempts in writing^{xi}, no response is received, YMHA will withdraw the name of an applicant from the waiting list.

At the time of initial intake, YMHA will advise families that they must notify the YMHA when their circumstances, mailing address or phone numbers change.

- YMHA will remove an applicant's name from the waiting list only in accordance with its **Procedure on Updating the Waiting List and Removing Applications**.

5. Changes in Preference Status While on the Waiting List

- Situations of some families who did not qualify for a local or ranking preference when they applied may change so they are qualified for a preference. The family should contact YMHA so their status may be recertified or reverified. Applicants whose preference status changes while they are on the waiting list retain their original date and time of application, or application number, as applicable.
- If YMHA determines that the family does now qualify for a preference, they will be moved up on the waiting list in accordance with their preference(s) and their date and time of application. They will then be informed in writing of how the change in status has affected their place on the waiting list.

D. Processing Applications for Admission

1. YMHA will accept and process applications in accordance with applicable HUD Regulations and YMHA's **Procedure on Taking Applications and Initial Processing**. YMHA will assume that the facts certified to by the applicant in the preliminary application are correct, although all those facts will be verified later in the application process.
2. Interviews and Verification Process

As applicants approach the top of the waiting list, they will be contacted and asked to come to YMHA for an interview to complete their applicant file. Applicants who fail to attend their scheduled interview or who cannot be contacted to schedule an interview will have their applications withdrawn, subject to reasonable accommodations for people with disabilities.

- The following items will be verified according to YMHA's **Procedure on Verification**, to determine qualification for admission to YMHA's housing:
 - a. Family composition and type (Elderly/Disabled/near elderly /non-elderly)
 - b. Annual Income

^{ix} This policy refers to written procedures that cover, in this case, the closing of the waiting list. References to other administrative procedures is made periodically in the text of this policy. These procedures are separate documents that describe the work steps necessary to implement the policy made in this document.

^x Or by the method designated at initial application by applicants with disabilities.

^{xi} Both written communications will be sent by first class mail.

- c. Assets and Asset Income
 - d. Deductions from Income
 - e. Preferences
 - f. Disclosure of Social Security Numbers of all Family Members
 - g. Applicant Screening Information
 - h. Citizenship or eligible immigration status
 - i. Drug Related or Violent Criminal Activity as well as Sex Offender Background Checks.
 - j. Consent to collect information by YMHA
 - k. Prior history with YMHA or other HUD Housing Programs
- Third party written verification including Upfront Income Verification (UIV) is the preferred form of documentation to substantiate applicant or resident claims. If attempts to obtain third party written verification are unsuccessful, YMHA may also use (1) phone verifications with the results recorded in the file, dated, and signed by YMHA staff, (2) review of documents, and, if no other form of verification is available, (3) applicant certification. Applicants must cooperate fully in obtaining or providing the necessary verifications.
 - Verification of eligible immigration status shall be carried out pursuant to 24 CFR § 5.5. Citizens are permitted to certify to their status.
 - For employment income, YMHA will utilize EIV plus four current consecutive pay stubs or letter from employer on company letterhead indicating pay rate, hours and contact information.
 - Self-certifications or income tax returns signed by the family may be used for the verifying self-employment income, or income from tips and other gratuities.
 - **INSTRUCTION:** For some self-employment types, where there is the potential for substantial income, self-certification should be unacceptable.
 - If an applicant/resident is operating a licensed day care business, income will be verified as with any other business.
 - If the applicant/resident is operating a “cash and carry” operation (which may or may not be licensed), the PHA will require that the applicant/resident complete a form for each customer which indicates: name of person(s) whose child (children) is/are being cared for, phone number, number of hours child is being cared for, method of payment (check/cash), amount paid and signature of person.
 - If the family has filed a tax return, the family will be required to provide it. If child care services were terminated, a third-party verification will be sent to the parent whose child was cared for.
3. Applicants reporting zero income will be asked to complete a family expense form to document how much they spend on: food, transportation, health care, child care, debts, household items, etc. and what the source of income is for these expenses.
 4. YMHA's applications will be available online at YMHA's website for admission to

public housing shall indicate for each application the date and time of receipt; applicant's Equal Employment Opportunity Commission (EEOC) information; determination by YMHA as to eligibility of the applicant; when eligible, the unit size(s) for which eligible; preference, if any; and the date, location, identification, and circumstances of each vacancy offered and accepted or rejected³⁰.

E. The Preference System

1. Admission Preferences

An admission preference does not guarantee admission. Preferences establish the order of placement on the waiting list. Every applicant must still meet YMHA's Selection Criteria before being offered a unit.

2. Factors Other than Preferences

Factors other than preferences that affect the selection of applicants from the waiting list³¹ include the date and time of the application.

Before applying its preference system, YMHA will match the characteristics of the available unit to the applicants available on the waiting list. Unit size, accessibility features, or type of project limit the admission of families to households whose characteristics "match" the vacant unit available.

By matching unit and family characteristics, families lower on the waiting list may receive an offer of housing before families with an earlier date and time of application or families with a higher preference (e.g. the next unit available is an accessible unit and the only applicant family needing such features is in the non-preference pool, i.e. having no preference).

Factors other than the preference system that affect applicant selection are described below:

- (a) When selecting a family for a unit with **accessible features**, YMHA will give a preference to families that include persons with disabilities who can benefit from the unit's features. First preference will be given to existing tenant families seeking a transfer and second preference will be given to applicant families.

If no family needing accessible features can be found for a unit with such features, YMHA will house a family not needing the unit features, but a non-disabled family in an accessible unit will be required to move so that a family needing the unit features can take advantage of the unit.

Preferences will be granted to applicants who are otherwise qualified and who, at the time of the unit offer (prior to execution of a lease); meet the definitions of the preferences described below.

3. Target Income Requirements

For Public Housing, there is one local preference to accommodate the income-targeting requirement in effect based on ranges of income. Applicants will be grouped as follows:

- **Tier I:** Families with incomes between 0% and 30% of area median income (this group **must** constitute at least 40% of all admissions in any year);
- **Tier II:** Families with incomes between 31% and 80% of area median income (the target for this group is 60% of all admissions in any year).

For Low Income Tax Credit Housing the following will apply:

Tenants renting LIHTC only units must qualify for the units based on their calculated incomes as a percentage of Area Median Gross Income (AMGI), adjusted for family size, in accordance with IRS Section 42 rules for the LIHTC program. LIHTC only units will be available at the Village at Arlington I and II for tenants with incomes at or below some or all of the following income tiers: 35% of AMGI, 50% of AMGI, and 60% of AMGI. Income limits at these tiers are established for the LIHTC program in accordance with IRS guidelines, based on the applicable MTGSP and HUD income data for the county or location of the property. The current income limits are verified by property management staff using LIHTC and HUD resources. A LIHTC rent and income calculator tool providing income tiers based on family size is available at <http://www.novoco.com/products/rentincome.php>.

4. Ranking Preference

There is one ranking preference used by YMHA in effect with four equal elements that are of equal weight and shall not be aggregated. The ranking preference is the Upward Mobility/Working Preference, Veterans Preference, Homelessness Preference and the Displacement Preference.

Upward Mobility/Working shall be defined as:

- Families with an adult member who is and has been continuously working at least 20 hours per week for the past 90 days (or for families in which all adult members are unable to work because of disability) or an adult member who is attending an educational program, skills training, or other governmentally sponsored program designed to lead to self-sufficiency on a full-time basis, or a combination of employment and educational programs on a full or part-time basis.

Veteran Preference shall be defined as:

- Families with an adult member who is/was a Veteran or Serviceperson receiving an honorable discharge.

Homelessness Preference shall be defined as described in the table below:

1. Core Definition	
Definition	Documentation Requirements
<p>An individual or family who lacks a fixed, regular, and adequate nighttime residence, which includes a primary nighttime residence of:</p> <ul style="list-style-type: none"> • Place not designed for or ordinarily used as a regular sleeping accommodation (including car, park, abandoned building, bus/train station, airport, or camping ground) 	<p>Acceptable evidence documenting homelessness in a place not ordinarily used as sleeping accommodation or shelter includes:</p> <ul style="list-style-type: none"> • Certification from individual or head of household seeking assistance; • Written documentation from an outreach worker as to where the

<ul style="list-style-type: none"> Publicly or privately operated shelter or transitional housing, including a hotel or motel paid for by government or charitable organizations; <p>In addition, a person is considered homeless if he or she is being discharged from an institution where he or she has been a resident for 90 days or less and the person resided in a shelter (but not transitional housing) or place not meant for human habitation immediately prior to entering that institution.</p>	<p>individual or family was living before; or</p> <ul style="list-style-type: none"> Written referral by another housing or service provider. <p>In addition, documentation that a person was in an institution for 90 days or less includes discharge paperwork or a written/oral referral from a social worker, case manager, or other appropriate official that explains the entry and exit dates. If the intake worker is unable to obtain such a statement, documentation of his/her due diligence in attempting to obtain one, along with a certification from the individual, is acceptable.</p>
--	--

2. Imminently Losing Primary Nighttime Residence

New Definition	New Documentation Requirements
<p>Individual or family is being evicted within 14 days from their primary nighttime residence and:</p> <ul style="list-style-type: none"> No subsequent residence has been identified; and The household lacks the resources or support networks (i.e. family, friends, faith-based or other social networks) needed to obtain other permanent housing. 	<ol style="list-style-type: none"> At least one of the following stating that the household must leave within 14 days: <ul style="list-style-type: none"> A court order resulting from an eviction notice or equivalent notice, or a formal eviction notice; For individuals in hotels or motels that they are paying for, evidence that the individual or family lacks the necessary financial resources to stay for more than 14 days; or An oral statement by the individual or head of household stating that the owner or renter of the residence will not allow them to stay for more than 14 days. The intake worker must verify the statement either through contact with the owner or renter, or documentation of due diligence in attempting to obtain such a statement. Certification by the individual or head of household that no subsequent residence has been identified. Self-certification or other written documentation that the individual or head of household lacks the financial resources and support networks to obtain other

3. Persistent Housing Instability	
Definition	Documentation Requirements
<p>People with ALL of these characteristics:</p> <ol style="list-style-type: none"> 1. Unaccompanied youth (less than 25 years of age) or family with children and youth; 2. Defined as homeless under other federal statutes (for example the definition used by the Department of Education) who do not otherwise qualify as homeless under HUD's definition; 3. Has not had a lease, ownership interest, or occupancy agreement in permanent housing in the 60 days prior to applying for assistance. 4. Has moved two or more times in the 60 days immediately prior to applying for assistance; 5. Has one or more of the following: chronic disabilities, chronic physical or mental health conditions, substance addiction histories of domestic violence or childhood abuse 	<ol style="list-style-type: none"> 1. A nonprofit, state, or local government entity that administers the other federal statute must certify that household qualifies as homeless under that statute's definition. 2. To document that the individual has not had a lease, occupancy agreement, or ownership interest in housing in the last 60 days, certification by the individual or head of household, written observation by an outreach worker, or referral by a provider. 3. To document that the individual or family has moved two times in the past 60 days, a certification from the individual and supporting documentation, including records or statements from each owner or renter of housing, shelter or housing provider, or social worker, case worker, or appropriate official or an institution where the individual or family resided. Where these statements are unobtainable, the intake worker should include a written record of his or her due diligence in attempting to obtain them. 4. Evidence of barriers includes: <ul style="list-style-type: none"> • Written diagnosis from a licensed professional, employment records, department of corrections records, literacy, and English proficiency tests. • For Disability, any of the above written verification from the Social Security Administration (or a disability check receipt), or observation of the intake worker of disability, which must be confirmed within 45 days by an appropriate professional.

4. Fleeing Domestic Violence	
Definition	Documentation Requirements
<p>Any individual or family who:</p> <ul style="list-style-type: none"> • Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence; • Has no other residence and; • Lacks the resources or support networks to obtain other permanent housing. 	<ul style="list-style-type: none"> • Acceptable Evidence for Individuals Fleeing Domestic Violence: • Oral statement by the individual or head of household seeking assistance, that is certified by the individual or head of household; and • Where the safety of the household is not in jeopardy: <ul style="list-style-type: none"> ○ Written observation by intake worker; or ○ Written referral by a housing or service provider, social worker, or other organization from whom the household has sought assistance for domestic violence. <p>If the individual or family is being admitted to a domestic violence shelter or is receiving services from a victim service provider, the oral statement need only be documented by a certification of the individual or head of household, or by the intake worker.</p>

Displacement Preference shall be defined as:

- YMHA defines Displacement Preference to include applicants who can document that they have been displaced by a natural disaster declared by the President of the United States, displaced, through no fault of their own, by governmental action.
- YMHA will also give a Displacement Preference to include residents of public housing properties developed by YMHA through acquisition. Residents of such properties will be allowed to make application and become public housing residents if they are income qualified and meet program requirements. Residents of such properties, who become public housing residents, will be given a preference for admission and/or a right of first return to the acquired units from which they were displaced.
- YMHA will give waiting list preference to YMHA Public Housing residents who are displaced due to approved demolition or disposition or due to exigent health and safety conditions that cannot be remediated within 60 days.

Families that do not qualify for either the ranking or the local preference will be categorized as no-preference families.

Applicants deemed ineligible when they reach the top of the waiting list for their category will be placed on the bottom of the seniority list and reconsidered when they again reach the top of the seniority list.

Applicants who cannot move when they are offered a unit due to illness, as documented by a physician's written statement, will be offered the next available unit of appropriate size when they become capable of moving.

YMHA will waive any application fees with respect to Applicants who apply for housing at Arlington Heights Phase I Rental who fall within one of the first two preference groups as outlined above.

For more detailed information regarding eligibility and other requirements for Arlington Heights, please refer the Arlington Heights Phase I and Phase II management plans available at YMHA administrative offices.

The redeveloped properties, The Village at Arlington I and the Village at Arlington II, have a ranking preference for former tenants of the Westlake Terrace public housing community, who were displaced as a result of the Westlake Terrace Revitalization and were in receipt of a 90 day notice dated 7-20-11. For more detailed information regarding eligibility and other requirements at The Villages at Arlington, please refer to The Village at Arlington I and The Village at Arlington II management plans available at the YMHA Administrative Office.

5. Method of Applying Preferences

To ensure that YMHA admits the statutorily required 40% of applicants per year with incomes in Tier I and, at the same time, does not create concentrations of families by income at any of its properties, YMHA will rank applicants within income tiers and apply the date and time, since YMHA has no additional preferences. Four out of every ten applicants admitted will be from Tier I. Within the qualifying bedroom sizes, offers will be made by oldest application³².

- YMHA will house applicants from Tiers I and II on the waiting list by selecting the oldest application on file.
- YMHA will also offer units to existing residents on the transfer list. Some types of transfers are processed before new admissions and some types of transfers are processed with new admissions. Transfers do not count toward the 40% Tier I requirement.
- YMHA will not hold units vacant for non-responsive applicants, nor will it relax eligibility or screening criteria to admit otherwise unqualified applicants.

6. Withholding Preferences

YMHA will withhold a preference from an applicant if any member of the applicant family is a person evicted from assisted housing during the past three years because of drug-related or criminal activity that threatens the health, safety or peaceful enjoyment of other residents or YMHA staff³³. YMHA may grant an admissions preference if it is verified that:

- The evicted person has successfully completed a rehabilitation program approved by YMHA;

- The evicted person clearly did not participate in or know about the drug-related criminal activity; or
- The evicted person no longer participates in any drug-related or criminal activity that threatens the health, safety or right to peaceful enjoyment of other tenants or staff of YMHA.

7. Designated Housing

The preference system described above will work in combination with requirements to match the characteristics of the family to the type of unit available, including developments with HUD-approved designated populations. When such matching is required or permitted by current law, YMHA will give preference to the families described below. The ability to provide preferences for some family types will depend on unit size available.

- **Projects designated for the elderly:**^{xii} Elderly families will receive a priority for admission to units or buildings covered by a HUD-approved Designation Plan.

When there are insufficient elderly families on the waiting list, near-elderly families (head or spouse ages 50 to 61) will receive a priority for this type of unit.

- **Projects designated for disabled families:**^{xiii} Disabled families will receive a priority for admission to units or buildings that are covered by a HUD-approved Designation Plan.
- **Elderly/Disabled over Singles:** All elderly or disabled applicants who are single persons shall be admitted before single persons who are not elderly, disabled nor displaced.
- **General Occupancy Projects:** The priority for elderly and disabled families and displaced persons over single persons does not apply at General Occupancy Properties.

8. Administration of the Preferences

- Depending on the time an applicant may have to remain on the waiting list, YMHA will have the applicant certify the preference at the time of application but will verify the preference prior to admission. Verification of preferences is one of the earliest steps in processing waiting list families for admission. Preference verifications shall be no more than 120 days old at the time of certification.
- At the time of the initial application, YMHA will use an application to obtain the family's certification that it qualifies for a preference. Between the initial application and the application interview, the family will be advised to notify PHA of any change that may affect their ability to qualify for a preference.

^{xii} This reference is to buildings or portions of buildings designated for the elderly by following HUD's requirements. Designation of housing for the elderly requires the preparation of a designated housing plan. The plan must be presented to HUD for review and approval.

^{xiii} Buildings, floors and units can also be designated for disabled families, also by following the HUD requirements. This entails preparing a designated housing plan noting which buildings (if any) will be set aside for disabled families. HUD approval is required for the plan.

- Applicants that are otherwise eligible and self-certified as qualifying for a preference will be placed on the waiting list in the appropriate applicant pool.
- Applicants that self-certify to a preference at the time of the initial application and cannot verify current preference status at the time of certification will lose their preference status and their standing on the waiting list.
- Families that cannot qualify for any of the preferences will be moved into the No-preference category, and to a lower position on the waiting list based on date and time of application.
- Families that claim a preference at the initial application, but do not qualify for a preference at the time of application interview, will be notified in writing and advised of their right to an informal meeting as described below. If otherwise qualified, the family's application will then be placed on the waiting list in the appropriate No-preference category.

