



Housing Choice Voucher Program

Changes to HCVP Administrative Plan

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PLAN-WIDE CHANGES

- Housing Opportunities Through Modernization Act (HOTMA) of 2016.
Income Review and Asset Limitation Provisions (Sections 102 and 104 respectively) – These provisions will take effect on Jan. 1, 2024, but PHAs will have additional time to bring their systems into compliance as quickly as possible, but no later than Jan. 1, 2025. This compliance date will be established by HUD via a notice.

Despite the later compliance date, PHAs must have updated their Admissions and Continued Occupancy Policies (ACOPs) and Administrative Plans to reflect the changes made by these HOTMA provisions by Jan. 1, 2024. Once a PHA is ready to transition to the HOTMA rules, it must do so in all affected areas of operations. Once the new Housing Information Portal (HIP) is in place, HUD will monitor HIP submissions and reach out to PHAs that are not submitting through HIP to check on their status.

CHAPTER 1: STATEMENT OF POLICIES AND OBJECTIVES

No current policy.	N/A	<p>Added NEW section 1.7 to reference HOTMA 2016:</p> <p><i>1.7 HOUSING OPPORTUNITITES THROUGH MODERNIZATION ACT (HOTMA) OF 2016</i></p> <p><i>The Housing Opportunity Through Modernization Act of 2016 (HOTMA) was enacted on July 29, 2016. On February 14, 2023, HUD published a final rule implementing Sections 102 and 104 of the HOTMA Act of 2016.</i></p> <ul style="list-style-type: none"> • <i>Section 102: Income & Reexaminations</i> • <i>Section 104: Maximum Asset Limits & Asset Exceptions</i> <p><i>Many of the provisions of HOTMA are intended to streamline administrative processes and reduce burdens on PHAs, thereby also reducing burdens on participants. This Administrative Plan includes policies which reflect HOTMA provisions related to Sections 102, 103, and 104 as well as HABC's MTW policies which waive certain HOTMA provisions as provided under HABC's Moving to Work Agreement (MTW) with HUD.</i></p> <p><i>As of the date of the Public Notice for review of this Administrative Plan, HUD has not yet published specific implementation Notices on HOTMA Sections 102 and 104. HUD is requiring HABC to update this Administrative Plan to reflect HOTMA provisions as of January 1, 2024; however, they are allowing additional time for compliance (no later than January 1, 2025). Once HUD issues implementation guidance for the HOTMA provisions and HABC receives HUD approval, the Administrative Plan will be updated to reflect the final approved changes..</i></p>
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CHAPTER 1: STATEMENT OF POLICIES AND OBJECTIVES (continued)

<p><u>1.9 VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND/OR STALKING</u></p> <p>The purpose of this policy is to implement applicable revisions of the Violence Against Women Act of 2005 and the Violence Against Women Reauthorization Act of 2013 (collectively "VAWA"), and to set forth HABC's policies regarding domestic violence, dating violence, sexual assault and stalking. Notwithstanding VAWA's title, this policy is gender neutral.</p> <p>...</p> <p>1.9.6 VAWA Definitions</p> <p>The following definitions, which are related to VAWA, can be found in the definitions section of this Administrative Plan:</p> <ul style="list-style-type: none"> • Domestic Violence • Dating Violence • Sexual Assault • Stalking • Affiliated Individual 	<p>1-9</p> <p>1-11</p>	<p>Revised section to meet updated requirements of the updated Violence Against Women Act of 2022 and HUDs interpretation thereof to include Human Trafficking and updated definitions:</p> <p><u>1.10 VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND/OR STALKINGHUMAN TRAFFICKING</u></p> <p>The purpose of this policy is to implement applicable revisions of the Violence Against Women Act of 2005 and the Violence Against Women Reauthorization Act of 2013 (collectively "VAWA"), and to set forth HABC's policies regarding domestic violence, dating violence, sexual assault, and stalking, <i>and human trafficking who are applying for or receiving assistance through the Housing Choice Voucher Program.</i> Notwithstanding VAWA's title, this policy is gender neutral.</p> <p><i>Although the VAWA 2022 statute does not specifically include human trafficking in the list of victims protected under VAWA, in 2022 HUD began including human trafficking as part of the list of victims protected under VAWA (as seen in Notices PIH 2022-06, PIH 2022-22, and PIH 2022-24). In the absence of a final rule implementing VAWA 2022 and to mirror HUD's recent usage, this policy includes human trafficking in addition to domestic violence, dating violence, sexual assault, and stalking anywhere such a list appears.</i></p> <p>1.9.6 1.10.6 VAWA Definitions</p> <p>The following definitions, which are related to VAWA, can be found in the definitions section of this Administrative Plan:</p> <ul style="list-style-type: none"> • Domestic Violence • Dating Violence • Sexual Assault • Stalking • <i>Human Trafficking</i> • Affiliated Individual • <i>Bifurcate</i> • <i>Actual and Imminent Threat</i> • <i>Economic and Technological Abuse</i>
<p><u>1.10. REASONABLE ACCOMODATIONS POLICY</u></p> <p>No Current Policy</p>	<p>N/A</p>	<p>Adding new section providing the updated HOTMA definition of Persons with Disabilities. Also updated to include Federal Civil Rights Definition and HUDs Definition:</p> <p><i>1.11.1 Definitions of a Person with a Disability</i></p> <p><i>The definition of a person with a disability for purposes of granting a reasonable accommodation request is much broader than the HUD definition of disability. Many people will not qualify as a disabled person under the public housing program, yet an accommodation is needed to provide equal opportunity.</i></p>

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CHAPTER 1: STATEMENT OF POLICIES AND OBJECTIVES (continued)

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1.10. REASONABLE ACCOMODATIONS POLICY

No Current Policy

1.11.1.1 Definition of a Person with a Disability Under Federal Civil Rights Laws

A person with a disability, as defined under federal civil rights laws, is any person who:

- Has a physical or mental impairment that substantially limits one or more of the major life activities of an individual, or*
- Has a record of such impairment, or*
- Is regarded as having such impairment.*

The phrase "physical or mental impairment" includes:

- Any physiological disorder or condition, cosmetic or 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" includes, but is not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, breathing, learning, and/or working.

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

"Is regarded as having an impairment" is defined as having a physical or mental impairment that does not substantially limit one or more major life activities but is treated by a public entity (such as the PHA) as constituting such a limitation; has none of the impairments defined in this section but is treated by a public entity as having such an impairment; or has a physical or mental impairment that substantially limits one or more major life activities, only as a result of the attitudes of others toward that impairment.

The definition of a person with disabilities does not include:

- Current illegal drug users;*
- People whose alcohol use interferes with the rights of others;*
- Persons who objectively pose a direct threat or substantial risk of harm to others that cannot be controlled with a reasonable accommodation under the public housing program;*

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1.10. REASONABLE ACCOMODATIONS POLICY

No Current Policy

The above definition of disability determines whether an applicant or participant is entitled to any of the protections of federal disability civil rights laws. Thus, a person who does not meet this definition of disability is not entitled to a reasonable accommodation under federal civil rights and fair housing laws and regulations.

The definition of a person with disabilities does not include:

- *Current illegal drug users*
- *People whose alcohol use interferes with the rights of others*
- *Persons who objectively pose a direct threat or substantial risk of harm to others that cannot be controlled with a reasonable accommodation under the public housing program.*

The above definition of disability determines whether an applicant or participant is entitled to any of the protections of federal disability civil rights laws. Thus, a person who does not meet this definition of disability is not entitled to a reasonable accommodation under federal civil rights and fair housing laws and regulations.

1.11.1.2 HUD Definition Of A Person With A Disability

The HUD definition of a person with a disability is much narrower than the civil rights definition of disability. The HUD definition of a person with a disability is used for purposes of receiving the disabled family preference, elderly/disabled household deduction, the allowance for medical expenses, or the allowance for disability assistance expenses. Federal nondiscrimination laws define a person with a disability to include any (1) individual with a physical or mental impairment that substantially limits one or more major life activities; (2) individual with a record of such impairment; or (3) individual who is regarded as having such an impairment.

1.14 PRIVACY RIGHTS

Applicants and participants, including all adults (i.e., 18 years of age and older) in their households, are required to sign the HUD 9886 Authorization for Release of Information form or an HABC equivalent. Completion of this form is required at every initial screening, interim, or regular re-examination. This document authorizes HABC to request income information from the State wage information collection agency and other Federal collection agencies in order to verify household income. This document incorporates the Federal Privacy Act Statement and does not provide authorization for the release of family information. Failure to sign the consent form will result in the denial of eligibility or termination of assisted housing benefits.

...

1-15

Updating this section as required under HOTMA (consent form only needs to be signed once by anyone 18yrs or older currently in the household or being added to the household):

Applicants and participants, including all adults (i.e., 18 years of age and older) in their households, are required to sign the HUD 9886 Authorization for Release of Information form or an HABC equivalent. ~~Completion of this form is required at every initial screening, interim, or regular re-examination.~~ This document authorizes HABC to request ~~income~~ information from the State wage information collection agency, *income information, wages, and resource information from financial institutions net earnings from self-employment, payments of retirement income, and unearned income as referenced at 26 U.S.C. 6103*, and other Federal collection agencies in order to verify household income...

Failure to sign the consent form will result in the denial of eligibility or termination of assisted housing benefits. *Revocation of consent will result in denial of admissions or termination of assistance.*

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1.14 PRIVACY RIGHTS

...

HABC policy regarding release of information is in accordance with State and local laws. Information to be supplied to a landlord, upon request, is limited to that specified in Chapter 9 of this plan...

On or after January 1, 2024, participants must sign the new Release Form at their next regular or interim reexamination. Thereafter, family members do not need to sign and submit subsequent consent forms at the next interim or regularly scheduled income examination except under the following circumstances:

- When any person 18 years or older becomes a member of the family, that family member must sign and submit a consent form; or*
- When a member of the family turns 18 years of age, that family member must sign and submit a consent form.*

The Release Form is signed once by all adults aged 18 and over and any adult added to the family or household member turning 18. The release form will remain effective until the earliest of:

- The rendering of a final adverse decision for applicants;*
- The cessation of a participant's eligibility for assistance from HUD or HABC; or*
- The express revocation by the applicant or participant (or applicable family member) of the authorization in a written notification to HUD.*

HABC policy regarding release of information is in accordance with State and local laws. Information to be supplied to a landlord, upon request, is limited to that specified in Chapter 9 of this plan...

No current policy.

N/A

Adding new sections on Adjustments for Inflation per HOTMA and to provide additional resources to assist with understanding policies and regulatory requirements:

1.16. ADJUSTMENTS FOR INFLATION

HUD may adjust deductions for inflation to ensure that deductions do not lose value over time. Using its MTW flexibility HABC may develop and implement its own inflation adjustments via an approved MTW Plan.

1.17. RESOURCES

The table below includes links to helpful resources to assist staff in applying policies and understanding the regulatory requirements.

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CHAPTER 2: ELIGIBILITY FOR ADMISSION

2.3 FAMILY COMPOSITION

To be eligible for admission, the applicant must qualify as a "family." ... Family as defined by HUD includes, but is not limited to the following:

- A family with or without a child or children (if a child is temporarily absent from home due to placement in foster care, the temporary absence shall not be considered in determining the family composition and voucher size if the absence is presumed to be for less than 180 days);
- An elderly family;
- A non-elderly person with a disability family;
- Any remaining eligible member(s) of an applicant family who was listed on the initial HCVP application;
- The remaining member of a participant family who was listed on the lease;
- A one-person household who is not elderly, displaced, or a person with disabilities;
- Two or more elderly persons or persons with disabilities living together;
- One or more elderly persons or persons with disabilities who have a live-in aide;
- Two or more persons who intend to share residency whose income and resources are available to meet the family's needs and who have a history as a family unit or show evidence of a stable family relationship.
- A group of persons consisting of two or more elderly persons or persons with disabilities living together, or one or more elderly person or person with disabilities living with one or more live-in aides is a family.

HABC determines if any other group of persons qualifies as a "family". A single person family may be:

- An elderly person;
- A displaced person;
- A person with a disability. Individuals may not be considered disabled for eligibility purposes solely on the basis of any drug or alcohol dependence;
- Any other single person.

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Revising definitions of family as per HOTMA regulations:

To be eligible for admission, the applicant must qualify as a "family." ... Family as defined by HUD includes, but is not limited to the following:

A Single person, who may be:

- *An elderly person, displaced person, disabled person, near-elderly person, or any other single person;*
- *An otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age and who has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act (42 U.S.C. 675(5)(H)), and is homeless or is at risk of becoming homeless at age 16 or older.*

A group of persons residing together, and such group includes, but is not limited to:

- A family with or without a child or children (if a child is temporarily absent from home due to placement in foster care, the temporary absence shall not be considered in determining the family composition and voucher size if the absence is presumed to be for less than 180 days);
- An elderly family;
- *A near-elderly family;*
- *A disabled family;*
- *A displaced family; and*
- *The remaining member(s) of a participant family as listed on the lease; and*
- ~~A non-elderly person with a disability family;~~
- Any remaining eligible member(s) of an applicant family who was listed on the initial HCVP application;
- ~~The remaining member of a participant family who was listed on the lease;~~
- ~~A one-person household who is not elderly, displaced, or a person with disabilities;~~
- ~~Two or more elderly persons or persons with disabilities living together;~~
- ~~One or more elderly persons or persons with disabilities who have a live-in aide;~~
- ~~Two or more persons who intend to share residency whose income and resources are available to meet the family's needs and who have a history as a family unit or show evidence of a stable family relationship.~~
- ~~A group of persons consisting of two or more elderly persons or persons with disabilities living together, or one or more elderly person or person with disabilities living with one or more live-in aides is a family.~~

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CHAPTER 2: ELIGIBILITY FOR ADMISSION (Continued)

<p><u>2.3 FAMILY COMPOSITION</u></p> <p>2.3.9 Live-In Aides</p> <p>... A live-in aide is not considered to be an assisted family member and has no rights or benefits under the Program:</p> <ul style="list-style-type: none"> • The income of the live-in aide will not be counted for purposes of determining eligibility or level of benefits. • ... • If approved, only the live-in aide can reside in the unit with the applicant household. No other member of the live-in aide's family can live in the assisted unit. <p>...</p> <p>A live-in aide may only reside in the unit with the approval of HABC. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker, who must certify that a live-in aide is needed for the care of the family member who is elderly or a person with a disability.</p> <p>...</p> <p>Any person proposed as a live-in aide, including relatives, must be approved by the owner of the unit and pass HABC's eligibility and screening criteria. HABC has the right to disapprove a request for a live-in aide based on the "Other Eligibility Criteria" described in this Chapter.</p>	<p>2-5</p>	<p>Adding stipulation to Live-In Aide regarding separate bedroom waivers per Office of Legal Aid – to match ACOP:</p> <ul style="list-style-type: none"> • ... • If approved, only the live-in aide can reside in the unit with the applicant household. No other member of the live-in aide's family can live in the assisted unit. • <i>Live-in aides will be provided a separate bedroom. If a live-in aide waives their right to have a separate bedroom, HABC will require the live-in aide to certify that they have waived this right.</i> <p>A live-in aide may only reside in the unit with the approval of HABC. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker, who must certify that a live-in aide is needed for the care of the family member who is elderly or a person with a disability. <i>Additionally, HABC will re-verify the need for a live-in aide at each regular reexamination.</i></p> <p><i>If HABC does not approve the addition of a live-in aide, HABC will notify the family in writing and provide the family with an opportunity to request an informal meeting. If an existing live-in aide is no longer required for occupancy in the assisted unit, the live-in aide must vacate the unit within 30 days of the disapproval notice from HABC.</i></p> <p>Any person proposed as a live-in aide, including relatives, must be approved by the owner of the unit and pass HABC's eligibility and screening criteria, <i>including EIV prior debt and adverse termination screening</i>. HABC has the right to disapprove a request for a live-in aide based on the "Other Eligibility Criteria" described in this Chapter.</p>
<p><u>2.3 FAMILY COMPOSITION</u></p> <p>2.3.15 Foster Children and Foster Adults</p> <p>Foster children are children approved by a state placement agency to live with the household. Foster adults are unrelated to the participant family, who are approved by a state placement agency to live with the household.</p> <p>Foster children and foster adults who are living with an applicant or participant family are considered household members but not family members and therefore do not have residual rights to the voucher.</p>	<p>2-9</p>	<p>Updating policies on foster children and adults per HOTMA regulations:</p> <p><i>A foster child is a member of the household who meets the definition of a foster child under State law. In general, a foster child is placed with the family by an authorized placement agency (e.g., public child welfare agency) or by judgment, decree, or other order of any court of competent jurisdiction.</i></p> <p><i>A foster adult is a member of the household who is 18 years of age or older and meets the definition of a foster adult under State law. In general, a foster adult is a person who is 18 years of age or older, is unable to live independently due to a debilitating physical or mental condition and is placed with the family by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction.</i></p> <p>Foster children are children approved by a state placement agency to live with the household. Foster adults are unrelated to the participant family, who are approved by a state placement agency to live with the household.</p> <p>Foster children and foster adults who are living with an applicant or participant family are considered household members but not family members and therefore do not have residual rights to the voucher.</p>

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CHAPTER 2: ELIGIBILITY FOR ADMISSION (Continued)

<p><u>2.8 SCREENING PROCEDURES</u></p> <p>2.8.1 Enterprise Income Verification (EIV) Screening HABC will conduct EIV screening for new applicants.</p> <p>...</p> <p>HABC will conduct EIV screening on all adult household members to identify former residents of federally assisted rental programs who voluntarily or involuntarily left the program and have a reportable unfavorable status and/or owe money to a PHA or landlord as a result of participation in a HCV Program. HABC will retain the search results with the application along with any documentation obtained as a result of contact with the applicant and the PHA and/or owner at the other location.</p>	2-14	<p>Updating policies on EIV as per HOTMA regulations:</p> <p>HABC will conduct EIV screening for new applicants.</p> <p>...</p> <p><i>All adult household members must sign the form HUD-52675, Debts Owed to Public Housing and Terminations. Prior to admission to the program, HABC will search for each adult family member in the EIV Debts Owed to PHAs and Terminations module.</i></p> <p>HABC will conduct EIV screening on all adult household members to identify former residents of federally assisted rental programs who voluntarily or involuntarily left the program and have a reportable unfavorable status and/or owe money to a PHA or landlord as a result of participation in <i>the</i> HCV Program. HABC will retain the search results with the application along with any documentation obtained as a result of contact with the applicant and the PHA and/or owner at the other location. <i>HABC will determine if the information warrants a denial in accordance with the policies in this Administrative Plan.</i></p>
<p><u>2.8 SCREENING PROCEDURES</u></p> <p>2.8.2 Debt Screening</p> <p>HABC will conduct a debt screening on all members age eighteen (18) years and older. Previous outstanding debts to HABC or any public housing authority resulting from a previous tenancy in public housing or participation in the HCV Program must be paid in full prior to admission. No payment agreement will be accepted. The applicant will be denied unless the applicant pays the debt in full within sixty (60) calendar days from the date HABC notifies the applicant of the debt, unless HABC determines that mitigating circumstances exist or the debt cannot be collected under state law. A determination as to whether the debt may be collected shall be made in consultation with HABC's Office of Legal Affairs.</p>	2-14	<p>Updating policy to match current procedure:</p> <p>...</p> <p>Previous outstanding debts to HABC or any public housing authority resulting from a previous tenancy in public housing or participation in the HCV Program must be paid in full prior to admission. No payment agreement will be accepted. The applicant will be denied unless the applicant pays the debt in full within sixty (60) calendar days from the date HABC notifies the applicant of the debt, unless HABC determines that mitigating circumstances exist or the debt cannot be collected under state law. A determination as to whether the debt may be collected shall be made in consultation with HABC's Office of Legal Affairs.</p>
<p><u>2.8 SCREENING PROCEDURES</u></p> <p>No current policy.</p>	N/A	<p>Adding Asset Limitation and Real Property Screening as per HOTMA regulations:</p> <p><i>2.8.3 Asset Limitation Screening Upon HUD approval, HABC will NOT deny eligibility or terminate a family if the family has assets whose face value exceeds \$100,000, as per HOTMA and HABC's MTW policy.</i></p>

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CHAPTER 2: ELIGIBILITY FOR ADMISSION (Continued)

<p>CONTINUED FROM PREVIOUS PAGE</p> <p><u>2.8 SCREENING PROCEDURES</u></p> <p>No current policy.</p>	N/A	<p>Adding Asset Limitation and Real Property Screening as per HOTMA regulations (CONTINUED):</p> <p><i>2.8.4 Real Property Screening</i> <i>HABC will conduct screening to determine if any family at admission or reexamination has:</i></p> <ul style="list-style-type: none"> <i>• A present ownership interest in, a legal right to reside in, and the effective legal authority to sell, based on State or local laws of the jurisdiction where the property is located; or</i> <i>• Real property that is suitable for occupancy by the family as a residence, except this real property restriction does not apply to:</i> <i>• Any property for which the family is receiving assistance under 24 CFR 982.620; or under the Homeownership Option in 24 CFR part 982;</i> <i>• Any property that is jointly owned by a member of the family and at least one non-household member who does not live with the family, if the non-household member resides at the jointly owned property;</i> <i>• Any person who is a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking; or</i> <i>• Any family that is offering such property for sale.</i> <p><i>2.8.4.1 Real Property Restrictions</i> <i>The real property restriction does not apply to:</i></p> <ul style="list-style-type: none"> <i>• Any property for which the family is receiving assistance under 24 CFR 982.620; or under the Homeownership Option in 24 CFR part 982;</i> <i>• Any property that is jointly owned by a member of the family and at least one non-household member who does not live with the family, if the non-household member resides at the jointly owned property;</i> <i>• Any person who is a victim of domestic violence, dating violence, sexual assault, or stalking</i> <i>• When a family asks for or about an exception to the real property restriction because a family member is a victim of domestic violence, dating violence, sexual assault, or stalking, and HABC will comply with the regulatory confidentiality requirements. HABC will accept a self-certification from the family member, and the restrictions on requesting documentation under § 5.2007 apply.</i> <i>• Any family that is offering such property for sale.</i>
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<p>CONTINUED FROM PREVIOUS PAGE</p> <p><u>2.8 SCREENING PROCEDURES</u></p> <p>No current policy.</p>	N/A	<p>Adding Asset Limitation and Real Property Screening as per HOTMA regulations (CONTINUED):</p> <p><i>2.8.4.2 Suitable for Occupancy</i> <i>The property exception policies are part of HABC's MTW policies on A property will be considered "suitable for occupancy" unless the family demonstrates that it:</i></p> <ul style="list-style-type: none"> • <i>Does not meet the disability-related needs for all members of the family (e.g., physical accessibility requirements, disability-related need for additional bedrooms, proximity to accessible transportation, etc.);</i> • <i>Is not sufficient for the size of the family;</i> • <i>Is geographically located so as to be a hardship for the family (e.g., the distance or commuting time between the property and the family's place of work or school would be a hardship to the family, as determined by HABC);</i> • <i>Is not safe to reside in because the person is a victim of domestic violence, sexual assault or stalking and is in fear of harm if they were to reside in the property;</i> • <i>Is not safe to reside in because of the physical condition of the property (e.g., property's physical condition poses a risk to the family's health and safety and the condition of the property cannot be easily remedied); or</i> • <i>Is not a property that a family may reside in under the State or local laws of the jurisdiction where the property is located.</i> <p><i>2.8.4.3 Acceptable Documentation of Real Property</i> <i>HABC will accept a certification by a family that certifies that such family does not have any present ownership interest in any real property at the time of the income determination or review.</i></p> <p><i>2.8.4.4 Enforcement & Exceptions to the Real Property Limitation Policy</i> <i>When recertifying the income of a family that is subject to the real property restrictions, HABC will not impose the real property limitation policy to the following families:</i></p> <ul style="list-style-type: none"> • <i>Elderly families</i> • <i>Disabled families</i> <p><i>2.8.4.5 Delay of Eviction or Termination of Assistance</i> <i>HABC may delay for a period of not more than 6 months the initiation of eviction proceedings of a family based on non-compliance under the real property limitation policy unless it conflicts with other provisions of law.</i></p>
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CHAPTER 3: APPLYING FOR ADMISSION

3.3 OPENING THE WAITING LIST

Upon request from a person with a disability, HABC will identify one of the following agencies that can provide appropriate services:

- Baltimore Neighborhoods Incorporated (BNI)
- ...
- First Call for Help
- Department of Disabilities
- ...
- Making Choices for Independent Living (MCIL)
- ...
- Maryland Mental Health Partners
- Maryland Public Mental Behavioral Health System
- ...
- Mental Health Association of Maryland
- MTA Bus/Metro/Call-a-lift Ride
- ...
- Volunteers for Medical Engineering

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Removing list of specific agencies that constantly change to state HABC will assist with identifying an agency to assist with a specific accommodation request:

Upon request from a person with a disability, HABC ~~will~~ *may assist with identifying one of the following* agencies that can provide *the* appropriate services *to meet the accommodation.*

- ~~• Baltimore Neighborhoods Incorporated (BNI)~~
- ~~• ...~~
- ~~• First Call for Help~~
- ~~• Department of Disabilities~~
- ~~• ...~~
- ~~• Maryland Department of Disabilities~~
- ~~• Making Choices for Independent Living (MCIL)~~
- ~~• ...~~
- ~~• Maryland Mental Health Partners~~
- ~~• Maryland Public Mental Behavioral Health System~~
- ~~• ...~~
- ~~• Mental Health Association of Maryland~~
- ~~• MTA Bus/Metro/Call-a-lift Ride~~
- ~~• ...~~
- ~~• United Way of Central Maryland: First Call for Help~~
- ~~• Volunteers for Medical Engineering~~

3.7 APPLICATION COMPLETION AND INTERVIEW

3.7.1 Requirement to Attend Interview

...

The head of household, spouse, and co-head regardless of age, and all adult members must sign the HUD Form 9886 "Authorization for Release of Information / Privacy Act Notice" or HABC equivalent, ... Applicants will be required to sign specific verification forms for information not covered by the HUD Form 9886 or HABC equivalent.

...

If HABC determines at, or after the interview, that additional information or documentation is needed, HABC will request the documentation or information in writing. The applicant will be given ten (10) business days to supply the information. If the information is not supplied in this time period, HABC will provide the applicant a notification of denial for assistance (subject to reasonable accommodations). The applicant may be offered an opportunity to request an informal review.

3-6

Updating policy to include HOTMA regulations:

... Applicants will be required to sign specific verification forms for information not covered by the HUD Form 9886 or HABC equivalent. *Failure to sign the Release of Information form or revocation of consent will result in denial of assistance or termination.*

Updating policy to include current procedure:

...

If HABC determines at, or after the interview, that additional information or documentation is needed, HABC will request the documentation or information in writing. The applicant will be given ten (10) business days to supply the information. If the information is not supplied in ~~this the~~ time period *specified*, HABC will provide the applicant a notification of denial for assistance (subject to reasonable accommodations). ~~The applicant may be offered an opportunity to request an informal review. There is no opportunity for an informal review when an applicant is withdrawn for failure to provide required documentation.~~

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CHAPTER 3: APPLYING FOR ADMISSION (Continued)

<p><u>3.8 VERIFICATION</u></p> <p>...</p> <p>Information provided by the applicant will be verified, using the verification procedures as described in the "Verification Procedures" chapter. Family composition, income, allowances and deductions, assets, full-time student status, eligibility and rent calculation factors, and other pertinent information will be verified. Verifications may not be more than sixty (60) days old at the time of voucher issuance.</p>	<p>3-7</p>	<p>Updating policy to include pending MTW request to extend age of verifications at voucher issuance (pending HUD approval), and to include verification factors for eligibility to match ACOP:</p> <p>Information provided by the applicant will be verified, using the verification procedures as described in the "Verification Procedures" chapter. Family composition, income, allowances and deductions, assets, full-time student status, eligibility and rent calculation factors, and other pertinent information will be verified. <i>Upon HUD approval, verifications may not be more than sixty (60) one hundred twenty (120) days old at the time of voucher issuance.</i></p> <p><i>3.8.1 Verification Factors for Eligibility</i> <i>Upon completion of the applicant's interview, the following items will be verified to determine eligibility for admission to HABC's Housing Choice Voucher Program:</i></p> <ul style="list-style-type: none"> <i>• Local preference</i> <i>• Legal identity</i> <i>• Family composition and type</i> <i>• Annual income (including assets and asset income)</i> <i>• Deductions from annual income</i> <i>• Social Security numbers for all family members</i> <i>• Information used in applicant screening</i> <i>• Citizenship or eligible immigration status</i> <i>• Criminal history report</i> <i>• Prior debt to a federally and/or state assisted housing program</i> <i>• Prior tenancy in federally assisted housing</i> <i>• Ownership interest in real property</i> <p><i>The household is not eligible for a voucher until a final eligibility determination has been made and voucher funding is available.</i></p>
<p><u>3.9 FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY</u></p> <p>After the verification process is complete, HABC will make a final determination of eligibility. This decision is based upon information provided by the family, the verification of the information by HABC, and the current eligibility criteria in effect. If the family is determined to be eligible, HABC will mail a notification of eligibility. A briefing will be scheduled for the issuance of a voucher and orientation to the housing program.</p>	<p>3-8</p>	<p>Updating to include HOTMA's updated definitions and regulatory language:</p> <p>After the verification process is complete, HABC will make a final determination of eligibility...</p> <p><i>Applicants are qualified if they meet the following criteria:</i></p> <ul style="list-style-type: none"> <i>• Is a family as defined in Chapter 2;</i> <i>• Heads a household where at least one member of the household is either a citizen or eligible non-citizen.</i> <i>• Has an annual income at the time of admission at or below defined income limits.</i> <i>• Provides a Social Security number for all family members as required.</i> <i>• Must meet the property ownership restriction requirements.</i> <i>• Consents to HABC's collection and use of family information as provided for in HABC consent forms.</i> <i>• Meets the resident Selection and Suitability Criteria as set forth in this policy including the criminal background screening, debt screening, suitability screening and the attendance and successful completion of the HABC's pre-occupancy class.</i>

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CHAPTER 4: ESTABLISHING PREFERENCES AND MAINTAINING THE WAITING LIST