9. Notice and Opportunity for a Meeting³⁴

If an applicant claims but does not qualify for a preference or disputes their position on the waiting list, the applicant can request a meeting:

- YMHA will provide a notice that an applicant does not qualify for a preference containing a brief statement of the reasons for the determination, and that the applicant has may meet with YMHA's designee to review the determination.
- If the applicant requests the meeting, YMHA will designate someone to conduct the meeting. This can be the person who made the initial determination or reviewed the determination of his or her subordinate, or any other person chosen by the YMHA. A written summary of this meeting shall be made and retained in the applicant's file.
- The applicant will be advised that he/she may exercise other rights if the applicant believes that illegal discrimination, based on race, color, national origin, religion, age, disability, or familial status has contributed to the YMHA's decision to deny the preference.

F. Applicant Selection Criteria

1. All applicants shall be screened in accordance with HUD's regulations³⁵ and sound management practices. During screening, YMHA will require applicants to demonstrate ability to comply with essential provisions of the lease as summarized below:
 - to pay rent and other charges (e.g. maintenance charges) as required by the lease in a timely manner;
 - to care for and avoid damaging the unit and common areas;
 - to use facilities and equipment in a reasonable way;
 - to create no health, or safety hazards, and to report maintenance needs;
 - not to interfere with the rights and peaceful enjoyment of others, and to avoid damaging the property of others;
 - not to engage in criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or staff; and not to engage in drug-related criminal activity; and

- to comply with necessary and reasonable rules and program requirements of HUD and the YMHA.
2. How YMHA will check ability to comply with essential lease requirements:
- Applicant ability and willingness to comply with the essential lease requirements will be checked and documented in accordance with YMHA's **Procedure on Applicant Screening**. Applicant screening shall assess the conduct of the applicant and other family members listed on the application, in present and prior housing. Any costs incurred to complete the application process and screening will be paid by the YMHA.
 - The history of applicant conduct and behavior must demonstrate that the applicant family can reasonably be expected **not to**:
 - a. Interfere with other residents in such a manner as to diminish their peaceful enjoyment of the premises by adversely affecting their health, safety, or welfare³⁶;
 - b. Adversely affect the physical environment or financial stability of the project³⁷;
 - c. Violate the terms and conditions of the lease³⁸;
 - d. Require services from YMHA staff that would alter the fundamental nature of YMHA's program³⁹.
 - YMHA will conduct a detailed interview of all applicants using an interview checklist as a part of the screening procedures. The form will ask questions based on the essential elements of tenancy. Answers will be subject to third party verification⁴⁰.
 - YMHA will complete a rental history check on all applicants.
 - Payment of funds owed to YMHA or any other housing authority is part of the screening evaluation. YMHA will not conduct a full screening process until the balance is paid in full. YMHA will not admit families who owe previous balances. YMHA will reject an applicant for unpaid balances owed YMHA or other federally assisted housing by the applicant for any program that YMHA or HUD operates⁴¹.
 - YMHA will complete a criminal background check on all adult applicants or any member for whom criminal records are available. Before the YMHA rejects an applicant on the basis of criminal history, the YMHA must notify the household of the proposed rejection and provide the household member whose criminal history is at issue with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of that record⁴².
 - If any screening activity suggests that an applicant household member may be currently engaged in illegal use of drugs, the YMHA shall seek information from a drug abuse treatment facility to determine whether the facility has reasonable cause to believe the household member is currently engaging in illegal drug use.
 - YMHA's examination of relevant information respecting past and current habits or practices will include, but is not limited to, an assessment of the applicant's adult family members':
 - a. Past performance in meeting financial obligations, especially rent and utility bills⁴³.

- b. Record of disturbance of neighbors (sufficient to warrant a police call) destruction of property, or living or housekeeping habits that may adversely affect the health, safety, or welfare of other tenants or neighbors⁴⁴.
- c. History of criminal activity on the part of any applicant family member involving crimes of physical violence to persons or property or other criminal acts including drug-related criminal activity that would adversely affect the health, safety, or welfare of other residents or staff or cause damage to the unit or development⁴⁵.
 - YMHA may require an applicant to exclude a household member in order to be admitted if that household member has participated in or been culpable for criminal actions that warrant rejection;
 - YMHA may, if a statute requires that the YMHA prohibit admission for a period of time after some disqualifying behavior or event, choose to continue that prohibition for a longer period of time.
- d. A record of eviction from housing or involuntary termination from residential programs (taking into account date and circumstances).
- e. An applicant's ability and willingness to comply with the terms of YMHA's lease⁴⁶.
- The YMHA is **required** to reject the applications of certain applicants for criminal activity or drug abuse by household members:
 - a. The YMHA shall reject the application of any applicant for three years from the date of eviction if any household member has been evicted from any federally assisted housing for drug-related criminal activity. However, the YMHA may admit the household if the YMHA determines that ⁴⁷:
 - The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the YMHA, or
 - The circumstances leading to the eviction no longer exist (for example, the criminal household member has died or is imprisoned).
 - b. The YMHA is required to reject the application of a household if the YMHA determines that:
 - Any household member is currently engaging in illegal use of a drug^{xiv}; or
 - The YMHA has reasonable cause to believe that a household member's illegal use or pattern of illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; or
 - Any household member has ever been convicted of manufacture or production of methamphetamine on the premises of any federally assisted housing; or
 - Any member of the household is subject to a lifetime registration requirement under a State sex offender registration program; or
 - Any member of the household's abuse or pattern of abuse of alcohol may

^{xiv} For purposes of this section a household member is "currently engaged in" the criminal activity if the person has engaged in the behavior recently enough to justify a belief that the behavior is current

threaten the health, safety, or right to peaceful enjoyment of the premises by other residents^{xv}.

- YMHA in consideration of the policy on “One Strike-Your Out” shall enforce the additional following conditions on screening and occupancy regarding criminal activity, drug related activity and alcohol abuse.
 - a. In conformity with the requirements of the Housing Opportunity Extension Act of 1996, which requires immediate eviction from federally funded public housing of those persons who engage in drug use, violent criminal activity, or disruptive alcohol-induced behaviors, YMHA included the following provisions and guiding principles under the “One Strike-You’re Out” Policy.
 - Persons who engage in criminal activity, drug-related criminal activity, or disruptive behaviors related to alcohol abuse, represent a clear and immediate threat to the health, safety, and continued well-being of YMHA residents.
 - The residents of the YMHA have a right to live in an atmosphere of peaceful enjoyment and to be free from fear, intimidation, abuse, or the environment of criminal activity.
 - Because of the extraordinary demand for affordable rental housing, public and assisted housing should be awarded only to responsible individuals who are willing to abide by the reasonable rules and regulations of the YMHA.
 - In an effort to achieve a living environment at all YMHA properties which is conducive to the health, safety and right of peaceful enjoyment of all residents, the Authority’s policies are designed to screen prospective tenants, in an effort to prevent those persons who have a demonstrated propensity for engaging in criminal activity, drug-related criminal activity or alcohol-related disturbances from becoming residents. In addition to this proactive tenant screening process, the Authority’s policy is to evict or terminate the lease of any existing residents who are found to engage in criminal activity, drug-related criminal activity, or alcohol-related disturbances. It is the intent of the Authority to adopt a strict, uniform and fair policy which provides “zero tolerance” for criminal activity, drug-related criminal activity, or alcohol-related disturbances, whether committed by a prospective or current Tenant, household member, guest, or other guest on Authority property under their direct control, supervision or invitation.
 - Persons who have previously committed certain criminal offenses or previously been evicted from assisted housing for illegal drug or criminal activity will be denied consideration for tenancy.
 - Any person who, within three (3) years of the date of application for residency with the Authority, has previously been evicted from any assisted rental housing program because of drug-related criminal activity shall not be eligible for residency with the Authority.

^{xv} YMHA must be able to show a relationship between the applicant household member’s abuse of alcohol and behavior that threatens the health, safety, or right to peaceful enjoyment of other residents.

- The YMHA finds that those persons who have demonstrated a history of criminal activity involving certain crimes of physical violence, certain crimes relating to personal property, certain crimes relating to illegal narcotics activity, and certain other criminal acts, present a significant danger to the current law-abiding residents of the Authority, as such criminal activity represents a clear and immediate threat to their health, safety and continued well-being. Accordingly, any person who has committed one or more of the following specified criminal offenses, as evidenced by arrest, conviction or preponderance of evidence, and has not thereafter demonstrated complete rehabilitation by remaining conviction-free or arrest-free for a period of at least three (3) years after the date of conviction, arrest, release from imprisonment, or the successful termination of probation, community control or parole, whichever shall occur later, shall be denied consideration for tenancy at any YMHA property. For the purposes of this section, a “conviction” includes either a formal adjudication of guilt or a withholding of adjudication of guilt by a court of competent jurisdiction, whether or not such finding is predicated upon a jury verdict or plea of guilty or nolo contendere. Such violations include but are not limited to:
 - Any violation of Chapter 29 Ohio Revised Code (relating to Homicide)
 - Any violation of Chapter 29 Ohio Revised Code (relating to Assault or Battery)
 - Any violation of Chapter 29 Ohio Revised Code (relating to Sexual Battery)
 - Any violation of Chapter 29 Ohio Revised Code (relating to Lewd and Lascivious Behavior)
 - Any violation of Chapter 29 Ohio Revised Code (relating to Robbery, Car Jacking and Home Invasion Robbery)
 - Any violation of Chapter 29 Ohio Revised Code (relating to Weapons and Explosives)
 - Any violation of Chapter 29 Ohio Revised Code (relating to the Possession, Sale or Distribution of Controlled Substances)
 - Any violation of Chapter 29 Ohio Revised Code (relating to Kidnapping and False Imprisonment)
 - Any violation of Chapter 29 Ohio Revised Code (relating to Burglary and Trespass)
 - Any violation of Chapter 29 Ohio Revised Code (relating to Arson and Criminal Mischief)

- Any violation of Chapter 29 Ohio Revised Code (relating to Child Abuse)
- Any violation of Chapter 29 Ohio Revised Code (relating to Threats and Extortion)
- Any violation of Chapter 29 Ohio Revised Code (relating to Disorderly Intoxication)
- Any violation of Chapter 29 Ohio Revised Code (relating to Disorderly Conduct and Breach of Peace)
- Any other violation of any state or federal law which contains as an element of the offense the use of force or violence, the possession of a controlled substance, or the presence of a state of intoxication or inebriation.

These guiding principles and policies are further included in matters related to continued occupancy.

- An applicant's intentional misrepresentation of information related to eligibility, preference for admission, housing history, allowances, family composition or rent will result in rejection. Unintentional mistakes that do not confer any advantage to the applicant will not be considered misrepresentations.
- Applicants must be able to demonstrate the ability and willingness to comply with the terms of YMHA's lease, either alone or with assistance that they can demonstrate they will have at the time of admission.^{xvi} Availability of assistance is subject to verification by YMHA⁴⁸.

3. Screening applicants who claim mitigating circumstances

- If negative information is received about an applicant, YMHA shall consider the time, nature, and extent of the applicant's conduct and to factors that might indicate a reasonable probability of favorable future conduct. To be considered, mitigating circumstances must be verifiable⁴⁹.
- Mitigating circumstances^{xvii} are facts relating to the applicant's negative rental history or behavior, that, when verified, indicate: (1) the reason for the unsuitable rental history and/or behavior; and (2) that the reason for the unsuitable rental history and behavior is no longer in effect or is under control, **AND** applicant's prospect for lease compliance is an acceptable one, justifying admission. Mitigating circumstances would overcome or outweigh information already gathered in the screening process.
- If the applicant asserts that mitigating circumstances relate to a change in disability,

^{xvi} Applicants whose landlord, financial, criminal and other references demonstrate that they are already willing and able to comply with lease terms in their existing housing will be considered to have met this criterion, whether or not they are disabled. Applicants whose housing situations make it difficult for YMHA to determine whether or not they are able and willing to comply with lease terms (e.g. because they are homeless, are living with friends or relatives, or have other non-traditional housing circumstances) will have to demonstrate ability and willingness to comply with lease terms whether or not they are disabled.

^{xvii} The discussion of mitigating circumstance in this paragraph is applicable to all applicants. YMHA is required by regulation to consider mitigating circumstance, see 24 CFR § 960.205 (d) (1).

medical condition or treatment, YMHA shall refer such information to persons qualified to evaluate the evidence and verify the mitigating circumstance. YMHA shall also have the right to request further information to verify the mitigating circumstance, even if such information is of a medically confidential nature. Such inquiries will be limited to the information necessary to verify the mitigating circumstances or, in the case of a person with disabilities, to verify a reasonable accommodation.

- Examples of mitigating circumstances might include⁵⁰:
 - a. Evidence of successful rehabilitation;
 - b. Evidence of the applicant family's participation in social service or other appropriate counseling service; or
 - c. Evidence of successful and sustained modification of previous disqualifying behavior.
- Consideration of mitigating circumstances does not guarantee that applicant will qualify for admission. YMHA will consider such circumstances in light of:
 - a. The applicant's ability to verify the mitigating circumstances and prospects for improved future behavior;
 - b. The applicant's overall performance with respect to all the screening requirements; and
 - c. The nature and seriousness of any criminal activity, especially drug related criminal activity that appears in the applicant's record.

4. Consideration of Circumstances (24CFR 960.203 (c) (3) and (d))

"HUD authorizes the PHA to consider all relevant circumstances when deciding whether to deny admission based on a family's past history except in the situations for which denial of admission is mandated (see Section F2i)

In the event the PHA receives unfavorable information with respect to an applicant, consideration must be given to the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). In a manner consistent with its policies, YMHA can now give consideration to factors which might indicate a reasonable probability of favorable future conduct."

YMHA will consider the following factors prior to making its decision:

- The seriousness of the case, especially with respect to how it would affect other residents
- The effects that denial of admission may have on other members of the family who were not involved in the action or failure
- The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities.
- The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future.
- Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs. In the case of drug or

alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully.

YMHA will require the applicant to submit evidence of the household member's current participation in successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

5. Qualified and Unqualified Applicants

- Verified information will be analyzed and a determination made with respect to:
 - a. Eligibility of the applicant as a family⁵¹;
 - b. Eligibility of the applicant with respect to income limits for admission⁵²;
 - c. Eligibility of the applicant with respect to citizenship or eligible immigration status⁵³;
 - d. Unit size required for and selected by the family;
 - e. Preference category (if any) to which the family is entitled⁵⁴; and
 - f. Qualification of the applicant with respect to the Selection Criteria⁵⁵.
- Qualified families will be notified by YMHA of the approximate date of admission insofar as that date can be determined⁵⁶; however the date stated by YMHA is an estimate and does not guarantee that applicants can expect to be housed by that date.
- Unqualified applicants will be promptly notified by a Notice of Rejection from YMHA, stating the basis for such determination and offering an opportunity for informal hearing (see **Procedure for Informal Hearing for Rejected Applicants**). Informal hearings for applicants are different from the resident grievance process. Applicants are not entitled to use of the resident grievance process⁵⁷.
- Procedures for Informal Hearing Request for Rejected Applicants
 - a. When an applicant for the Public Housing Program is determined ineligible for assistance, YMHA will notify the applicant in writing. The notice will state the reason for YMHA's decision and that the applicant may request an informal hearing in writing, within 14 days of the date of the notice.
 - b. When an applicant requests an informal hearing, YMHA will schedule the hearing within 21 days and notify the applicant of the time and place that the hearing will be held. The hearing will be conducted by a person designated by the Executive Director. The applicant may present his/her case orally or in writing and may provide additional information to support his/her claim. Within 14 days of the hearing, YMHA will notify the applicant in writing of its final decision, including a brief statement of the reasons for the final decision.
- Applicants known to have a disability that are eligible but fail to meet the Selection Criteria will be offered an opportunity for a second meeting to determine whether mitigating circumstances or reasonable accommodations will make it possible for them to be housed in accordance with the Screening Procedures.

G. Occupancy Guidelines

1. Units shall be occupied by families of the appropriate size. This policy maintains the usefulness of the units, while preserving them from excessive wear and tear and under-utilization.

Minimum and Maximum-Number-of-Persons-Per Unit Standard

<u>Number of Bedrooms</u>	<u>Min Persons/Unit</u> <u>(Largest Unit Size)</u>	<u>Max Persons/Unit</u> <u>(Smallest Unit Size)</u>
0BR	1	1
1BR	1	2
2BR	2	4
3BR	3	6
4BR	4	8
5BR	5	11

The following principles govern the size of unit for which a family will qualify. Generally, two people are expected to share each bedroom, except that units will be so assigned that:

- It will not be necessary for persons of different generations or opposite sex, other than husband and wife, to occupy the same bedroom, although they may do so at the request of the family.
 - Exceptions to the largest permissible unit size may be made in case of reasonable accommodations for a person with disabilities.
 - Two children of the opposite sex will not be required to share a bedroom, although they may do so at the request of the family.
 - An unborn child will not be counted as a person in determining unit size. A single pregnant woman may be assigned to a one-bedroom unit.
 - YMHA will count a child who is temporarily away from the home because the child has been placed in foster care, kinship care, or is away at school.
 - A single head of household parent shall not be required to share a bedroom with his/her child, although they may do so at the request of the family.
 - A live-in attendant may be assigned a bedroom. Single elderly or disabled residents with live-in attendants will be assigned a two-bedroom unit.
 - Efficiency apartments will be occupied first by persons who prefer efficiencies to 1 BR units.
2. A general policy of two persons per bedroom will be the standard for the smallest unit a family may be offered. Individual housing units with very small or very large bedrooms or other specific situations that inhibit or encourage lower or higher levels of occupancy may be permitted to establish lower or higher occupancy levels so long as the occupancy levels will not discriminate on the basis of familial status.
 3. The largest unit size that a family may be offered would provide no more than one bedroom per family member, taking into account family size and composition.

4. When a family applies for housing and when the waiting list is updated, some families will qualify for more than one unit size. These applicants will choose the waiting sublist where they wish to receive a unit offer. Based on the family's choice, they will be placed on the appropriate waiting sublist by unit size.
5. If a family opts for a smaller unit size than would normally be assigned under the largest unit size standard (because, for example, the list is moving faster), the family will be required to sign a statement agreeing to occupy the unit assigned at their request until their family size or circumstances change.
6. When a family is actually offered a unit, if they no longer qualify for the unit size where they were sublisted, they will be moved to the appropriate sublist, retaining their preferences and date and time of application. This may mean that they may have to wait longer for a unit offer.
7. The YMHA shall change the family's sublist at any time while the family is on the waiting list at the family's request.

III. Tenant Selection and Assignment Plan

A. Organization of the Waiting List

1. Site-Based Waiting List

YMHA may offer site-based waiting lists. Applicants may apply at a central location or online at YMHA's website, to be included on the central or site-based waiting lists.

It is YMHA's policy that each applicant shall be assigned his/her appropriate place on individual site-based waiting lists in sequence based upon:

- type and size of unit needed and selected by the family (e.g. general occupancy building, accessible or non-accessible unit, number of bedrooms);
- date and time the application is received.

When there are insufficient applicants on a site-based waiting list, YMHA will contact applicants on other site-based waiting lists who may qualify for the type of housing with insufficient applicants. "Insufficient Applicants" on a list will be defined as not enough families to fill vacancies for at least 12-24 months, based on anticipated turnover at the development.

Every reasonable action will be taken by YMHA to assure that applicants can make informed choices regarding the development(s) in which they wish to reside. YMHA will disclose information to applicants regarding the location of available sites, occupancy number and size of accessible units. YMHA will also include basic information relative to amenities such as day care, security, transportation, training programs and an estimate of the period of time the applicant will likely have to wait to be admitted to units of different types.

YMHA will maintain its waiting list in the form that records the type and size of unit needed and the date and time of application.

B. Unit Offers to Applicants

1. To assure equal opportunity and nondiscrimination on grounds of race, color, sex, religion, national origin, disability or familial status, the following system will be used to make unit offers.

- The first qualified applicant in sequence on the waiting list is made an offer of up to three units of appropriate size and type.
 - The applicant must accept the vacancy offered or be dropped from the waiting list unless they present a hardship information.
 - Applicants who are removed from the waiting list because they refuse unit offers without good cause may not reapply for housing for 6 months.
2. YMHA will first match the unit available to the highest-ranking applicant for a unit of that size, type and special features (if any), taking into account any designated housing (if applicable). If two applicants need the same type and size of unit and have the same status, the applicant with the earlier date and time of application or lower application number will receive the earliest offer.
 3. In the selection of a family for a unit with accessible features, YMHA will give preference to families that include a person with disabilities who can benefit from the unit features.
 4. The applicant must accept the vacancy offered within 3 working days of the date the offer is communicated (by phone, mail, or the method of communication designated by an applicant with disabilities) or be removed from the waiting list. All offers made over the phone will be confirmed by letter.
 5. If more than one unit of the appropriate size and type is available, the first unit to be offered will be the unit that is or will be ready for move-in first. "Ready for move-in" means the unit has no Uniform Property Condition Standard (UPCS) deficiencies and is ready for Occupancy. If two units are ready for move-in on the same day, the first unit to be offered will be the unit that became vacant first.

C. Due Process Rights for Applicants

To ensure vacant units are filled in a timely manner, YMHA needs a waiting list that is accurate. While each applicant must keep YMHA apprised of changes in address, phone number, income or other circumstances, no applicant shall be removed from the waiting list except when one of the following situations occurs:

1. The applicant receives and accepts an offer of housing;
2. The applicant requests that his/her name be removed from the waiting list;
3. The applicant is rejected, either because he/she is ineligible for public housing at the time of certification, or because he/she fails to meet the applicant selection criteria^{xviii}; or
4. The application is withdrawn because the YMHA attempted to contact the applicant and was unable to do so. In attempting to contact to contact an applicant, the following methods shall be undertaken before an application may be withdrawn:
 - The applicant will be sent a letter by first class mail to the applicant's last known address, asking the applicant to contact YMHA^{xix} either by returning the update

^{xviii} All rejected applicants are entitled to a complete explanation of the reason for their rejection and an informal hearing at which they may present reasons why they should not be rejected.

^{xix} Except that YMHA shall contact persons with disabilities according to the methods such individuals have previously designated. Such methods of contact could include verbal or in-person contact or contacting relatives, friends or advocates rather than the person with disabilities.

- postcard or in person, bringing proof of identity;
- When five working days have elapsed from the date when the YMHA mails the letter, if there is no response from the applicant, the applicant will be sent the same letter again by mail;
 - If an applicant contacts YMHA as required within any of the deadlines stated above, he/she shall be reinstated at the former waiting list position.
 - When YMHA is unable to contact an applicant by first class mail to schedule a meeting, or interview or to make an offer, YMHA shall suspend processing of that application until the applicant is either withdrawn (no contact by the applicant) or reinstated (contact by the applicant within the stated deadlines). While an application is suspended, applicants next in sequence will be processed.
5. Persons who fail to respond to YMHA attempts to contact them because of verified situations related to a disability shall be entitled to reasonable accommodation. In such circumstances YMHA shall reinstate these individuals to their former waiting list positions.
 6. Families whose applications are withdrawn or rejected must reapply for housing when the waiting list is open. Families whose applications were withdrawn may not reapply for 6 months.

D. Good Cause for Applicant Refusal of Unit Offer

If an applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents clear evidence (“good cause”) that acceptance of the offer of a suitable vacancy will result in undue hardship not related to considerations of race, color, sex, religion or national origin, the applicant will not be dropped to the bottom of the list.

1. Examples of “good cause” for refusal of an offer of housing are:
 - The unit is not ready for move-in at the time of the offer of housing. “Ready for move-in” means the unit has no UPCS deficiencies and is broom clean. If an applicant refuses a unit because it is not ready for move-in, the applicant will be offered the next unit that is ready for move-in;
 - Inaccessibility to source of employment, education, or job training, children’s day care, or educational program for children with disabilities^{xx}, so that accepting the unit offer would require the adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities;
 - The family demonstrates that accepting the offer will place a family member’s life, health or safety in jeopardy. The family must provide specific and compelling documentation such as restraining orders, other court orders, or risk assessments from a law enforcement agency. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption;
 - A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (each as listed on final

^{xx} If the applicant has a child participating in such a program.

- application) or live-in aide necessary to the care of the principal household member;
- The unit has lead paint and the family has children under the age of six;
 - The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30 day notice to move; or
2. If good cause is verified, the refusal of the offer shall not require that the applicant be dropped to the bottom of the waiting list or otherwise affect the family's position on the waiting list.
 3. YMHA will maintain a record of units offered, including location, date, and circumstances of each offer, and each acceptance or refusal, including the reason for the refusal.

E. Dwelling Units with Accessible/Adaptable Features

1. Before offering a vacant accessible unit to a non-disabled applicant, YMHA will offer such units:
 - First, to a current public housing resident having a disability that requires the special features of the vacant unit.
 - Second, to an eligible qualified applicant on the waiting list having a disability that requires the special features of the vacant unit.
2. When offering an accessible/adaptable unit to a non-disabled applicant, YMHA will require the applicant to agree to move to an available non-accessible unit within 30 days when a current resident or an applicant with a disability needs the unit. This requirement is also reflected in the lease signed with the applicant.

F. Leasing and Occupancy of Dwelling Units

Applications for admission and transfer will be processed centrally. Initial intake, waiting list management, screening, and assigning of housing (including transfers) will be made from the central office. Offers may be made in person, in writing or by phone from the central office or the development.

G. Transfers

YMHA has five possible types of transfers: Emergency, and Administrative - Category 1, Category 2 and Category 3 and Incentive. The definition of each transfer is found in the Transfer section.

1. Emergency and Category 1 and 2 administrative transfers will take priority over admissions. Category 3 administrative transfers will be processed at the rate of necessary to complete the transfer but not impose an administrative or maintenance burden to the agency. The specific definitions of each type of transfer are covered in Section V, Transfers, below.
2. Tenants on the transfer list for a non-mandatory transfer may refuse transfer offers for the "good cause" reasons cited in Section C above without losing their position on the transfer list.
3. Tenants who refuse a transfer offer without good cause may be removed from the transfer list, and tenants whose transfers are mandatory are subject to lease termination.

4. Tenants may use the YMHA Grievance Procedure if they are refused the right to transfer or if YMHA is requiring them to transfer and they do not want to do so.

IV. Leasing Policies

A. General Leasing Policy

1. All units must be occupied pursuant to a lease that complies with HUD's regulations⁵⁸.
2. The lease shall be signed by the head, spouse, and all other adult members of the household and by the Executive Director or other authorized representative of YMHA, prior to actual admission.⁵⁹.
3. If a resident transfers from one YMHA unit to another, a new lease will be executed for the dwelling into which the family moves⁶⁰.
4. If at any time during the life of the lease agreement, a change in the resident's status results in the need for changing or amending any provision of the lease, either:
 - A new lease agreement will be executed, or
 - A Notice of Rent Adjustment will be executed, or
 - An appropriate rider will be prepared and made a part of the existing lease.

All copies of such riders or insertions are to be dated and signed by the Resident and by the Executive Director or other authorized representative of YMHA⁶¹.

5. Residents must advise YMHA if they will be absent from the unit for more than 7 days. Residents shall notify the manager, secure the unit and provide a means for YMHA to contact the resident in an emergency. Failure to advise YMHA of an extended absence is grounds for termination of the lease.

B. Showing Units Prior to Leasing

1. When offering units, YMHA will provide the applicant with a brief property description and other information to help orient the applicant to the neighborhood and location in the property. If the offer of a unit is preliminarily accepted by the applicant, YMHA will contact the applicant to set up a date to show the unit.
2. Once the unit is shown and the applicant accepts the unit, YMHA will execute a lease. If the applicant refuses the unit, a signed reason for refusal should be obtained from the applicant. The form is then evaluated by YMHA for a "good cause" determination.
3. No lease will have an effective date before the unit is ready for occupancy⁶².

C. Occupancy, Additions to the Household and Visitors

1. Only those persons listed on the most recent certification form and lease shall be permitted to occupy a dwelling unit⁶³.
 - Except for natural births to or adoptions by family members, or court awarded custody, any family seeking to add a new member must request approval in writing before the new member moves in.
 - Also included in requested approval would be situations in which a person (often a relative) comes to the unit as a visitor but stayed on in the unit because the tenant needed support, for example, after a medical procedure⁶⁴.
 - All persons listed on the most recent certification form and the lease must use the

dwelling unit as their sole residence.

2. When a resident requests approval to add a new person to the lease, YMHA will conduct pre-admission screening of any proposed new adult member to determine whether the YMHA will grant such approval.

Children under the age below which Juvenile Justice Records are made available, or added through a formal custody award or kinship care arrangement are still require the pre-admission screening process.

3. Examples of situations where the addition of a family or household **member is subject to screening** are:

- Resident plans to be married and requests to add the new spouse to the lease;
- Resident desires to add a new family member to the lease, requests a live-in aide, or take in a foster child(ren) over the age for which juvenile justice records are available;
- A unit is occupied by a remaining family member(s) under age 18 (who is not an emancipated minor) and an adult, not a part of the original household, requests permission to take over as the head of the household; and

4. Residents who fail to notify YMHA of additions to the household or who permit persons to join the household without undergoing screening are violating of the lease. Persons added without YMHA approval will be considered unauthorized occupants and the entire household will be subject to eviction⁶⁵.

5. Roomers and lodgers shall not be permitted to move in with any family. Violation of this provision is ground for termination of the lease⁶⁶.

6. Residents will not be given permission to allow a former resident of YMHA who has been evicted to occupy the unit for any period of time. Violation of this requirement is ground for termination of the lease.

7. Family members over age 17 or emancipated minors who move from the dwelling unit to establish new households shall be removed from the lease⁶⁷.

- The resident shall report the move-out within 30 calendar days of its occurrence.
- These individuals may not be readmitted to the unit and must apply as a new applicant household for placement on the waiting list.
- Medical hardship or other extenuating circumstances shall be considered by YMHA in making determinations under this area.

V. Transfer Policy

A. General Transfer Policy

1. Transfers will be made without regard to race, color, national origin, sex, religion, or familial status. Residents can be transferred to accommodate a disability⁶⁸.
2. Residents will not be transferred to a dwelling unit of equal size except to alleviate hardship of the resident or other undesirable conditions as determined by the Executive Director or designee.
3. Residents will receive one offer of a transfer. Refusal of that offer without good cause will result in lease termination for mandatory transfers or the removal of the household

from the transfer list for voluntary transfers.

B. Types of Transfers

1. The order in which families are transferred shall be subject to the hierarchy by category set forth below.

- Emergency Transfers are **mandatory** when YMHA determines that conditions pose an immediate threat to resident life, health or safety. Emergency transfers may be made to: permit repair of unit defects hazardous to life, health, or safety; alleviate verified disability problems of a life threatening nature; or protect members of the household from attack by the criminal element in a particular property or neighborhood^{xxi}.

These transfers shall take priority over new admissions.

- Category 1 Administrative transfers include **mandatory** transfers to: remove residents who are witnesses to crimes and may face reprisals; provide housing options to residents who are victims of hate crimes or extreme harassment; alleviate verified medical problems of a serious (but not life-threatening) nature; permit modernization or demolition of units; or permit a family that requires a unit with accessible features to occupy such a unit.

These transfers shall take priority over new admissions.

Requests for these transfers will be made to the YMHA with necessary documentation to substantiate the need for such transfers. Transfers may also be initiated by YMHA (e.g. moving a person with mobility problems to a unit with accessible features).

- Category 2 Administrative transfers correct serious occupancy standards problems.

These transfers will take priority over new admissions.

Category 2 transfers will only be made if the family size is so small that it includes fewer persons than the number of bedrooms, or so large that the household members over age 4 would equal more than two persons per bedroom.

These transfers are mandatory.

If a family's size is between the smallest and largest size permissible for the unit, the family may request a transfer, but it shall be considered a Category 3 transfer.

- Category 3 Administrative transfers may be made to: avoid concentration of the most economically and socially deprived families, correct occupancy standards^{xxii}, or address situations that interfere with peaceful enjoyment of the premises.

These transfers will not take priority over new admissions. They will be processed at the rate of not to impose an administrative or maintenance burden on YMHA.

- Incentive Transfers: Incentive Transfers are offered to residents without regard to their race, color, religion, sex, disability, or familial status, who have good rental

^{xxi} based on threat assessment by a law enforcement agency

^{xxii} Voluntary if the family is between the minimum and maximum occupancy standard but the family requests a transfer, e.g. to permit older children of opposite sexes to have separate bedrooms

histories and want to move to units other than those they currently occupy. These transfers are further described in Section E below.

These transfers will take priority over new admissions and new admissions will not be offered scattered site units, unless no eligible resident can be found for a scattered site unit. YMHA will house a family from the wait list to take advantage of the available unit.

2. Whenever feasible, transfers will be made within a resident's area.

C. Processing Transfers

1. A centralized transfer waiting list will be administered by YMHA's Occupancy Division. Managers are responsible for submitting requests for transfer including necessary documentation, to the central transfer administrator. Managers will then be notified by the Occupancy Division on the status of the transfer.
2. Transfers will be sorted into their appropriate categories by YMHA. Admissions will be made in the following order:
 - First: Emergency transfers, then
 - Category 1 Administrative Transfers,
 - Category 2 Administrative Transfers,
 - Category 3 Administrative Transfers

Within each category, transfer applications will be sorted by the date the completed file (including any verification needed) is received by YMHA.

3. Category 2 transfers to correct occupancy standards may be recommended at time of re-examination or interim redetermination.
4. Residents in a Category 2 over/under housed status will be advised in their 30 day "Notice of Result of Reexamination" that a transfer is recommended and that the family has been placed on the transfer list.
5. When a head of a household, originally housed in a bedroom by him/herself, has or adopts a child, the family will not be approved for a Category 2 transfer until the child is two (2) years of age. Exceptions: spouse or partner returns to the unit, marriage takes place, or family decides to remain in the unit and the unit is large enough (using the smallest-unit standard) to accommodate the number of persons now in the household.
6. Split-family transfers will be processed as Category 2 administrative transfers.
 - Families that split into 2 "new" households may be transferred to two different units or
 - A portion of the "old" household may be transferred to a single unit depending on family circumstances and unit availability.
 - Such transfers will be made in a manner that minimizes the impact on vacant units.
7. The ratio of transfer to admission shall be determined based on the need and vacancies of the YMHA.

D. Good Record Requirement for Transfers

1. In general, and in all cases of all resident-requested transfers, residents will be considered for transfers only if the head of household and any other family members for the past two

years:

- have not engaged in criminal activity that threatens the health and safety of residents and staff;
 - do not owe back rent or other charges, or evidence a pattern of late payment;
 - meet reasonable housekeeping standards and have no housekeeping lease violations; and
 - can get utilities turned on in the name of the head of household (applicable only to those select properties with tenant-paid utilities).
2. Exceptions to the good record requirements may be made for emergency transfers or when it is to YMHA's advantage^{xxiii} to make the transfer. The exception to the good record requirement will be made by the YMHA's Occupancy Manager taking into account the recommendation of the Manager.

Absent a determination of exception, the following policy applies to transfers:

- If back rent is owed, the resident will not be transferred until a payment plan is established or, if prior payment plans have failed, back rent is paid in full.
- A resident with housekeeping standards violations will not be transferred until he/she passes a follow-up housekeeping inspection.