<p><u>4.3 ORDER OF SELECTION</u></p> <p>4.3.3 Preference 2</p> <ol style="list-style-type: none"> 1. Families with Children... 2. Non-Elderly Persons with Disabilities... 3. Senior Households... 4. Other Family... 	4-3	<p>Adding clarifying language that all categories listed under Preference 2 are treated equally for quality control procedures.</p> <p><i>These preferences are all treated equally under Preference 2, regardless of which level or category they are listed. (Note: applying as a NED and being determined eligible as another Preference 2 category does not change the Preference level).</i></p>
<p><u>4.3 ORDER OF SELECTION</u></p> <p>4.3.4 Mainstream Voucher Program Preference</p> <p>HABC will screen its current tenant-based waiting lists for applicants meeting the preferences defined within this subsection. Applicants who meet the non-elderly disabled qualifications will be asked to come in to HABC's office for eligibility determination and to apply all verified preferences as outlined in this Chapter.</p> <p>If all Mainstream Vouchers are being utilized, the applicant will receive a regular tenant-based voucher. If the applicant is not eligible for a Mainstream Voucher, they will be placed on the waiting list in accordance with their eligibility status as determined by HCVP.</p>	4-4	<p>Clarifying language in policy according to current procedures:</p> <p>HABC will screen its current <i>applicants on the</i> tenant-based waiting lists for applicants meeting the preferences defined within this subsection. Applicants who meet the non-elderly disabled qualifications will be asked to come in to HABC's office for eligibility determination and to apply all verified preferences as outlined in this Chapter.</p> <p>If all Mainstream Vouchers are being utilized, the applicant will receive a regular tenant-based voucher. If the applicant is not eligible for a Mainstream Voucher, they will be placed on the waiting list in accordance with their eligibility status as determined by HCVP <i>unless eligible for a tenant-based voucher at the time of the interview and subject to funding availability.</i></p>
<p><u>4.3 ORDER OF SELECTION</u></p> <p>4.3.7 Choice Mobility Preference for Residents of RAD Properties</p> <p><i>4.3.7.1 RAD Project-Based Rental Assistance (PBRA) Sites</i></p> <p>For residents living in sites subsidized under RAD PBRA, in order to qualify for a Choice Mobility HCV, the residents must reside at the RAD PBRA site:</p> <ul style="list-style-type: none"> • 24 months from the date of execution of the HAP Contract for the RAD property in which they live; or • ... <p><i>4.3.7.2 RAD Project-Based Voucher (PBV) Sites</i></p> <p>For residents living in properties that converted under RAD with Project-Based Voucher (PBV) subsidy, a family may elect to terminate its assisted lease at any time after its first year of occupancy and apply for Choice Mobility tenant-based voucher assistance.</p>	4-5	<p>Clarifying that residents must <i>currently</i> reside at a RAD PBRA site in order to be eligible to receive a Choice Mobility voucher:</p> <p><i>4.3.7.1 RAD Project-Based Rental Assistance (PBRA) Sites</i></p> <p>For residents living in sites subsidized under RAD PBRA, in order to qualify for a Choice Mobility HCV, the residents must <i>currently</i> reside at the RAD PBRA site, <i>and must have resided in that site for:</i></p> <ul style="list-style-type: none"> • 24 months from the date of execution of the HAP Contract for the RAD property in which they live; or • ... <p><i>4.3.7.2 RAD Project-Based Voucher (PBV) Sites</i></p> <p>For residents living in properties that converted under RAD with Project-Based Voucher (PBV) subsidy, a family may elect to terminate its assisted lease at any time after its first year of occupancy and to apply for Choice Mobility tenant-based voucher assistance. <i>Upon reaching the top of the waiting list and after being determined eligible they will be required to terminate the lease.</i></p>

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CHAPTER 5: SUBSIDY STANDARDS

5.4 EXCEPTIONS TO SUBSIDY STANDARDS

5.4.1 Request for Exceptions to Subsidy Standards

No current language in this section regarding Reasonable Accommodation requests to subsidy standards.

5-3

Adding language per OLA to match ACOP reasonable accommodation policies in regard to subsidy standard exceptions:

All requests for exceptions to the subsidy standards must be submitted in writing.

In the case of a request for exception as a reasonable accommodation, HABC will ask the applicant or participant to make the request in writing using a reasonable accommodation request form. However, HABC will consider the exception request any time the applicant or participant indicates that an accommodation is needed whether or not a formal written request is submitted.

Requests for a larger size unit must explain the need or justification for the larger size unit and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source.

HABC will promptly notify the applicant or participant, in writing, of its decision.

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CHAPTER 6: FACTORS RELATED TO TOTAL TENANT PAYMENT AND FAMILY SHARE DETERMINATION

<p><u>6.4 INCOME AND ALLOWANCES</u></p> <p>6.4.1 Annual Income</p> <p>No current policy.</p>	<p>6-2</p>	<p>HOTMA regulations redefine “annual income” and certain inclusions, exclusions, allowances and deductions. In addition, HABC proposed income calculation methods using MTW authority which are pending HUD approval. This section is being updated to include those new regulations and MTW activities.</p> <p><i>Annual income includes, with respect to the family:</i></p> <ul style="list-style-type: none"> <i>All amounts, not specifically excluded in this section, received from all sources by each member of the family who is 18 years of age or older is the head of household or spouse of the head of household, plus unearned income by or on behalf of each dependent who is under 18 years of age; and</i> <i>If the family has assets with a market value which is greater than \$50,000, annual income shall include the face value of the asset times the passbook savings rate (see Section 6.12).</i> <p><i>Upon HUD approval, HABC will calculate annual income by adding the income the family expects to receive during the 12-month period following the family's admission or regular reexamination effective date. Accordingly, annual income is calculated by projecting current income forward for a 12-month period.</i></p> <p><i>This method of income calculation will be used for new admissions, regular and interim reexaminations. Exceptions to this policy include but are not limited to families with Seasonal Income. For these family's retrospective income will be used.</i></p> <p><i>On the third occasion of a family reporting a reduction in income within 3 months of a scheduled reexamination, HABC will use retrospective income to calculate annual income. If an estimate can be made for those families whose income fluctuates from month to month by income averaging, this estimate will be used so that the housing payment will not change from month to month.</i></p> <p><i>If there are bonuses or overtime, which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.</i></p>
<p><u>6.4 INCOME AND ALLOWANCES</u></p> <p>6.4.1 Annual Income</p> <p>Annual income includes, but is not limited to:</p> <ul style="list-style-type: none"> The gross amount, before any payroll deductions, of wages, salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services. The employment income of an emancipated minor is included if the emancipated minor is the head of household, co-head, or spouse. Net income from operation of a business or profession. Interest, dividends and other net income of any kind from real or personal property. ... 	<p>6-3</p>	<p>HOTMA regulations redefine “annual income” and certain inclusions, exclusions, allowances and deductions. HOTMA also removed definitions for temporary or sporadic income. This section is being updated to include those new regulations.</p> <p>Annual income includes, but is not limited to:</p> <ul style="list-style-type: none"> <i>Earned income means income or earnings from wages, tips, salaries, other employee compensation, and net income from self-employment. Earned income does not include any pension or annuity, transfer payments (meaning payments made or income received in which no goods or services are being paid for, such as welfare, social security, and governmental subsidies for certain benefits), or any cash or in-kind benefits.</i>

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<p><u>6.4 INCOME AND ALLOWANCES</u></p> <p>6.4.1 Annual Income</p> <p>Annual income includes, but is not limited to:</p> <ul style="list-style-type: none"> • The gross amount, before any payroll deductions, of wages, salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services. The employment income of an emancipated minor is included if the emancipated minor is the head of household, co-head, or spouse. • Net income from operation of a business or profession. • Interest, dividends and other net income of any kind from real or personal property. • ... <p>The annual income will be calculated for the entire household; the annual earned income will be calculated for the head of household and the spouse, and for each additional member of the household (anyone listed on the lease that is eighteen (18) years or older or is an emancipated minor). Earned income from adult full-time students will be excluded from calculations of household TTP.</p> <p>...</p>	<p>6-3</p>	<p>CONTINUED FROM PREVIOUS PAGE</p> <ul style="list-style-type: none"> • The Wages are considered the full/gross amount, before any payroll deductions, of wages, salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services. The employment income of an emancipated minor is included if the emancipated minor is the head of household, co-head, or spouse. • ... <p>The annual income will be calculated for the entire household; the annual earned income will be calculated for the head of household and the spouse, and for each additional member of the household (anyone listed on the lease that is eighteen (18) years or older or is an emancipated minor). Earned income from adult full-time students will be excluded from calculations of household TTP. <i>In addition, income received from HABC reviewed and approved guaranteed income programs which is paid to support financial stability and economic equality is temporary and thus 100% excluded from calculations of household TTP.</i></p> <p>...</p>
<p><u>6.4 INCOME AND ALLOWANCES</u></p> <p>6.4.1 Annual Income</p> <p>...</p> <p>Annual income excludes the following:</p> <ul style="list-style-type: none"> • Income from the employment of an emancipated minor if the emancipated minor is not the head of household, co-head or spouse. • Income from the employment of family members under eighteen (18) years of age (including children and foster children). • Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the participant family, who are unable to live alone). • Lump sum additions to family assets such as inheritances, insurance payments (including payments under health and accident insurance, and workers' compensation), capital gains, one-time lottery winnings, and settlement for personal or property losses (see above is payments are or will be periodic in nature). See section below for treatment of delayed or deferred periodic payments of Social Security or Supplemental Security Income benefits. 	<p>6-3</p>	<p>HOTMA regulations redefine "annual income" and certain inclusions, exclusions, allowances and deductions. HOTMA also removed definitions for temporary or sporadic income. This section is being updated to include those new regulations.</p> <p>Annual income excludes the following:</p> <ul style="list-style-type: none"> • ... • <i>The following types of trust distributions:</i> <ul style="list-style-type: none"> ○ <i>For an irrevocable trust or a revocable trust outside the control of the family or household excluded from the definition of net family assets under 24 CFR 5.603(b), distributions of the principal or corpus of the trust and distributions of income from the trust when the distributions are used to pay the costs of health and medical care expenses for a minor.</i> ○ <i>For a revocable trust under the control of the family or household, any distributions from the trust, except that any actual income earned by the trust, regardless of whether it is distributed, shall be considered income to the family at the time it is received by the trust.</i> • ...

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<p><i>CONTINUED FROM PREVIOUS PAGE</i></p> <ul style="list-style-type: none"> • Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member. • Income of live-in aide provided the person meets the definition of a live-in aide. • Full amount of student financial assistance paid directly to the student or the educational institution is excluded. • Special pay to a family member serving in the Armed Forces who is exposed to hostile fire. • Amounts received under training programs funded by HUD, including stipends. • Continued Participation only: amounts received under HABC-approved economic self-sufficiency or job training programs, including stipends received by Federal, State or local agencies. • Temporary, nonrecurring, or sporadic income (including gifts). • Reparation payments paid by foreign governments pursuant to claims filed under the laws of government by persons who were persecuted during the Nazi-era. • Earnings for each full-time student who is eighteen (18) years or older and is not the head of household, co-head, or spouse. • Adoption assistance payments per adopted child. • Lump sum payment of deferred periodic payments of Supplemental Security Income and Social Security benefits. • Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit. • Amounts paid by a State agency to a family, on behalf of a family member with a developmental disability living at home to offset the cost of services and equipment needed to keep the family member with the developmental disability at home; and • 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 a program to which the exclusions set forth in the above list of excluded income apply. A notice will be published by HUD in the Federal Register identifying the benefits that qualify for this exclusion. 	<p>6-3</p>	<p><i>CONTINUED FROM PREVIOUS PAGE</i></p> <ul style="list-style-type: none"> • Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member. • <i>Any amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a family member arising out of law, that resulted in a member of the family becoming disabled.</i> • Income of live-in aide provided the person meets the definition of a live-in aide, <i>foster child, or foster adult as defined in 24 CFR §§ 5.403 and 5.603, respectively.</i> • Full amount of student financial assistance paid directly to the student or the educational institution is excluded. <p><i>Student Financial assistance as described below must be:</i></p> <ul style="list-style-type: none"> ◦ <i>Expressly for tuition, books, room and board, or other fees required and charged to a student by the education institution;</i> ◦ <i>Expressly to assist a student with the costs of higher education; or</i> ◦ <i>Expressly to assist a student who is not the head of household or spouse with the reasonable and actual costs of housing while attending the education institution and not residing in an assisted unit.</i> <ul style="list-style-type: none"> • <i>Income and distributions from any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code; and income earned by government contributions to, and distributions from, "baby bond" accounts created, authorized, or funded by Federal, State, or local government.</i> • Special pay to a family member serving in the Armed Forces who is exposed to hostile fire. • <i>Amounts received under a resident service stipend not to exceed \$200 per month. A resident service stipend is a modest amount received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development.</i> • Amounts received under training programs funded by HUD, including stipends. • Continued Participation only: amounts received under HABC-approved economic self-sufficiency or job training programs, including stipends received by Federal, State or local agencies. • Temporary, nonrecurring, or sporadic income (including gifts). • Reparation payments paid by foreign governments pursuant to claims filed under the laws of government by persons who were persecuted during the Nazi-era. • Earnings for each full-time student who is eighteen (18) years or older and is not the head of household, co-head, or spouse, <i>in excess of the amount of the deduction for the dependent.</i>
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- Adoption assistance payments per adopted child, *in excess of the amount of the deduction for the dependent.*
- Lump sum payment of deferred periodic payments of Supplemental Security Income and Social Security benefits.
- *Payments related to aid and attendance under 38 U.S.C. 1521 to veterans in need of regular aid and attendance.*
- Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit.
- Amounts paid by ~~a State agency to a family, on behalf of a family member with a developmental disability living at home to offset the cost of services and equipment needed to keep the family member with the developmental disability at home~~ or authorized by a State Medicaid agency (including through a managed care entity) or other State or Federal agency to a family to enable a family member who has a disability to reside in the family's assisted unit. Authorized payments may include payments to a member of the assisted family through the State Medicaid agency (including through a managed care entity) or other State or Federal agency for caregiving services the family member provides to enable a family member who has a disability to reside in the family's assisted unit; and
- Loan proceeds (the net amount disbursed by a lender to or on behalf of a borrower, under the terms of a loan agreement) received by the family or a third party (e.g., proceeds received by the family from a private loan to enable attendance at an educational institution or to finance the purchase of a car).
- Payments received by Tribal members as a result of claims relating to the mismanagement of assets held in trust by the United States, to the extent such payments are also excluded from gross income under the Internal Revenue Code or other Federal law.
- Amounts specifically excluded by any other federal statute from consideration ...
- Replacement housing "gap" payments made in accordance with 49 CFR part 24 that offset increased out of pocket costs of displaced persons that move from one federally subsidized housing unit to another federally subsidized housing unit. Such replacement housing "gap" payments are not excluded from annual income if the increased cost of rent and utilities is subsequently reduced or eliminated, and the displaced person retains or continues to receive the replacement housing "gap" payments.
- Nonrecurring income, which is income that will not be repeated in the coming year based on information provided by the family. Income received as an independent contractor, day laborer, or seasonal worker is not excluded from income under this paragraph, even if the source, date, or amount of the income varies.