E. Incentive Transfers

1. Incentive transfers are offered to residents without regard to their race, color, national origin, religion, sex, disability, or familial status, who have good rental histories and want to move to units other than those they currently occupy.
- Incentive Transfers- YMHA will occupy recently modernized and scattered site units through incentive transfers, No applicants shall be admitted directly to scattered site units. Depending on YMHA's vacant status, modernized units will be filled with incentive transfers, new applicants, or a combination of both. YMHA reserves the right to fill modernization units in a manner that has the least impact on vacant units.
 - Resident request for incentive transfers should be made to the Housing Manager. Managers may also recommend a resident for an incentive transfer. In order to be considered for an incentive transfer the following conditions must be met:
 - a. Residency in a YMHA development for at least three years.
 - b. In compliance with an existing repayment agreement.
 - c. No history of disturbances that resulted in lease violations or violence toward staff or neighbors as indicated by notices of lease violations in the applicant's file.
 - d. Good housekeeping record.
2. Incentive Transfers are Category 2 administrative transfers. Scattered site incentive transfers will take precedence over new admissions, and modernization incentive transfers may take precedence over new admissions.

^{xxiii} e.g. a single person is living alone in a three bedroom unit and does not want to move

3. No exceptions will be granted for the good record requirement for incentive transfers.

F. Cost of Transfers

1. Residents shall bear the cost of transfers to correct occupancy standards, resident requested transfers, incentive transfers and voluntary transfers. Transfers requested or required by YMHA will be paid for or made by YMHA.

**VI. Eligibility for Continued Occupancy, Annual Reexaminations,
and Remaining Family Members**

A. Eligibility for Continued Occupancy

Residents who meet the following criteria will be eligible for continued occupancy:

1. Qualify as a family as defined in Section XII of this policy^{xxiv}.
2. Are in full compliance with the resident obligations and responsibilities as described in the dwelling lease.
3. Whose family members, age 6 and older, each have Social Security numbers or have certifications on file indicating they have no Social Security number.
4. Who meet HUD standards on citizenship or immigration status or are paying a pro-rated rent⁶⁹.
5. Who are in compliance with the YMHA's community service requirements^{xxv}.

B. Remaining Family Members and Prior Debt

1. Remaining family members age 18 years or older will be held responsible for arrearages incurred by the former head or spouse. YMHA will not hold remaining family members (other than the head or spouse) responsible for any portion of the arrearage incurred before the remaining member attained age 18.
2. Remaining family members under age 18 shall not be held responsible for the rent arrearages incurred by the former head of household.

C. Periodic Reexamination

1. Regular reexaminations: YMHA shall, at least once a year, re-examine the family composition and incomes of all resident families except for families that are paying flat rent and elect to pay flat rent. Flat rent families shall have their incomes reexamined every year⁷⁰. Flat rent families will have the family composition and community service requirements reexamined annually. **All YMHA Annual recertifications are processed to be in compliance with a twelve month effective period.**
2. Special Reexaminations: When it is not possible to estimate family income accurately, a temporary determination will be made with respect to income and a special

^{xxiv} For purpose of continued occupancy, remaining family members qualify as a family so long as at least one of them is of legal age to execute a lease. Remaining family members can also include court recognized emancipated minors under age 18

^{xxv} applicable to certain adults who are neither elderly, disabled, working nor participating in qualifying educational or job training programs

reexamination will be scheduled every 90 days until a reasonably accurate estimate of income can be made.

3. Special reexaminations shall be conducted when there is a change in the head of household that requires a remaining family member to take on the responsibilities of a leaseholder.
4. Special Reexamination Following Income Disallowance: When a family qualifies for an earned income disallowance, a special reexamination will occur at the end of the initial 12 month disallowance period and at the end of the phase-in period.
5. Zero Income Families: Unless the family has income that is excluded for rent computation, families reporting zero income will have their circumstances examined every 30 days until they have a stable income. Monetary or non-monetary contributions from persons not residing in the dwelling unit for any purpose other than the payment or reimbursement of medical expenses shall be considered income.
6. Reexamination Procedures
 - At the time of reexamination, all adult members of the household will be required to sign an application for continued occupancy and other forms required by HUD.
 - Income, allowances, Social Security numbers, and such other data as is deemed necessary will be verified, and all verified information will be filed in the resident's folder.
 - A UIV report will be run on each family at recertification to help detect any unreported income, family members not reported on the lease, etc.⁷¹.
 - Verified information will be analyzed and a determination made with respect to:
 - Eligibility of the resident as a family or as the remaining member of a family;
 - Unit size required for the family (using the Occupancy Guidelines);
 - Rent the family should pay; and
 - Community Service requirements.
 - Residents with a history of employment whose reexamination occurs when they are not employed will have income anticipated based on past and anticipated employment. Residents with seasonal or part-time employment of a cyclical nature will be asked for third party documentation of their employment including start and ending dates.
 - Income shall be computed in accordance with the definitions and procedures set forth in Federal regulations and this policy⁷².
 - Families failing to respond to the initial reexamination appointment will be issued a final appointment within the same month. Failure to respond to the final request will result in the family being sent a notice of lease violation and for termination of the lease⁷³.
 - YMHA will charge the resident a flat rent if the resident fails to re-certify according to their scheduled reexamination.

7. Action Following Reexamination

- If there is any change in rent, a Notice of Rent Adjustment will be issued and attached as an addendum to the Lease.⁷⁴
- If any change in the unit size is required, the resident will be placed on a transfer list in accordance with the transfer criteria described above in this policy and moved to an appropriate unit when one becomes available⁷⁵.

VII. Interim Rent Adjustments: Fixed Rent System

A. Rent Adjustments

1. **Residents are required to report all changes in family composition or status to YMHA within 10 calendar days of the occurrence. Failure to report within the 10 calendar days may result in a retroactive rent increase, but not a retroactive credit or rent reduction. In order to qualify for rent reductions, residents must report income decreases promptly. **Residents are not required to report interim increases in income unless they have been granted interim rent reductions.****
2. YMHA wishes to encourage families to improve their economic circumstances, so most changes in family income between reexaminations will not result in a rent change. YMHA will process interim changes in rent in accordance with the chart below:

<u>INCOME CHANGE</u>	<u>YMHA ACTION</u>
(a) Decrease in income for any reason, <u>except</u> for decrease that lasts less than 30 days ^{xxvi} . Increase in income following YMHA granting of interim rent decrease. Decreases in income resulting from welfare fraud or from TANF reductions for failure to comply with self-sufficiency program rules are not eligible for rent reduction.	• YMHA will process an interim reduction in rent if the income decrease will last more than 30 days. YMHA will process an interim increase for income increases that follow interim rent reductions.
(b) Increase in earned income from the employment of a current household member.	• YMHA will either defer the increase to the next regular reexamination or, if the individual is eligible for an earned income disallowance, will apply the disallowance.
(c) Increase in unearned income	• YMHA will defer the increase to the next regular reexamination.
(d) Increase in income because a person with income (from any source) joins the household.	• YMHA will process an interim increase in rent.

^{xxvi} Decreases in income resulting from welfare fraud or from welfare cuts for failure to comply with economic self sufficiency requirements are not eligible for rent reductions.

<p>(e) Non-reported income change or misrepresenting the facts upon which the rent is based, so that the rent the resident is paying is less than the rent that he/she should have been charged</p>	<ul style="list-style-type: none"> • YMHA will process an interim in rent if it is found that the resident at annual or interim re-examination misrepresented his/her household income. Any increase in rent will be retroactive to the first of the month following the month in which the misrepresentation occurred.
---	--

3. Complete verification of the circumstances applicable to rent adjustments must be documented and approved by the Executive Director or his/her designee⁷⁶.
4. YMHA will process interim adjustments in rent as follows:
 - When a decrease in income is reported, and the Authority receives confirmation that the decrease will last less than 30 days, an interim adjustment will not be processed.
 - Residents reporting decreases in income that are expected to last more than 30 days will have an interim adjustment processed.
5. Residents granted a reduction in rent under these provisions would be required to report for special reexaminations at intervals determined by the YMHA. Reporting is required until income increases or it is time for the next regularly scheduled reexamination, whichever occurs first.

B. Effective Date of Adjustments

Residents will be notified in writing of any rent adjustment including the effective date of the adjustment.

1. Rent decreases go into effect the first of the month following receipt of all verification.
2. Rent increases (except those due to misrepresentation) require 30 days notice and become effective the first of the second month.

VIII. Lease Termination Procedures

A. General Policy: Lease Termination

No resident's lease shall be terminated except in compliance with HUD regulations and the lease terms⁷⁷.

Failure to report accurate information is also grounds for initiating eviction proceedings in accordance with YMHA's lease.

Smoking is banned in any unit where a resident uses oxygen, failure to comply will result in eviction being filed.

B. Notice Requirements

1. No resident shall be given a Notice of Lease Termination without being told by YMHA in writing the reason for the termination.
 - The resident must also be informed of his/her right to request a hearing in accordance with the Grievance Procedure, and be given the opportunity to make such a reply as he/she may wish.
 - Lease terminations for certain actions are not eligible for the Grievance Procedure,

specifically: any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or YMHA employees; and any drug-related criminal activity or other specific exclusions permitted by the federal government⁷⁸.

- The notice of termination shall comply with statutory and regulatory requirements.
2. Notices of lease termination may be served personally, posted on the apartment door or as allowed within state statutes.

C. Record Keeping Requirements

A written record of every termination and/or eviction may be maintained by YMHA, and if so, shall contain the following information:

1. Name of resident, number and identification of unit occupied;
2. Date of the Notice of Lease Termination and any other state or local notices required, which may be on the same form and run concurrently;
3. Specific reason(s) for the Notice(s), with section of the lease violated, and other facts pertinent to the issuing of the Notice(s) described in detail;
4. Date and method of notifying resident; and
5. Summaries of any conferences held with resident including dates, names of conference participants and conclusions.

D. Participant Amounts Owed to YMHA

If assistance is terminated and a balance is still owed to YMHA, the balance amount will be reported to HUD's Debts Owed to PHA's module.

IX. Utilities

In all YMHA developments, YMHA pays the cost of a portion of the utilities directly to the supplier. The portion YMHA pays is determined by YMHA based upon its Utility Allowance Schedule. Any utility usage above that portion paid by YMHA will be considered an excess utility charge. Residents are responsible for paying all excess utility charges and may be terminated for their failure to do so.

A. Residents with Disabilities

Residents with disabilities may be entitled to higher than normal utility allowances or may not be charged for the use of certain resident-supplied appliances if there is a verified need for special equipment because of the disability.

X. Flat Rents

A. Flat Rents

Flat rents are market-based rents. They vary by unit size and type and also by development location. Once each year, at the annual recertification, all residents are offered the choice of paying an income-based rent or the Flat rent. Flat rents represent the actual market value of

YMHA's housing units. YMHA will take the following information into account in developing its Flat rent Schedule:

1. Rents of non-assisted rental units in the immediate neighborhood
2. Size of YMHA's units compared to non-assisted rental units from the neighborhood
3. Age, type of unit and condition of YMHA's units compared to non-assisted rental units from the neighborhood
4. Land use in the surrounding neighborhood
5. Amenities (childcare, laundry facilities, playgrounds, community rooms, social services, education/job training programs, etc.) at YMHA's properties and in the surrounding neighborhood
6. Crime in YMHA's developments and the surrounding neighborhood
7. Quality of local schools serving each YMHA development
8. Availability of public transportation at each YMHA development
9. Availability of accessible units for persons with mobility impairments.

B. Annual Update of Flat Rents

YMHA shall review the Flat Rent structure annually and adjust the rents as needed. When a resident chooses Flat rent, his/her rent shall be adjusted only at the next regular reexamination/ recertification rather than at the point the Flat rent may change.

C. Recertification of Families on Flat Rents

Families paying flat rents are required to recertify income annually and they are still required to participate in an Annual Reexamination in order to ensure that unit size is still appropriate and Community Service requirements (if applicable) are met.

D. Flat Rent Amendment

The Youngstown Metropolitan Housing Authority hereby amends its flat rent policies to comply with the statutory changes contained within, Public Law 113-76, the Fiscal Year 2014 Appropriation Act.

The Youngstown Metropolitan Housing Authority will set the flat rental amount for each public housing unit that complies with the requirement that all flat rents be set at no less than 80 percent of the applicable Fair Market Rent (FMR) adjusted, if necessary, to account for reasonable utilities costs. The new flat rental amount will apply to all new program admissions effective October 31, 2014. For current program participants that pay the flat rental amount, the new flat rental amount will be offered, as well as the income-based rental amount, at the next annual rental option.

The Youngstown Metropolitan Housing Authority will place a cap on any increase in a family's rental payment that exceeds 35 percent, and is a result of changes to the flat rental amount as follows:

- Multiply the existing flat rental payment by 1.35 and compare that to the updated flat rental amount;
- The Youngstown Metropolitan Housing Authority will present two rent options to the family as follows:
 - The lower of the calculation and the updated flat rental amount; and
 - The income-based rent

XI. Definitions and Procedures to be used in Determining Income and Rent

A. Annual Income⁷⁹

Annual income is the anticipated total income from all sources, including net income derived from assets, received by the family head and spouse (even if temporarily absent) and by each additional family member including all net income from assets for the 12-month period following the effective date of initial determination or reexamination of income, exclusive of income that is temporary, non-recurring, or sporadic as defined below, or is specifically excluded from income by other federal statute. Annual income includes but is not limited to:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
2. The net income from operation of a business or profession, including any withdrawal of cash or assets from the operation of the business. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining the net income from a business. An allowance for the straight-line depreciation of assets used in a business or profession may be deducted as provided in IRS regulations. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the business;
3. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for the straight-line depreciation of real or personal property is permitted. Withdrawals of cash or assets will not be considered income when used to reimburse the family for cash or assets invested in the property;

If the Family has Net Family Assets in excess of \$5,000, Annual Income shall include the greater of the actual income derived from all Net Family Assets or a percentage of the value of such Assets based on the current passbook savings rate as determined by HUD;

4. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts [See B. 14. below for treatment of delayed or deferred periodic payment of social security or supplemental security income benefits.];
5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay (But see paragraph B. 3. below concerning treatment of lump-sum additions as Family assets.);
6. All welfare assistance payments (Temporary Assistance to Needy Families, General

Assistance) received by or on behalf of any family member; including the amount of imputed welfare income;

7. Periodic and determinable allowances, such as alimony and child support payments, and regular cash and non-cash contributions or gifts received from agencies or persons not residing in the dwelling made to or on behalf of family members. Regular alimony and child support payments are counted as income for calculation of total tenant payment. YMHA will use the amount awarded by the court unless the family verifies that they are not receiving the full amount awarded. Verification from the agency responsible for enforcement or collection is acceptable. "Regular" payments is defined as receiving payments for at least three consecutive months at the time of verification; and
8. All regular pay, special pay, and allowances of a family member in the Armed Forces. (See below concerning pay for exposure to hostile fire.)

B. Items not included in Annual Income⁸⁰

Annual Income does not include the following:

1. Income from the employment of children (including foster children) under the age of 18 years;
2. Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the resident family, who are unable to live alone);
3. Lump sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance, and worker's compensation), capital gains, one-time lottery winnings, and settlement for personal property losses (but see paragraphs 4 and 5 above if the payments are or will be periodic in nature);

[See paragraph 14. below for treatment of delayed or deferred periodic payments of social security or supplemental security income benefits.]

4. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
5. Income of a live-in aide provided the person meets the definition of a live-in aide (See Section 12 of these policies);
6. The full amount of student financial assistance paid directly to the student or the educational institution;
7. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
8. Certain amounts received that are related to participation in the following programs:
 - Amounts received under HUD funded training programs (e.g. Step-up program: excludes stipends, wages, transportation payments, child care vouchers, etc. for the duration of the training);
 - Amounts received by a person with disabilities that are disregarded for a limited time for purposes of Supplemental Security Income and benefits that are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - Amounts received by a participant in other publicly assisted programs that are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special

- equipment, clothing, transportation, child care, etc.) to allow participation in a specific program;
- A resident services stipend. A resident services stipend is a modest amount (not to exceed \$200/month) received by a public housing resident for performing a service for the YMHA, on a part-time basis, that enhances the quality of life in public housing. Such services may include but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time; and
 - Incremental earnings and/or benefits resulting to any family member from participation in qualifying state of local employment training program (including training programs not affiliated with the local government), and training of family members as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for a limited period as determined in advance by the YMHA;
9. Temporary, non-recurring, or sporadic income (including gifts);
 10. Reparation payments paid by foreign governments pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
 11. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of the household and spouse);
 12. Adoption assistance payments in excess of \$480 per adopted child;
 13. The incremental earnings and benefits to any resident 1) whose annual income increases due to employment of a family member who was unemployed for one or more years previous to employment; or 2) whose annual income increases as the result of increased earnings by a family member during participation in any economic self sufficiency or other job training program; or 3) whose annual income increases due to new employment or increased earnings of a family member during or within six months of receiving state-funded assistance, benefits or services, **will not be increased during the exclusion period.** For purposes of this paragraph, the following definitions apply:
 - State-funded assistance, benefits or services means any state program for temporary assistance for needy families funded under Part A of Title IV of the Social Security Act, as determined by the YMHA in consultation with the local agencies administering temporary assistance for needy families (TANF) and Welfare-to-Work programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance – provided that the total amount over a six-month period is at least \$500. If the TANF cash assistance payment is received in the last six-months, the amount can be less than \$500 and the individual member receiving the payment will meet the qualifying criteria.
 - During the 12-month period beginning when the member first qualifies for a disallowance, the YMHA must exclude from Annual Income any increase in income as a result of employment. For the 12 months following the exclusion period, 50% of the income increase shall be excluded.

- Regardless of how long it takes a resident to work for 12 months (to qualify for the first exclusion) or the second 12 months (to qualify for the second exclusion), the maximum period for the disallowance (exclusion) is 24 months. Once a family member is determined eligible for EID, the 24-calendar month period starts. If the family member discontinues employment that initially qualified the family for the EID, the 24-calendar month period continues. During the 24-calendar month period, EID benefits are recalculated based on changes to family member income and employment.
 - The disallowance of increased income under this section is only applicable to current residents and will not apply to applicants who have begun working prior to admission (unless their earnings are less than would be earned working ten hours per week at minimum wage, under which they qualify as unemployed).
14. Deferred periodic payments of supplemental security income and social security benefits that are received in a lump sum payment;
 15. Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit;
 16. Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;
 17. Amounts specifically excluded by any other Federal Statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937. (A notice will be published by HUD in the Federal Register identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.)

The following is a list of benefits excluded by other Federal Statute:

- The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977 [7 USC 2017 (h)];
- Payments to volunteers under the Domestic Volunteer Service Act of 1973 [42 USC 5044 (g), 5088];

Examples of programs under this Act include but are not limited to:

- a. The Retired Senior Volunteer Program (RSVP), Foster Grandparent Program (FGP), Senior Companion Program (SCP), and the Older American Committee Service Program;
 - b. National Volunteer Antipoverty Programs such as VISTA, Peace Corps, Service Learning Program, and Special Volunteer Programs;
 - c. Small Business Administration Programs such as the National Volunteer Program to Assist Small Business and Promote Volunteer Service to Persons with Business Experience, Service Corps of Retired Executives (SCORE), and Active Corps of Executives (ACE).
- Payments received under the Alaska Native Claims Settlement Act [43 USC.1626 (a)];
 - Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes [(25 USC. 459e)];
 - Payments or allowances made under the Department of Health and Human Services'

- Low-Income Home Energy Assistance Program [42 USC 8624 (f)];
- Payments received under programs funded in whole or in part under the Job Training Partnership Act [29 USC 1552 (b)] ;
 - Income derived from the disposition of funds of the Grand River Band of Ottawa Indians [Pub. L. 94-540, 90 State 2503-04];
 - The first \$2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 USC 1407-08), or from funds held in trust for an Indian Tribe by the Secretary of Interior [25 USC 117b, 1407]; and
 - Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs [20 USC 1087 uu].
 - a. Examples of Title IV programs include but are not limited to: Basic Educational Opportunity Grants (Pell Grants), Supplemental Opportunity Grants, State Student Incentive Grants, College Work Study, and Byrd Scholarships.
 - Payments received from programs funded under Title V of the Older Americans Act of 1965 [42 USC 3056 (f)]:
 - a. Examples of programs under this act include but are not limited to: Senior Community Services Employment Program (CSEP), National Caucus Center on the Black Aged, National Urban League, Association National Pro Personas Mayores, National Council on Aging, American Association of Retired Persons, National Council on Senior Citizens, and Green Thumb.
 - Payments received after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established in the In Re Agent Orange product liability litigation;
 - Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-420, 94 Stat. 1785);
 - The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 USC 9858q);
 - Earned income tax credit refund payments received on or after January 1, 1991 (26 USC 32 (j)).
 - Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation;
 - Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990;
 - The Medicare transitional assistance subsidy of \$600 and any drug discount related to the Medicare assistance subsidy effective June 1, 2004.

C. Anticipating Annual Income⁸¹

If it is not feasible to anticipate income for a 12-month period, the Authority may use the annualized income anticipated for a shorter period, subject to an Interim Adjustment at the end of the shorter period. (This method would be used for teachers who are only paid for 9

months, or for tenants receiving unemployment compensation.)

D. Adjusted Income⁸²

Adjusted Income (the income upon which rent is based) means Annual Income less the following deductions and exemptions:

For All Families

1. **Child Care Expenses** — A deduction of amounts anticipated to be paid by the family for the care of children under 13 years of age for the period for which Annual Income is computed, BUT ONLY when such care is necessary to enable a family member to be gainfully employed, to seek employment or to further his/her education. Amounts deducted must be unreimbursed expenses and shall not exceed: (a) the amount of income earned by the family member released to work; or (b) an amount determined to be reasonable by YMHA when the expense is incurred to permit education or to seek employment.
2. **Dependent Deduction** — An exemption of \$480 for each member of the family residing in the household (other than the head of household, or spouse, Live-in Aide, foster adult or foster child) who is under eighteen years of age or who is eighteen years of age or older and disabled, or a full-time student.
3. **Work-related Disability Expenses** — a deduction of unreimbursed amounts paid for attendant care or auxiliary apparatus expenses for family members with disabilities where such expenses are necessary to permit a family member(s), including the disabled member, to be employed. In no event may the amount of the deduction exceed the employment income earned by the family member(s) freed to work.

Equipment and auxiliary apparatus may include but are not limited to: wheelchairs, lifts, reading devices for the visually impaired, and equipment added to cars and vans to permit their use by the disabled family member. Also included would be the annualized cost differential between a car and the cost of a van required by the family member with disabilities.

- For non-elderly families and elderly or disabled families without medical expenses: the amount of the deduction equals the cost of all unreimbursed expenses for work-related disability expense less three percent of Annual Income, provided the amount so calculated does not exceed the employment income earned.
- For elderly or disabled families with medical expenses: the amount of the deduction equals the cost of all unreimbursed expenses for work-related disability expense less three percent of Annual Income (provided the amount so calculated does not exceed the employment income earned) PLUS medical expenses as defined below.

For elderly and disabled families only:

4. **Medical Expense Deduction** — A deduction of unreimbursed Medical Expenses, including insurance premiums, anticipated for the period for which Annual Income is computed. YMHA shall use the allowable expenses as determined by the IRS for deductions.

Generally, medical expenses include but are not limited to: services of physicians and other health care professionals, services of health care facilities, health insurance premiums (including the cost of Medicare), prescription and non-prescription medicines,

transportation to and from treatment, dental expenses, eyeglasses, hearing aids and batteries, attendant care (unrelated to employment of family members), and payments on accumulated medical bills. In cases where the in family is eligible for the Medicare Prescription Drug Discount Card and Transitional Assistance, include as a deduction the Medicare assistance provided for the cost of drugs pursuant to prescription drug discount cards, negotiated drug price, or transitional assistance payments. To be considered by YMHA for the purpose of determining a deduction from income, the expenses claimed must be verifiable.

- for elderly or disabled families without work-related disability expenses: The amount of the deduction shall equal total medical expenses less three percent of annual income.
 - for elderly or disabled families with both work-related disability expenses and medical expenses: the amount of the deduction is calculated as described in paragraph 3 (b) above.
5. **Elderly/Disabled Household Exemption** — An exemption of \$400 per household. See Definitions in the next section.
 6. **Optional Deductions/Exemptions:** YMHA does not include any optional deductions. Any such deduction would be noted here.

E. Rent Computation

1. The first step in computing rent is to determine each family's Total Tenant Payment. Then, if the family is occupying a unit that has tenant-paid utilities, the Utility Allowance is subtracted from the Total Tenant Payment. The result of this computation, if a positive number, is the Tenant Rent. If the Total Tenant Payment less the Utility Allowance is a negative number, the result is the utility reimbursement, which may be paid to the tenant or, directly to the utility company by the YMHA.
2. **Total Tenant Payment is the highest of:**
 - **30% of adjusted monthly income;** or
 - **10% of monthly income;** or,
 - **Minimum Rent (which is \$50)**
3. Tenant rent is computed by subtracting the utility allowance for tenant-supplied utilities (if applicable) from the Total Tenant Payment. In developments where the YMHA pays all utility bills directly to the utility supplier, Tenant Rent equals Total Tenant Payment.
4. **Tenant rent computation for mixed families.** (This method of prorating assistance applies to new admissions and annual recertification.) (A mixed family is a family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.)
 - Determine the total tenant payment in accordance with 24 CFR 5.628. (Annual income includes income of all family members, including any family member who has not established eligible immigration status.)
 - Family maximum rent is equal to the applicable flat rent for the unit size to be occupied by the family.

- Subtract the total tenant payment from the family maximum rent. The result is the maximum subsidy for which the family could qualify if all members were eligible (“family maximum subsidy”.)
 - Divide the family maximum subsidy by the number of persons in the family (all persons) to determine the maximum subsidy per each family member who has citizenship or eligible immigration status (“eligible family member”). The subsidy per eligible family member is the “member maximum subsidy.”
 - Multiply the member maximum subsidy by the number of family members who have citizenship or eligible immigration status (“eligible family members”). The product of this calculation is the “eligible subsidy.”
 - The mixed family TTP is the maximum rent minus the amount of the eligible subsidy.
 - Subtract any applicable utility allowance from the mixed family TTP. The result of this calculation is the mixed family tenant rent.
 - When the mixed family's TTP is greater than the maximum rent, the YMHA must use the TTP as the mixed family TTP.
5. The **Minimum Rent** shall be **\$50** per month, but a hardship exemption shall be granted to residents who can document that they are unable to pay the \$50 because of a long-term hardship (over 90 days). Examples under which residents would qualify for the hardship exemption to the minimum rent would be limited to the following:
- The family has lost eligibility for or is applying for an eligibility determination for a Federal, State or local assistance program;
 - The family would be evicted as result of the imposition of the minimum rent requirements;
 - The income of the family has decreased because of changed circumstances, including loss of employment; or
 - A death in the family has occurred.

When a family request a hardship exemption, YMHA will suspend the minimum rent requirement beginning the month after the family's request for a hardship exemption until YMHA determines there is a qualifying financial hardship and whether the hardship is temporary or long term. YMHA will notify the family if they qualify for the exemption within 15 days of the written request. If there is no qualifying hardship, YMHA will reinstate the minimum rent, including any rent owed from the beginning of the suspension. The family must pay any rent owed.

If YMHA determines that a qualifying financial hardship is temporary, YMHA will not impose the minimum rent during the 90-day period beginning the month following the date of the family's request for a hardship exemption. At the end of the 90-day suspension period, YMHA will reinstate the minimum rent from the beginning of the suspension. The family will be offered a reasonable repayment agreement for the amount of back rent owed by the family.

If YMHA determines that a qualifying financial hardship is long term, YMHA will exempt the family from the minimum rent requirements so long as such hardship continues. Such exemption shall continue from the beginning of the month following the

family's request for a hardship exemption until the end of the qualifying financial hardship.

Finally, the regulations, at 24 CFR 5.630 (b) (2) (iii) (C), underscores that the exemption only applies to the minimum rent component of the TTP calculation, and not to other components (such as the 30% or 10%). It states:

"The financial hardship exemption only applies to payment of the minimum rent (as determined pursuant to Sec. 5.628(a)(4) and Sec. 5.630, and not to the other elements used to calculate the total tenant payment (as determined pursuant to Sec. 5.628 (a)(1), (a)(2) and (a)(3))."

5. At initial certification and at each subsequent annual reexamination the resident shall be offered a choice of paying either the income-based rent or the Flat Rent applicable to the unit they will be occupying.

F. Nonpayment of Rent - Delinquency and Lease Termination Notice

In the event that Tenant shall fail to pay all or any part of the rent within seven (7) days of its due date, YMHA will issue a late fee and declare the unpaid rent delinquent and then issue a 14-day Notice of Intent to Terminate Lease. If rent is still delinquent after 14 days, a 3-day Notice to Leave Premises will be issued.

If the account is not paid in full by the 7th day of the following month, YMHA will file for eviction and court costs will be added to the account.

1. Repayment Agreement Policy

When families or owners owe debts to Youngstown Metropolitan Housing Authority (YMHA), we will make every effort to collect those debts via one of the following means, including but not limited to:

- Request for lump sum payment
- Repayment agreement
- Collection agencies/firms
- Credit Bureaus
- Civil suits
- Termination of assistance
- Or by any other legal means

REPAYMENT AGREEMENT FOR RESIDENTS

Repayment Agreements are designed to give residents an opportunity to repay monies owed to YMHA, i.e., delinquent rents; failing to accurately report income; utilities; charges.

YMHA will require the family to make **minimum down payment of 25% of the balance due**. Upon receipt of payment, YMHA will enter into a Repayment Agreement with the resident. If the family fails to provide YMHA with the required down payment, the entire balance owed will be due on the first day of the next month.

If the payment is in arrears, YMHA **will** exercise any or all of the following options:

- Require the family to pay the balance in full
- Terminate the Lease
- Pursue civil collection of the balance due
- Any other legally viable option

YMHA uses a sliding scale system to recover rent monies from residents.

<u>Amount Owed</u>	<u>Length of Agreement</u>
Under \$100.00	30 days
\$100.00 – 500.00	1 month to 6 months
\$501.00 - \$1,000.00	6 months to 12 months
\$1,001.00 - \$5,000.00	12 months to 24 months

LATE PAYMENTS

RPA payment must be paid in full, along with any current rent, late fees, excess utilities or other charges each month. If the RPA payment is not made for two consecutive months, then the entire amount automatically becomes currently due (without prior notice to the tenant) on the 1st of the next month. If the due date is on a holiday or weekend, the due date will be the close of the next business day.

XII. Verification

[24 CFR, Part 5, Subpart B; 24 CFR 960.259, PIH 2004-01]

Introduction

HUD regulations and supplemental notices require that the factors of eligibility, income, assets, deductions, and Total Tenant Payment be verified by the YMHA to ensure program integrity. Applicants and program tenants must furnish proof of their statements whenever required by the YMHA, and the information they provide must be true and complete. The YMHA's verification procedures are designed to meet HUD's requirements and to maintain program integrity. This Chapter explains the YMHA's procedures and standards for verification of preferences, Social Security numbers, citizenship status, income, assets, allowable deductions, family status, disability, criminal status on all adults, and when there are changes in family members. The YMHA will ensure that proper authorization for release of information is always obtained from the family before making verification inquiries. This chapter includes the process on management of the records and processing of the document after its intended purpose has been fulfilled.

A. Methods of Verification and Time Allowed

The YMHA will verify information through the five methods of verification acceptable to HUD **in the following order**:

1. **Upfront Income Verification (UIV):** The verification of income before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals.

2. **Third-Party Written:** The YMHA's second choice to supplement the UIV is a written third party verification to substantiate claims made by an applicant or resident.
3. **Third-Party Oral:** The YMHA may also use telephone verifications.
4. **Review of Documents:** The YMHA will review documents, when relevant, to substantiate the claim of an applicant or resident.
5. **Notarized Statement:** A notarized statement will be accepted **only when extensive attempts have been made to obtain all of the first four methods above and no other form of verification is available.**

If third party verification is not received directly from the source, YMHA staff will document the file as to why third party verification was impossible to obtain and another method was used (such as reviewing documents families provide.)

The YMHA will not delay the processing of an application beyond two weeks because a third party information provider does not return the verification in a timely manner.

For applicants, verifications may not be more than **120 days** old at the time of a unit offer. For tenants, they are valid for **120 days** from date of receipt. All documents supplied should be dated within the last 60 days of the interview.

Regardless of these timeframes, Criminal History Reports will be useable as a valid verification for no longer than **120** calendar days.

Upfront Income Verification (UIV)

To prevent fraud and abuse in HUD programs, YMHA will attempt to gather as much information as possible through the UIV System. The UIV is information that will be obtained through computer matching. The laws allow HUD to require applicants and participants to sign a consent form that allows HUD to request the following:

- Current or previous wages and salaries from employers
- Wage information and unemployment compensation from the State agency charged with administration of the State unemployment law
- Income information from the Commissioner of Social Security and Secretary of the Treasury

Types of Information that may be verified using UIV includes:

- Gross Wages and Salaries
- Unemployment Compensation
- Welfare Benefits
- Social Security Benefits
 - a. Social Security
 - b. SSI
 - c. Black Lung
 - d. Dual benefits

YMHA may obtain UIV through the following methods:

- Computer matching agreements with a federal, state, or local government agency, or private agency;
- Use of the Tenant Assessment Subsystem (TASS);
- Submit direct requests for information verifications to a federal, state, or local government agencies or a private agency.

The YMHA must have a valid HUD Form 9886 signed by all household members who are 18 years of age or older in the tenant file.

Third-Party Written Verification

Third-party verification is used to verify information directly with the source. Third-party verification means documentation received from a source other than the family members. Third-party written verification forms will be mailed **by the manager** directly to the third party source (employer, landlord, welfare agency, etc.) and returned via first class mail. The family will be required to sign an authorization for the information source to release the specified information.

Verifications received electronically directly from the source are considered third party written verifications.

The YMHA **will not** accept verifications hand-carried or mailed by the family as third party documents unless the information cannot be obtained through UIV and then only with the exception of computerized printouts from the following agencies:

- Social Security Administration
- Veterans Administration
- Welfare Assistance
- Unemployment Compensation Board
- City or County Courts
- Pharmacies for prescription drugs
- Child Support

Third-Party Oral Verification

Oral third-party verification will be used when written third-party verification is delayed or not possible. When third-party oral verification is used, staff will be required to complete a Certification of Document Viewed or Person Contacted form, noting with whom they spoke, the date of the conversation, and the facts provided. If oral third party verification is not available, the YMHA will compare the information to any documents provided by the Family. If provided by telephone, the YMHA must originate the call.

Review of Documents

In the event that UIV, third-party written, or oral verification is unavailable, or the information has not been verified by the third party within two weeks, the YMHA will utilize documents provided by the family as the primary source if the documents provide complete and accurate information.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete a Certification of Document Viewed or Person Contacted form.

The YMHA will accept faxed documents.

The YMHA will accept photocopies.

If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, the YMHA will still try and utilize the UIV or third party verification instead of the provisional documents.

As additional documentation of earned income, the family will be required to submit a copy of the most recent year's tax return and copies of all W-2 forms for the previous tax year for each family member who had income.

Self-certification/Self-declaration

When verification cannot be made by third-party verification or review of documents, families will be required to submit self-certification.

Self-certification means affidavit/certification/statement under oath.