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CONTINUED FROM PREVIOUS PAGE	6-3	<p>CONTINUED FROM PREVIOUS PAGE</p> <p><i>Examples of non-recurring income include:</i></p> <ul style="list-style-type: none"> ○ <i>Payments from the U.S. Census Bureau for employment (relating to decennial census or the American Community Service) lasting no longer than 180 days and not culminating in permanent employment.</i> ○ <i>Direct Federal or State payments intended for economic stimulus or recovery.</i> ○ <i>Amounts directly received by the family as a result of State refundable tax credits or State tax refunds at the time they are received.</i> ○ <i>Amounts directly received by the family as a result of Federal refundable tax credits and Federal tax refunds at the time they are received.</i> ○ <i>Gifts for holidays, birthdays, or other significant life events or milestones (e.g., wedding gifts, baby showers, anniversaries).</i> ○ <i>Non-monetary, in-kind donations such as food, clothing, or toiletries, received from a food bank or similar organization.</i> ○ <i>Lump-sum additions to net family assets, including but not limited to lottery or other contest winnings.</i> <ul style="list-style-type: none"> • <i>Civil rights settlements or judgments, including settlements or judgments for back pay regardless of how the settlement or judgment is settled, i.e., lump-sum or payment schedule.</i> • <i>Income received from any account under a retirement plan recognized as such by the Internal Revenue Service, including individual retirement arrangements (IRAs), employer retirement plans, and retirement plans for self-employed individuals; except that any distribution of periodic payments from such accounts shall be income at the time they are received by the family.</i> <p><i>Retirement Funds are considered income received from any account under a retirement plan recognized as such by the Internal Revenue Service (IRS), including individual retirement arrangements (IRAs), employer retirement plans, and retirement plans for self-employed individuals.</i></p> <p><i>Any distribution of period payments from such accounts shall be income at the time they are received by the family.</i></p> <ul style="list-style-type: none"> • <i>Income earned on amounts placed in a family's Family Self Sufficiency Account.</i> • <i>Gross income a family member receives through self-employment or operation of a business; except that the following shall be considered income to a family member:</i> <ul style="list-style-type: none"> ○ <i>Net income from the operation of a business or profession.</i> ○ <i>Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations; and</i>
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CONTINUED FROM PREVIOUS PAGE	6-3	<p>CONTINUED FROM PREVIOUS PAGE</p> <ul style="list-style-type: none"> ○ Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family. • Student financial assistance as described below: <ul style="list-style-type: none"> ○ Any assistance that section 479B of the Higher Education Act of 1965, as amended (20 U.S.C. 1087uu), requires be excluded from a family's income; and ○ Student financial assistance for tuition, books, and supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, and other fees required and charged to a student by an institution of higher education (as defined under Section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) and, for a student who is not the head of household or spouse, the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.
<p><u>6.4 INCOME AND ALLOWANCES</u></p> <p>6.4.2 Adjusted Income</p> <p>Adjusted income is defined as the determined Annual Income after making the following deductions:</p> <ul style="list-style-type: none"> • Dependent allowance: A deduction of \$480 is taken for each dependent, which is defined as any family member other than the head, spouse, or co-head who is under the age of eighteen (18), or for family members who are eighteen (18) and older who are full-time students or who a person with disabilities. • Elderly/Disabled allowance: \$400 per household for families whose head or spouse is sixty-two (62) years or older or is a person with disabilities. • Allowable medical expenses: The sum of the following (to the extent that the sum exceeds 3% of total household gross income): <ul style="list-style-type: none"> ○ Unreimbursed medical expenses of any elderly or disabled family (i.e. the head, co-head or spouse is elderly or disabled); 	6-5	<p>Updating language to include "adjustments for inflation" as included by new HOTMA regulations. Revising section and adding subsections to provide clarity and order.</p> <p>Adjusted income is defined as the determined Annual Income after making the following deductions calculated by subtracting allowable deductions and allowances from annual income:</p> <ul style="list-style-type: none"> • Dependent allowance: A deduction of \$480 is taken for each dependent, which is defined as any family member other than the head, spouse, or co-head who is under the age of eighteen (18), or for family members who are eighteen (18) and older who are full-time students or who a person with disabilities. <i>This amount may be adjusted annually by HUD in accordance with the Consumer Price Index (CPI) for urban wage earners and clerical workers, rounded to the next lowest multiple of \$25. Foster children, foster adults, and live-in aides are never considered dependents.</i> • "Elderly/Disabled" allowance: \$400<i>\$525</i> per household for families whose head or spouse is sixty-two (62) years or older or is a person with disabilities. <i>This amount may be adjusted annually by HUD in accordance with the Consumer Price Index (CPI) for urban wage earners and clerical workers, rounded to the next lowest multiple of \$25.</i>

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- Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This allowance may not exceed the earned income received by family members who are 18 years of age and older who are able to work because of such attendant care or auxiliary apparatus.
- Child Care Expenses:
 - Deducted for the care of children under thirteen (13) years old when childcare is necessary, reasonable and customary to allow an adult member to work, attend school, or actively seek employment;
 - Deducted for dependents who are disabled and require care that is necessary, reasonable and customary to allow an adult member to work, attend school, or actively seek employment.
- Other HABC approved deductions.

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- Allowable *unreimbursed health and* medical expenses: *Per HABC's MTW policy, medical deductions will only be allowed to the extent that the sum exceeds 3% of total household gross annual income for Unreimbursed health and medical expenses of any elderly or disabled family (i.e. the head, co-head or spouse is elderly or disabled). The sum of the following (to the extent that the sum exceeds 3% of total household gross income):*
 - ~~Unreimbursed medical expenses of any elderly or disabled family (i.e. the head, co-head or spouse is elderly or disabled);~~
- Unreimbursed ~~reasonable expenses for~~ attendant care ~~and or~~ auxiliary apparatus ~~expenses for each member of the family who is a persons~~ with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. ...
- Child Care Expenses:
 - Deducted for the care of children under thirteen (13) years old when childcare is necessary, reasonable and customary to allow an adult member to work, ~~attend school, or actively seek employment~~ or further their education (including vocational training);
 - Deducted for dependents who are disabled and require care that is necessary, reasonable and customary to allow an adult member to work, ~~attend school, or actively seek employment~~ or further their education (including vocational training).
- Other HABC approved deductions.

ADDING THE FOLLOWING SECTIONS TO PROVIDE CLARIFICATION ON EXPENSES AND DEDUCTIONS.

6.4.2.2 Health & Medical Expense Deduction

Health and medical expenses are any costs incurred in the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affecting any structure or function of the body. Health and medical care expenses include medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed.

Upon HUD approval of HABC's MTW policy, unreimbursed health and medical expenses may be deducted to the extent that, in combination with any disability assistance expenses, they exceed three percent (3%) of gross annual income. Additionally, HABC calculates health and medical expenses for eligible participants using pas paid, unreimbursed expenses in addition to prospective medical insurance premiums. Over-the-counter medications will not qualify for a deduction unless accompanied by a prescription and paid receipts.

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The most current IRS Publication 502, Medical and Dental Expenses, will be used to determine the costs that qualify as health and medical expenses.

Summary of Allowable Health and Medical Expenses from IRS Publication 502	
<ul style="list-style-type: none"> • Services of medical professionals • Surgery and medical procedures that are necessary, legal, non-cosmetic • Services of medical facilities • Hospitalization, long-term care, and in-home nursing services • Prescription medicines and insulin, but not nonprescription medicines even if recommended by a doctor • Improvements to housing directly related to medical needs (i.e., ramps for a wheelchair, handrails) 	<ul style="list-style-type: none"> • Substance abuse treatment programs • Psychiatric treatment • Ambulance services and some costs of transportation related to medical expenses • The cost and care of necessary equipment related to a medical condition (i.e., eyeglasses/lenses, hearing aids, crutches, and artificial teeth) • Cost and continuing care of necessary service animals • Medical insurance premiums or the cost of a health maintenance organization (HMO)
<p><i>Note: This chart provides a summary of eligible medical expenses only. Detailed information is provided in IRS Publication 502. Medical expenses are considered only to the extent they are not reimbursed by insurance or some other source.</i></p>	

6.4.2.3 Disability Assistance Expense Deduction

Reasonable expenses for attendant care and auxiliary apparatus for each member of the family who is a person with a disability may be deducted if they:

- *Are necessary to enable a family member, including the member with the disability, who are 18 years or older to be employed.*
- *Are not paid to a family member or reimbursed by an outside source.*
- *Do not exceed the earned income received by family members who are 18 years of age or older and who are able to work because of such attendant care or auxiliary apparatus who is enabled to work.*
- *Upon HUD approval, Disability Assistance Expenses may be deducted according to the parameters above and if, in combination with any medical expenses, they exceed 3% of gross annual income.*

6.5 EARNED INCOME DISREGARD (EID) FOR PERSONS WITH DISABILITIES

HUD's Earned Income Disregard (EID) applies to voucher families that include a person or persons with disabilities and affords them the ability to accept a job without having their rent increase immediately as a result of the earned income. For the first year (cumulative 12 calendar months) of employment, HABC will disregard 100% of the earned income. In the second year (cumulative 13-24 months) of employment, only 50% of the earned income will be counted towards calculating rent portions.

6-7

HOTMA modified the Earned Income Disregard, putting an end date on this activity. Inserting language below, above existing language to reflect this HOTMA update.

For any family that is receiving the Earned Income Disregard (EID) on December 31, 2023, the EID will lapse on January 1, 2030. This change is made via the Housing Opportunity through Modernization Act (HOTMA) of 2016 and the Federal Register Final Rule (FR-6507-F-03) dated February 1, 2023.

For any family not receiving EID on December 31, 2023, the availability of the EID will lapse on December 31, 2023.

The EID has effectively lapsed with the HOTMA final rule; however, for participants who are receiving the EID on December 31, 2023, the policies below apply.

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<p><u>6.8 REGULAR CONTRIBUTIONS AND GIFTS</u></p> <p>... Any contribution or gift received two (2) months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$600 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis...</p>	6-12	<p>Removing specified amount to be considered as regular contribution so that any amount received regularly may be counted towards income.</p> <p>... Any contribution or gift received <i>in any</i> two (2) months or more frequently will be considered a "regular" contribution or gift, unless the amount is less than \$600 per year. This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis...</p>
<p><u>6.12 ASSET INCOME</u></p> <p>No current policy.</p>	N/A	<p>Adding a new section and subsections on Asset Income as defined in updated HOTMA regulations.</p> <p><i>6.12 ASSET INCOME</i></p> <p><i>Using its MTW authority, HABC will exclude income from assets where the market/face value of the asset is up to \$50,000. When the market/face value of a family's assets is in excess of \$50,000, HABC will calculate asset income by taking the market/face value of the family's assets and multiplying that value by the established passbook savings rate.</i></p> <p><i>There are two terms that are important in calculating asset income – Market Value and Cash Value.</i></p> <p><i>Market Value is the face value of an asset (i.e., the value of a Certificate of Deposit).</i></p> <p><i>The Cash Value of an asset is the Market Value less reasonable expenses that would be incurred in selling or converting the asset to cash, such as the following:</i></p> <ul style="list-style-type: none"> <i>• Penalties for premature withdrawal.</i> <i>• Broker and legal fees; and</i> <i>• Settlement costs for real estate transactions.</i> <p><i>6.12.1 Net Cash Value Family Assets</i></p> <p><i>The net cash value of all assets owned by the family is the amount, after deducting reasonable cost that would be incurred in disposing real property, savings, stocks, bonds, and other forms of capital investment.</i></p> <p><i>In determining net family assets, include the value of any business or family assets disposed of by an applicant or participant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor.</i></p>

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CONTINUED FROM PREVIOUS PAGE	N/A	<p>CONTINUED FROM PREVIOUS PAGE</p> <p><i>In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or participant receives consideration not measurable in dollar terms.</i></p> <p><i>Negative equity in real property or other investments does not prohibit the owner from selling the property or other investments, so negative equity alone would not justify excluding the property or other investments from family assets.</i></p> <p>6.12.2 Asset Income Exclusions</p> <p><i>The following are excluded from the calculation of family assets:</i></p> <ul style="list-style-type: none"> <i>• The value of necessary items of personal property;</i> <i>• The combined value of all non- necessary items of personal property if the combined total value does not exceed \$50,000 (which amount will be adjusted by HUD in accordance with the Consumer Price Index for Urban Wage Earners and Clerical Workers);</i> <i>• The value of any account under a retirement plan recognized as such by the Internal Revenue Service, including individual retirement arrangements (IRAs), employer retirement plans, and retirement plans for self-employed individuals;</i> <i>• The value of real property that the family does not have the effective legal authority to sell in the jurisdiction in which the property is located;</i> <i>• Any amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a family member arising out of law, that resulted in a family member being a person with a disability;</i> <i>• The value of any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986, the value of any qualified tuition program under section 529 of such Code, the value of any Achieving a Better Life Experience (ABLE) account authorized under Section 529A of such Code, and the value of any "baby bond" account created, authorized, or funded by Federal, State, or local government.</i> <i>• Interests in Indian trust land;</i> <i>• Equity in a manufactured home where the family receives assistance under 24 CFR part 982;</i> <i>• Equity in property under the Homeownership Option for which a family receives assistance under 24 CFR part 982;</i> <i>• Family Self-Sufficiency Accounts; and</i> <i>• Federal tax refunds or refundable tax credits for a period of 12 months after receipt by the family.</i> <i>• In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the trust fund is not a family asset and the value of the trust is not included in the calculation of net family assets, so long as the fund continues to be held in a trust that is not revocable by, or under the control of, any member of the family or household.</i>
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6.14 CHILD CARE EXPENSES

Child care expenses are amounts anticipated to be paid by the family for the care of children under thirteen (13) years old, during the period for which annual income is computed, but only where such care is necessary to enable an adult to work or attend school full time, or to actively seek employment, and only to the extent such amounts are not reimbursed.

Childcare expenses are not for recreational sporting activities (i.e. football, baseball, soccer, etc.) for children under 13.

Additionally, childcare expenses cannot be allowed as a deduction if any one of the following apply:

- The family has determined there is an adult household member capable of providing care for the child during the hours care is needed (examples of adult members considered unable to care for the child include a person with disabilities or older person unable to take care of a small child, as verified by a reliable knowledgeable source);
- If the expenses are paid to a family member living in the unit; and/or
- If the expenses are reimbursed to the family by an agency or individual outside the family.
- Allowable deductions for child-care expenses are based on the following guidelines:
- Childcare to work: The maximum childcare expense allowed must be less than the amount earned by the person enabled to work.
- Childcare for school: The number of hours claimed for childcare may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.
- Childcare to seek employment: HABC will use documentation from a state or local agency that monitors work-related requirements and will request verification from the agency of the member's job seeking efforts to date. The family will be required to submit to HABC any reports provided to the other agency.
- Amount of Expense: The amount deducted for childcare will be considered reasonable according to the average weekly costs determined by the market survey from the Maryland Child-Care Resource Network (MCRN). HABC will maintain this survey of childcare expenses as a guideline. If the hourly rate materially exceeds the guideline, HABC may calculate the allowance using the guideline.

6-13

Revising to match new HOTMA regulations and requirements, removing the criteria for "seeking employment" and creating subsections to better assist in clarifying definitions. And adding a new section and subsections on Childcare Expenses and Deductions.

Childcare expenses are amounts anticipated to be paid by the family for the care of children under thirteen (13) years old, during the period for which annual income is computed, but only where such care is necessary to enable an adult to work or attend school full time, ~~or to actively seek employment~~, and only to the extent such amounts are not reimbursed.

Childcare expenses are not for recreational sporting activities (i.e. football, baseball, soccer, etc.) for children under 13, *and do not include child support payments made to another on behalf of a minor who is not living in the assisted family's household.*

...The family must identify the family member(s) enabled to pursue an eligible activity to receive the childcare deduction.

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

6.14.1 Allowable Deductions for Childcare Expenses

Allowable deductions for child-care expenses are based on the following guidelines:

Childcare to work: *If the childcare expense being claimed is to enable a family member to be gainfully employed, the family must provide evidence of the family member(s) employment during the time that childcare is being provided. Gainful employment is any legal work activity (full- or part-time) for which a family member is compensated.* The maximum childcare expense allowed must be less than the amount earned by the person enabled to work.

Childcare for school: *If the childcare expense being claimed is to enable a family member to further their education, the member must be enrolled in school (academic or vocational) or participating in a formal training program. The family member is not required to be a full-time student, but time spent in educational activities must be commensurate with the childcare claimed.* The number of hours claimed for childcare may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.

~~Childcare to seek employment: HABC will use documentation from a state or local agency that monitors work-related requirements and will request verification from the agency of the member's job seeking efforts to date. The family will be required to submit to HABC any reports provided to the other agency...~~

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CHAPTER 7: VERIFICATION PROCEDURES

<p><u>7.3 METHODS OF INCOME VERIFICATION AND TIME ALLOWED</u></p> <p>HABC will verify income information through the five methods of verification acceptable to HUD in the following order:</p> <p>Level 6 (highest): Upfront Income Verification (UIV) (i.e., HUD's Enterprise Income Verification (EIV) system and Income Verification Tool (IVT)).</p> <p>Level 5: Upfront Income Verification (UIV) using non-HUD verification system (i.e., The Work Number).</p> <p>Level 4: Written Third-Party Verification (i.e., paystubs, payroll summary reports, benefit letters, etc.).</p> <p>Level 3: Written Third-Party Verification Form, when 3rd party documents are not available (i.e. Wage Form).</p> <p>Level 2: Oral Third-Party Verification (i.e. in-person or via telephone call).</p> <p>Level 1: Tenant Declaration (i.e. notarized or certified self-declaration).</p> <p>HABC will follow Rental Integrity Monitoring (RIM) guidance and regulations in performing all methods of income verification.</p>	<p>7-1</p>	<p>Updating language based on changes proposed in the 2024 MTW Annual Plan:</p> <p><i>MTW Policy</i> <i>Upon HUD approval, HABC will use the most reliable form of verification that is available. In order of priority, the forms of verification that HABC will use are:</i></p> <ol style="list-style-type: none"> <i>1. Up-front Income Verification using HUD's Enterprise Income Verification system and the Income Validation Tool (IVT).</i> <i>2. Up-front Income Verification using a non-HUD system.</i> <i>3. 3rd Party Verification which includes: Written Third Party Verification (may be provided by applicant or resident), Written Third-party Verification Form and Oral Third-party Verification.</i> <i>4. Self-certification.</i> <p><i>Upon HUD approval, HABC will apply the MTW Policy stated above and verify income information through the five four methods of verification, all acceptable to HUD in the following order:</i></p> <p>Level 61 (highest <i>and mandatory</i>): Upfront Income Verification (UIV) (i.e., HUD's Enterprise Income Verification (EIV) system and Income Verification Tool (IVT)).</p> <p>Level 52 (<i>optional</i>): Upfront Income Verification (UIV) using non-HUD verification system (i.e., The Work Number).</p> <p>Level 43 (<i>mandatory</i>): <i>Supplements EIV and UIV; also used for Non-EIV/UIV reported income sources and disputes of EIV reported information.</i></p> <ul style="list-style-type: none"> - Written Third-Party Verification (i.e., paystubs, payroll summary reports, benefit letters, etc.); <i>or</i> - Level 3: Written Third-Party Verification Form, when 3rd party documents are not available (i.e. Wage Form); <i>or</i> - Level 2: Oral Third-Party Verification (i.e. in-person or via telephone call). <p>Level 44 (<i>optional</i>): Tenant Declaration (i.e. notarized or certified self-declaration). <i>Used to supplement EIV when EIV reported sources do not contain verification, when the applicant/participant cannot produce written third-party verification documents; and may not be used to verify Social Security, public assistance, unemployment, VA pension, court-ordered child support, worker's compensation, or full-time student status.</i></p> <p>HABC will follow Rental Integrity Monitoring (RIM) guidance and regulations in performing all methods of income verification.</p>
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<p><u>7.4 REQUIREMENTS FOR ACCEPTABLE DOCUMENTS</u></p> <p>Any documents used for verification must be the original (not photocopies) and generally must be dated within sixty (60) calendar days of the date they are provided to HABC. The documents must not be damaged, altered or in any way illegible.</p>	7-4	<p>Inserting MTW Policy and updating language to match that policy:</p> <p>Any documents used for verification must be the original (not photocopies) and generally must be dated within sixty (60) <i>one hundred twenty (120)</i> calendar days of the date they are provided to HABC. The documents must not be damaged, altered or in any way illegible.</p>
<p><u>7.7 VERIFYING NON-FINANCIAL FACTORS</u></p> <p>7.7.1 Verification of Legal Identity ... If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.</p> <ul style="list-style-type: none"> • Certificate of Birth, naturalization papers; • U.S. passport; • Valid Driver's license or clear photo identification card issued by Department of Motor Vehicles. 	7-5	<p>Revising language to match existing procedure:</p> <p>If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.</p> <ul style="list-style-type: none"> • Certificate of Birth, naturalization papers; • U.S. passport; • Valid Driver's license or clear photo identification card issued by Department of Motor Vehicles <i>Government Issued Photo Identification.</i>
<p><u>7.7 VERIFYING NON-FINANCIAL FACTORS</u></p> <p>No Current Policy</p>	N/A	<p>Adding in verification policies that will be required upon HUD approval of MTW activity restricting moves and portability:</p> <p><i>7.7.12 Verification for Emergency Moves</i> <i>Moves during the initial lease term and within the first two years of the initial lease anniversary date may be approved as Emergency Moves. Exceptions to the emergency move policy must be approved by the Senior Vice President of HCVP or designee. Verification for the following must be provided:</i></p> <ul style="list-style-type: none"> • <i>Housing Quality Standards (HQS) or Other Owner Breach -- HABC terminates the HAP contract due to owner's breach or the household is in violation of the space standards (i.e., family member added due to the birth, adoption or court-awarded custody) and has been issued a voucher to find a new unit:</i> <ul style="list-style-type: none"> ◦ <i>If a unit's HAP has been abated due to HQS violations, and the unit continues to fail to meet HQS requirements or the HQS violations constitute an imminent danger to the family, HABC may terminate the HAP contract and issue a voucher to move to another unit.</i> ◦ <i>Documentation regarding owner breach of the HAP contract and subsequent notice to terminate the HAP contract.</i> ◦ <i>Failed inspection and failed re-inspection reports/notices.</i> • <i>Owner Termination of Tenancy -- Owner terminates tenancy after the initial lease term for reasons other than tenant non-compliance with the lease:</i> <ul style="list-style-type: none"> ◦ <i>Notice to Vacate from the owner.</i>

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<p>CONTINUED FROM PREVIOUS PAGE</p> <p><u>7.7 VERIFYING NON-FINANCIAL FACTORS</u></p> <p>No Current Policy</p>	N/A	<p>CONTINUED FROM PREVIOUS PAGE</p> <p>Adding in verification policies that will be required upon HUD approval of MTW activity restricting moves and portability:</p> <ul style="list-style-type: none"> • <i>Personal Safety VAWA – A household member or affiliated individual is a victim of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking under VAWA where the household member or affiliated individual expressly requests the transfer and submits documentation confirming they are a victim of domestic violence, dating violence, sexual assault, stalking and/or human trafficking:</i> <ul style="list-style-type: none"> ◦ <i>A certification form approved by HABC that states the participant is a victim of domestic violence, dating violence, stalking, sexual assault, or human trafficking and that the incident is grounds for VAWA protections and includes the name of the individual who committed the domestic violence, dating violence, sexual assault, stalking or human trafficking (if the name is known and safe to provide); or</i> ◦ <i>A completed form HUD-5382 VAWA Certification Form that describes how the assistance termination relates to the acts of violence defined in this Administrative Plan; or</i> ◦ <i>A Federal, State, tribal, territorial, local police record, court record or administrative agency record; or</i> ◦ <i>Documentation signed by the applicant/participant and an employee or representative of a victim services provider, or social services provider, or an attorney, school personnel, or medical professional, from whom the victim has sought assistance as a result of the abuse, in which the professional attests under penalty of perjury that the applicant/participant believes that the incident/abuse is grounds for protection under VAWA.</i> • <i>Personal Safety Other – Remaining in the current unit or location is a threat to the household's safety. Verification should indicate the relationship between any incidents of violence and the ongoing safety threat and should indicate that a move elsewhere would resolve that threat:</i> <ul style="list-style-type: none"> ◦ <i>A Federal, State, tribal or territorial or local police record or court order.</i> • <i>Reasonable Accommodations – A household member must move as a reasonable accommodation for a person with a disability.</i> <ul style="list-style-type: none"> ◦ <i>Reasonable Accommodation Request form.</i> ◦ <i>Written third-party form (Disability Verification Form, Verification of Need for Reasonable Accommodation, etc.).</i> ◦ <i>Oral verification if third-party verifier does not respond.</i> ◦ <i>Doctor's note from the applicant/participant verifying that the tenant and/or household member must relocate for medical purposes.</i> ◦ <i>Self-Certifications are not acceptable.</i>
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7.7 VERIFYING NON-FINANCIAL FACTORS

No Current Policy

N/A

Adding in verification policies that will be required upon HUD approval of MTW activity restricting moves and portability:

7.7.13 Verification for MTW Port-Outs

Requests to port out will only be granted if the family meets the allowable move criteria, is in good standing, and the family has a verified employment, education, safety or medical/disability need to support their move to another jurisdiction. Families unable to provide such verification will not be permitted to port out.

HABC will require the family to provide the following documents to verify the family's need to relocate outside of HABC's jurisdiction. All verification documents must be dated within 120 days and be consistent with the family's employment, education, safety or medical/disability need. If the family fails to provide verification documents and/or the documents provided are not sufficient, HABC will deny the request to port-out.

- *Employment – HABC must verify that a household member is employed or has accepted employment outside of HABC's jurisdiction. For accepted employment, the start date must be within 60 days from the date of the request to port-out. HABC must verify that the household member will be working at a facility located in the jurisdiction of the housing authority to which the family wishes to move.*
 - *Employment letter stating that a family member is employed or has accepted employment at a facility within the receiving housing authority's jurisdiction. Letter should include hire date.*
 - *Paystub dated within the past 120 days with the household member's name and the employer's address within the new jurisdiction.*
 - *If resident/applicant is unable provide paystubs or a letter from the employer, send third-party verification form to the employer.*
 - *Conduct oral verification if written third-party request is not returned.*
 - *Self-certification is only acceptable for self-employment.*
- *Education – HABC must verify that an adult household member has been accepted to and enrolled in an academic program outside of HABC's jurisdiction. Acceptance into an academic program does not alone qualify for a portability move, as it does not ensure that the client actually intends to enroll in the program. Anticipated enrollment must be by the second semester following the date of the port-out request. For example, if the port-out request is made in May 2023, anticipated enrollment must be no later than January 2024.*

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CHAPTER 7: VERIFICATION PROCEDURES (continued)

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7.7 VERIFYING NON-FINANCIAL FACTORS

No Current Policy

N/A

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Adding in verification policies that will be required upon HUD approval of MTW activity restricting moves and portability:

- *HABC must verify that the academic institution is within the jurisdiction of the housing authority to which the family wishes to move:*
 - *Original letter from the academic institution stating that a household member is enrolled at the academic institution.*
 - *If the Adult household member is not yet enrolled in courses, he or she may provide a letter of acceptance along with verification that he or she has placed a deposit to enroll along with the anticipated start date.*
 - *If the client/applicant is unable to provide documents, send third-party verification form to the academic institution.*
 - *Conduct oral verification if written third-party request is not returned.*
 - *Self-certification is not acceptable.*
- *Personal Safety | VAWA and Other – When a household member or affiliated individual is a victim of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking under VAWA where the household member or affiliated individual expressly requests the port-out and submits documentation confirming they are a victim of domestic violence, dating violence, sexual assault, stalking and/or human trafficking. Or when remaining in the current unit or location is a threat to the household's safety. Verification should indicate the relationship between any incidents of violence and the ongoing safety threat and should indicate that a move elsewhere would resolve that threat please see this section under VERIFICATION FOR EMERGENCY MOVES.*
- *Medical/Disability Needs – HABC must verify that a household member must move for medical purposes. The verification does not need to include the specific medical condition; however, it must state that a medical condition exists and requires the client to move. The verification should clearly identify how the client's need to move relates to the medical condition. When applicable, the verification should include the address of a medical facility or care provider within the receiving housing authority's jurisdiction.*
 - *A request for a reasonable accommodation form.*
 - *Written third-party form entitled "Verification of Need for a Reasonable Accommodation" to the third-party verifier.*
 - *Oral verification if the third-party verifier does not respond.*
 - *A doctor's note from the applicant/participant verifying that the tenant and/or household member must relocate to a specific location or area for medical purposes.*
 - *Self-Certification is not acceptable.*
- *Hardship Exemptions – A family may seek a hardship waiver from the MTW portability criteria if the family share of rent is greater than 40% of their monthly adjusted income.*
 - *Review of the rent calculation worksheet to determine the percent of adjusted monthly income paid toward rent.*

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CHAPTER 7: VERIFICATION PROCEDURES (continued)

<p><u>7.9 VERIFICATIONS BY TYPES OF INCOME</u></p> <p>7.9.5 Alimony or Child Support Payments</p> <p>... Note: Child support payments will be calculated as an average of the last full six months' worth of payments received, and lump sum payments will be included.</p>	7-14	<p>Updating policy to match current procedure:</p> <p>... Note: Child support payments will be calculated as an average of the last full six <i>three</i> months' worth of payments received, and lump sum payments will be included.</p>
<p><u>7.13 COMPUTER MATCHING</u></p> <p>No Current Policy</p>	7-20	<p>Updating policy to include new MTW policy based on HUD approval:</p> <p><i>Upon HUD approval, HABC will use \$5,000 as the threshold for substantial difference between verification sources and for use in reconciling HUD's Enterprise Income Verification (EIV)/Income Validation Tool (IVT) discrepancies. HABC reserves the right to request additional verification information and use any other verification method in priority order to reconcile any substantial differences.</i></p>

CHAPTER 8: VOUCHER ISSUANCE AND BRIEFINGS

<p><u>8.4 ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION</u></p> <p>HABC will give participants a copy of HUD Form 903 to file a housing discrimination complaint.</p>	8-7	<p>Expanding policy to provide more information and to match ACOP:</p> <p>8.4 ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION COMPLAINTS HABC will give participants a copy of HUD Form 903 to file a housing discrimination complaint.</p> <p><i>Applicants or participant families who wish to file a discrimination complaint against HABC may contact HABC's Office of Fair Housing, either orally or in writing. The Office of Fair Housing will advise the family of their right to file a fair housing complaint with HUD's Office of Fair Housing and Equal Opportunity (FHEO) using Form HUD 903.1 or HUD's website. The Office of Fair Housing will assist applicants and participants with completing HUD Form 903.1 and refer discrimination complaints to HABC's Office of Legal Affairs, Investigations Unit for follow up.</i></p> <p><i>HABC will retain a record of all complaints, investigations, notices, and corrective actions. HABC will investigate and attempt to remedy applicant and/or participant discrimination complaints made against HABC.</i></p> <p>8.4.1 Complaints under the Equal Access Rule <i>Applicants or tenant families who believe that they have been subject to unlawful discrimination based on marital status, gender identity, or sexual orientation under the Equal Access Rule may notify HABC either orally or in writing.</i></p> <p><i>HABC will provide the complainant and those alleged to have violated the rule with findings and either a proposed corrective action plan or an explanation of why corrective action is not warranted.</i></p>
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CHAPTER 8: VOUCHER ISSUANCE AND BRIEFINGS (continued)

<p><i>CONTINUED FROM PREVIOUS PAGE</i></p> <p><u>8.4 ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION</u></p> <p>HABC will give participants a copy of HUD Form 903 to file a housing discrimination complaint.</p>	8-7	<p><i>CONTINUED FROM PREVIOUS PAGE</i></p> <p><i>8.4.2 VAWA Complaint Processing</i> <i>HABC will advise the family of their right to file a VAWA complaint with HUD's Office of Fair Housing and Equal Opportunity (FHEO). HABC will inform the family that not later than one year after an alleged VAWA violation has occurred or terminated, applicants and participants who believe they have been injured by a VAWA violation or will be injured by such a violation that is about to occur may file a VAWA complaint using FHEO's online complaint form via mail, email, or telephone. HABC will attempt to remedy complaints made against HABC and will conduct an investigation into all allegations of discrimination.</i></p>
<p><u>8.5 SECURITY DEPOSIT REQUIREMENTS</u></p> <p>Security deposits charged to families may be any amount the owner wishes to charge, subject to the terms of the lease and applicable state and local law. Security deposits may be no greater than the amount the owner charges non-assisted tenants in similar circumstances. HABC is not a party to security deposits, payments, or agreements. These arrangements are between the participant and the landlord only. Rental, or tenant rent share side agreements are a violation of HUD regulations.</p>	8-7	<p>Updating policy to reflect approved MTW Policy:</p> <p>Security deposits charged to families may be any amount the owner wishes to charge, subject to the terms of the lease, <i>HCVP MTW Activities and Initiatives</i>, and applicable state and local law. Security deposits may be no greater than the amount the owner charges non-assisted tenants in similar circumstances. HABC <i>may provide security deposit assistance, however</i> HABC is not a party to security deposits, payments, or agreements. These arrangements are between the participant and the landlord only. Rental, or tenant rent share side agreements are a violation of HUD regulations.</p>
<p><u>8.6 TERM OF VOUCHER</u></p> <p>8.6.1 Expirations/Extensions</p> <p>The voucher is valid for a total period of sixty (60) calendar days from the date of issuance.</p> <p>...</p> <p>Tolling time (see Tolling, below) is not considered part of the term of the voucher (either the original sixty (60) days or the extension).</p>	8-7	<p>Updating Admin Plan to match approved Board Resolution extending initial voucher terms:</p> <p>The voucher is valid for a total period of sixty (60) <i>ninety (90)</i> calendar days from the date of issuance.</p> <p>...</p> <p>Tolling time (see Tolling, below) is not considered part of the term of the voucher (either the original sixty (60) <i>ninety (90)</i> days or the extension).</p>
<p>8.6.2. Tolling</p> <p>The initial voucher term has a life of sixty (60) calendar days. The term is suspended upon the submission of the RFTA. If the RFTA does not result in an authorized lease up, the voucher term will resume from the date of the RFTA submission. For example, Ms. Smith submits her RFTA on day 25 of the initial 60-day voucher term. The unit passes rent reasonableness and the HQS inspection but 15 days after the RFTA was submitted the owner decides to rent to another person. Ms. Smith's voucher becomes active again with 35 days tolling time: 60 days (total life) – 25 days (day RFTA submitted) = 35 days remaining (tolling time). The time between submission of the RFTA and reactivation of the voucher (15 days) is not counted as part of the term of the voucher.</p>	8-8	<p>Updating Tolling section to match updated initial voucher terms:</p> <p>The initial voucher term has a life of sixty (60) <i>ninety (90)</i> calendar days. The term is suspended upon the submission of the RFTA. If the RFTA does not result in an authorized lease up, the voucher term will resume from the date of the RFTA submission. For example, Ms. Smith submits her RFTA on day 25 of the initial 60 <i>90</i>-day voucher term. The unit passes rent reasonableness and the HQS inspection but 15 days after the RFTA was submitted the owner decides to rent to another person. Ms. Smith's voucher becomes active again with 35 <i>65</i> days tolling time: 60 <i>90</i> days (total life) – 25 days (day RFTA submitted) = 35 <i>65</i> days remaining (tolling time). The time between submission of the RFTA and reactivation of the voucher (15 days) is not counted as part of the term of the voucher.</p>