B. Release of Information

The family will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information.

Each member requested to consent to the release of information will be provided with a copy of the appropriate forms for their review and signature.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of tenancy because it is a family obligation under tenancy to supply any information requested by the YMHA or HUD.

C. Computer Matching

For some time, HUD has conducted a computer matching initiative to independently verify resident income. HUD can access income information and compare it to information submitted by YMHA on the 50058 form. HUD can disclose wage, unemployment, welfare, Social Security and other information to YMHA, but is precluded by law from disclosing Federal tax return data to YMHA.

If HUD receives information from Federal tax return data indicating a discrepancy in the income reported by the family, HUD will notify the family of the discrepancy. The family is **required** to disclose this information to the YMHA (24 CFR 5.240). HUD's letter to the family will also notify the family that HUD has notified the YMHA in writing that the family has been advised to contact the YMHA. HUD will send the YMHA a list of families who have received "income discrepancy" letters.

When the YMHA receives notice from HUD that a family has been sent an "income discrepancy" letter, the YMHA will send a written notice to the family, advising the family to contact the YMHA in person within 10 working days to bring in the letter from HUD and to disclose the contents of the family's notice from HUD.

When the family furnishes the copy of the HUD notice to the YMHA, the YMHA will verify the information contained in the notice using the verification procedures contained in this Chapter of the Admissions and Continued Occupancy Policy. Based on the verified information, the total tenant payment and tenant rent will be adjusted and the YMHA will take other actions, as appropriate. Other actions may include any or all of the following:

- The family may be required to repay retroactive rent in a lump sum.
- The family maybe allowed to enter into a repayment agreement to repay retroactive rent.
- The lease may be terminated and the family may be evicted.
- The family may be prosecuted.

D. Items to be Verified

1. All income not specifically excluded by the regulations.
2. Zero-income status of household or observed income or expenses beyond the reported means of the family.
3. Zero income applicants and residents will be required to complete a family expense form at each certification or recertification interview.
4. Full-time student status for any full-time student who are 18 or over.
5. Dependent status.
6. Current assets including assets disposed of for less than fair market value in preceding two years.
7. Child care expense where it allows an adult family member to be employed, seek employment, or to further his/her education.
8. Total unreimbursed medical expenses of all family members in households whose head, spouse, or co-head is elderly or disabled.
9. Disability assistance expenses to include only those unreimbursed costs associated with attendant care or auxiliary apparatus that allow an adult family member to be employed.
10. Legal Identity
11. U.S. citizenship/eligible immigrant status.

12. Social Security Numbers for all family members 6 years of age or older, or certification that they do not have a Social Security number.
13. Marital status when needed for head or spouse definition.
14. Disability status for determination of allowances or deductions.
15. Criminal status on all adult members of the household and live-in aides

E. Verification of Income

This section defines the methods the YMHA will use to verify various types of income. Whenever "in this order" is used in this chapter, the YMHA will request and utilize verifications, if available, in the order specified.

1. Employment Income

- Verification forms request the employer to specify the:
 - a. Dates of employment
 - b. Amount and frequency of pay
 - c. Date of the last pay increase
 - d. Likelihood of change of employment status and effective date of any known salary increase during the next 12 months
 - e. Year to date earnings
 - f. Estimated income from overtime, tips, bonuses, or commission pay expected during next 12 months
- Acceptable methods of verification include, **in this order**:
 - a. Upfront Income Verification – HUD's prescribed EIV System.
 - b. Employment verification form completed by the employer.
 - c. Consecutive check stubs or earning statement for at least two months, that indicate the employee's pay, frequency of pay or year to date earning.
 - d. W-2 forms plus income tax return forms.
 - e. Income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.

2. Social Security, Pensions, Supplementary Security Income (SSI), Disability Income

- Acceptable methods of verification after the UIV system include, **in this order**:

- a. Benefit verification form completed by agency providing the benefits
- b. Computer report electronically obtained or in hard copy faxed by the agency.
- c. Award or benefit notification letters prepared by the providing agency.

3. Unemployment Compensation

- Acceptable methods of verification after the UIV system include, **in this order**:
 - a. Computer report electronically obtained or in hard copy, stating payment dates and amounts
 - b. Verification form completed by the unemployment compensation agency and faxed to YMHA.
 - c. Benefit letter.

4. Welfare Payments or General Assistance

- Acceptable methods of verification after the UIV system include, **in this order**:
 - a. YMHA verification form completed by payment provider.
 - b. Written statement from payment provider indicating the amount of grant/payment, start date of payments, and anticipated changes in payment in the next 12 months.
 - c. Computer-generated Notice of Action provided by the participant (complete letter).

5. Alimony or Child Support Payments

- Acceptable methods of verification after UIV include, **in this order**:
 - a. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
 - b. Copy of payment history (computer print-out) from the central collection authority of Children and Family Services. The payment history will be placed in the family's file.
 - c. A notarized letter from the person paying the support.
 - d. Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.
 - e. If payments are irregular, the family must provide:

- A copy of the separation or settlement agreement or a divorce decree stating the amount and type of support and payment schedules.
- A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.
- A notarized affidavit from the family indicating the amount(s) received.

6. Net Income from a Business

In order to verify the net income from a business, the YMHA will view IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months.

- Acceptable methods of verification after the PHA mails or faxes verification forms directly to the sources identified by the family to obtain the information, **in this order**, include:
 - a. IRS Form 1040, including:
 - Schedule C (Small Business)
 - Schedule E (Rental Property Income)
 - Schedule F (Farm Income)

If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.
 - b. Audited or unaudited financial statement(s) of the business.
 - c. Credit report or loan application.
 - d. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.*
 - e. Family's [self-certification/notarized statement] as to net income realized from the business during previous years.

*The YMHA may request the documentation identified in letter d above, regardless of the verification used.

7. Recurring Gifts

The family must furnish a notarized statement that contains the following information:

- The person who provides the gifts
- The value of the gifts

- The regularity (dates) of the gifts
- The purpose of the gifts

8. Zero Income Status/Unverifiable Income

The family will be required to sign a notarized statement that the family receives no income from any of the sources listed in the statement or from any other source. The YMHA will provide a form listing common sources of income and the required statement. The YMHA may check records of other departments in the jurisdiction (such as credit checks/government utilities) that have information about income sources of customers.

9. Full-Time Student Status

Verification of full time student status includes:

- Written verification from the registrar's office or other school official.
- School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution.

F. Income from Assets

Acceptable methods of verification include and shall be accepted in the same order as income.

1. Savings Account Interest Income and Dividends

Will be verified by:

- Account statements, passbooks, certificates of deposit, or YMHA verification forms completed by the financial institution.
- Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification.
- IRS Form 1099 from the financial institution, provided that the YMHA must adjust the information to project earnings expected for the next 12 months.

2. Interest Income from Mortgages or Similar Arrangements

- A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.)
- Amortization schedule showing interest for the 12 months following the effective date of the certification or recertification.

3. Net Rental Income from Property Owned by Family

- IRS Form 1040 with Schedule E (Rental Income).
- Copies of latest rent receipts, leases, or other documentation of rent amounts.
- Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.
- Lessee's written statement verifying rent payments to the family and family's Notarized Statement as to net income realized.

G. Verification of Assets

1. Family Assets

The YMHA will require the necessary information to determine the current net cash value, (the net amount the family would receive if the asset were converted to cash).

- Verification forms, letters, or documents from a financial institution or broker.
- Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.
- Quotes from a stock broker or realty agent as to net amount family would receive if they liquidated securities or real estate.
- Real estate tax statements if the approximate current market value can be deduced from assessment.
- Financial statements for business assets.
- Copies of closing documents showing the selling price and the distribution of the sales proceeds.
- Appraisals of personal property held as an investment.
- Family's Notarized Statement describing assets or cash held at the family's home or in safe deposit boxes.

2. Assets Disposed of for Less than Fair Market Value (FMV) during two years preceding effective date of certification or recertification.

For all Certifications and Recertifications, the YMHA will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or recertification.

If the family certifies that they have disposed of assets for less than fair market value, verification [or certification] is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

H. Verification of Allowable Deductions from Income

1. Child Care Expenses

Written verification from the person who receives the payments is required. If the child care provider is an individual, she/he must provide a statement of the amount they are charging the family for their services.

Child Care Verifications must specify:

- the child care provider's name;
- the child care provider's address;
- the child care provider's telephone number;
- the child care provider's Social Security Number;
- the names of the children cared for;
- the number of hours per day the child care occurs;
- the rate of payment;
- the typical yearly amount paid, including school and vacation periods; and,
- the family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources

2. Medical and Handicapped Assistance Expenses

Families who claim medical expenses or expenses to assist a person(s) with disability will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:

- Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, , of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.
- Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family.

- Written confirmation from the Social Security Administration's of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

3. For attendant care:

- A reliable, knowledgeable professional's certification that the assistance of an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation purposes.
- Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.
- Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.
- Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.
- Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. YMHA may use this approach for "general medical expenses" such as non-prescription drugs and regular visits to doctors or dentists, but not for one-time, nonrecurring expenses from the previous year.

The YMHA will use mileage at the YMHA's rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

4. Assistance to Persons with Disabilities

In All Cases:

- Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed.
- Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.

Attendant Care:

- Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided.
- Certification of family and attendant and/or copies of canceled checks family used to make payments.

5. Auxiliary Apparatus:

- Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.
- In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

I. Verifying Non-Financial Factors

1. Verification of Legal Identity

In order to prevent program abuse, the YMHA will require applicants to furnish verification of legal identity for all family members.

- The documents listed below will be considered acceptable verification of legal identity for adults. Illegible documents or documents that appear to have been altered will not be accepted. If a document submitted by a family is questionable, more than one of these documents may be required.
 - a. Certificate of Birth, birth card, or naturalization papers
 - b. Church issued baptismal certificate
 - c. Current, valid Driver's license
 - d. U.S. military discharge (DD 214)
 - e. U. S. military I. D.
 - f. U.S. passport
 - g. Voter's registration
 - h. Company/agency Identification Card
 - i. Department of Motor Vehicles Identification Card
- Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:
 - a. Certificate of Birth or birth card
 - b. Adoption papers
 - c. Custody agreement
 - d. Health and Human Services ID
 - e. School Records

2. Verification of Marital Status

- Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.
- Verification of a separation may be a copy of court-ordered maintenance or other records.
- Verification of marriage status is a marriage certificate.

3. Familial Relationships

Certification will normally be considered sufficient verification of family relationships. In cases where reasonable doubt exists, the family may be asked to provide verification.

The following verifications will be required if certification is insufficient:

- Verification of relationship:
 - a. Official identification showing name
 - b. Birth Certificates
 - c. Baptismal certificates
- Verification of guardianship is:
 - a. Court-ordered assignment
 - b. Affidavit of parent
 - c. Verification from social services agency
 - d. School records

4. Split Households: Domestic Violence

- Verification of domestic violence when assessing applicant split households includes:
 - a. Shelter for battered persons
 - b. Police reports
 - c. District Attorney's office

5. Verification of Permanent Absence of Adult Member

- If an adult member who was formerly a member of the household is reported permanently absent by the family, the YMHA will consider any of the following as verification:
 - a. Husband or wife institutes divorce action.
 - b. Husband or wife institutes legal separation.

- c. Order of protection/restraining order obtained by one family member against another.
- d. Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement. At least three (3) different forms of documentation must be submitted. A written statement from another agency such as social services that the adult family member is no longer living at that location may be used as one form of documentation.
- e. If the adult family member is incarcerated, a document from the Court or prison should be obtained stating how long they will be incarcerated.

6. Verification of Change in Family Composition

The YMHA may verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

7. Verification of Disability

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) or verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehabilitation specialist, or licensed social worker, using the HUD language as the verification format.

8. Verification of Citizenship/Eligible Immigrant Status

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the YMHA hearing is pending.

- Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.
- Eligible Immigrants who were tenants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.
- Noncitizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The YMHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, the YMHA must request within ten days that the INS conduct a manual search.

Family members who do not claim to be citizens or eligible immigrants must be listed on a statement of non-contending family members signed by the head of household or spouse.

- Noncitizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of non-contending members.

Failure to Provide. If an applicant or tenant family member fails to sign required declarations and consent forms or provide documents, as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

Time of Verification. For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination. For tenant families, it is done at the first regular recertification after June 19, 1995. For family members added after other members have been verified, the verification occurs at the first recertification after the new member moves in. Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial YMHA does not supply the documents, the YMHA must conduct the determination.

Extensions of Time to Provide Documents. The YMHA will not grant an extension for families to submit evidence of eligible immigrant status.

Acceptable Documents of Eligible Immigration. The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)
- Employment Authorization Card (I-688B)
- Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be maintained as a permanent part of the file.

The YMHA will verify the eligibility of a family member at any time such eligibility is in question, without regard to the position of the family on the waiting list.

9. Verification of Social Security Numbers

- Social security numbers must be provided as a condition of eligibility for all family members six and over if they have been issued a number. Verification of Social Security numbers will be done through a Social Security Card issued by the Social Security Administration.
- New family members ages six and older will be required to produce their Social Security Card at the time the change in family composition is reported to the YMHA.
- If an applicant or tenant is able to disclose the Social Security Number but cannot meet the documentation requirements, the applicant or tenant must sign a certification to that effect provided by the YMHA. The applicant is not determined eligible until verification of the Social Security number or certification that they do not have a Social Security number is provided. If they fail to provide this documentation, the family's tenancy will be terminated.
- If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

10. Medical Need for Larger Unit

A written certification that a larger unit is necessary must be obtained from a reliable, knowledgeable medical professional.

J. Verification of Suitability for Admission

1. Sources to be used to determine suitability include but are not limited to:

- Criminal History Reports
- Current and prior landlord references
- Physicians, social workers, and other health professionals
- YMHA and Other PHAs and federally subsidized rental housing agencies and properties (to whom the family may owe debt)

2. Ability to meet financial obligations under the lease

All applicants will be subject to the following procedures to ensure their ability to meet financial obligations under the lease:

- All applicants will be interviewed and asked questions about the basic elements of tenancy.
- The YMHA will access a Credit Report on all Zero Income Residents.

- The YMHA will determine if applicants owe any monies to from previous tenancy or participation in any HUD housing program.
- The YMHA will independently verify the rent-paying history of all applicants for the previous three (3) years directly with the landlord(s).

3. Drug-related or violent criminal activity

The YMHA will complete a criminal background check of all applicants, including other adult members in the household, or any member for which criminal records are available.

4. Housekeeping

The YMHA will obtain references from prior landlords for the previous three (3) years to determine acceptable housekeeping standards.

XIII. VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY

I. Purpose and Applicability

The purpose of this policy (herein called "Policy") is to implement the applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162) and more generally to set forth YMHA's policies and procedures regarding domestic violence, dating violence, and stalking, as hereinafter defined.

This Policy shall be applicable to the administration by YMHA of all federally subsidized public housing and Section 8 Housing Choice Voucher rental assistance under the United States Housing Act of 1937 (42 U.S.C. §1437 *et seq.*). Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

II. Goals and Objectives

This Policy has the following principal goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- B. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by YMHA;
- C. Providing and maintaining housing opportunities for victims of domestic violence dating violence, or stalking;
- D. Creating and maintaining collaborative arrangements between YMHA, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by YMHA; and
- E. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by YMHA.

III. Other YMHA Policies and Procedures

This Policy shall be referenced in and attached to YMHA's Five-Year Public Housing Agency Plan and shall be incorporated in and made a part of YMHA's Admissions and Continued Occupancy Policy and Section 8 Housing Choice Voucher Administrative Plan. YMHA's annual public housing agency plan shall also contain information concerning YMHA's activities,

services or programs relating to domestic violence, dating violence, and stalking.

To the extent any provision of this policy shall vary or contradict any previously adopted policy or procedure of YMHA, the provisions of this Policy shall prevail.

IV. Definitions

As used in this Policy:

A. *Domestic Violence* – The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

B. *Dating Violence* – means violence committed by a person—

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship.
 - (ii) The type of relationship.
 - (iii) The frequency of interaction between the persons involved in the relationship.

C. *Stalking* – means –

(A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and

(B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to –

- (i) that person;
- (ii) a member of the immediate family of that person; or
- (iii) the spouse or intimate partner of that person;

D. *Immediate Family Member* - means, with respect to a person –

- (A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
- (B) any other person living in the household of that person and related to that person by blood or marriage.

E. *Perpetrator* – means person who commits an act of domestic violence, dating violence or stalking against a victim.

V. Admissions and Screening

A. *Non-Denial of Assistance.* YMHA will not deny admission to public housing or to the Section 8 Housing Choice Voucher rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

VI. Termination of Tenancy or Assistance

A. *VAWA Protections.* Under VAWA, public housing residents and persons assisted under the Section 8 Housing Choice Voucher rental assistance program have the following specific protections, which will be observed by YMHA:

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serious or repeated" violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.

2. In addition to the foregoing, tenancy or assistance will not be terminated by YMHA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:

(a) Nothing contained in this paragraph shall limit any otherwise available authority of YMHA or a Section 8 Housing Choice Voucher owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither YMHA nor a Section 8 Housing Choice Voucher manager or owner may apply a more demanding standard to the victim of domestic violence dating violence or stalking than that applied to other tenants.

(b) Nothing contained in this paragraph shall be construed to limit the authority of YMHA or a Section 8 Housing Choice Voucher owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or YMHA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. *Removal of Perpetrator.* Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, YMHA or a Section 8 Housing Choice Voucher owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or

termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by YMHA. Leases used for all public housing operated by YMHA and, at the option of Section 8 Housing Choice Voucher owners or managers, leases for dwelling units occupied by families assisted with Section 8 Housing Choice Voucher rental assistance administered by YMHA, shall contain provisions setting forth the substance of this paragraph.