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CHAPTER 9: REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION

<p><u>9.4 LEASE REVIEW</u></p> <p>9.4.1 Actions before Lease Term and Execution of the Housing Assistance Payment (HAP) Contract</p> <p>Below is a listing of all required documentation and actions new owners must take and submit prior to the execution of any new HAP Contract. All of the following must be submitted before the beginning of the initial lease term for a unit and prior to execution of the HAP Contract. Failure to submit any of the required documentation within a reasonable timeframe as specified by HABC may result in denial or termination of a HAP Contract. The following must be submitted and/or verified before execution of the HAP Contract:</p> <ul style="list-style-type: none"> • HABC must inspect the unit to determine the unit satisfies the housing quality standards. • HABC must determine that the rent charged by the owner is reasonable. • Owner must provide the following required documentation prior to unit inspection: <ul style="list-style-type: none"> ○ MDE Lead Certification ○ Government Issued Photo ID (a clear copy) for the owner and for the person signing on behalf of the owner ○ Rental Property License and Registration Receipt from Baltimore City Department of Housing & Community Development (DHCD) ○ If LLC or company, Articles of Organization and Operating Agreement ○ Tax Identification Number on IRS letterhead or official SSA or IRS documents ○ W-9 Tax forms ○ Direct Deposit form (will require voided check or bank account verification form) ○ Use & Occupancy Certificate, if applicable ○ Proof that the water bill is paid in full ○ Management/Agent Agreement ○ Notarized Owner Affidavit (in lieu of Photo ID, Property Management and Operating Agreements and/or authorization letters) ○ For Estates, please provide a Death Certificate, State of Maryland Letters of Administration, and proof of the EIN for the Estate. 	<p>9-5</p>	<p>Updating language to match existing policy and procedures:</p> <p>... Failure to submit any of the required documentation within a reasonable timeframe as specified by HABC may result in denial or termination of a HAP Contract. HABC must inspect the unit to determine the unit satisfies the housing quality standards.</p> <p>The following must be submitted and/or verified before execution of the HAP Contract, if applicable:</p> <ul style="list-style-type: none"> • HABC must inspect the unit to determine the unit satisfies the housing quality standards. • HABC must determine that the rent charged by the owner is reasonable. • Owner must provide the following required documentation prior to unit inspection: <ul style="list-style-type: none"> ○ <i>For properties constructed prior to 1978, a Certificate from Maryland Department of the Environment (MDE), Lead Prevention Program Lead Certification</i> ○ Government Issued Photo ID (a clear copy) for the owner and for the person signing on behalf of the owner <i>(HABC can accept agent/property manager's work ID).</i> ○ Rental Property License and Registration Receipt Confirmation from Baltimore City Department of Housing & Community Development (DHCD). ○ If LLC or company, Articles of Organization and an Operating Agreement <i>(Operating Agreements are valid for three years, providing that there are no changes to the terms of the Operating Agreement that HABC possesses. The owner will be required to write a statement advising HABC if there has been a change to the Operating Agreement. After the three-year term has expired, a new Operating Agreement will be requested by HABC).</i> ○ <i>An employer identification number or social security number, and a home or business phone number.</i> ○ Tax Identification Number on IRS letterhead or official SSA or IRS documents. ○ W-9 Tax forms. ○ Direct Deposit form (will require voided check or bank account verification form). ○ Use & Occupancy Certificate, if applicable. ○ Proof that the water bill is paid in full <i>(only if the tenant is responsible for the water/sewer utility).</i> ○ Management/Agent Agreement. ○ Notarized Owner Affidavit (in lieu of Photo ID, Property Management and Operating Agreements and/or authorization letters). ○ <i>Letter of authorization on letterhead verifying the person signing HABC documentation has the authority to do so.</i> ○ For Estates, please provide a Death Certificate, State of Maryland Letters of Administration, and proof of the EIN for the Estate.
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CHAPTER 9: REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION (continued)

<p><u>9.11 CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE</u></p> <p>When the family reports changes in factors that will affect the total family share prior to the effective date of the HAP contract at admission, the information will be verified, and the total family share will be recalculated. If the family does not report any change, HABC need not obtain new verifications before signing the HAP contract, even if verifications are more than sixty (60) days old. A full reexamination of household information will be required when a household is issued a voucher to move, and more than one-hundred and fifty (150) days has elapsed since the last reexamination effective date.</p>	9-8	<p>Updating to reflect change from 2019 which did not get updated in this section:</p> <p>When the family reports changes in factors that will affect the total family share prior to the effective date of the HAP contract at admission, the information will be verified, and the total family share will be recalculated. If the family does not report any change, HABC need not obtain new verifications before signing the HAP contract; even if verifications are more than sixty (60) days old. A full reexamination of household information will be required when a household is issued a voucher to move and more than one hundred and fifty (150) days has elapsed since the last reexamination effective date. For moves, if there is any change in income or family composition reported by the family prior to the new lease effective date, HABC will verify the change.</p>
<p><u>9.12 CONTRACT EXECUTION PROCESS</u></p> <p>HABC prepares the Pre-Move Signing Acknowledgement (for voucher holders only), the Housing Assistance Payment (HAP) contract, the Move-In Authorization, and a review of the lease prior to execution. HABC may decline to approve tenancy if HABC determines that the lease does not comply with State or Local law.</p> <p>...</p> <p>HABC requires the following information from the landlord or the authorized agent/representative, to execute the HAP contract:</p> <ul style="list-style-type: none"> • An employer identification number or social security number. • A copy of the driver's license or other photo identification for the owner and the owner's representative (who may be signing the contract on the owner's behalf). • If ownership cannot be validated through third party verification, owners must submit proof of ownership of the property, such as a grant deed or tax bill. • A copy of the management agreement if the property is managed by a management agent. • A home telephone number and business number if applicable. • Rental Property License and Registration receipt from the Baltimore City Department of Housing and Community Development (DHCD). • For properties constructed prior to 1978, a license from the Maryland Department of the Environment, Lead Prevention Program. • HABC's Electronic Direct Deposit Request Form (will require voided check or bank account verification letter); and • Notarized Owner Affidavit (in lieu of Photo ID, Property Management and/or Operating Agreements and authorization letters). 	9-8	<p>Updated form name:</p> <p>HABC prepares the Pre-Move Signing <i>Tenant</i> Acknowledgement (for voucher holders only), the Housing Assistance Payment (HAP) contract, the Move-In Authorization, and a review of the lease prior to execution. HABC may decline to approve tenancy if HABC determines that the lease does not comply with State or Local law.</p> <p>...</p> <p>HABC requires the following information (<i>see Section 9.4.1</i>) from the landlord or the authorized agent/representative, <i>in order</i> to execute the HAP contract.</p> <ul style="list-style-type: none"> • An employer identification number or social security number. • A copy of the driver's license or other photo identification for the owner and the owner's representative (who may be signing the contract on the owner's behalf). • If ownership cannot be validated through third party verification, owners must submit proof of ownership of the property, such as a grant deed or tax bill. • A copy of the management agreement if the property is managed by a management agent. • A home telephone number and business number if applicable. • Rental Property License and Registration receipt from the Baltimore City Department of Housing and Community Development (DHCD). • For properties constructed prior to 1978, a license from the Maryland Department of the Environment, Lead Prevention Program. • HABC's Electronic Direct Deposit Request Form (will require voided check or bank account verification letter); and • Notarized Owner Affidavit (in lieu of Photo ID, Property Management and/or Operating Agreements and authorization letters).

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CHAPTER 10: HOUSING QUALITY STANDARDS AND INSPECTIONS

<p><u>10.4 SCHEDULED INSPECTIONS</u></p> <p>10.4.8 Re-Inspection Fees – Circumstances under which Fees may be Applied</p> <p>Outlined below are the circumstances under which re-inspection fees will be charged (applies to both tenant-based and project-based programs):</p> <p>...</p> <p>3. For a unit not currently under HAP contract, HABC will provide owners with a self-inspection checklist as part of the Request for Tenancy Approval (RFTA). ... An example of this provision is as follows:</p> <ul style="list-style-type: none"> ... HABC will give the owner 15 days to correct the deficiency and conduct the first re-inspection: No fee. 	10-11	<p>Updating timeframes as per updated policy:</p> <p>Outlined below are the circumstances under which re-inspection fees will be charged (applies to both tenant-based and project-based programs):</p> <p>...</p> <p>3. For a unit not currently under HAP contract, HABC will provide owners with a self-inspection checklist as part of the Request for Tenancy Approval (RFTA). ... An example of this provision is as follows:</p> <ul style="list-style-type: none"> ... HABC will give the owner 15 10 business days to correct the deficiency and conduct the first re-inspection: No fee.
<p><u>10.5 MOVE OUT/VACATE INSPECTIONS</u></p> <p>A move out inspection may be performed only at the landlord's request to document tenant damages. This type of inspection must be requested within 7-14 calendar days of the participant's move-out date. This inspection type is required for owners who wish to submit damage claims (see Chapter 11.8 Landlord Leasing Incentives).</p>		<p>Updating to match policy regarding move out inspections for Vacancy/Damage claims (once implemented):</p> <p>A move out inspection may be performed only at the landlord's request to document tenant damages. This type of inspection must be requested within 7-14 30 calendar days of the participant's move-out date. This inspection type is required for owners who wish to submit damage claims (see Chapter 11.8 Landlord Leasing Incentives).</p>
<p><u>10.9 CONSEQUENCES IF OWNER IS RESPONSIBLE (NON-EMERGENCY ITEMS)</u></p> <p>10.9.3 Self-Certification by Owner</p> <p>HABC will allow owners in good standing with HABC (an owner in good standing is one whose units consistently met inspection standards) to request to self-certify all minor non-health and safety violations have been corrected. Units that are not under contract will not be eligible for self-certification until their first post-contract inspection. For more information on self-certification, please refer back to Section 10.4.2 of this Chapter.</p>	10-17	<p>Removing duplicate policy in non-related section:</p> <p>10.9.3 Self-Certification by Owner</p> <p>HABC will allow owners in good standing with HABC (an owner in good standing is one whose units consistently met inspection standards) to request to self-certify all minor non-health and safety violations have been corrected. Units that are not under contract will not be eligible for self-certification until their first post-contract inspection. For more information on self-certification, please refer back to Section 10.4.2 of this Chapter.</p>

CHAPTER 11: OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS

<p><u>11.4 RENT REASONABLENESS DETERMINATIONS</u></p> <p>HABC will determine and document on a case-by-case basis that the approved rent is reasonable in comparison to rent for other comparable unassisted units in the market. HABC will not approve a lease until HABC determines that the initial rent to owner is a reasonable rent.</p>	11-3	<p>Updating language to reflect policy and HUD regulations:</p> <p>HABC will determine and document on a case-by-case basis that the approved rent is reasonable in comparison to rent for other comparable unassisted units in the market. HABC will not approve a lease until HABC determines that the initial rent to owner is a reasonable rent.</p>
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CHAPTER 11: OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS (continued)

<p><u>11.4 RENT REASONABLENESS DETERMINATIONS</u></p> <p>11.4.1 Rent Reasonableness Methodology</p> <p>... In FY2022, HABC began phasing in the implementation of a new process for determining reasonable rents using a market rent study that assessed existing market rents and housing market trends in Baltimore City. The rent study established submarkets within Baltimore City and rent ranges that will be used to ensure HABC remains competitive in the housing market by offering current rental rates, reducing leasing timeframes and increasing landlord participation in the HCVP.</p>	11-3	<p>Updating language to reflect policy and HUD regulations:</p> <p>... In FY2022, HABC began phasing in the implementation of a new process for determining reasonable rents using a market rent study that assessed existing market rents and housing market trends in Baltimore City. <i>By the end of 2022, HABC fully implemented this rent study program wide.</i> The rent study established ds submarkets within Baltimore City and rent ranges that will be <i>are</i> used to ensure HABC remains competitive in the housing market by offering current rental rates, reducing leasing timeframes and increasing landlord participation in the HCVP.</p>
<p><u>11.6 ADJUSTMENTS TO PAYMENT STANDARDS</u></p> <p>Payment standards may be adjusted, within MTW regulatory limitations, to increase Housing Assistance Payments (HAP) in order to keep families' rents affordable. HABC will not raise payment standards solely to make "high end" units available to voucher holders.</p>	11-4	<p>Update language to include policy updates using higher payment standards for "opportunity neighborhoods."</p> <p>Payment standards may be adjusted, within MTW regulatory limitations, to increase Housing Assistance Payments (HAP) in order to keep families' rents affordable. <i>In addition, HABC may apply payment standards outside of the regulatory range to support leasing in revitalized areas and opportunity neighborhoods.</i> HABC will not raise payment standards solely to make "high end" units available to voucher holders.</p>
<p><u>11.7 REQUEST FOR RENT ADJUSTMENTS</u></p> <p>...The rent to owner for a unit will not be adjusted unless the owner has complied with all requirements of the HAP contract, including compliance with HQS, throughout the entire 12-month period prior to the request for a rent adjustment.</p> <p>To request a rent adjustment the owner is required to submit a completed rent adjustment request form.</p>	11-7	<p>Update language to match current policy and publish online rent request forms:</p> <p>The rent to owner for a unit will not be adjusted unless the owner has complied with all requirements of the HAP contract, including compliance with HQS, throughout the entire 12-month period prior to the request for a rent adjustment.</p> <p>To request a rent adjustment the owner is required to submit a completed rent adjustment request form. <i>The rent adjustment request form can be completed online at:</i> https://www.cognitoforms.com/HousingAuthorityOfBaltimoreCity/RequestForRentIncreaseForm.</p>

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CHAPTER 11: OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS (continued)