VII. Verification of Domestic Violence, Dating Violence or Stalking

A. *Requirement for Verification.* The law allows, but does not require, YMHA or a Section 8 Housing Choice Voucher owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph VII. C., YMHA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by YMHA. Section 8 Housing Choice Voucher owners or managers receiving rental assistance administered by YMHA may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. *HUD-approved form* - by providing to YMHA or to the requesting Section 8 Housing Choice Voucher owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.

2. *Other documentation* - by providing to YMHA or to the requesting Section 8 Housing Choice Voucher owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.

3. *Police or court record* - by providing to YMHA or to the requesting Section 8 Housing Choice Voucher owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

B. *Time allowed to provide verification/ failure to provide.* An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by YMHA, or a Section 8 Housing Choice Voucher owner or manager to provide verification, must provide such verification within 14 business days (*i.e.*, 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper

form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.

- C. *Waiver of verification requirement.* The Executive Director of YMHA or his/her designee, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Executive Director, owner or manager. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

VIII. Confidentiality

A. *Right of confidentiality.* All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to YMHA or to a Section 8 Housing Choice Voucher owner or manager in connection with a verification required under section VII of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:

1. requested or consented to by the individual in writing, or
2. required for use in a public housing eviction proceeding or in connection with termination of Section 8 Housing Choice Voucher assistance, as permitted in VAWA, or
3. otherwise required by applicable law.

B. *Notification of rights.* All tenants of public housing and tenants participating in the Section 8 Housing Choice Voucher rental assistance program administered by YMHA shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

VIII. Transfer to New Residence

A. *Application for transfer.* In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, dating violence, or stalking, YMHA will, if an approved unit size is available at a location that may reduce the risk of harm, approve transfer by a public housing or Section 8 Housing Choice Voucher tenant to a different unit in order to reduce the level of risk to the individual. A tenant who requests transfer must attest in such application that the requested transfer is necessary to protect the health or safety of the tenant or another member of the household who is or was the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

B. *Action on applications.* YMHA will act upon such an application promptly.

C. *No right to transfer.* YMHA will make every effort to accommodate requests for transfer when suitable alternative vacant units are available and the circumstances warrant such action. However, except with respect to portability of Section 8 Housing Choice Voucher assistance as provided in paragraph IX. E. below the decision to grant or refuse

to grant a transfer shall lie within the sole discretion of YMHA, and this policy does not create any right on the part of any applicant to be granted a transfer.

- D. *Family rent obligations.* If a family occupying YMHA public housing moves before the expiration of the lease term in order to protect the health or safety of a household member, the family will remain liable for the rent during the remainder of the lease term unless released by YMHA. In cases where YMHA determines that the family's decision to move was reasonable under the circumstances, YMHA may wholly or partially waive rent payments and any rent owed shall be reduced by the amount of rent collected for the remaining lease term from a tenant subsequently occupying the unit.
- E. *Portability.* Notwithstanding the foregoing, a Section 8-assisted tenant will not be denied portability to a unit located in another jurisdiction (notwithstanding the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12 months) so long as the tenant has complied with all other requirements of the Section 8 Housing Choice Voucher Program and has moved from the unit in order to protect a health and safety of an individual member of the household who is or has been the victim of domestic violence, dating violence, or stalking, and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

X. Court Orders/Family Break-up

A. *Court orders.* It is YMHA's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by YMHA and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.

B. *Family break-up.* Other YMHA policies regarding family break-up are contained in YMHA's Public Housing Admissions and Continuing Occupancy Plan (ACOP) and its Section 8 Housing Choice Voucher Administrative Plan.

XI. Relationships with Service Providers

It is the policy of YMHA to cooperate with organizations and entities, both private and governmental that provide shelter and/or services to victims of domestic violence. If YMHA staff becomes aware that an individual assisted by YMHA is a victim of domestic violence, dating violence or stalking, YMHA will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring YMHA either to maintain a relationship with any particular provider of shelter or services to victims or domestic violence or to make a referral in any particular case. YMHA's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which YMHA has referral or other cooperative relationships.

XII. Notification

YMHA shall provide written notification to applicants, tenants, and Section 8 Housing Choice Voucher owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

XIII. Relationship with Other Applicable Laws

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of

Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

XIV. Amendment

This policy may be amended from time to time by YMHA as approved by the YMHA Board of Commissioners.

XIV. YMHA SMOKE FREE POLICY

Introduction and Purpose

The Department of Housing and Urban Development (HUD) is requiring Public Housing Authorities to adopt smoke-free policies in order to reduce the public health risks associated with tobacco use. (See PIH NOTICE: PIH-2012-25 Smoke Free Policies in Public Housing and the final rule on instituting smoke-free public housing dated December 5, 2016). This will enhance HUD's efforts to increase the effectiveness of HUD's efforts to provide increased public health protection for residents of public housing.

This policy is the YMHA's Smoke-free policy for all Youngstown Metropolitan Housing Authority's properties. This policy is based on HUD and YMHA's intent to provide healthier, safer, living environments for residents and work environment for its employees. Effective July 30, 2018 all current residents, all employees, all guests, and all new residents of the YMHA will be prohibited from smoking on YMHA properties including the housing units and within any common areas owned or under the control of the YMHA. The original policies are now updated to include the provisions of the final rules under Smoke Free Public Housing.

The new final rule requires each public housing agency (PHA) administering public housing to implement a smoke-free policy. Specifically, no later than by July 30, 2018, the YMHA must implement a "smoke-free" policy banning the use of prohibited tobacco products in all public housing living units, indoor common areas in public housing, and in PHA administrative office buildings. YMHA has been proactive in smoke free public housing and will implement the provisions prior to the required date.

HUD requires the smoke-free policy must at least extend to all outdoor areas up to 25 feet from the public housing and administrative office buildings. The smoke free rule improves indoor air quality in the housing; benefits the health of public housing residents, visitors, and YMHA staff; reduces the risk of catastrophic fires; and lowers overall maintenance costs.

Any current resident as of adoption of this policy who is a smoker and desires to cease smoking may request and be referred to smoking cessation resources. YMHA will work with local service providers to provide information on local smoking cessation resources and programs at no cost to the resident. Services to be provided will include medications and counseling as needed.

General Provisions

According to HUD YMHA must design and implement a policy prohibiting the use of prohibited tobacco products in all public housing living units and interior areas (including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures), as well as in outdoor areas within 25 feet from public

housing and administrative office buildings (collectively, "restricted areas") in which public housing is located.

YMHA's smoke-free policy must ban the use of all prohibited tobacco products. Prohibited tobacco products are defined as:

- Items that involve the ignition and burning of tobacco leaves, such as (but not limited to) cigarettes, cigars, pipes, and water pipes (hookahs)
- YMHA will include that the smoke-free policy will also include legal and illegal substances to include marijuana, and other controlled substances.
- YMHA may enhance the smoke free regulations, and will use the opportunity under this policy to enhance the smoke free policy to include a smoke free campus.

According to HUD, YMHA may limit smoking to designated smoking areas on the grounds of the public housing or administrative office buildings in order to accommodate residents who smoke. These areas must be outside of any restricted areas, as stated above and may include partially enclosed structures. Alternatively, YMHA may choose to create additional smoke-free areas outside the restricted areas or to make their entire grounds smoke-free. YMHA has chosen to implement a policy to prohibit smoking on all YMHA properties and grounds.

Lease Provisions

All properties in YMHA will be considered a smoke free campus. This means that no smoking of tobacco or other products will be allowed on the YMHA property. The YMHA will allow the electronic nicotine delivery systems (ENDS) to be smoked within the individual's dwelling unit.

The lease will require the following provisions:

To assure that no tenant, member of the tenant's household, or guest engages in:

Civil activity. For any units covered by 24 CFR part 965, subpart G, any smoking of prohibited tobacco products in restricted areas, as defined by 24 CFR 965.653(a), or in other outdoor areas that the YMHA has designated as smoke-free. YMHA does not allow smoking on any of YMHA's property, and is considered a "smoke free campus".

To assure that no other person under the tenant's control engages in:

Civil activity. For any units covered by 24 CFR part 965, subpart G, any smoking of prohibited tobacco products in restricted areas, as defined by 24 CFR 965.653(a), or in other outdoor areas that the YMHA has designated as smoke-free.

Policy and Applicability

1. Except for ENDS, smoking is not being permitted in individual units. Smoking including ENDS will not be permitted in the common spaces of a designated Housing Authority community or facility of any type after the effective date of the Policy, unless otherwise specified. "Smoke" or "smoking" means the possession or use (carrying or smoking) of any kind of lighted pipe, cigar, cigarette, pipe, water pipe, or any other lighted smoking equipment or tobacco product or other

substance- controlled or uncontrolled.

2. This policy covers all YMHA properties, grounds and buildings, including, but not limited to park areas, parking lots, vehicles, common areas, elevators, stairs, hallways, playground areas, and resident units. YMHA includes provisions in the policy prohibiting the use of prohibited tobacco products in all public housing living units and interior areas (including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures), as well as in outdoor areas in the public housing and administrative office buildings (collectively, "restricted areas") in which public housing is located.
3. The YMHA does allow the electronic nicotine delivery system (ENDS) within the dwelling unit. The ENDS is not allowed in other common areas or other restricted areas. The YMHA is considered a smoke free campus, with the exception of the ENDS in the dwelling unit.
4. This policy applies to any and all persons entering the YMHA properties including YMHA residents, their guests and visitors, contractors, and YMHA employees.
5. "Common spaces" are defined as areas within the building interior and exterior that are open to the public, including but not limited to entryways, community patios or balconies, roof terraces, lobbies, hallways, elevators, management offices, restrooms, community rooms, community kitchens, stairwells, sidewalks, parking lots, parking garages, carpools, lands within the developments; lands owned by or under the control of the Housing Authority and any other similar area of the property that is accessible to employees, residents and guests or any other person.

"Individual units" for restrictions are defined as the interior and exterior spaces tied to a particular multi-family or single-family dwelling unit. This includes, but is not limited to, bedrooms, hallways, kitchens, bathrooms, patios, balconies, and unit entryway areas.

6. The Housing Authority will inform current residents, new applicants on waiting lists, Housing Authority employees, contractors, and sub-contractors of this policy, all of whom are also responsible for compliance with this policy.
7. The Housing Authority will post "No Smoking" or "Smoke-Free Campus" or similar signs at entrances and exits of administrative, office and multi-family buildings; in common areas; inside residential units and other practical places to facilitate enforcement and compliance with this policy.
8. All residents will be given a copy of the smoking policy. After review, the resident will be required to sign an acknowledgement of the policy. A copy of the acknowledgement will be placed in the resident file. Current residents will be

required to sign an amendment to their lease incorporating the non-smoking policy. Leases for residents will include the non-smoking policy.

9. All employees will be given a copy of the smoking policy. After review, the employee will be required to sign an acknowledgement of the policy. A copy of the acknowledgement will be placed in the employee's personnel file.
10. Although YMHA prohibits smoking as noted above, there is no warranty or guarantee of any kind that units, grounds, office areas or common areas will be totally smoke free. Enforcement of YMHA's no smoking policy is a joint responsibility that requires the cooperation of residents, employees and others in reporting incidents or suspected violations of smoking.

Progressive Actions for Violations of the Smoke - Free Policies

YMHA will use a series of progressive actions for the enforcement of the policies. The actions are as follows:

1st violation of the policy/lease provisions

Resident will be counseled and receive a written warning that further violations will lead to a lease termination, resident will be referred to cessation resources

2nd violation of the policy/lease provisions

Resident will be counseled and receive a 2nd written warning that further violations will lead to a lease termination, resident will be required to attend a session on cessation resources

3rd violation of the policy/lease provisions

Resident's lease will be terminated with a 30 day notice

Should no further violation occur within that year after the first or second violation notice occur, the progressive violation clock will be reset on that resident. The Housing Authority will use termination as the last means of resort, in accordance with HUD requirements.

RESIDENT RESPONSIBILITY

1. It will be the resident's responsibility to inform his/her household members and guests of this No Smoking Policy and for ensuring compliance with the policy.
2. The resident will prohibit smoking by his/her household members or guests while on the premises that would violate this Policy.
3. Failure to comply or upon repeated violations to this policy and the lease provisions will be cause for lease enforcement action up to and including termination of resident lease agreement.

EMPLOYEES RESPONSIBILITIES

1. It is the responsibility of every employee to be aware of YMHA's No Smoking Policy and assist YMHA in the enforcement of the policy.
2. Employees will prohibit smoking by anyone while on the premises that would violate this Policy.
3. Failure to comply or upon repeated violations to this policy will be cause for disciplinary action up to and including termination of employment.

SMOKING CESSATION NATIONAL AND SUPPORT SERVICES

Smoking tobacco is an addictive behavior. The YMHA in implementing the non-smoking policies will be persistent in our efforts to support smoking cessation programs for residents, adapting our efforts as needed to local conditions. YMHA will work with local service providers to provide information on local smoking cessation resources and programs.

Resources and program may include: the National Network of Tobacco Cessation Quit lines, 1-800-QUIT-NOW (1-800-784-8669) which connects users directly to their State quitline; the National Cancer Institute's website www.smokefree.gov which provides tips on quitting tobacco use; the National Cancer Institute counselors who can be accessed by calling the toll-free number 1-877-44U-QUIT (1-877-448-7848). Hearing or speech-challenged individuals may access these numbers through TTY by calling the toll-free Federal Relay Service at 1-800-877- 8339; and the American Lung Association's Web page on State Tobacco Cessation Coverage www.lungusa2.org/cessation2 which provides information on cessation insurance programs.

XV. Definitions of Terms Used in This Statement of Policies

1. Accessible dwelling units—when used with respect to the design, construction or alteration of an individual dwelling unit, means that the unit is located on an accessible route and when designed, constructed, altered, or adapted can be approached, entered, and used by individuals with physical disabilities. A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in the Uniform Federal Accessibility Standards is “accessible” within the meaning of this paragraph. When an individual dwelling unit in an existing facility is being modified for use by a specific individual, the unit will not be deemed accessible, even though it meets the standards that address the impairment of that individual, unless it also meets the UFAS standards⁸³.
1. Accessible Facility - means all or any portion of a facility *other than an individual dwelling unit* used by individuals with physical disabilities⁸⁴.
2. Accessible Route - For persons with mobility impairment, a continuous unobstructed path that complies with space and reaches requirements of the Uniform Federal Accessibility Standards. For persons with hearing or vision impairments, the route need not comply with requirements specific to mobility⁸⁵.

3. Adaptability - Ability to change certain elements in a dwelling unit to accommodate the needs of disabled and non-disabled persons; or ability to meet the needs of persons with different types & degrees of disability⁸⁶.
4. Adult: A Person who is 18 years of age or older, or who has been convicted of a crime as an adult under any Federal, State or tribal law.
5. Alteration - any change in a facility or its permanent fixtures or equipment. It does not include: normal maintenance or repairs, reroofing, interior decoration or changes to mechanical systems⁸⁷.
6. Applicant - a person or a family that has applied for admission to housing.
7. Area of Operation - The jurisdiction of the YMHA as described in applicable State law and the YMHA's Articles of Incorporation.
8. Assets - Assets means "cash (including checking accounts), stocks, bonds, savings, equity in real property, or the cash value of life insurance policies. Assets do not include the value of personal property such as furniture, automobiles and household effects or the value of business assets." IMPORTANT: See the definition of Net Family Assets, for assets used to compute annual income⁸⁸.
9. Auxiliary Aids - means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in and enjoy the benefits of programs or activities⁸⁹.
10. Care attendant - a person who regularly visits the unit of a YMHA resident to provide supportive or medical services. Care attendants are not live-in aides, since they have their own place of residence (and if requested by YMHA must demonstrate separate residence) and do not live in the public housing unit.
11. Co-head of household - One of the two people in a household where two persons are held responsible and accountable for the family, and where each co-head contributes to the rent.
12. Covered Person - For the purposes of screening and terminating tenancy for criminal activity, a tenant, any member of the tenant's household, a guest, or another person under the tenant's control.
13. Dependent - A member of the household, other than head, spouse, sole member, foster child, or Live-in Aide, who is under 18 years of age, or 18 years of age or older and disabled, or a full-time student, and qualifies for a \$480 deduction when computing income-based rent⁹⁰.
14. Designated Family - means the category of family for whom YMHA elects (subject to HUD approval) to designate a project (e.g. elderly family in a project designated for elderly families) in accordance with the 1992 Housing Act.
15. Designated housing (or designated project) - a project(s), or portion of a project(s) designated for elderly only or for disabled families only in accordance with HUD requirements.
16. Disabled Family - A family whose head, spouse or sole member is a person with disabilities. (Person with disabilities is defined later in this section.) The term includes two or more persons with disabilities living together, and one or more such persons living with one or more persons including live-in aides determined to be essential to the care and well-being of the person or persons with disabilities. A disabled family may include persons with disabilities who are elderly⁹¹.

17. Displaced Person - A person displaced by government action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise recognized pursuant to Federal disaster relief laws. This definition is used for eligibility determinations only. It should not be confused with the former Federal preference for involuntary displacement⁹².
18. Divestiture Income - Imputed income from assets, including business assets, disposed of by applicant or resident in the last two years at less than fair market value
19. Drug – A controlled substance as defined in the Controlled Substances Act⁹³.
20. Drug-related Criminal Activity – The illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell distribute or use the drug⁹⁴.
21. Elderly Family - A family whose head or spouse (or sole member) is at least 62 years of age. It may include two or more elderly persons living together, and one or more such persons living with one or more persons, including live-in aides, determined to be essential to the care and well-being of the elderly person or persons. An elderly family may include elderly persons with disabilities and other family members who are not elderly⁹⁵.
22. Elderly Person - A person who is at least 62 years of age.
23. Extremely Low Income Family – A Family who's Annual Income is equal to or less than 30% of Area Median Income, as published by HUD.
24. Family –
 - Two or more persons (with or without children) regularly living together, related by blood, marriage, adoption, guardianship or operation of law who will live together in YMHA housing; OR
 - Two or more persons who are not so related, but are regularly living together or intend to regularly live together, can verify shared income or resources, and who will live together in YMHA housing.