<p><u>11.8 LANDLORD LEASING INCENTIVES</u></p> <p>No Current Policy</p>	11-8	<p>Adding new Leasing Incentives already approved by HUD in the 2023 MTW Annual Plan:</p> <ul style="list-style-type: none"> • A \$500 one-time incentive for a substantially rehabilitated unit. "Substantially rehabilitated" refers to units that meet the one of the following criteria: <ul style="list-style-type: none"> ○ The required repairs, replacements, and improvements involve the replacement of two or more major building components, or ○ The costs of the rehabilitation exceed the greater of 15% (exclusive of any soft costs) of the property's replacement cost (fair market value) after completion of all required repairs, replacements, and improvements; or \$6,500 per dwelling unit (adjusted by HUD's authorized high-cost percentage); or 20% of the mortgage proceeds applied to rehabilitation expenses. <p>...</p> <p>Security Deposit Assistance Program (SDAP) – In FY2023, HABC received approval to add this new feature to the Leasing Incentives. HABC will include Security Deposit Assistance for voucher holders who meet one or more of the following criteria:</p> <ol style="list-style-type: none"> 1. Required to move due to owner HQS violations; 2. New admissions and existing participant families who move and whose gross annual incomes are at or lower than the "very low income" limits as established by HUD; or 3. Existing Elderly/disabled families who move. <p>HABC will provide security deposit assistance, up to the contract rent for eligible HCV families. This assistance opportunity will be provided once during the life of a family's participation in the HCV program. HABC will provide the security deposit directly to the owner; however, upon move out, the security deposit will go back to the family for use in leasing another unit. HABC is using this feature to provide incentives for voucher holders to maintain their units to ensure they can use the returned security deposit to move to another HCV unit, where applicable.</p>
<p><u>11.8 LANDLORD LEASING INCENTIVES</u></p> <p>Vacancy and Damage Loss Payments</p> <p>Vacancy and Damage Loss Payments - Where vacancy and damage loss payments are concerned, they will be provided to new owners only. New owners will be considered as such for up to 12 months from the effective date of their first HAP contract with HABC. Upon approval by HUD in 2023, HABC proposes to provide these incentives to all owners.</p> <p>Vacancy and damage loss payments will no longer apply if the vacancy and damage occur beyond the first 12 months of occupancy.</p>	11-8	<p>Updating policy with newly approved language from 2023 MTW Annual Plan:</p> <p>Vacancy and Damage Loss Payments - Where vacancy and damage loss payments are concerned, they will be provided to new owners only. New owners will be considered as such for up to 12 months from the effective date of their first HAP contract with HABC. Upon approval by HUD in In 2023, HABC proposes received HUD approval to provide these following incentives to all owners.</p> <p>Vacancy and damage loss payments will no longer apply if the vacancy and damage occur beyond the first 12 months of occupancy.</p>

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CHAPTER 12: REEXAMINATIONS

<p><u>12.2 REEXAMINATIONS</u></p> <p>...HABC will continue to conduct annual (once every 12-months) reexaminations for the following:</p> <ul style="list-style-type: none"> • Zero Income Households (entire households reporting zero income) • Residents living in Mod-Rehab and Mod-Rehab SRO units. • Residents with other vouchers that do not qualify based on HUD funding restrictions (i.e., Veterans Affairs Supportive Housing (VASH), etc.). • Residents with Homeownership vouchers. 	12-2	<p>Updating policy to reflect HUDs approval to treat VASH with MTW flexibilities:</p> <p>...HABC will continue to conduct annual (once every 12-months) reexaminations for the following:</p> <ul style="list-style-type: none"> • Zero Income Households (entire households reporting zero income) • Residents living in Mod-Rehab and Mod-Rehab SRO units. • Residents with other vouchers that do not qualify based on HUD funding restrictions ((i.e., Veterans Affairs Supportive Housing (VASH), etc.).) • Residents with Homeownership vouchers.
<p><u>12.2 REEXAMINATIONS</u></p> <p>No Current Policy</p>	12-2	<p>Updating policy to add HOTMAs real property screening:</p> <p><i>Upon HUD approval, at each reexamination, HABC will determine whether or not the family continues to comply with the real property limitation policy. See section on REAL PROPERTY SCREENING.</i></p>
<p><u>12.2 REEXAMINATIONS</u></p> <p>12.2.8 Household Rent Increases</p> <p>Increases in income (see Section 12.3.1.) may result in an increase in the household rent and must be reported to HABC within thirty (30) calendar days of the date the change occurred.</p>	12-5	<p>Updating policy to match approved MTW policy:</p> <p>Increases in income (see Section 12.3.1.) may result in an increase in the household rent and must be reported to HABC <i>at the next regular reexamination, unless the household is reporting zero income for which the increase in income must be reported</i> within thirty (30) calendar days of the date the change occurred.</p>
<p><u>12.3 INTERIM REEXAMINATIONS</u></p> <p>Interims will be conducted for decreases in income, increases in income when there is a change in employment status (only if going from not working to working, or from part-time to full-time employment), and family composition changes.</p> <p>In FY2019, HABC may limit the number of voluntary interim reexaminations that occur between each regular reexamination cycle. ...</p> <p>Families whose loss of income represents a 20% reduction in gross annual income, and where the loss of income is beyond the family's control, will be able to request an exemption to the limit on interim reexaminations to allow for an additional interim to be conducted.</p>	12-6	<p>Updating policy to reflect approved MTW policy:</p> <p>Interims will be conducted for decreases in income, increases in income when there is a change in employment status (only if going from not working to working, or from part-time to full-time employment), and family composition changes. <i>HABC will conduct interim reexaminations within a reasonable time. Generally, interim reexaminations should not be longer than 30 days after a change is reported, however, this timeframe is contingent on the family's cooperation with providing timely supporting documentation.</i></p> <p>In FY2019, HABC <i>received HUD approval to may</i> limit the number of voluntary interim reexaminations that occur between each regular reexamination cycle...</p> <p>Families whose loss of income represents a 20% reduction in gross annual income, and where the loss of income is beyond the family's control, will be able to request an exemption to the limit on interim reexaminations to allow for an additional interim to be conducted. <i>During periods of declared emergencies, HCVP will waive the limit on voluntary interim recertifications.</i></p>

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CHAPTER 12: REEXAMINATIONS (continued)

<p>12.3.1 Expanded Hardship Policy for Families Exceeding Interim Limits</p> <p>HABC will not grant hardship exemptions from the limit on interim recertifications if the hardship is considered temporary, defined as lasting less than two (2) weeks.</p> <p>...</p>	12-7	<p>Updating definition and timeframe on hardships for interims to keep in line with HOTMA regulations on reporting income changes:</p> <p>HABC will not grant hardship exemptions from the limit on interim recertifications if the hardship is considered temporary, defined as lasting less than two (2) weeks <i>thirty (30) days. Additionally, HABC will process interim rent adjustments unless HABC confirms that the decrease in income will last less than thirty (30) days and/or if the family has exceeded the limit on interim reductions.</i></p>
<p>12.3.2 Interim Reexaminations Prompted by Changes in Income</p> <p>Any increase in income must be reported on the next regular annual, biennial, triennial recertification as applicable.</p>	12-7	<p>Updating exceptions to requirements to report increases in income based on HOTMA regs and current policy:</p> <p>Any increase in income must be reported on the next regular annual, biennial, triennial recertification as applicable. <i>Exceptions to this requirement include required reporting of increases in income between regular reexaminations for families claiming zero income.</i></p>
<p>12.3.7 Interim Reexamination Prompted by Temporary or Sporadic Income</p> <p>Temporary or sporadic income is defined as income that is neither reliable nor periodic and is excluded from the calculation of annual income.</p> <p>An interim reexamination review will be completed (as reported) for households reporting only sporadic income with the same frequency as zero income families (see Section 12.3.5). Temporary income is annualized at the time of recertification.</p> <p>HABC will not change the date of the regular biennial reexamination when an interim reexamination is conducted because the household has only temporary or sporadic income.</p>	12-9	<p>Removing section as per HOTMA regulations removing temporary or sporadic income:</p> <p>12.3.7 Interim Reexamination Prompted by Temporary or Sporadic Income</p> <p>Temporary or sporadic income is defined as income that is neither reliable nor periodic and is excluded from the calculation of annual income.</p> <p>An interim reexamination review will be completed (as reported) for households reporting only sporadic income with the same frequency as zero income families (see Section 12.3.5). Temporary income is annualized at the time of recertification.</p> <p>HABC will not change the date of the regular biennial reexamination when an interim reexamination is conducted because the household has only temporary or sporadic income.</p>
<p>12.3.8 Application of Payment Standards and Utility Allowances for Interim Reexaminations</p> <p>For any of the above listed types of Interim Reexaminations, the payment standard that applies to a household when an interim reexamination takes place will be the same payment standard which was in effect at the last annual, biennial, triennial reexamination, or at the time of a move with continued assistance.</p> <p>The utility allowance schedule that applies to a household when an interim reexamination takes place will be the same utility allowance schedule that was in effect at the last annual, biennial, triennial reexamination, or at the time of a move with continued assistance.</p>	12-9	<p>Updating policy to clarify changes in payment standards and utility allowances:</p> <p>... <i>Payment standards and utility allowances may be subject to change in individual circumstances. These amounts will not reduce but may increase.</i></p>

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<p>12.6.2 Procedures when the Change is Reported in a Timely Manner</p> <p>HABC will notify the participant and the owner of any change in the Housing Assistance Payment to be effective according to the following guidelines:</p> <ul style="list-style-type: none"> • <u>Increases in the Participant Rent</u> are effective following at least a thirty (30) calendar day notice; • <u>Decreases in the Participant Rent</u> are effective the first of the month following that in which the change was reported. However, no rent reductions will be processed until all the required documentation and facts have been received and verified. HABC may make a retro adjustment, but no earlier than the date the change in income/household composition was reported to HABC. 	<p>12-12</p>	<p>Updating policy to include MTW policies pending HUD approval:</p> <p>HABC will notify the participant and the owner of any change in the Housing Assistance Payment to be effective according to the following guidelines:</p> <ul style="list-style-type: none"> • <u>Increases in the Participant Rent</u> are effective following at least a thirty (30) calendar day notice. <i>Upon HUD approval, if a household fails to report a change within the required timeframes or fails to provide all required information within the required timeframes, the increase will be applied retroactively to the date it would have been effective had the information been provided on a timely basis.</i> • <u>Decreases in the Participant Rent</u> are effective the first <i>day</i> of the <i>first</i> month following that in which the change was reported <i>and all supporting documentation has been received</i>. However, no rent reductions will be processed until all the required documentation and facts have been received and verified. <i>If the family causes a delay in obtaining information to process the rent decrease, the rent decrease will be effective on the first day of the first month following completion of the reexamination.</i> HABC may make a retro adjustment, but no earlier than the date the change in income/household composition was reported to HABC.
<p>12.6.3 Procedures when the Change is NOT Reported by the Participant in a Timely Manner</p> <p>If the household does not report the change as described under Timely Reporting, the participant will have caused an unreasonable delay in the Unscheduled Reexamination processing and the following guidelines may apply:</p> <ul style="list-style-type: none"> • ... • <u>Decrease in Household Rent</u> will be effective on the first of the month following the month that the change was reported. 	<p>12-13</p>	<p>Updating policy to reflect changes through HOTMA regulations:</p> <p>If the household does not report the change as described under Timely Reporting, the participant will have caused an unreasonable delay in the Unscheduled Reexamination processing and the following guidelines may apply:</p> <ul style="list-style-type: none"> • ... • <u>Decrease in Household Rent</u> will be effective on the first <i>day</i> of the <i>first</i> month following the month that the change was reported <i>and all supporting documentation has been received</i>. <i>Any resulting rent decrease will be implemented no later than the first day of the first month following completion of the reexamination. HABC may apply rent decreases retroactively; however, a retroactive rent decrease may not be applied prior to the later of the first of the month following:</i> <ul style="list-style-type: none"> ◦ <i>The date of the change leading to the interim reexamination of family income; or</i> ◦ <i>The effective date of the family's most recent previous interim or regular reexamination (or initial examination if that was the family's last examination).</i> <p><i>In cases where, through no fault of the participant, the change cannot be verified until after the date the change would have become effective, the change will be made retroactively to the first of the month following the date the change would have led to the interim reexamination.</i></p>

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CHAPTER 13: MOVES WITH CONTINUED ASSISTANCE AND PORTABILITY

<p><u>13.2 ALLOWABLE MOVES</u></p> <p>A family may move to a new unit with continued assistance if:</p> <ul style="list-style-type: none"> • The assisted lease for the old unit has been terminated by: <ul style="list-style-type: none"> ◦ HABC for owner breach of the HAP contract, or ◦ By mutual agreement of the owner and the family. • ... 	13-1	<p>Updating this section to include new MTW Policy upon HUD approval.</p> <p>A family may move to a new unit <i>within HABC's jurisdiction</i> with continued assistance if:</p> <ul style="list-style-type: none"> • <i>Two or more years have passed since the initial lease effective date (first lease with a voucher).</i> • The assisted lease for the old unit has been terminated by: <ul style="list-style-type: none"> ◦ HABC for owner breach of the HAP contract, or ◦ By mutual agreement of the owner and the family. • ...
<p><u>13.3 RESTRICTIONS ON MOVES</u></p> <p>The following are restrictions to moves:</p> <ul style="list-style-type: none"> • Families will not be permitted to move during the initial term of the lease. • Families will not be permitted to move more than once in a 12-month period, unless otherwise specified by HABC. • Families who are pending court resolutions (documentation must be received by HABC verifying that the court procedures have commenced). • HABC may deny permission to move if there is insufficient funding for continued assistance. <p>HABC may deny permission to move if:</p> <ul style="list-style-type: none"> • The family has violated a family obligation. • The family owes HABC money. • The family is within the initial term of the lease or has moved within the previous 12 months. <p>The Senior Vice President or designee, of the Housing Choice Voucher Program may make exceptions to these restrictions if there is an emergency reason for the move over which the participant has no control.</p>	13-1	<p>Updating this section to include new MTW Policy upon HUD approval.</p> <p><i>Unless the owner agrees to a mutual dissolution of the lease, HABC will not approve a move during any effective lease term.</i></p> <p>The following are restrictions to moves:</p> <ul style="list-style-type: none"> • Families will not be permitted to move during the <i>unless two years have passed from the effective date of the initial term of the lease.</i> • Families will not be permitted to move more than once in a 12-month period, unless otherwise specified by HABC. • Families who are pending court resolutions (documentation must be received by HABC verifying that the court procedures have commenced). • HABC may deny permission to move if there is insufficient funding for continued assistance. • <i>Two years after their initial lease term, families will not be permitted to move more than once in a 12-month period, unless otherwise specified by HABC. HABC may approve an additional move within a 12-month period under the emergency circumstances outlined below. HABC will require verification to support an emergency move. Verification requirements for these moves can be found in VERIFICATION FOR EMERGENCY MOVES.</i> <ul style="list-style-type: none"> ◦ <i>Housing Quality Standards or Other Owner Breach</i> ◦ <i>Owner Termination of Tenancy</i> ◦ <i>Personal Safety/VAWA and Other</i> ◦ <i>Reasonable Accommodations</i> <p>HABC may deny permission to move if:</p> <ul style="list-style-type: none"> • The family has violated a family obligation. • The family owes HABC money. • The family is within <i>two-years of</i> the initial term of the lease or has moved within the previous 12 months. <p>The Senior Vice President or designee, of the Housing Choice Voucher Program may make exceptions to these restrictions if there is an emergency reason for the move over which the participant has no control.</p>

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CHAPTER 13: MOVES WITH CONTINUED ASSISTANCE AND PORTABILITY (continued)