The term family also includes the following terms defined in this Section:

- Elderly family
- Near elderly family
- Disabled family
- Displaced person
- Single person
- Remaining member of a tenant family,

Other persons, including members temporarily absent (e.g. a child temporarily placed in foster care or a student temporarily away at college), may be considered a part of the applicant family's household if they are living or will live regularly with the family⁹⁶.

- Live-in Aides may also be considered part of the applicant family's household. However, live-in aides are not *family* members and have no rights of tenancy or continued occupancy.
- Foster Care Arrangements include situations in which the family is caring for a foster

adult, child or children in their home who have been placed there by a public child placement agency, or a foster adult or adults placed in the home by a public adult placement agency.

- For purposes of continued occupancy: the term family also includes the remaining member of a resident family with the capacity to execute a lease.

25. Full-Time Student - A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. Educational institution shall include but not be limited to: college, university, secondary school, vocational school or trade school⁹⁷.
26. Guest – For the purposes of determining whether an individual's criminal activity is the responsibility of the tenant, a guest is a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. The requirements of the lease apply to a guest as so defined.
27. Head of the Household - The family member (identified by the family) who is held responsible and accountable for the family.
28. Household – The family, YMHA-approved foster child or children and a YMHA-approved Live-in Aide
29. Individual with Disabilities, Section 504 definition ⁹⁸

Section 504 definitions of Individual with Disabilities and Qualified Individual with Disabilities are not the definitions used to determine program eligibility. Instead, use the definition of person with disabilities as defined later in this section. Note: the Section 504, Fair Housing, and Americans with Disabilities Act (ADA) definitions are similar. ADA uses the term "individual with a disability". Individual with disabilities means any person who has:

- (a) A physical, mental or emotional impairment that:
 - substantially limits one or more major life activities;
 - has a record of such an impairment;
 - or is regarded as having such an impairment.
- (b) For purposes of housing programs, the term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others.
- (c) Definitional elements:

“physical or mental impairment” means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or

Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The

term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

"Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

"Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

"Is regarded as having an impairment" means has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation; or

Has a physical or mental impairment that substantially limits one or more major life activities only as result of the attitudes of others toward such impairment; or

Has none of the impairments defined in this section but is treated by a recipient as having such an impairment.

NOTE: A person would be covered under the first item if YMHA refused to serve the person because of a perceived impairment and thus "treats" the person in accordance with this perception. The last two items cover persons who are denied the services or benefits of YMHA's housing program because of myths, fears, and stereotypes associated with the disability or perceived disability.

The 504 definition of individual with disabilities is a civil rights definition. To be considered for admission to public housing a person must meet the program definition of person with disabilities found in this section.

30. Kinship care - an arrangement in which a relative or non-relative becomes the primary caregiver for a child or children but is not the biological parent of the child or children. The primary caregiver need not have legal custody of such child or children to be a kinship caregiver under this definition. (Definition provided by the Kinship Care Project, National Association for Public Interest Law)
31. Live-in Aide - A person who resides with an elderly person(s), near elderly person(s) or person(s) with disabilities and who: (a) is determined by YMHA to be essential to the care and well being of the person(s); (b) is not obligated to support the family member; and (c) would not be living in the unit except to provide the necessary supportive services⁹⁹.

YMHA policy on Live-in Aides stipulates that:

- (a) Before a Live-in Aide may be moved into a unit, a third-party verification must be supplied that establishes the need for such care and the fact that the live-in aide is qualified to provide such care;
- (b) Move-in of a Live-in Aide must not result in overcrowding of the existing unit according to the maximum-number-of-persons-per-unit standard (although, a reasonable accommodation for a resident with a disability may be to move the family to a larger unit);

- © Live-in Aides have no right to the unit as a remaining member of a resident family;
- (d) Relatives who satisfy the definitions and stipulations above may qualify as Live-in Aides, but only if they sign a statement prior to moving in relinquishing all rights to the unit as the remaining member of a resident family.
- (e) A Live-in aide is a single person.
- (f) A Live-in Aide will be required to meet YMHA's screening requirements with respect to past behavior especially:

A record of disturbance of neighbors, destruction of property, or living or housekeeping habits at present or prior residences that may adversely affect the health, safety, or welfare of other tenants or neighbors;

Criminal activity such as crimes of physical violence to persons or property and other criminal acts including drug-related criminal activity that would adversely affect the health, safety, or welfare of other residents or staff or cause damage to the unit or the development; and

A record of eviction from housing or termination from residential programs.

- 32. Low-Income Household - A family whose annual income does not exceed 80 percent of the median income for the area as determined by HUD with adjustments for smaller and larger families¹⁰⁰
- 34. Medical Expense Allowance - For purposes of calculating adjusted income for elderly or disabled families only, medical expenses mean the medical expense in excess of 3% of Annual Income, where these expenses are not compensated for or covered by insurance¹⁰¹.
- 35. Minor - A minor is a person less than 18 years of age. An unborn child will not be considered as a minor. (See definition of dependent.) Some minors are permitted to execute contracts, provided a court declares them "emancipated".
- 36. Mixed Population Project - means a public housing project for elderly and disabled families. The YMHA is not required to designate this type of project under the Extension Act. (PIH Notice 97-12)
- 37. Multifamily housing project - For purposes of Section 504, means a project containing five or more dwelling units¹⁰².
- 38. Near-elderly family - means a family whose head, spouse, or sole member is a near-elderly person (at least 50 but less than 62 years of age), who may be a person with a disability. The term includes two or more near-elderly persons living together, and one or more such persons living with one or more persons who are determined to be essential to the care or well-being of the near-elderly person or persons. A near-elderly family may include other family members who are not near-elderly¹⁰³.
- 39. Near-elderly person - means a person who is at least 50 years of age but below 62, who may be a person with a disability
- 40. Net Family Assets - The net cash value, after deducting reasonable costs that would be incurred in disposing of¹⁰⁴:
 - (a) Real property (land, houses, mobile homes)
 - (b) Savings (CDs, IRA or KEOGH accounts, checking and savings accounts,

precious metals)

- © Cash value of whole life insurance policies
- (d) Stocks and bonds (mutual funds, corporate bonds, savings bonds)
- (e) Other forms of capital investments (business equipment)

Net cash value is determined by subtracting the reasonable costs likely to be incurred in selling or disposing of an asset from the market value of the asset. Examples of such costs are: brokerage or legal fees, settlement costs for real property, or penalties for withdrawing saving funds before maturity.

Net Family assets also include the amount in excess of any consideration received for assets disposed of by an applicant or resident for less than fair market value during the two years preceding the date of the initial certification or reexamination. This does not apply to assets transferred as the result of a foreclosure or bankruptcy sale.

In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be less than fair market value if the applicant or resident receives important considerations not measurable in dollar terms.

41. Other person under the tenant's control – The person, although not staying as a guest in the unit is or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not under the tenant's control (e.g. the Pizza Delivery person).
42. Person with disabilities^{xxvii} means a person^{xxviii} who ¹⁰⁵—
 - (a) Has a disability as defined in Section 223 of the Social Security Act¹⁰⁶; or,
 - (b) Has a physical, mental or emotional impairment that:
 - Is expected to be of long continued and indefinite duration;
 - Substantially impedes his/her ability to live independently; and,
 - Is of such nature that such disability could be improved by more suitable housing conditions; or,
 - (c) Has a developmental disability as defined in Section 102 (5) (b) of the Developmental Disabilities Assistance and Bill of Rights Act¹⁰⁷
43. Portion of project - includes, one or more buildings in a multi-building project; one or more floors of a project or projects; a certain number of dwelling units in a project or projects.
44. Project, Section 504 - means the whole of one or more residential structures & appurtenant structures, equipment, roads, walks, & parking lots that are covered by a single contract for Federal financial assistance or application for assistance, or are treated as a whole for processing purposes, whether or not located on a common site.

^{xxvii} NOTE: this is the program definition for public housing. The 504 definition does not supersede this definition for eligibility or admission. [24 CFR 8.4 (c) (2)]

^{xxviii} A person with disabilities may be a child.

45. Premises – The building or complex or development in which the public housing dwelling is located, including common areas and grounds.
46. Qualified Individual with disabilities, Section 504¹⁰⁸ - means an individual with disabilities who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the YMHA can demonstrate would result in a fundamental alteration in its nature.
- (a) Essential eligibility requirements include: ...stated eligibility requirements such as income as well as other explicit or implicit requirements inherent in the nature of the program or activity, such as requirements that an occupant of multifamily housing be capable of meeting the recipient's selection criteria and be capable of complying with all obligations of occupancy with or without supportive services provided by persons other than the YMHA.
- (b) For example, a chronically mentally ill person whose particular condition poses a significant risk of substantial interference with the safety or enjoyment of others or with his or her own health or safety in the absence of necessary supportive services may be "qualified" for occupancy in a project where such supportive services are provided by the YMHA as a part of the assisted program. The person may not be 'qualified' for a project lacking such services.
47. Single Person - A person who is not an elderly person, a person with disabilities, a displaced person, or the remaining member of a resident family.
48. Spouse - Spouse means the husband or wife of the head of the household.
49. Tenant Rent¹⁰⁹- The amount payable monthly by the Family as rent to YMHA. When all utilities (except telephone) and other essential housing services are supplied by the Authority; Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the YMHA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the Utility Allowance
50. Total Tenant Payment (TTP) - The TTP, or income-based rent, is calculated using the following formula:
- The greatest of 30% of the monthly Adjusted Income (as defined in these policies) or 10% of the monthly Annual Income (as defined in these policies), or the Welfare Rent if applicable, but never less than the Minimum Rent. If the Resident pays for the utilities directly to the utility supplier, the amount of the Utility Allowance is deducted from the TTP¹¹⁰. See the definition for Tenant Rent.
51. Uniform Federal Accessibility Standards - Standards for the design, construction, and alteration of publicly owned residential structures to insure that physically disabled persons will have ready access to and use of such structures. The standards are set forth in **Appendix A to 24 CFR Part 40**. See cross reference to UFAS in 504 regulations, 24 CFR § 8.32 (a).
52. Utilities - Utilities means water, electricity, gas, other heating, refrigeration and cooking fuels, trash collection, and sewerage services. Telephone service is not included as a utility¹¹¹.
53. Upward Mobility Preference: An admissions preference granted when:
- (a) A family can verify employment of an adult member:

(i) Employment at the time of the offer —Applicant family must have at least one adult family member employed at the time of YMHA's offer of housing. Employment must be for the 90-day period immediately prior to the offer of housing and provide a minimum of 20 hours of work per week for the family member claiming the preference.

(ii) Employment periods may be interrupted, but to claim the preference, a family must have an employed family member as described above.

(iii) A family member that leaves a job will be asked to document the reasons for the termination. Someone who quits work after receiving benefit of the preference (as opposed to layoff, or taking a new job) will be considered to have misrepresented the facts to YMHA and will have their assistance terminated.

(iv) The amount earned shall not be a factor in granting this local preference. This local preference shall also be available to a family if the head, spouse, or sole member is 62 or older, or is receiving social security disability, or SSI disability benefits, or any other payments based on the individual's inability to work¹¹².

(b) A family can verify participation in a job-training program or graduation from such a program, including programs of job training, skills training or education accepted or mandated by the TANF.

54 Utility Reimbursement - Funds that are reimbursed to the resident or the utility company on the resident's behalf if the utility allowance exceeds the Total Tenant Payment.

55 Very Low-Income Family - Very low-income family means a family whose Annual Income does not exceed 50 percent of the median Annual Income for the area, with adjustments for smaller and larger families, as determined by the Secretary of Housing and Urban Development ¹¹³

56 Violent Criminal Activity – Any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause serious bodily injury or property damage.

Citations

-
- ¹ 24 CFR Part 1
 - ² 24 CFR Part 100
 - ³ 24 CFR Part 8
 - ⁴ 24 CFR Part 146
 - ⁵ 24 CFR § 960.103
 - ⁶ 24 CFR § 960.205
 - ⁷ 24 CFR §§ 8.21, 8.23, 8.24, and 8.25
 - ⁸ 24 CFR § 100.204
 - ⁹ 24 CFR § 8.24(a)(2)
 - ¹⁰ 24 CFR § 8.24
 - ¹¹ 24 CFR § 8.23(b)
 - ¹² 24 CFR § 8.24 (a) (1)
 - ¹³ 24 CFR § 8.24 (b)
 - ¹⁴ 24 CFR § 8.32 (c)
 - ¹⁵ 24 CFR § 8.26
 - ¹⁶ 24 CFR § 8.26
 - ¹⁷ 24 CFR § 8.32 (c)
 - ¹⁸ 24 CFR § 8.32 (c) and § 40, Uniform Federal Accessibility Standards, 3.5 and 4.1.6(3)
 - ¹⁹ 24 CFR § 906.204 (a)
 - ²⁰ 24 CFR § 8.20 and 8.21
 - ²¹ 24 CFR § 8.6
 - ²¹ 24 CFR § 8.6
 - ²² 24 CFR § 8.6
 - ²³ 24 CFR § 8.6
 - ²⁴ 24CFR§960.103(b)
 - ²⁵ 24 CFR §109.30(a)
 - ²⁶ 24 CFR § 5.5 Subpart E
 - ²⁷ 24 CFR § 5.216
 - ²⁸ 24 CFR § 960.205
 - ²⁹ 24 CFR 960.206
 - ³⁰ 24 CFR § 85.42
 - ³¹ 24 CFR § 960.206 (c)
 - ³² 24 CFR § 960.206(e)
 - ³³ 24 CFR § 5.410 (a) (3)
 - ³⁴ 24 CFR § 960.206 (a)(4)
 - ³⁵ 24 CFR § 960
 - ³⁶ 24 CFR § 960.205 (b)
 - ³⁷ 24 CFR § 960.205 (b)
 - ³⁸ 24 CFR § 8.3 Definition: Qualified individual with disabilities
 - ³⁹ 24 CFR § 8.3 Definition: Qualified individual with disabilities
 - ⁴⁰ 24 CFR §960.203
 - ⁴¹ 24 CFR § 960.203 (b)(1)
 - ⁴² 24 CFR § 960.204(4)(c))
 - ⁴³ 24 CFR § 960.203 (c)(1)
 - ⁴⁴ 24 CFR § 960.203 (c)(2)
 - ⁴⁵ 24 CFR § 960.203 (c)(3)
 - ⁴⁶ 24 CFR § 8.2 Definition: Qualified Individual with Disabilities
 - ⁴⁷ 24 CFR § 960.204(a)
 - ⁴⁸ 24 CFR § 8.2 Definition: Qualified Individual with Disabilities
 - ⁴⁹ 24 CFR §960.205(d)
 - ⁵⁰ 24 CFR § 960.205 (d)
 - ⁵¹ 24 CFR § 5.403

- 52 24 CFR § 5.603
- 53 24 CFR § 5.5
- 54 24 CFR § 5.4
- 55 24 CFR § 960.203
- 56 24 CFR § 960.208(b)
- 57 24 CFR § 960.208(a)
- 58 24 CFR § 966
- 59 24 CFR § 966.4 (p)
- 60 24 CFR § 966.4 (c)(3)
- 61 24 CFR § 966.4 (o)
- 62 24 CFR § 966.4 (i)
- 63 24 CFR §§ 960.205 (b) and 966.4(a)(1)(v)
- 64 24 CFR § 966.4 (f)(3) & (c)(2)
- 65 24 CFR § 966.4 (f)(3)
- 66 24 CFR § 966.4 (f)(2)
- 67 24 CFR § 966.4 (f)(3)
- 68 24 CFR § 100.5
- 69 24 CFR § 5.5
- 70 24 CFR § 960.257
- 71 24 CFR § 960.259(c)
- 72 24 CFR § 5
- 73 24 CFR § 966.4 (c)(2)
- 74 24 CFR § 966.4 (c) & (o)
- 75 24 CFR § 966.4 (c)(3)
- 76 24 CFR § 960.259 (c)
- 77 24 CFR § 966.4 (l)(2)
- 78 24 CFR § 966.4 (l)(3)
- 79 24 CFR 5.609
- 80 24 CFR § 5.609
- 81 24 CFR § 5.609(d)
- 82 24 CFR § 5.611
- 83 24 CFR § 8.32 & § 40
- 84 24 CFR § 8.21
- 85 24 CFR § 8.3 & § 40.3.5
- 86 24 CFR § 8.3 & § 40.3.5
- 87 24 CFR § 8.3 & § 8.23 (b)
- 88 24 CFR § 5.603
- 89 24 CFR § 8.3
- 90 24 CFR § 5.603
- 91 24 CFR § 5.403
- 92 (42 USC 1437a(b)(3))
- 93 24 CFR § 5.100
- 94 24 CFR § 5.100
- 95 24 CFR § 5.403
- 96 24 CFR §§ 5 and 960
- 97 24 CFR 5.603
- 98 24 CFR § 8.3
- 99 24 CFR 5.403
- 100 42 USC 1437a(b)
- 101 24 CFR § 5.603
- 102 24 CFR § 8.3
- 103 24 CFR § 5.403
- 104 24 CFR § 5.603
- 105 42 USC 1437a(b)(3)
- 106 42 USC 423
- 107 42 USC 6001 (5).

¹⁰⁸ 24 CFR § 8.3

¹⁰⁹ 24 CFR § 5.603.

¹¹⁰ 24 CFR § 5.613

¹¹¹ 24 CFR § 965.473

¹¹² 24 CFR 960.206 (b) (2)

¹¹³ 42 USC 1437a(b).

YMHA will not hold units vacant for non-responsive applicants, nor will it relax eligibility or screening criteria to admit otherwise unqualified applicants.