<p><u>13.3 RESTRICTIONS ON MOVES</u></p> <p>No Current Policy</p>	N/A	<p>Adding New MTW Policy pending implementation upon HUD approval:</p> <p><i>MTW Policy</i> <i>Upon HUD approval, the following will be the restriction on elective moves:</i></p> <ul style="list-style-type: none"> <i>Families will not be permitted to move unless two years have passed from the effective date of the initial lease, except under emergency circumstances as outlined in the policies on Emergency Moves.</i> <i>Families who are pending court resolutions (documentation must be received by HABC verifying that the court procedures have commenced).</i> <i>HABC may deny permission to move if there is insufficient funding for continued assistance.</i> <i>Two years after their initial lease term, families will not be permitted to move more than once in a 12-month period.</i> <p><i>For HABC policy on moves outside of HABC's jurisdiction, please refer to the MTW policies in the chapter on Portability.</i></p> <p><i>Upon HUD approval, the emergency move policies below will be in effect.</i> <i>Moves during the first two years of the initial lease term, and during any other lease term, may be approved under certain emergency circumstances. Exceptions to the emergency move policy must be approved by the Senior Vice President of the Housing Choice Voucher program or designee.</i> <i>The following are the circumstances which may qualify a household for an emergency move. HABC will verify that the household meets the qualification for an emergency move. Verification requirements for emergency moves can be found in VERIFICATION REQUIREMENTS FOR EMERGENCY MOVES.</i></p> <ul style="list-style-type: none"> <i>Housing Quality Standards Violations or Other Owner Breach</i> <i>Owner Termination of Tenancy</i> <i>Personal Safety/VAWA</i> <i>Reasonable Accommodation</i>
<p><u>13.5 PORTABILITY</u></p> <p>13.5.1 Outgoing Portability (Port-Outs)</p> <p><i>13.5.1.1 Determining HCV Program Eligibility for Applicant Families Requesting to Port-Out</i></p> <p>Applicant families requesting to port-out of HABC's jurisdiction must meet all eligibility criteria set forth by HABC. HABC will determine if the applicant is eligible for participation in the HCV Program, and whether the applicant is income eligible in the jurisdiction for which the applicant wishes to move...</p>	13-3	<p>Updating this section to include new MTW Policy upon HUD approval.</p> <p><i>Upon HUD approval, applicant families requesting may request to port-out of HABC's jurisdiction on or after two years from their initial lease date (initial 2-year lease anniversary). Applicant families must meet all eligibility criteria set forth by HABC. Please refer to RESTRICTIONS ON PORTABILITY for more information on porting out.</i></p> <p><i>If an applicant family submits a hardship request and receives approval to port out prior to their initial 2-year lease anniversary, HABC will determine if the applicant is eligible for participation in the HCV Program, and whether the applicant is income eligible in the jurisdiction for which the applicant wishes to move...</i></p>

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CHAPTER 13: MOVES WITH CONTINUED ASSISTANCE AND PORTABILITY (continued)

<p>13.5.2 Incoming Portability (Port-Ins)</p> <p>Port-in households will be required to meet all HABC program criteria prior to being accepted (see Chapter 2, ELIGIBILITY FOR ADMISSION and Chapter 3, APPLYING FOR ADMISSION). ... After receiving and confirming the portability paperwork from the initial PHA, HABC will contact the participant within ten (10) business days to schedule a mandatory voucher briefing and full re-examination (see Chapter 8 and Chapter 5 for information on voucher issuance and subsidy standards)...</p>	13-4	<p>Updating policy to reflect current procedure:</p> <p>Port-in households will be required to meet all HABC program criteria prior to being accepted (see Chapter 2, ELIGIBILITY FOR ADMISSION and Chapter 3, APPLYING FOR ADMISSION). ... After receiving and confirming the portability paperwork from the initial PHA, HABC will contact the participant within ten (10) business days to schedule a mandatory voucher briefing and full re-examination <i>eligibility determination to signing forms, background check, updating income, family composition and reviewing necessary documentation (birth certificates etc.). Due to time-constraints request for Reasonable Accommodations, such as adding a live-in aid will be returned to the original jurisdiction</i> (see Chapter 8 and Chapter 5 for information on voucher issuance and subsidy standards)...</p>
<p>13.5.3 Restrictions on Portability</p> <p><i>13.5.3.1 Applicants and Participants</i></p> <p>The restrictions on portability are the same as those listed for moves (see Section 13.3, RESTRICTIONS ON MOVES, above).</p>	13-5	<p>Updating section to include new MTW Policy upon HUD approval.</p> <p>The restrictions on portability are the same as those listed for moves (see Section 13.3, RESTRICTIONS ON MOVES, above).</p> <p><i>MTW Policy</i> <i>Upon HUD approval, applicant and participant families, in addition to meeting the applicable moves criteria (see ALLOWABLE MOVES and RESTRICTIONS ON MOVES), must first lease within HABC's jurisdiction for the first two years. On or after the initial 2-year lease anniversary, participants can request to move outside of HABC's jurisdiction (port-out). Such requests will only be granted if the family is in good standing and the family has a verified employment, education, safety or medical/disability need to support their move to another jurisdiction. Families unable to provide such verification will not be permitted to port out. Please refer to VERIFICATION REQUIREMENTS FOR PORT-OUTS for more information.</i></p> <p><i>HABC will require the family to provide all documents that HABC deems necessary to verify the family's need to relocate outside of HABC's jurisdiction. All verification documents must be dated within 120 days and be consistent with the family's employment, education, safety or medical/disability need. If the family fails to provide verification documents and/or the documents provided are not sufficient, HABC will deny the request to port-out.</i></p> <p><i>Families who have moved out of HABC's jurisdiction under portability prior to the effective date of this policy, will be exempt from the new portability criteria. They will remain exempt until and unless they return to HABC's jurisdiction and request to port out again. If at any time an existing port-out participant returns to HABC's jurisdiction and leases a unit, all future moves outside of HABC's jurisdiction will be subject to the new criteria. An existing port-out participant who moved out of HABC's jurisdiction prior to the implementation of this policy and who later requests to move outside of HABC's jurisdiction, will be exempt from the new portability criteria.</i></p>

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CHAPTER 13: MOVES WITH CONTINUED ASSISTANCE AND PORTABILITY (continued)

CONTINUED FROM PREVIOUS PAGE	13-5	<p>CONTINUED FROM PREVIOUS PAGE</p> <p><i>Financial Hardship Waiver</i></p> <p><i>Upon HUD approval, the following port-out hardship policy will be implemented. HABC will consider port-out requests within two years after the initial lease term in the event the owner does not renew the lease and the non-renewal is not due to HCV program compliance issues. Additionally, port-out requests due to reasonable accommodations will continue to be accepted regardless of the lease anniversary and without consideration of the additional criteria for port-out moves. Exceptions under VAWA remain the same.</i></p> <p><i>Additionally, a family may seek a hardship waiver from the MTW portability criteria if the family's current rent share is greater than 40% of their monthly adjusted income. This hardship applies after the initial lease term as the family would not have been allowed to initially lease a unit if the family share was greater than 40% of the family's monthly adjusted income.</i></p>
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CHAPTER 15: DENIAL OR TERMINATION OF ASSISTANCE

<p><u>15.4 DEFINITIONS OF TEMPORARILY / PERMANENTLY ABSENT</u></p> <p>15.4.7 Continued Assistance for Remaining Members who are Minors</p> <p>No Current Policy</p>	15-8	<p>Updating policy to include language requested by Office of Legal Affairs:</p> <p><i>HABC will not hold remaining family members who are minors (under the age of 18) responsible for debts owed incurred by the former Head of Household, nor for any amounts incurred before a new Head of Household turns 18 years old.</i></p>
<p>15.4.9 Visitors</p> <p>Visitors are considered guests that do not stay overnight. Any person, who has been in the unit more than fourteen (14) consecutive days without HABC approval, or a total of ninety (90) days in a 12-month period, will be considered to be living in the unit as an unauthorized household member.</p> <p>Determination of the unauthorized status will include any of the following:</p> <ul style="list-style-type: none"> • Absence of evidence of any other address will be considered verification that the visitor is a member of the household. • Statements from neighbors and/or the landlord will be considered in making the determination. • Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence. • Investigations completed by HABC's Investigations Unit (IU), may result in the determination of unauthorized occupants. 	15-9	<p>Removing duplicate language to streamline the definition of visitor:</p> <p>Visitors are considered guests that do not stay overnight. Any person, who has been in the unit more than fourteen (14) consecutive days without HABC approval, or a total of ninety (90) days in a 12-month period, will be considered to be living in the unit as an unauthorized household member.</p> <p>Determination of the unauthorized status will include any of the following:</p> <ul style="list-style-type: none"> • Absence of evidence of any other address will be considered verification that the visitor is a member of the household. • Statements from neighbors and/or the landlord will be considered in making the determination. • Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence. <p>Investigations completed by HABC's Investigations Unit (IU), may result in the determination of unauthorized occupants.</p>

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CHAPTER 15: DENIAL OR TERMINATION OF ASSISTANCE (continued)

<p><u>15.5 HUD DEFINITIONS</u></p> <p>... Drug-related criminal activity means 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 drug. Drug-related criminal activity means in the immediate vicinity of the premises.</p> <p>Guest, for purposes of this chapter means a person temporarily staying in the unit with the consent of a participant or other member of the household who has express or implied authority to so consent on behalf of the participant.</p> <p>Household, for the purposes of this chapter, means the family and HABC-approved live-in aide.</p> <p>Other person under the participant's control, for the purposes of the definition of covered person and for this chapter, means that the person, although not staying as a guest (as defined in this chapter) in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the participant or other member of the household who has expressed or implied authority to so consent on behalf of the participant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not under the participant's control.</p> <p>Violent criminal activity means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.</p>	15-13	<p>Updating section per Compliance:</p> <p>... Drug-related criminal activity means 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 drug. Drug-related criminal activity means in the immediate vicinity of the premises.</p> <p>Violent criminal activity means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.</p> <p>Guest, for purposes of this chapter means a person temporarily staying in the unit with the consent of a participant or other member of the household who has express or implied authority to so consent on behalf of the participant.</p> <p>Household, for the purposes of this chapter, means the family and HABC-approved live-in aide.</p> <p>Other person under the participant's control, for the purposes of the definition of covered person and for this chapter, means that the person, although not staying as a guest (as defined in this chapter) in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the participant or other member of the household who has expressed or implied authority to so consent on behalf of the participant. Absent evidence to the contrary, a person temporarily and infrequently on the premises solely for legitimate commercial purposes is not under the participant's control.</p> <p>Violent criminal activity means any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.</p>
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CHAPTER 19: SPECIAL HOUSING TYPES

NO CURRENT POLICY	19-1	<p>Adding HUD approved MTW Initiative for Student Housing:</p> <p><i>19.2. STUDENT HOUSING INITIATIVE (SHI)</i> <i>In FY2023, HUD approved this new initiative in HABC's MTW Annual Plan. Through this HUD approved initiative, HABC will work in partnership with colleges/universities in HABC's jurisdiction to provide ten (10) time-limited, tenant-based vouchers for eligible SHI participants.</i></p> <p><i>The participating Baltimore City colleges/universities will be responsible for identifying and referring eligible participants and for providing verification that the student meets HUD's criteria of an independent student. Participating colleges/universities will also be responsible for providing HABC with regular academic progress reports to ensure participants comply with continued occupancy and SHI program requirements, including maintaining a 2.5 grade point average. HABC will verify and calculate income to determine income eligibility.</i></p> <p><i>The SHI subsidy will operate as follows:</i></p> <ul style="list-style-type: none"> <i>• SHI participants will pay the highest of 10% of gross monthly income, 30% of adjusted monthly income or a \$25 minimum rent and will have recertifications completed on a biennial basis during their participation in the program.</i> <i>• In the event the gross rent exceeds the applicable 1- or 2-bedroom payment standard, the SHI participant will pay the difference; however, HABC will not approve a unit where the family share is greater than 40% of the family's adjusted monthly income.</i> <i>• Generally, the voucher will be provided for up to four years for eligible, matriculated, full-time students in an accredited 4-year college program and up to five years for eligible, matriculated, full-time students in an accredited 5-year college program. Students enrolled in 4-year community colleges within HABC's jurisdiction are also eligible under this activity.</i> <i>• An additional post-graduation year may be provided if the student remains income eligible and has not yet secured permanent full-time employment. HABC will terminate the subsidy during fifth year within sixty (60) days of securing full-time employment. Participants will be required to notify HABC within 30 days of securing full-time employment.</i> <i>• Where a student becomes part of the SHI program after they have already completed course work at a Baltimore City college/university, HABC will adjust the participation period in the program to reflect the remaining portion of the applicable year cap.</i> <i>• The family size must be consistent with the occupancy standards for a 1- to 2-bedroom unit without being over-crowded.</i> <i>• HABC will conduct reasonable rent determinations prior to unit approval.</i> <i>• HABC will provide utility allowances to students where the cost of utilities is not included in the rent.</i> <i>• The subsidy will be limited to housing assistance, in the form of rent in privately owned housing and will be paid directly to the housing provider; however, where applicable, the subsidy may cover security deposit assistance up to one month's subsidy.</i>
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CHAPTER 19: SPECIAL HOUSING TYPES (continued)

CONTINUED FROM PREVIOUS PAGE	19-1	<p>CONTINUED FROM PREVIOUS PAGE</p> <ul style="list-style-type: none"> • HABC will conduct the HQS inspections. • If the student is at \$0 HAP for 6 months, the subsidy will be terminated, and assistance will no longer be provided. • Prior to terminating a participant's voucher, HABC will provide the participant with sixty day's written notice and offer the participant an opportunity for an informal hearing where applicable. <p>Participants must continue to remain enrolled full-time and maintain a 2.5 Grade Point Average (GPA) in order to be eligible for subsidy renewal each year; however, this requirement is waived when an additional post-graduation year is authorized. Additionally, HABC will make available to SHI participants, self-sufficiency related services offered by HABC. Every student will be required to utilize academic support services and counseling services available at the college. If the student does not remain compliant with program terms, the subsidy may be terminated. The individuals issued SHI vouchers and served under this activity will become participants in the Housing Choice Voucher Program; however, their vouchers will have term limits.</p> <p>HABC will no longer accept referrals once the SHI program cap has been met.</p> <p>19.2.1 Initial Eligibility for Student Housing Initiative The Student Housing Initiative (SHI) which is a housing stability program for eligible low-income college students. Initial eligibility for the SHI includes:</p> <ul style="list-style-type: none"> • Graduation from a Baltimore City high school; • Qualification as an independent student using HUD's independent student criteria; • Matriculation in a four- or five-year college program located within HABC's jurisdiction; • Full-time student enrollment; and • Maintenance of a grade point average of at least 2.5. <p>19.2.2 SHI Hardship In the event that a student needs to take an extended leave from his or her academic program, the subsidy will be discontinued; however, the student may reapply, through their college/university, to the SHI as long as the program continues to operate. For leaves which do not exceed two months in duration, and which have been reviewed and approved by HABC and the partner college/university, the subsidy will continue.</p>
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CURRENT POLICY	#	PROPOSED POLICY

CHAPTER 20: PROJECT-BASED PROGRAM ASSISTANCE

<p><u>20.15 RENTAL ASSISTANCE DEMONSTRATION</u></p> <p>20.15.8 RAD Contract Rents</p> <p>No incremental funds are authorized for the RAD conversion. As such, initial contract rents are established based on public housing funding levels and are subject to applicable program rent caps. Contract rents will be adjusted annually only by HUD's operating cost adjustment factor (OCAF) at each anniversary of the HAP contract, subject to the availability of appropriations for each year of the contract term. ...</p> <p>...</p> <p>In such cases, the contract rent adjustment will be the lesser of:</p> <ul style="list-style-type: none"> (i) The current contract rent increased by the operating cost adjustment factor (OCAF), which is published annually in the Federal Register; or (ii) The reasonable rent. 	20-13	<p>Updating policies to reflect approved MTW policy:</p> <p>No incremental funds are authorized for the RAD conversion. As such, initial contract rents are established based on public housing funding levels and are subject to applicable program rent caps. Contract rents will be adjusted annually only by HUD's operating cost adjustment factor (OCAF) <i>in accordance with HABC's rent reasonableness and rent cap policies and procedures</i>, at each anniversary of the HAP contract, subject to the availability of appropriations for each year of the contract term. ...</p> <p>...</p> <p>In such cases, the contract rent adjustment will be the lesser of:</p> <ul style="list-style-type: none"> (i) The current contract rent increased by the operating cost adjustment factor (OCAF) <i>the Consumer Price Index for the current year</i>, which is published annually in the Federal Register for Baltimore-Towson-Columbia Metro Area; or (ii) The reasonable rent.
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CHAPTER 21: NEW CHAPTER

NO CURRENT POLICY – NEW FSS CHAPTER	N/A	Added new chapter on Family Self-Sufficiency.
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